

REGULAR SESSION – APRIL 2, 2018

The City Council met in regular session at 6:00 p.m. on April 2, 2018 in the City Hall Council Chambers. Mayor Kelly B. Shaw called the meeting to order and on roll call the following members were present: Shirley Clark, Joe Gezel, Bob Kling, Greg Marchant, John Parker and Greta Southall.

John Monroe, 1403 Lundahl, spoke to the Mayor and Council regarding the discussion at the February 5, 2018 Council meeting regarding nominations to the Civil Service Commission.

The consent agenda consisting of the following was approved on a motion by Clark and seconded by Kling. On roll call the vote was, AYES: Marchant, Gezel, Southall, Parker, Kling and Clark. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

Approval of agenda

March 19, 2018 Minutes

Application - A renewal refuse hauling permit for Waste Connections of Iowa

Agreement between The Sports Page Grill, Inc. dba BrickHouse Tavern and the City of Indianola for a deck located at 107 N. Buxton

Street closure request from the Indianola Chamber of Commerce - Holiday Extravaganza and Lighted Parade - November 30, 2018 from 4:30 p.m. - 9:00 p.m. - request is to close the entire square and one block east and west on Ashland and Salem, one block south on Howard and one block north on Buxton

Authorize past due sewer of \$1,927.68, recycling of \$442.96 and storm water fees of \$54.99 to be sent to the State Off-Set Program for collection

Prior approval applications for urban revitalization designation

Jeremiah Segar - 506 W. 19th Place - SFD - \$124,500

Orton Homes - 1103 E. Madison Avenue - SFD - \$156,500

Final approval applications for urban revitalization designation

Jerry's Homes - 1702 E. Clinton Avenue - SFD - \$142,200

Autumn Ridge Development - 1203 North "N" Ct. - \$156,400

DRE Properties, LLC - 509 East Scenic Valley Avenue - Commercial Building - \$1,450,000

Cory Drees - 2007 N. 6th Street - Commercial Clinic/Office - \$780,000.00

Claims on the computer printout for April 2, 2018

Mayor Shaw proclaimed the month of April 2018 as Child Abuse Prevention Month.

Mayor Shaw proclaimed the month of April 2018 as Keep Indianola Beautification Month

Council member Marchant presented an update on the March 27, 2018 joint meeting with the Warren County Board of Supervisors regarding the Warren County Jail.

A public hearing and first consideration of an ordinance readopting the existing City Code of Ordinances was held. There were no objections either oral or written. It was moved by Parker and seconded by Kling to approve the first consideration of this request. On roll call the vote was, AYES: Kling, Clark, Marchant, Gezel, Southall and Parker. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

A second consideration of a request from Robin McCord Eyberg Et Al to rezone the West 1/2 of the Northwest 1/4 of the Northwest 1/4 AND the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of Section 20, Township 76, Range 23, West of the 5th P.M., Indianola, Iowa AND the North ½ of the Southwest 1/4, Indianola, Iowa, from A-1 (agriculture) to M-2 (general industrial) was approved on a motion by Marchant and seconded by Southall. On roll call the vote was, AYES: Gezel, Southall, Parker, Kling, Clark and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

Upon the final consideration of an amendment to C-2 (highway commercial) zoning to clarify permitted uses and include C-2 zoning (highway commercial) in the site plan initial procedures, Parker moved and Kling seconded to adopt ORDINANCE NO. 1588 entitled, "AN ORDINANCE AMENDING THE CITY CODE OF ORDINANCES OF THE CITY OF INDIANOLA, IOWA, CHAPTER 165, ZONING REGULATIONS, TO CLARIFY PERMITTED USES WITHIN #17 OF THE C-2 ZONING CLASSIFICATION." On roll call the vote was, AYES: Kling, Clark, Marchant, Gezel, Southall and Parker. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the ordinance to be effective upon publication.

