

REGULAR SESSION – AUGUST 20, 2018

The City Council met in regular session at 6:00 p.m. on August 20, 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 and John Parker. Absent: Greta Southall.

The following spoke regarding the dust control\maintenance of South “K” Street and placing of three-way stop signs at West 14th and South “L” Court, West 14th Avenue and South “K”, West 12th Avenue and South “K” Street:

Lon Hay – 1304 W. 14th – A petition was submitted to install three ways stop signs at the intersection of West 14th Avenue and South “L” Court, West 14th Avenue and South “K” Street, West 12th Avenue and South “K” Street to help control speed in the Deer Creek Development.

Kenny Herring – 1307 W 14th

Mike Leeper – 1313 S. “L” Court

Item “H” claims on the computer printout for August 20, 2018 and the July 2018 receipts was pulled from the consent agenda

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

Approval of agenda

August 6, 2018 Minutes

Applications

- A new Class "C" Liquor License and Outdoor Area for MishMash Eats and Sweets LLC - 113 East Salem Suite 101
- A renewal Class "C" Beer Permit and Sunday Sales Privilege for Hy Vee Gas - 912 N. Jefferson
- A renewal Class "C" Liquor License, Outdoor Area and Sunday Sales Privilege for The Hide Out - 204 E. Clinton
- A renewal Class "C" Beer Permit and Sunday Sales Privilege for Casey's - 507 S. Jefferson

Resolution No. 2018-141 setting September 4, 2018 as a public hearing and first consideration for proposed amendment to Indianola Code Chapter 165, zoning regulations, M-2 General Industrial to add athletic training facility (the complete resolution may be viewed at the City Clerk’s Office)

Sidewalk waiver (natural/physical conditions and limitations) for the property located at 206/208 South "H" Street

Resolution No. 2018-142 fixing a date of meeting, September 4, 2018, at which it is proposed to approve and authorize the sale of real property for development (the complete resolution may be viewed at the City Clerk’s Office)

Resolution No. 2018-143 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)

Second consideration of a noise ordinance

Second 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)

Event Application from the Dirty Bird Saloon - will close the corner of Howard Street in front of their business located at 100 N. Howard from 5:00 p.m. – midnight (inside lane of Howard Street, closest to the courthouse, will remain open to traffic).

The claims on the computer printout for August 20, 2018 and the July 2018 receipts were approved on a motion by Gezel and seconded by Clark. On roll call the vote was, AYES: Parker, Kling, Clark, Marchant and Gezel. NAYS: None. ABSENT: Southall. Whereupon the Mayor declared the motion carried unanimously.

It was moved by Marchant to approve the June 2018 Treasurer's Report. Council member Kling seconded the motion. On roll call the vote was, AYES: Gezel, Parker, Kling, Clark and Marchant. NAYS: None. ABSENT: Southall. Whereupon the Mayor declared the motion carried unanimously.

Robert Endriss, Denman and Company, spoke regarding the upcoming FY 2018 audit.

Police Chief Dave Button presented the police department's report regarding stop signs at South "K" and 14th and South "K" and 12th. Kenny Herring, 1307 W. 14th, requested two speed bumps to help control speeders. Lon Hay, 1304 W. 14th, requested the three way stop signs be put in place at these intersections then the speed spy could be deployed with another survey being completed. Mr. Hay was also in favor of speed bumps.

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

The following resolution entitled, "A RESOLUTION AMENDING THE FUTURE LAND USE MAP OF THE 2011 COMPREHENSIVE PLAN AT THE 900 BLOCK OF EAST HILLCREST AVENUE FROM M-1 (LIMITED INDUSTRIAL) TO R-3 (MIXED RESIDENTIAL)" was approved on a motion by Clark and seconded by Parker. On roll call the vote was, AYES: Marchant, Gezel, Parker, Kling and Clark. NAYS: None. ABSENT: Southall. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2018-144

A RESOLUTION AMENDING THE FUTURE LAND USE MAP OF THE 2011 COMPREHENSIVE PLAN AT THE 900 BLOCK OF EAST HILLCREST AVENUE FROM M-1 (LIMITED INDUSTRIAL) TO R-3 (MIXED RESIDENTIAL)

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

Upon the final 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), Marchant moved to adopt ORDINANCE NO. 1597, entitled, "AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF INDIANOLA, IOWA, CHAPTER 165 TO ALLOW A REZONING OF PROPERTY AT THE 900 BLOCK OF EAST HILLCREST AVENUE FROM M-1 (LIMITED INDUSTRIAL) TO R-3 (MIXED RESIDENTIAL). Parker seconded the motion to adopt. On roll call the vote was, AYES: Gezel, Parker, Kling, Clark and Marchant. NAYS: None. ABSENT: Southall. Whereupon the Mayor declared the motion carried unanimously and the ordinance to be effective upon publication.

