

REGULAR SESSION – SEPTEMBER 4, 2018

The City Council met in regular session at 6:00 p.m. on September 4, 2018 in the City Hall Council Chambers. Mayor Pro Tem Shirley Clark 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 and Mayor Kelly B. Shaw.

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

August 20, 2018 Minutes

Applications

- A renewal Class "C" Liquor License and Sunday Sales Privilege for The Zoo - 102 W. Ashland
- A renewal refuse hauling permit for Wiegert Disposal Inc.

First consideration of an ordinance amending the recycling rates - the amendment will raise by \$0.94/house/month effective October 1, 2018

Second consideration of an ordinance amending the Indianola Municipal Code Chapter 165, Zoning, by adding reference to Builders Board of Appeals

Final consideration of a noise ordinance and adoption of ORDINANCE NO. 1598 entitled, "NOISE ORDINANCE" - the ordinance to be effective upon publication

Final 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) and adoption of ORDINANCE NO. 1599 entitled, "ORDINANCE AMENDING THE INDIANOLA MUNICIPAL CODE CHAPTER 94, TIME OF SALE INSPECTIONS WITHIN THE CITY SANITARY SEWER SYSTEM, AS REQUIRED BY IOWA CODE CHAPTER 364.3(D)" - the ordinance to be effective upon publication

Resolution No. 2018-151 approving the IDOT Street Finance Report (the complete resolution may be viewed at the City Clerk's Office)

Change order number one in an amount of \$1,737.50 from Sternquist Construction for the 2018 Capital Street Improvement Project

Street closure request from the American Cancer Society for the Relay for Life of Warren County - will close the inside lanes around the square on September 15, 2018 from Noon - 11:30 p.m.

Street closure request from the Indianola Public Library for their City of Indianola Trunk or Treat event - October 30, 2018 from 4:30 p.m. - 8:00 p.m. - will close "C" Street between Ashland and Boston

Claims on the computer printout for September 4, 2018

A public hearing to approve and authorize the sale of real property for development located at 506 W. 2nd was held. There were no objections either oral or written.

Council member Parker moved and Kling seconded to adopt the following resolution entitled, "RESOLUTION MAKING FINAL DETERMINATION ON POTENTIAL SALE OF INTEREST IN REAL PROPERTY AND APPROVING AND AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF INDIANOLA AND JK MANAGEMENT LLC D/B/A KAPPELMAN APPLIANCE" subject to changing the initiated construction and completion dates to April 1, 2019 and October 1, 2019 respectively. On roll call the vote was, AYES: Kling, Clark, Marchant, Southall and Parker. NAYS: None. ABSENT: Gezel. Whereupon the Mayor Pro Tem declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2018-152

RESOLUTION MAKING FINAL DETERMINATION ON
POTENTIAL SALE OF INTEREST IN REAL PROPERTY AND
APPROVING AND AUTHORIZING EXECUTION OF A
DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF
INDIANOLA AND JK MANAGEMENT LLC
D/B/A KAPPELMAN APPLIANCE

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

A public hearing and first consideration of a request from Kacee West to include "athletic training facility" under M-2 (general industrial) zoning regulations as a permitted principal use was held. There were no objections either oral or written. It was moved by Parker and seconded by Southall to approve the first consideration of this amendment. On roll call the vote was, AYES: Kling, Clark, Marchant, Southall and Parker. NAYS: None. ABSENT: Gezel. Whereupon the Mayor Pro Tem declared the motion carried unanimously.

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 2018 Plainview and McCord Lift Stations Controls Project, the Mayor Pro Tem 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 Marchant introduced the following Resolution entitled "RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST" for the 2018 Plainview and McCord Lift Station Control Projects and moved that it be adopted. Council Member Kling seconded the motion to adopt. The roll was called and the vote was, AYES: Southall, Parker, Kling, Clark and Marchant. NAYS: None. ABSENT: Gezel. Whereupon the Mayor Pro Tem declared the following resolution duly adopted:

RESOLUTION NO. 2018-153
RESOLUTION ADOPTING PLANS, SPECIFICATIONS,
FORM OF CONTRACT AND ESTIMATE OF COST
For the 2018 Plainview and McCord Lift Station Control Projects

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

The Mayor Pro Tem then announced that the following bids had been opened and tabulated the bids for the public improvements described in general as the 2018 Plainview and McCord Lift Stations Control Projects 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>Plainview Lift Station Bid</u>	<u>McCord Lift Station Bid</u>	<u>Total</u>
Price Industrial Electric Robins, Iowa	\$194,400	\$217,400	\$411,800
Ardent Lighting Group Knoxville, Iowa	\$147,606	\$148,290	\$295,896
Biermann Electric Johnston, Iowa	\$174,000	\$189,000	\$363,000
Van Maanen Electric Newton, Iowa	\$154,382	\$167,645	\$322,027

The Finance Director then recommended that the bid of Ardent Lighting Group of Knoxville, Iowa in the amount of \$295,896 be accepted.

Council Member Kling introduced the following resolution entitled "RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT" to Ardent Lighting Group of Knoxville, Iowa for the 2018 Plainview and McCord Lift Station Control Projects and moved its adoption. Council Member Marchant seconded the motion to adopt. The roll was called and the vote was: AYES: Clark, Marchant, Southall, Parker and Kling. NAYS: None. ABSENT: Gezel. Whereupon, the Mayor Pro Tem declared the following Resolution duly adopted:

**RESOLUTION NO. 2018-154
RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT
To Ardent Lighting Group of Knoxville, Iowa**

(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 Pro Tem declared the motion carried unanimously and the following resolution duly adopted.

**RESOLUTION NO. 2018-155
RESOLUTION APPROVING SALARIES**

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

It was moved by Kling and seconded by Marchant to approve the following resolution entitled, "RESOLUTION AUTHORIZING THE PURCHASE OF SCBA'S SELF-CONTAINED BREATHING APPARATUS FOR THE FIRE DEPARTMENT" from Sandry Fire Supply Company in an amount of \$102,184. On roll call the vote was, AYES: Clark, Marchant, Southall, Parker and Kling. NAYS: None. ABSENT: Gezel. Whereupon the Mayor Pro Tem declared the motion carried unanimously and the following resolution duly adopted.

**RESOLUTION NO. 2018-156
RESOLUTION AUTHORIZING THE PURCHASE OF SCBA'S SELF-CONTAINED BREATHING
APPARATUS FOR THE FIRE DEPARTMENT
From Sandry Fire Supply Company**

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

A motion was made by Kling and seconded by Southall to approve the following resolution entitled, "RESOLUTION AUTHORIZING THE PURCHASE OF A BREATHING FILL STATION FOR THE FIRE DEPARTMENT" from Sandry Supply Fire Company in an amount of \$37,467.00. On roll call the vote was, AYES: Clark, Marchant, Southall, Parker and Kling. NAYS: None. ABSENT: Gezel. Whereupon the Mayor Pro Tem declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2018-157
RESOLUTION AUTHORIZING THE PURCHASE OF A BREATHING FILL STATION
FOR THE FIRE DEPARTMENT
From Sandry Supply Fire Company

(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 17 and 22, 2018 from Ryan Waller, City Manager. 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.

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

A motion was made by Marchant and seconded by Parker to return to regular session. 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.

Meeting adjourned at 6:43 p.m. on a motion by Southall and seconded by Parker.

Shirley Clark, Mayor Pro Tem

Diana Bowlin, City Clerk