

REGULAR SESSION – APRIL 16, 2018

The City Council met in regular session at 7:00 p.m. on April 16, 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.

Don Davis, 14715 Harrison Street, Indianola, Iowa, candidate running for Warren County Board of Supervisor, requested a combined meeting between the County and City to discuss options of a joint facility for both entities.

On a motion by Southall and seconded by Parker the April 16, 2018 council agenda was approved with the deletion of Item A-1 - A public hearing and first consideration of a request from Mike Vanderpool of Hidden Springs LLC, (seller) and Mike and Sarah Rosenberger of TRM Disposal LLC, (buyer) to rezone a portion of Auditor's Outlot 152 from R-3 (Mixed Residential). 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 consent agenda consisting of the following 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.

Approval of agenda

April 2, 2018 Minutes

Applications

- A renewal Class "B" Wine, Class "C" Beer, Class "E" Liquor and Sunday Sales Privilege for Walgreen's - 1000 N. Jefferson
- A renewal Class "C" Liquor, Sunday Sales and Outdoor Area for The Garage - 114 E. Ashland

Resolution No. 2018-58 setting May 21, 2018 as the public hearing to amend the FY 2018 Budget (The complete resolution may be viewed at the City Clerk's Office)

Resolution No. 2018-59 amending the City's FY 18 Fee Schedule for the Indianola Magazine Ad Rates (The complete resolution may be viewed at the City Clerk's Office)

Second consideration of an ordinance readopting the existing City Code of Ordinances

Final 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 1/2 of the Southwest 1/4, Indianola, Iowa, from A-1 (agriculture) to M-2 (general industrial) and adoption of ORDINANCE NO. 1590 entitled, "AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF INDIANOLA, IOWA, BY REZONING LAND OWNED BY ROBIN McCORD EYBERG, TO CHANGE THE ZONING CLASSIFICATION FROM AGRICULTURAL (A-1) TO GENERAL INDUSTRIAL (M-2) – the ordinance will be effective upon publication

Change order number two in an amount of (-\$2,551.59) for the Morlock Downstream Gravity Sewer Improvements - revised contract amount \$1,896,662.76

A noise permit request from The Garage - April 20, 2018 - November 20, 2018 (noon to

midnight on Friday and Saturday nights)

Claims on the computer printout for April 16, 2018 and the March 2018 receipts

The March 2018 Treasurer report 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.

Brooke Ramsey, Business Development Manager and Julia Castillo, Executive Director, updated the Mayor and Council on the HIRTA Public Transit.

The following resolution entitled, "RESOLUTION IN SUPPORT OF CONTINUED FUNDING OF STATEWIDE REIMBURSEMENT OF COMMERCIAL/INDUSTRIAL PROPERTY TAX REVENUE REDUCTIONS" 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

RESOLUTION NO. 2018-60
RESOLUTION IN SUPPORT OF CONTINUED FUNDING OF STATEWIDE REIMBURSEMENT OF
COMMERCIAL/INDUSTRIAL PROPERTY TAX REVENUE REDUCTIONS

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

Mayor Shaw proclaimed the 50th year of municipal Home Rule in Iowa.

A public hearing and first consideration of a request from Missouri Valley JATC to Amend M-1 (Limited Industrial) Zoning to allow School and Training Facilities for Contractor and Industrial Trades as a Permitted Principal Use was held. Robbie Foxen, of Missouri Valley JATC, spoke in favor of their request. There were no objections either oral or written. Clark moved and Kling seconded to approve the first consideration of this request. On roll call the vote was, AYES: Marchant, Gezel, Southall, Parker, Kling and Clark. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

It was moved by Southall and seconded by Marchant to suspend the rules requiring an ordinance be considered at three separate meetings before its adoption and moved to adopt ORDINANCE NO. 1591 entitled, "AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF INDIANOLA, IOWA, CHAPTER 165 TO PERMIT SCHOOL AND TRAINING FACILITIES FOR CONTRACTOR AND INDUSTRIAL TRADES AS A PERMITTED USE IN M-1 (LIGHT INDUSTRIAL) ZONING DISTRICT." 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 ordinance to be effective upon publication.

A public hearing and first consideration of a request from Missouri Valley JATC to amend M-1 (Limited Industrial) zoning to allow Student Housing for School and Training Facilities for Contractor and Industrial Trades as a Permitted Principal Use was held. There were no objections either oral or written. Kling moved and Parker seconded to approve the first consideration of this ordinance. 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 ordinance to be effective upon publication.

Council member Southall moved and Gezel seconded to suspend the rules requiring and ordinance be considered at three separate meetings before its adoption and move to adopt ORDINANCE NO. 1592 entitled, "AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF INDIANOLA, IOWA, CHAPTER 165 TO PERMIT STUDENT HOUSING FOR SCHOOL AND TRAINING FACILITIES FOR CONTRACTOR AND INDUSTRIAL TRADES AS A PERMITTED

USE IN M-1 (LIGHT INDUSTRIAL) ZONING DISTRICT.” 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 ordinance to be effective upon publication.