It was moved by Kling and seconded by Marchant to approve the following resolution entitled, "RESOLUTION APPROVING PARTIAL PAYMENTS IN ACCORDANCE WITH THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF INDIANOLA AND I-STREET

HOLDINGS, LLC.” On roll call the vote was, AYES: Clark, Marchant, Gezel, Parker and Kling. NAYS: None. ABSENT: Southall. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2018-145
RESOLUTION APPROVING PARTIAL PAYMENTS IN ACCORDANCE WITH THE
DEVELOPMENT AGREEMENT BETWEEN THE CITY OF INDIANOLA
AND I-STREET HOLDINGS, LLC.

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

The City Council discussed the request from Waste Management to amend their current recycling contract by increasing the amount Waste Management is charging the city to \$0.94/house/month (from \$3.01 to \$3.95), to reflect the extraordinary changes in operating expenses associated with single stream recycling and to reflect necessary changes related to education and enforcement. Ammon Taylor, Waste Management, spoke in favor of this increase. It was moved by Marchant and seconded by Kling to approve the following resolution entitled “RESOLUTION APPROVING AMENDMENT TO CONTRACT FOR RESIDENTIAL RECYCLING SERVICES WITH WASTE MANAGEMENT OF IOWA, INC.” in an amount of \$0.94/house/month (from \$3.01 to \$3.95). This increase will also increase the resident’s recycling bill from \$3.35 to \$4.29 effective October 1, 2018. The increase stated in the current contract from Waste Management of \$0.08/house/month effective January 1, 2019 will not increase the residents recycling bill. On roll call the vote was, AYES: Gezel, Parker, Kling, Clark and Marchant. NAYS: None. ABSENT: Southall. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2018-146
RESOLUTION APPROVING AMENDMENT TO CONTRACT FOR RESIDENTIAL RECYCLING
SERVICES WITH WASTE MANAGEMENT OF IOWA, INC.

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

HR Director Melissa McCoy updated the Mayor and City Council regarding the Health Reimbursement Accounts.

Council member Marchant moved to adopt the following resolution entitled, “RESOLUTION AMENDING THE CITY COUNCIL POLICY” regarding the financial policy. Council member Kling seconded the motion to adopt. On roll call the vote was, AYES: Gezel, Parker, Kling, Clark and Marchant. NAYS: None. ABSENT: Southall. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2018-147
RESOLUTION AMENDING THE CITY COUNCIL POLICY

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

A motion was made by Marchant and seconded by Parker to approve the following resolution entitled, “RESOLUTION AUTHORIZING AN AGREEMENT WITH INFOMAX PRINTER FOR CONSOLIDATION OF SERVICE.” On roll call the vote was, AYES: Gezel, Parker, Kling, Clark and Marchant. NAYS: None. ABSENT: Southall. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2018-148
RESOLUTION AUTHORIZING AN AGREEMENT WITH INFOMAX PRINTER FOR
CONSOLIDATION OF SERVICE

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

The Moody's Investors Service Credit Opinion Report was received and filed on a motion by Marchant and seconded by Parker. On roll call the vote was, AYES: Gezel, Parker, Kling, Clark and Marchant. NAYS: None. ABSENT: Southall. Whereupon the Mayor declared the motion carried unanimously.

The following resolution entitled, "RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF INDIANOLA AND THE INDIANOLA HOMETOWN PRIDE COMMITTEE" was approved on a motion by Marchant and seconded by Kling. On roll call the vote was, AYES: Gezel, Parker, Kling, Clark and Marchant. NAYS: None. ABSENT: Southall. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2018-149
RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF
INDIANOLA AND THE INDIANOLA HOMETOWN PRIDE COMMITTEE

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

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

RESOLUTION NO. 2018-150
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 receive and file correspondence of the weekly updates dated August 3 and 10, 2018 from Ryan Waller, City Manager. On roll call the vote was, AYES: Gezel, Parker, Kling, Clark and Marchant. NAYS: None. ABSENT: Southall. Whereupon the Mayor declared the motion carried unanimously

It was moved by Clark and seconded by Kling to enter 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: Marchant, Gezel, Parker, Kling and Clark. NAYS: None. ABSENT: Southall. Whereupon the Mayor declared the motion carried unanimously.

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

Meeting adjourned at 8:15 p.m. on a motion by Gezel and seconded by Parker.

Kelly B. Shaw, Mayor

Diana Bowlin, City Clerk