

City of Indianola - Regular Session – May 3, 2021

The Indianola City Council met in regular session at 6:00 p.m. on May 3, 2021 in the City Hall Council Chambers. Mayor Pam Pepper called the meeting to order and on roll call the following members were present: Heather Hulen, John Parker, Bob Kling, Gwen Schroder, Greta Southall, Greg Marchant and Mayor Pepper. Absent: None.

There were no public comments in Open Forum.

Council Member Hulen requested to pull agenda item 5B, Claims on the computer printout for May 3, 2021 from the consent agenda. Council Member Kling moved to approve the consent agenda and Parker seconded the motion. In discussion, Parker noted the change order for the Wesley Lift Station shows lift stations are getting updated correctly in order to work with the new Water Resource Recovery Facility. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously. The consent agenda was as follows:

- Approval of agenda
- April 16 and 19, 2021 Minutes.
- New Class B Liquor Licenses with outdoor sales privileges for the Indianola Chamber of Commerce for the Friday Night Live Concert Series.
- Resolution 2021-105 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.
- Approval of a special event application submitted by the American Legion for the Memorial Day Parade.
- A renewal Class E Liquor License with Sunday sales privileges for Wal-Mart, located at 1500 North Jefferson Way.
- A renewal Class C Liquor License with Class B Wine and Sunday sales privileges for Casey's General Store, located at 607 North Jefferson Way.
- A renewal Class C Liquor License with Class B Wine and Sunday sales privileges for Casey's General Store, located at 507 South Jefferson Way.
- A new Class B Native Wine liquor license with Sunday sales privileges for Willow Moon Apothecary, LLC, located at 208 W Ashland Avenue.
- A renewal Class C Liquor License with Sunday and outdoor sales privileges for Babars Entertainment, Inc. dba The Garage, located at 114 E Ashland.
- Approval of Pay Application Number 1 from Langman Construction for the Water Resource Recovery Facility Influent Trunk Sewer and Outfall Sewer project in the amount of \$1,021,048.63.
- Approval of Pay Application Number 1 from Vanderpool Construction for the South Plant Lift Station Improvements project in the amount of \$27,696.25.
- Resolution 2021-106 approving Change Order Number 1 in the amount of \$2,277.50 and Pay Application Number 1 to Vanderpool Construction in the amount of \$111,102.50 for the East Iowa Avenue Paving project.
- Resolution 2021-107 approving Change Order Number 1 for the Wesley Lift Station Project in the amount of \$5,212.

- Second consideration of an ordinance amending the City Code of the City of Indianola to increase the stormwater utility fees from \$2 to \$6 per equivalent residential unit.
- Approval of Urban Revitalization Designations.
- Resolution 2021-108 approving salaries.

It was moved by Parker and seconded by Southall to approve agenda item 5B, Claims on the computer printout for May 3, 2021. On roll call, the vote was AYES: Parker, Kling, Schroder, Southall and Marchant. NAYS: None. ABSTAIN: Hulen. Whereas the Mayor declared the motion passed.

City Manager Ryan Waller noted the consent agenda included payment for sewer and street projects.

In the Mayor's Report, Mayor Pepper stated she has been attending IMU Board meetings and thanked citizens for volunteering on City committees, helping clean-up week go smoothly and for being involved in Shop Local Day on May 1.

Mayor Pepper read a proclamation declaring May 2-7 as Public Service Recognition Week, May 4 as International Firefighter's Day, May 9-15 as National Police Week and May 16-22 as National EMS Week in Indianola.

