

REGULAR SESSION – SEPTEMBER 3, 2019

The City Council met in regular session at 6:00 p.m. on September 3, 2019 in the City Hall Council Chambers. Mayor Pro Tem Shirley Clark 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. Absent: Mayor Kelly B. Shaw.

Mayor Shaw arrived at the meeting.

Kurt Tucker, Location Manager of Indianola Heartland Coop, stated they would be working on correcting items (painting, cleaning up, etc) at the Coop located at 505 E. Girard.

Nicole Poindexter, 1314 E. Clinton Avenue and Michelle Steen, business owner of 103 N. Buxton Street, spoke regarding the Court House.

Mayor Shaw administered the oath of office to Paramedic/Firefighter Eric Wallace, Police Officers Tye Sparks and Dalton Ebertwoski.

Warren County Board of Supervisor Aaron DeKock spoke regarding the proposed justice center for Warren County.

Council member Clark moved to approve the consent agenda as follows and Southall seconded the motion. On roll call the vote was, AYES: Marchant, Gezel, Southall, Parker, Kling and Clark. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

Approval of agenda

August 19, 2019 Minutes

Applications

- A renewal Class "C" Liquor License, Sunday Sales Privilege and Outdoor Area for Saint Thomas Aquinas Church - 210 R63 Highway
- A renewal Class "C" Beer Permit and Sunday Sales Privilege for Casey's – 507 S. Jefferson
- A renewal Class "C" Liquor License, Sunday Sales Privilege and Outdoor Area for The Hide Out - 204 E. Clinton

Final consideration of Ordinance for the division of revenues under Iowa Code Section 403.19 for Amendment No. 2 to the Hillcrest/Downtown Unified Urban Renewal Plan and adoption of ORDINANCE NO. 1616 entitled, “AN ORDINANCE AMENDING ORDINANCE NOS. 1026, 1137, 1218, 1322, 1336, 1428, 1217, 1314, 1396, 1549, AND 1613 PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE HILLCREST/DOWNTOWN UNIFIED URBAN RENEWAL AREA, IN THE CITY OF INDIANOLA, COUNTY OF WARREN, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF INDIANOLA, COUNTY OF WARREN, INDIANOLA COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE CITY IN CONNECTION WITH THE HILLCREST/DOWNTOWN UNIFIED URBAN RENEWAL AREA (AMENDMENT NO. 2 TO THE HILLCREST/ DOWNTOWN UNIFIED URBAN RENEWAL PLAN AND CORRECTING SCRIVENER’S ERROR IN AMENDMENT NO. 1 TO THE HILCREST/ DOWNTOWN UNIFIED URBAN RENEWAL PLAN)

Resolution No. 2019-159 approving the public purpose policy for certain expenditures (The complete resolution

may be viewed at the City Clerk's Office)

Resolution No. 2019-160 Approving Salaries (The complete resolution may be viewed at the City Clerk's Office)

Resolution No. 2019-161 approving the IDOT Street Finance Report (The complete resolution may be viewed at the City Clerk's Office)

Engagement Agreement with Ahlers Cooney Attorneys for the not to exceed \$7,900,000 General Obligation Refunding CLN (Qualified 501(c)(3) Bonds)

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

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

Authorize past due sewer of \$5,096.63, recycling of \$525.97 and storm water fees of \$67.33 to be sent to the State Off-Set Program for collection

Street usage application from Indianola Christian Union Church for their annual Hillbilly Hike Half Marathon & 10K Race on November 2, 2019 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

Street closure request from the Indianola Public Library for their City of Indianola Trunk or Treat event - October 30, 2019 from 4:30 p.m. - 8:00 p.m. - will close "C" Street between Ashland and Boston

Prior approval applications for Urban Revitalization Designation (The complete list is on file at the City Clerk's Office)

Claims on the computer printout for September 3, 2019

A public hearing and first consideration of a request from Paul D/Rheanna M Edenburn, Timothy J/Shellie R Mc Connell, John R/Linda H Benoit and Michael/Natalie Smothers for a vacation and conveyance of the north and south alley lying adjacent to Lots 1-4, in Block 20 of College Addition to the City of Indianola was held. There were no objections either oral or written. It was moved by Kling and seconded by Clark to approve the first consideration of this request. On roll call the vote was, AYES: Clark, Marchant, Gezel, Southall, Parker and Kling. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

Clark moved and Parker seconded to grant a public utility easement on the north and south alley lying adjacent to Lots 1-4, in Block 20 of College Addition to the City of Indianola. On roll call the vote was, AYES: Marchant, Gezel, Southall, Parker, Kling and Clark. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

A public hearing was held for a sign exemption request from Greater Iowa Credit Union located at 301 E. Scenic Valley Avenue. Travis DeWitt, owner of Pro Image Sign and Lighting, spoke in favor of the request. There were no objections either oral or written. Council member Kling moved and Gezel seconded to approve this sign exemption request from Greater Iowa Credit Union located at 301 E. Scenic Valley Avenue to allow a digital monument sign measuring 8.3' x 10' instead of three-square feet as allowed by code. On roll call the vote was, AYES: Clark, Marchant, Gezel, Southall, Parker and Kling. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

