

REGULAR SESSION – AUGUST 6, 2018

The City Council met in regular session at 6:00 p.m. on August 6, 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, Bob Kling, Greg Marchant, John Parker and Greta Southall. Absent: Joe Gezel.

The following spoke regarding the dust control\maintenance of South “K” Street and placing of a three-way stop sign at West 14th and 12th:

Lon and Julie Hay – 1304 W. 14th

Kenny Herring – 1307 W 14th

Mike Leeper – 1313 S. “L” Court

Item “H” two-year maintenance bond in an amount of \$3,600 from Vanderpool Construction – 40 SY of paving for the repair of a sanitary sewer service at 310 W. Iowa Avenue was pulled from the consent agenda

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

Approval of agenda

July 16 and 19, 2018 Minutes

Application - A renewal Class "C" Liquor License, Sunday Sales Privilege and Outdoor Area for The Dirty Bird Saloon - 100 N. Howard Street

Resolution No. 2018-134 setting August 20, 2018 as a public hearing and first consideration of an ordinance amending the Indianola Municipal Code Chapter 165, Zoning, by adding reference to Builders Board of Appeals (the complete resolution may be viewed at the City Clerk’s Office)

Final consideration of a request from Barbara Yearous to amend R-1 (Single Family Residential Zoning 165.09 #4 Special Exception Uses and Structures) and adoption of ORDINANCE NO. 1595 entitled, “AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF INDIANOLA, IOWA, CHAPTER 165, ZONING REGULATIONS FOR BED AND BREAKFAST SPECIAL EXCEPTION USE” (the ordinance to be effective upon publication)

Resolution No. 2018-135 authorizing the purchase of a 2018 Police Ford Utility Vehicle in an amount of \$29,124.00 (state bid) from Stivers Ford (the complete resolution may be viewed at the City Clerk’s Office)

Approval of the Civil Service Commission list of applicants certified eligible for the position of Paramedic/Firefighter in the Fire Department, subject to passing all other requirements

Sidewalk wavier (no curb and gutter) for 1315 S. Jefferson Way

Request from the Indianola Chamber of Commerce for an amendment to the Friday Night Live Summer Concert Series at Memorial Park - amended date would be August 18, 2018 from 4:00 p.m. - 9:00 p.m.

Resolution No. 2018-136 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 (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)

An amended noise permit request from the Indianola Chamber of Commerce at the Memorial Park for Friday Night Live Summer Concert Series on August 18, 2018 from 4:00 p.m. – 9:00 p.m.

Street usage application from Indianola Christian Union Church for their annual Hillbilly Hike Half Marathon & 10K Race on November 3, 2018 from 7:00 a.m. - 8:45 a.m. - request is to start at the Indianola High School to 9th Street then to the McVay Trail

Block party request from Marcia Peeler - 807 N. Buxton - on August 9, 2018 from 4:30 p.m. - 10:30 p.m. (rain date will be August 16, 2017)

Prior and final approval applications for urban revitalization designation (the complete list of applications may be viewed at the City Clerk's Office)

Authorize past due sewer of \$1,869.49, recycling of \$463.80 and storm water fees of \$17.77 to be sent to the State Off-Set Program for collection

Claims on the computer printout for August 6, 2018

The two-year maintenance bond in an amount of \$7,000 from Vanderpool Construction - 40 SY of paving for the repair of a sanitary sewer service at 310 W. Iowa Avenue was approved on a motion by Clark and seconded by Kling. On roll call the vote was, AYES: Marchant, Southall, Parker, Kling and Clark. NAYS: None. ABSENT: Gezel. Whereupon the Mayor declared the motion carried unanimously.

Ammon Taylor, Waste Management presented information regarding recycling and discussed the \$1,000 in-kind donation. Mr. Taylor also requested a modification to the current contract, in an amount of \$0.94/house/month, to reflect the extraordinary changes in operating expenses associated with single stream recycling and to reflect necessary changes related to education and enforcement. It was the consensus of the Council to place this request on the August 20, 2018 council agenda.

Sarah Shambrook Coalitions Director, spoke regarding the Marsy's Law for Iowa.

Library Director Michele Patrick presented the annual report.

A public hearing and first consideration of a noise ordinance was held. There were no objections either oral or written. Parker moved and Kling seconded to approve the first consideration of this ordinance. On roll call the vote was, AYES: Kling, Clark, Marchant, Southall and Parker. NAYS: None. ABSENT: Gezel. Whereupon the Mayor declared the motion carried unanimously.

The first consideration of an amendment to Chapter 156, Building Code, Residential Energy Code was approved on a motion by Parker and seconded by Kling. On roll call the vote was, AYES: Kling, Clark, Marchant, Southall and Parker. NAYS: None. ABSENT: Gezel. Whereupon the Mayor declared the motion carried unanimously. A motion was made by Parker and seconded by Southall to suspend the rules requiring an ordinance be considered at three separate meetings and adopt ORDINANCE NO. 1596 entitled, "AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF INDIANOLA, IOWA, CHAPTER 156, BUILDING CODE, RESIDENTIAL ENERGY CODE." On roll call the vote was, AYES: Kling, Clark, Marchant, Southall and Parker. NAYS: None. ABSENT: Gezel. Whereupon the Mayor declared the motion carried unanimously and the ordinance to be effective upon publication.

It was moved by Clark and seconded by Southall to approve the first consideration of an amendment to Chapter 94, Time of Sale Inspection within the City sanitary sewer system, as required by Iowa Code Chapter 364.3(d). On roll call the vote was, AYES: Marchant, Southall, Parker, Kling and Clark. NAYS: None. ABSENT: Gezel. Whereupon the Mayor declared the motion carried unanimously.

