

REGULAR SESSION – JULY 15, 2019

The City Council met in regular session at 6:00 p.m. on July 15, 2019 in the City Hall Council Chambers. Mayor Kelly B. Shaw called the meeting to order and on roll the following members were present: Shirley Clark, Joe Gezel, Bob Kling, Greg Marchant, John Parker and Greta Southall.

Susan Glick, 511 W. Boston, on behalf of the Kiwanis Club, thanked all the organizations and employees who helped with the all-inclusive playground equipment at Pickard Park. A check for \$19,469.69 was presented to the Mayor and City Council for the playground equipment at Pickard Park. The ribbon cutting will be held on August 6, 2019.

Item K - Claims on the computer printout for July 15, 2019 was pulled from the consent agenda.

Council member Marchant moved to approve the consent agenda as follows and Parker seconded the motion. 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

July 1, 2019 Minutes

Applications - A renewal Class "C" Liquor License and Sunday Sales Privilege for The Zoo – 102 W. Ashland

Final consideration to amend Chapter 165 (Zoning Regulations), regarding notification procedures and timelines of items brought forward to the Planning and Zoning Commission, Board of Adjustment and City Council and adoption of ORDINANCE NO. 1615 entitled, “AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF INDIANOLA, IOWA, CHAPTER 165, ZONING REGULATION PROCEDURES” – the ordinance to be effective upon publication

Resolution No. 2019-128 approving a professional service agreement with HR Green for General Wastewater Engineering Services in an amount not to exceed \$50,000 (The complete resolution may be viewed at the City Clerk’s Office)

Resolution No. 2019-129 to accept final completion of the 2018 Traffic Signal Upgrade Project and Release Retained Funds (The complete resolution may be viewed at the City Clerk’s Office)

Resolution No. 2019-130 Approving Salaries (The complete resolution may be viewed at the City Clerk’s Office)

Change order number one in an amount of \$11,762.74 from Convergent Technologies for the key card security system

Home Base Iowa Initiative Application from Joseph Stafford and authorization of a handwritten warrant in the amount of \$1,500

Noise permit for Indianola Chamber of Commerce - RAGBRAI - July 23 and 24, 2019 from 9:00 a.m. - midnight

The claims on the computer printout for July 15, 2019 was approved on a motion by Clark and seconded by Southall. On roll call the vote was, AYES: Marchant, Gezel, Southall, Kling and Clark. NAYS: None. ABSTAINED: Parker. Whereupon the Mayor declared the motion carried.

City Manager Ryan Waller presented an updated regarding the City Treasurer Report.

Council member Bob Kling read a statement regarding the July 1, 2019 vote on the second consideration of an amendment to Chapter 165 (Zoning Regulations) regarding Boarding House/Bed and Breakfast. If Council agrees, Council member Kling would like to direct staff to explore the possibility of separating Boarding House from the Bed and Breakfast in R-1 zoning and to work with the Planning and Zoning Commission to continue the study of formulating a recommendation to the City Council. Council member Clark requested R-1 zoning be amended to eliminate item four under the special exception uses and structure regarding Bed and Breakfast. It was the consensus of the Council for staff to start the process of separating Boarding House from the Bed and Breakfast and to work with the Planning and Zoning Commission.

Mayor Shaw reported on the Metro Advisory meeting.

A hearing regarding determination of a nuisance (weeds, grass or brush) for property owned by Johansen Enterprises, LLC and described as Outlot Z in Fox Run Plat 1 was held. Community Development and Economic Director Charlie Dissell presented an update regarding this property. Greg Johansen of Enterprises LLC spoke in favor of his request to deem this parcel (Outlot Z in Fox Run Plat 1) as a planned and maintained prairie grass buffer stand. Marchant moved and Southall seconded to uphold the appeal process designating the parcel of property as a prairie grass buffer as based on the finding that the property is a planned and maintained prairie grass buffer. Council member Clark requested the motion be amended stating that the property owner should mow 15' in from the property line. No motion was made for the amendment as request by Council member Clark. On roll call the vote was, AYES: Gezel, Southall, Parker, Kling, Clark and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