Council Member Parker introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING (September 16, 2019) ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF

NOT TO EXCEED \$7,900,000 GENERAL OBLIGATION REFUNDING CAPITAL LOAN NOTES OF THE CITY OF INDIANOLA, STATE OF IOWA (FOR ESSENTIAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member Southall seconded the motion to adopt. The roll was called, and the vote was, AYES: Kling, Clark, Marchant, Gezel, Southall and Parker. NAYS: None. Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION NO. 2019-162
RESOLUTION FIXING DATE FOR A MEETING (September 16, 2019) ON THE
AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO
EXCEED \$7,900,000 GENERAL OBLIGATION REFUNDING CAPITAL LOAN
NOTES OF THE CITY OF INDIANOLA, STATE OF IOWA (FOR ESSENTIAL
CORPORATE PURPOSES), AND PROVIDING
FOR PUBLICATION OF NOTICE THEREOF

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

Council Member Clark introduced the following Resolution entitled "RESOLUTION FIXING A DATE FOR HEARING (September 16, 2019) ON THE PLANS, SPECS, FORM OF CONTRACT AND TAKING OF BIDS (September 12, 2019) FOR CERTAIN PUBLIC IMPROVEMENTS (2019 Drainage Improvement Project)" and moved that it be adopted. Council Member Parker seconded the motion to adopt. Clark and Parker withdrew their motions. Parker moved and Southall seconded to approve the resolution entitled, "RESOLUTION FIXING A DATE FOR HEARING (September 16, 2019) ON THE PLANS, SPECS, FORM OF CONTRACT AND TAKING OF BIDS (September 12, 2019) FOR CERTAIN PUBLIC IMPROVEMENTS (2019 Drainage Improvement Project)". The roll was called, and the vote was, AYES: Kling, Clark, Marchant, Gezel, Southall and Parker. NAYS: None. Whereupon, the Mayor declared the following resolution duly adopted:

RESOLUTION NO. 2019-163
RESOLUTION FIXING A DATE FOR HEARING (September 16, 2019) ON THE PLANS, SPECS, FORM OF
CONTRACT AND TAKING OF BIDS (September 12, 2019)
FOR CERTAIN PUBLIC IMPROVEMENTS (2019 Drainage Improvement Project)

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

Andrew Collins, Des Moines Area MPO and Representative of the Central Iowa Housing Trust Fund, presented the resolution in support of the Boone, Jasper, Marion and Warren Counties' Housing Trust Fund. The following resolution entitled, "RESOLUTION IN SUPPORT OF THE BOONE, JASPER, MARION AND WARREN COUNTIES' HOUSING TRUST FUND" was approved on a motion by Gezel and seconded by Clark. On roll call the vote was, AYES: Southall, Parker, Kling, Clark, Marchant and Gezel. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2019-164
RESOLUTION IN SUPPORT OF THE BOONE, JASPER, MARION AND
WARREN COUNTIES' HOUSING TRUST FUND

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

It was moved by Southall and seconded by Gezel to approve the following resolution entitled, "RESOLUTION ADDING SEASONAL EMPLOYEES TO ASSIST WITH SNOW PLOWING OPERATIONS." 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. 2019-165
RESOLUTION ADDING SEASONAL EMPLOYEES TO ASSIST WITH SNOW PLOWING OPERATIONS

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

Matt Brown, Formation Group, presented the City Hall/Public Safety workspace modification. It was the consensus of the Mayor and Council to move forward with this project. Bids would be presented to the City Council.

Robert Endriss, Denman and Company presented the FY 2019 Pre-Audit.

A motion was made by Parker and seconded by Kling to receive and file correspondence of the weekly updates dated August 16 and 23, 2019 from Ryan Waller, City Manager. On roll call the vote was, AYES: Kling, Clark, Marchant, Gezel, Southall and Parker. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

The Mayor and Council discussed the Iowa-United States, Mexico, Canada Agreement (USMCA) Coalition letter. It was the consensus of the Mayor and Council to authorize staff to sign this letter.

It was moved by Marchant and seconded by Parker to approve the EDA Grant Application submission for the Iowa Avenue Improvements. On roll call the vote was, AYES: Kling, Clark, Marchant, Gezel, Southall and Parker. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

Marchant moved and Parker seconded to enter into closed session at 8:10 p.m. in accordance with Iowa Code Section 21.5(1)(j) to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property. On roll call the vote was, AYES: Gezel, Southall, Parker, Kling, Clark and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

Parker moved and Marchant seconded to return to regular session at 8:30 p.m. On roll call the vote was, AYES: Kling, Clark, Marchant, Gezel, Southall and Parker. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

A motion was made by Clark and seconded by Parker to enter into closed session at 8:31 p.m. 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, Southall, Parker, Kling and Clark. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

Council member Marchant moved, and Parker seconded to return to regular session at 8:38 p.m. On roll call the vote was AYES: Gezel, Southall, Parker, Kling, Clark and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

Meeting adjourned at 8:38 p.m. on a motion by Parker and seconded by Clark.

Kelly B. Shaw, Mayor

Diana Bowlin, City Clerk