The second consideration of a request from Jake Doering to rezone Lot 21, Quail Meadows Plat 1 from M-1 (Limited Industrial) to R-3 (Mixed Residential) was discussion. Brad Cox, 807 Trail Ridge Place, spoke regarding what would be built and the sanitary sewer capacity. Jake Doering, 9028 Harding Street, Indianola, Iowa, spoke regarding what would be built, (Planning and Zoning will need to approve). Marchant moved and Parker seconded to approve the second consideration of this request. On roll call the vote was, AYES: Southall, Parker, Kling, Clark and Marchant. NAYS: None. ABSENT: Gezel. Whereupon the Mayor declared the motion carried unanimously.

Jill Whitson, 809 North “T”, spoke regarding her sewer exemption request. A motion was made by Marchant and seconded by Parker to table this request for further information from the Indianola Municipal Utilities (either a new meter or having the current meter tested). On roll call the vote was, AYES: Southall, Parker, Kling, Clark and Marchant. NAYS: None. ABSENT: Gezel. Whereupon the Mayor declared the motion carried unanimously.

Council member Southall moved to approve the request from Cemen Tech to utilize the city street sweeper on September 27, 2018 following a Habitat for Humanity event on September 25, 2018 at a reduced rate of 50% off the direct cost with a two-hour maximum use. Council member Marchant seconded the motion to adopt. On roll call the vote was, AYES: Parker, Kling, Clark, Marchant and Southall. NAYS: None. ABSENT: Gezel. Whereupon the Mayor declared the motion carried unanimously.

It was the consensus of the City Council to move forward regarding the following staffing presentation:

Michele Patrick, Library Director – requested to hire a clerk for six hours/week

Doug Bylund, Park and Recreation Director – requested hiring an Aquatic & Special Events Recreation Coordinator and a Sports & Fitness Recreation Coordinator and eliminate the Recreation Superintendent position

Andrew Lent, Finance Director – a request for a range increase for the Administrative Bookkeeping from Range CE 4 to CE 6 – this range change would also warrant an adjustment in pay for the current employee in this position effective August 5, 2018 to CE 6-2 \$47,093/year, with a step increase in January 2019 to CE 6-3 \$48,468/year

Council Member Clark introduced the following Resolution entitled "RESOLUTION ORDERING CONSTRUCTION OF CERTAIN PUBLIC IMPROVEMENTS (2018 McCord and Plainview Lift Station Controls) AND FIXING A DATE FOR HEARING (September 4, 2018) AND TAKING OF BIDS (August 28, 2018)" and moved that it be adopted. Council Member Southall seconded the motion to adopt. The roll was called and the vote was, AYES: Marchant, Southall, Parker, Kling and Clark. NAYS: None. ABSENT: Gezel. Whereupon, the Mayor declared the following resolution duly adopted:

RESOLUTION NO. 2018-137
RESOLUTION ORDERING CONSTRUCTION OF
CERTAIN PUBLIC IMPROVEMENTS AND
FIXING A DATE FOR HEARING AND TAKING OF BIDS

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

It was moved by Clark and seconded by Southall to approve the following resolution entitled, “RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING REGARDING THE

SHARING OF SERVICES WITH INDIANOLA MUNICIPAL UTILITIES.” On roll call the vote was, AYES: Marchant, Southall, Parker, Kling and Clark. NAYS: None. ABSENT: Gezel. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2018-138
RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING REGARDING THE
SHARING OF SERVICES WITH INDIANOLA MUNICIPAL UTILITIES

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

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

RESOLUTION NO. 2018-139
RESOLUTION APPROVING SALARIES

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

City Manager Ryan Waller reported on the Memorandum of Understanding with the City of Carlisle, Norwalk, Indianola and Warren County regarding the purchase of a vehicle in an amount of \$53,000 to be used for transportation the arrestees/inmates. The City of Indianola’s portion would be approximately \$28,000. Sternquist Construction has asked to buy crush concrete from the City of Indianola. It was the consensus of the Council to move forward with this and to place this item on the next council agenda. A motion was made by Parker and seconded by Kling to receive and file correspondence of the weekly updates dated July 20 and 27, 2017 from Ryan Waller, City Manager. On roll call the vote was, AYES: Kling, Clark, Marchant, Southall and Parker. NAYS: None. ABSENT: Gezel. Whereupon the Mayor declared the motion carried unanimously.

It was moved by Southall and seconded by Parker to enter into closed session in accordance with Iowa Code Section 21.5(1)(i) to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual’s reputation and that individual requests a closed session. On roll call the vote was, AYES: Parker, Kling, Clark, Marchant and Southall. NAYS: None. ABSENT: Gezel. Whereupon the Mayor declared the motion carried unanimously.

Mayor Shaw excused himself from the meeting.

It was moved by Marchant and seconded by Parker to return to regular session at 7:52 p.m. On roll call the vote was, AYES: Southall, Parker, Kling, Clark and Marchant. NAYS: None. ABSENT: Gezel. Whereupon the Mayor declared the motion carried unanimously

Council member Marchant moved and Kling seconded to approve the following resolution entitled, “RESOLUTION APPROVING AN AMENDMENT TO AN EMPLOYMENT AGREEMENT.” On roll call the vote was, AYES: Southall, Parker, Kling, Clark and Marchant. NAYS: None. ABSENT: Gezel. Whereupon the Mayor Pro Tem declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2018-140
RESOLUTION APPROVING AN AMENDMENT
TO AN EMPLOYMENT AGREEMENT

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

Meeting adjourned at 7:53 p.m. on a motion by Parker and seconded by Southall.

Kelly B. Shaw, Mayor

Diana Bowlin, City Clerk