A public hearing to amend FY 2020 budget was held. There were no objections either oral or written. It was moved by Marchant to adopt the following resolution entitled, "RESOLUTION APPROVING THE FY 2020 BUDGET AMENDMENT." Council member Clark seconded the motion to adopt. 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. 2019-140
RESOLUTION APPROVING THE FY 2020 BUDGET AMENDMENT

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

This being the time and place fixed for a public hearing on the matter of the adoption of plans, specifications, form of contract and estimate of cost relative to the 2019 West Third Avenue Sanitary Sewer Improvement Project, the Mayor called for any oral objections to the adoption of the plans, specifications, form of contract and estimate of cost. No oral objections were offered, and the City Clerk reported that no written objections had been filed.

Council Member Clark introduced the following Resolution entitled "RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST" for the 2019 West Third Avenue Sanitary Sewer Improvement Project and moved that it be adopted. Council Member Marchant seconded the motion to adopt. The roll was called, and the vote was, AYES: Marchant, Gezel, Southall, Parker, Kling and Clark. NAYS: None. Whereupon the Mayor declared the following resolution duly adopted:

RESOLUTION NO. 2019-132
RESOLUTION ADOPTING PLANS, SPECIFICATIONS,
FORM OF CONTRACT AND ESTIMATE OF COST

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

The Mayor then announced that the following bids had been opened and tabulated for the public improvements described in general as the 2019 West Third Avenue Sanitary Sewer Improvement Project for the City of Indianola, Indianola,

Iowa, in accordance with the plans and specifications previously adopted.

The following bids were presented by the City Clerk and Finance Director:

<u>Company</u>	<u>Base Bid</u>
J&K Contracting Urbandale, Iowa	\$227,227.22
Vanderpool Construction Indianola, Iowa	\$224,949.00

The Finance Director then recommended that the bid of Vanderpool Construction in in the amount of \$224,949.00 be accepted.

Council Member Gezel introduced the following resolution entitled "RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT" for the West Third Avenue Sanitary Sewer Improvements to Vanderpool Construction in an amount of \$224,949.00 and moved its adoption. Council Member Kling seconded the motion to adopt. The roll was called, and the vote was: AYES: Southall, Parker, Kling, Clark, Marchant and Gezel. NAYS: None. Whereupon, the Mayor declared the following Resolution duly adopted:

RESOLUTION NO. 2019-133
RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT
For The West Third Avenue Sanitary Sewer Improvements Project
To Vanderpool Construction

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

The following resolution entitled, "RESOLUTION APPROVING CONSTRUCTION CONTRACT AND BOND" to Vanderpool Construction subject to approval by the City Attorney, was approved on a motion by Kling and seconded by Gezel. 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. 2019-134
A RESOLUTION APPROVING CONSTRUCTION CONTRACT AND BOND
For The 2019 West Third Avenue Sanitary Sewer Improvements Project
To Vanderpool Construction Subject To Approval By The City Attorney

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

This being the time and place fixed for a public hearing on the matter of the adoption of plans, specifications, form of contract and estimate of cost relative to the 2019 East Hillcrest Avenue Trail Connector Project, the Mayor called for any oral objections to the adoption of the plans, specifications, form of contract and estimate of cost. No oral objections were offered, and the City Clerk reported that no written objections had been filed.

Council Member Southall introduced the following Resolution entitled "RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST" for the 2019 East Hillcrest Avenue Trail and moved that it be adopted. Council Member Parker seconded the motion to adopt. The roll was called, and the vote was, AYES: Parker, Kling, Clark, Marchant, Gezel and Southall. NAYS: None. Whereupon the Mayor declared the following resolution duly adopted:

RESOLUTION NO. 2019-135
RESOLUTION ADOPTING PLANS, SPECIFICATIONS,
FORM OF CONTRACT AND ESTIMATE OF COST

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

The Mayor then announced that the following bids had been opened and tabulated for the public improvements described in general as the 2019 East Hillcrest Avenue Trail Connector Project for the City of Indianola, Indianola, Iowa, in accordance with the plans and specifications previously adopted.