A public hearing and first consideration of request from Missouri Valley JATC to rezone the property legally described as the Northwest ¼ of the Southwest ¼ and the South ½ of the Southwest ¼ of the Northwest ¼ of Section 20, Township 76, Range 23, West of the 5th P.M., Indianola, Iowa from A-1 (Agriculture) to M-1 (Limited Industrial) was held. There were no objections either oral or written. Clark moved and Gezel seconded to approve the first consideration of this request. On roll call the vote was AYES: Marchant, Gezel, Southall, Parker, Kling and Clark. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

Marchant moved and Parker seconded to suspend the rules requiring an ordinance be considered at three separate meeting before its adoption and moved to adopt ORDINANCE NO. 1593 entitled, “AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF INDIANOLA, IOWA, CHAPTER 165 TO ALLOW A REZONING OF PROPERTY AT THE 1500-1800 BLOCK OF EAST IOWA AVENUE FROM A-1 (AGRICULTURAL) TO M-1 (LIMITED INDUSTRIAL), WITH CONDITIONS.” On roll call the vote was, AYES: Gezel, Southall, Parker, Kling, Clark and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried and the ordinance to be effective upon publication.

Council member Marchant moved and Southall seconded to approve the following resolution entitled, “RESOLUTION ORDERING CONSTRUCTION OF PUBLIC IMPROVEMENTS (2018 Capital Street Improvement Project) AND FIXING A DATE FOR HEARING (May 21, 2018) AND TAKING OF BIDS (May 8, 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. 2018-61
RESOLUTION ORDERING CONSTRUCTION OF PUBLIC IMPROVEMENTS (2018 Capital Street
Improvement Project) AND FIXING A DATE FOR HEARING (May 21, 2018)
AND TAKING OF BIDS (May 8, 2018)

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

It was moved by Marchant and seconded by Parker to approve the following resolution entitled, “RESOLUTION APPROVING THE PROFESSIONAL SERVICES AGREEMENT WITH NORWALK SEASONAL SERVICES FOR THE NUISANCE ABATEMENT SERVICES.” 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. 2018-62
RESOLUTION APPROVING THE PROFESSIONAL SERVICES AGREEMENT WITH NORWALK
SEASONAL SERVICES FOR THE NUISANCE ABATEMENT SERVICES

(The complete resolution may be viewed at the City Clerks’ office)

The following resolution entitled “RESOLUTION DETERMINING PROPERTY TO BE SURPLUS, AUTHORIZING THE SALE OF PROPERTY AND APPROVING THE PURCHASE OF A SEWER INSPECTION CAMERA TRUCK FROM TRANS-IOWA EQUIPMENT IN AN AMOUNT OF \$206,107.48” 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 and the following resolution duly adopted.

RESOLUTION NO. 2018-63
RESOLUTION DETERMINING PROPERTY TO BE SURPLUS, AUTHORIZING THE SALE OF
PROPERTY AND APPROVING THE PURCHASE OF A SEWER INSPECTION CAMERA TRUCK
FROM TRANS-IOWA EQUIPMENT IN AN AMOUNT OF \$206,107.48

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

The request from St. Thomas Aquinas Church, located at 210 R63 Hwy, to seek an alternate method of approval of the site plan ordinance which allows approval for the exterior finishes of the addition, was approved on a motion by Gezel and seconded by Southall. On roll call the vote was, AYES: Southall, Parker, Kling, Clark, Marchant and Gezel. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

A motion was made by Clark and seconded by Parker to approve the following resolution entitled, "RESOLUTION APPROVING A PROFESSIONAL SERVICE AGREEMENT WITH HR GREEN FOR THE CONCEPTUAL DESIGN FOR THE WWTP IMPROVEMENTS IN AN AMOUNT OF \$82,500." On roll call the vote was, AYES: Marchant, Gezel, Southall, Parker, Kling and Clark. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

RESOLUTION NO. 2018-64
RESOLUTION APPROVING A PROFESSIONAL SERVICE AGREEMENT WITH HR GREEN FOR
THE CONCEPTUAL DESIGN FOR THE WWTP IMPROVEMENTS IN AN AMOUNT OF \$82,500

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

Clark moved and Parker seconded to approve the following resolution entitled, "RESOLUTION APPROVING SALARIES." 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 following resolution duly adopted.

RESOLUTION NO. 2018-65
RESOLUTION APPROVING SALARIES

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

Meeting adjourned at 8:00 p.m. on a motion by Marchant and second by Parker.

Kelly B. Shaw

Diana Bowlin, City Clerk