Upon the final consideration of an ordinance adding new section 90.2 "Private Water Wells", Clark moved and Southall seconded to adopt ORDINANCE NO. 1589 entitled, "AN ORDINANCE AMENDING THE CITY CODE OF ORDINANCES OF THE CITY OF INDIANOLA, IOWA, BY ADDING NEW SECTION 90.2 "PRIVATE WATER WELL". On roll call the vote was, AYES: Marchant, Gezel, Southall, Parker, Kling and Clark. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the ordinance to be effective upon publication.

The following resolution entitled, "RESOLUTION DETERMINING PROPERTY TO BE SURPLUS, AUTHORIZING SALE OF PROPERTY AND APPROVING THE PURCHASE OF A TRACKED SKID LOADER FROM SUNDOWN EQUIPMENT IN AN AMOUNT OF \$40,625 FOR THE STREET DEPARTMENT" was approved on a motion by Southall and seconded by Kling. On roll call the vote was, AYES: Parker, Kling, Clark, Marchant, Gezel and Southall. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2018-52

RESOLUTION DETERMINING PROPERTY TO BE SURPLUS, AUTHORIZING SALE OF PROPERTY AND APPROVING THE PURCHASE OF A TRACKED SKID LOADER FROM SUNDOWN EQUIPMENT IN AN AMOUNT OF \$40,625 FOR THE STREET DEPARTMENT

(The complete resolution may be viewed at the City Clerk's Office)

The following resolution entitled, "RESOLUTION DETERMINING PROPERTY TO BE SURPLUS, AUTHORIZING SALE OF PROPERTY AND APPROVING THE PURCHASE OF A ONE-TON CREW CAB DUALY PICKUP WITH DUMP BODY FROM SHOTTENKIRK FORD IN AN AMOUNT OF \$35,235 FOR THE STREET DEPARTMENT" was approved on a motion by Marchant and seconded by Kling. On roll call the vote was, AYES: Gezel, Southall, Parker, Kling, Clark and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2018-53

RESOLUTION DETERMINING PROPERTY TO BE SURPLUS, AUTHORIZING SALE OF PROPERTY AND APPROVING THE PURCHASE OF A ONE-TON CREW CAB DUALY PICKUP WITH DUMP BODY FROM SHOTTENKIRK FORD IN AN AMOUNT OF \$35,235 FOR THE STREET DEPARTMENT

(The complete resolution may be viewed at the City Clerk's Office)

The following resolution entitled, “RESOLUTION DETERMINING PROPERTY TO BE SURPLUS, AUTHORIZING SALE OF PROPERTY AND APPROVING THE PURCHASE OF A ONE-TON REGULAR CAB PICKUP FROM SHOTTENKIRK FORD IN AN AMOUNT OF \$27,600 FOR THE STREET DEPARTMENT” was approved on a motion by Kling and seconded by Parker. On roll call the vote was, AYES: Clark, Marchant, Gezel, Southall, Parker and Kling. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2018-54
RESOLUTION DETERMINING PROPERTY TO BE SURPLUS, AUTHORIZING SALE OF
PROPERTY AND APPROVING THE PURCHASE OF A ONE-TON REGULAR
CAB PICKUP FROM SHOTTENKIRK FORD
IN AN AMOUNT OF \$27,600 FOR THE STREET DEPARTMENT

(The complete resolution may be viewed at the City Clerk’s Office)

A motion was made by Southall and seconded by Marchant to approve the request from Diligent Prairie Glynn, LLC and Jerry's Homes for a partial payment of \$40,517.12 for the completed storm sewer improvements as part of the Development Agreement of the East Euclid Avenue extension project. On roll call the vote was, AYES: Parker, Kling, Clark, Marchant, Gezel and Southall. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

The event application from the Indianola Chamber of Commerce for Friday Night Live Summer Concert Series at the Memorial Park – Dates will be June 1, 22 and July 13, 2018 from 4:00 p.m. – 9:00 p.m. was approved on a motion by Marchant and seconded by Parker. On roll call the vote was, AYES: Gezel, Southall, Parker, Kling, Clark and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