It was moved by Kling and seconded by Parker to approve the third consideration of an Ordinance amending the City Code of the City of Indianola, Iowa converting certain streets from one-way to two-way and making necessary safety changes to accommodate the change. In discussion, Charlie Dissell, Community and Economic Development Director stated the changes that would occur. Public Works Director Akhilesh Pal explained the conversion process and timeline. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Resolution 2021-109 approving a contract with Iowa Plains Signing, Inc to remove the pavement markings on Howard Street and Buxton Street in an amount not to exceed \$13,417 was introduced on a motion by Southall and seconded by Parker. In discussion, City Manager Ryan Waller stated this agreement is tied to the conversion. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Hulen moved to strike the Public Hearing for complaints filed on Casey's General Store, 507 S Jefferson, on tobacco sales permit violations from the agenda and accept acknowledgement and settlement agreement for cigarette civil penalty. Council Member Parker seconded it. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Southall moved and Marchant seconded to open the Public Hearing for Murphy USA regarding the mandatory \$300.00 civil penalty prescribed by 453A.22(2)(a) for the violation of Iowa Code Section 453A.2(1), selling, giving or otherwise supplying any tobacco, tobacco products, or cigarettes to any person under twenty-one years of age. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously. No comments were offered.

Marchant moved and Parker seconded to close the Public Hearing. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Parker moved to approve assessing a civil penalty in the amount of \$300 against Murphy USA and Hulen seconded it. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Kling moved and Parker seconded to open the Public Hearing for Indy West 929 regarding the mandatory \$300.00 civil penalty prescribed by 453A.22(2)(a) for the violation of Iowa Code Section 453A.2(1), selling, giving or otherwise supplying any tobacco, tobacco products, or cigarettes to any person under twenty-one years of age. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously. No comments were offered.

Marchant moved and Parker seconded to close the Public Hearing. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Parker moved to approve assessing a civil penalty in the amount of \$300 against Indy West 929 and Hulen seconded it. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Dissell reviewed the reasons for micromobility regulations and an ordinance amending Chapter 76, Bicycles. Mindy Moore, Snyder & Associates, highlighted some of the proposed code changes. City Manager Waller noted that if the code is changed, staff will need to look at licensing agreements for businesses wanting to rent out scooters.

It was moved by Southall and seconded by Hulen to approve the first consideration of an ordinance amending Chapter 76, Bicycles, and adding in micromobility regulations. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Parks and Recreation Director Doug Bylund explained the trail connections identified as needed in the Trails Master Plan, noting that receiving a COVID-19 relief grant would change trail priorities. If the grant is received, staff would be able to begin detailed plans including more precise locations of the trails.

Resolution 2021-110 authorizing submittal of a COVID-19 Relief Recreational Trails Program grant application to the Iowa Department of Transportation for North Jefferson Way and South Jefferson Way Trail Connections was introduced on a motion by Southall and seconded by Parker. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Alesha Wilhite, Holmes Murphy, presented options regarding insurance renewals for Council consideration. Council directed staff to work with Holmes Murphy on increasing the stop loss deductible to \$75,000, removing tier four medications from prescription formulary, adding CSV copay card program, adding nutritional counseling, move to Mutual of Omaha for dental coverage with a two-year

rate guarantee, renew vision plan with current vendor and enhance the short and long-term disability benefits. Medical rates will remain flat for both employees and employers. IMU Board Members Adam Voigts and Mike Rozga were in attendance. They concurred with the recommendations and noted that they could not speak for the other members. Board Member Voigts asked that City and IMU staff look at the fund balance levels and options to draw down the reserves.

Marchant moved and Kling seconded to receive and file correspondence from April 16 and 23, 2021 weekly updates provided by City Manager, Ryan Waller. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

At 7:13 pm Kling moved to enter into closed session in accordance with Iowa Code Section 21.5 (1)(c) to discuss strategy with legal counsel in matters that are presently in litigation or where litigation is imminent and where its disclosure would be likely to prejudice or disadvantage the government. Hulen seconded the motion. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

It was moved by Marchant and seconded by Kling at 7:30 pm to exit the closed session. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

No action was taken on items discussed in closed session.

Meeting adjourned at 7:30 pm on a motion by Marchant and seconded by Parker.

Pam Pepper, Mayor

ATTEST:

Andrew J. Lent, City Clerk/CFO