The following bids were presented by the City Clerk and Finance Director:

<u>Company</u>	<u>Base Bid</u>
Caliber Concrete Adair, Iowa	\$164,843.10
Concrete Professionals Altoona, Iowa	\$168,625.30
Howrey Construction Rockwell City, Iowa	\$151,901.00
TK Concrete Pella, Iowa	\$178,842.00

The Finance Director then recommended that the bid of Howrey Construction in an amount of \$151,901.00 be accepted.

Council Member Kling introduced the following resolution entitled "RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT" to Howrey Construction for the 2019 East Hillcrest Avenue Trail Connector Project in an amount of \$151,901.00 and moved its adoption. Council Member Parker seconded the motion to adopt. The roll was called, and the vote was: AYES: Clark, Marchant, Gezel, Southall, Parker and Kling. NAYS: None. Whereupon, the Mayor declared the following Resolution duly adopted:

RESOLUTION NO. 2019-136
RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT
For The 2019 East Hillcrest Avenue Trail Connector Project
To Howrey Construction

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

A motion was made by Southall and seconded by Kling to approve the following resolution entitled, "RESOLUTION APPROVING A REQUEST FROM THOMAS LAND SURVEYING, ON BEHALF OF ROBERT M. STOVER'S, FOR A PLAT OF SURVEY LOCATED AT 410 E. CLINTON." 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. 2019-137
RESOLUTION APPROVING A REQUEST FROM THOMAS LAND SURVEYING, ON BEHALF OF
ROBERT M. STOVER'S, FOR A PLAT OF SURVEY LOCATED AT 410 E. CLINTON

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

Council member Marchant introduced the following resolution entitled, "RESOLUTION APPROVING THE PRELIMINARY PLAT OF PRAIRIE GLYNN PLAT 2 AS REQUESTED BY COOPER CRAWFORD & ASSOCIATED, ON BEHALF OF DILIGENT GLYNN, LLC." Council member Kling seconded the motion to adopt. 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. 2019-138
RESOLUTION APPROVING THE PRELIMINARY PLAT OF PRAIRIE GLYNN PLAT 2 AS REQUESTED BY
COOPER CRAWFORD & ASSOCIATED, ON BEHALF OF DILIGENT GLYNN, LLC

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

A motion was made by Clark and seconded by Parker to receive and file correspondence of the weekly updates dated June 28 and the July 5, 2019 from Ryan Waller, City Manager and the following updates:

- HR Green has submitted a plan review for the WPC facility to DNR and the hearing will be held on July 30, 2019.
- Budget amendment included funding for RAGBRAI and the Revolving Loan Fund money to be turned over to WCEDC. Staff requested handwritten warrants be issued for the two requests. It was Council's consensus to issue the handwritten warrants.
- The Comprehensive Plan survey is on the City's web site
- Paint striping will be completed in front of the Fire Department bay where the fire truck exits on to East Ashland to keep cars from stacking up west of the traffic signal.

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

Charlie Dissell, Community and Economic Development Director discussed with the Mayor and City Council the possible amendment to Chapter 165 (Zoning Regulations) regarding fence regulations. This would include fences on commercial and industrial property, decorative features on fences, "best-side" requirements, acceptable fencing materials, fence maintenance requirements, fencing on storm water easements, fencing on vacant lots and various exception that are appropriate to such fencing regulations. It was the consensus of the Council to moved forward with this amendment.

City Manager Ryan Waller provided a summary of the discussions that have been taking place with the Greater Des Moines YMCA. He reported that this was a continuation of the previous update provided in April. During the report, the City Manager provided an overview of capital items that need to be addressed at the City's branch. The City Council was unanimous in providing direction to use the YMCA maintenance fund for repairs at the facility. Direction was for \$126,000. The City Manager also shared that discussions regarding possible amendments to the 28E would continue and that he would be updating the Council as this progresses.

Meeting adjourned at 7:28 p.m. on a motion by Marchant and seconded by Clark.

Kelly B. Shaw, Mayor

Diana Bowlin, City Clerk