Council member Marchant moved and Parker seconded to approve the following resolution entitled, “RESOLUTION SUSPENDING ENFORCEMENT OF INDIANOLA CODE 47.01(11) REGARDING THE SALE OF BEER AND WINE COOLERS IN CITY PARKS FOR THE FRIDAY NIGHT LIVE SUMMER CONCERT SERIES AS REQUESTED BY THE INDIANOLA CHAMBER OF COMMERCE” on June 1, 22 and July 13, 2018. On roll call the vote was, AYES: Gezel, Southall, Parker, Kling, Clark and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2018-55
RESOLUTION SUSPENDING ENFORCEMENT OF INDIANOLA CODE 47.01(11) REGARDING
THE SALE OF BEER AND WINE COOLERS IN CITY PARKS FOR THE FRIDAY NIGHT LIVE
SUMMER CONCERT SERIES AS REQUESTED
BY THE INDIANOLA CHAMBER OF COMMERCE
On June 1, 22 and July 13, 2018

(The complete resolution may be viewed at the City Clerk’s Office)

A new Class “B” Beer (includes Wine Coolers) and Outdoor Area for the Indianola Chamber of Commerce at the Memorial Park (North “G” and West Euclid Avenue) on June 1, 22, July 13, 2018 was approved on a motion by Marchant and seconded by Southall. On roll call the vote was, AYES: Gezel, Southall, Parker, Kling, Clark and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

It was moved by Clark and seconded by Parker to approve the noise permit from the Indianola Chamber of Commerce at the Memorial Park for Friday Night Live Summer Concert Series on June 1, 22

and July 13, 2018 from 4:00 p.m. – 9:00 p.m. On roll call the vote was, AYES: Marchant, Gezel, Southall, Parker, Kling and Clark. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

The following resolution entitled, “RESOLUTION ORDERING CONSTRUCTION OF PUBLIC IMPROVEMENTS (HWY 65/69 MEDIAN PHASE 2 CONCRETE BORDER) AND FIXING A DATE FOR HEARING (MAY 7, 2018) AND TAKING OF BIDS (MAY 1, 2018)” was approved on a motion by Clark and seconded by Kling. On roll call the vote was, AYES: Marchant, Gezel, Southall, Parker. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2018-56
RESOLUTION ORDERING CONSTRUCTION OF PUBLIC IMPROVEMENTS (HWY 65/69
MEDIAN PHASE 2 CONCRETE BORDER) AND FIXING A DATE FOR HEARING (MAY 7, 2018)
AND TAKING OF BIDS (MAY 1, 2018)

(The complete resolution may be viewed at the City Clerk’s Office)

Marchant moved and Parker seconded to approve the following resolution entitled, “RESOLUTION APPROVING SALARIES.” On roll call the vote was, AYES: Gezel, Southall, Parker, Kling, Clark and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2018-57
RESOLUTION APPROVING SALARIES

(The complete resolution may be viewed at the City Clerk’s Office)

A motion was made by Marchant and seconded by Parker to go into closed session in accordance with Iowa Code Section 21.5(1)(c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. On roll call the vote was, AYES: Gezel, Southall, Parker, Kling, Clark and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

It was moved by Marchant and seconded by Southall to return to regular session. On roll call the vote was, AYES: Gezel, Southall, Parker, Kling, Clark and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

It was moved by Marchant and seconded by Southall to enter into closed session in accordance with Iowa Code Section 21.5(1)(j) to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property. On roll call the vote was, AYES: Gezel, Southall, Parker, Kling, Clark and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

Marchant moved and Parker seconded to return to regular session. On roll call the vote was, AYES: Gezel, Southall, Parker, Kling, Clark and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

Meeting adjourned at 7:25 p.m. on a motion by Parker and second by Marchant.

Kelly B. Shaw

Diana Bowlin, City Clerk