

Regular Session – September 8, 2020

The City Council met in regular session at 6:00 p.m. on September 8, 2020, in the City Hall Council Chambers. Mayor Pro Tem Southall called the meeting to order and on roll call the following members were present: Heather Hulen, John Parker, Bob Kling, Gwen Schroder (via phone), Greta Southall, Greg Marchant. Absent: Mayor Kelly B. Shaw.

Agenda item 5B Claims on the computer printout for September 8, 2020, was pulled on a request by Council Member Parker. Item 5U, Resolution authorizing the City Manager to sign the agreement between the City of Indianola and the Young Men's Christian Association of Greater Des Moines, Iowa was pulled on a request by Council Member Hulen.

Council Member Marchant moved to approve the consent agenda and Kling seconded the motion. In discussion, City Manager Ryan Waller noted that items on the consent agenda are routine items that have been previously discussed. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor Pro Tem declared the motion carried unanimously. The consent agenda was as follows:

- Approval of agenda
- August 17, 2020 Minutes.
- Resolution 2020-188 setting public hearing and letting dates for the East Iowa Avenue Paving Project.
- Approval of an event application from the Indianola Public Library for Trunk or Treat on October 30, 2020 from 4:30 p.m. to 8:00 p.m.
- Approval of an event application from Warren County Historical Society to use City property for a tractor show from September 25-27, 2020, during the Log Cabin Days celebration.
- A renewal Class C Liquor License, Class B Wine, Outdoor Sales and Sunday Sales Privileges for The Local Vine, located at 126 West Ashland Avenue.
- A renewal Class E Liquor License, Class C Beer Permit and Sunday Sales Privileges for Hy-Vee Gas, located at 912 North Jefferson Way.
- A renewal of a refuse hauling permit for T.R.M. Disposal.
- Approval of Pay Application 5 in the amount of \$169,170.45 for the Quail Meadows 3 Lift Station Project.
- Resolution 2020-189 requesting reimbursement from the Iowa COVID-19 Government Relief Fund.
- Resolution 2020-190 authorizing an application to the Traffic Engineering Assistance Program Grant program to perform a traffic engineering study at the intersection of 2nd Avenue West and Buxton Street.
- Resolution 2020-191 approving a Professional Services Agreement with Fischer Brothers LLC for removal and replacement of the Aquatic Center slide tower steps and decking.
- Resolution 2020-192 approving a contract for Wellness Center exterior crack repairs.
- Resolution 2020-193 approving an underwriting engagement letter with D.A. Davidson for 2020 general obligation series.
- Resolution 2020-194 approving engagement letter with Ahlers and Cooney Law Firm for 2020a and 2020b General Obligation Series.
- Resolution 2020-195 accepting and approving a master lease agreement between the City of Indianola and USCOC of Greater Iowa, LLC.

- Resolution 2020-196 approving amendment number one to the professional services agreement with Advanced Data Processing.
- Second consideration of an Ordinance amending the Code of Ordinances of the City of Indianola, Iowa, pertaining to standard penalty.
- Second consideration of an Ordinance amending the Code of Ordinances of the City of Indianola, Iowa, pertaining to tobacco use.
- Second consideration of an Ordinance amending the Code of Ordinances of the City of Indianola, Iowa, pertaining to animal control.
- Second consideration of an Ordinance amending various sections of the Code of Ordinances of the City of Indianola regarding fees.
- Second consideration of an Ordinance amending Chapter 165 of the Code of Ordinances of the City of Indianola, regarding preschools, schools and churches.
- Third and final consideration of an Ordinance amending the City Code of the City of Indianola, Iowa to repeal the three-hour parking regulations in and around the public Square and add language related to construction parking.
- Resolution 2020-198 approving the Fiscal Year 20 Indianola Street Finance Report.
- Resolution 2020-199 approving a letter of support for the proposed Carlisle Trail Connection.
- Resolution 2020-200 accepting a sanitary sewer and drainage easement agreement at 1508 North Jefferson Way.
- Resolution 2020-201 approving and accepting a development agreement relating to the development of Crow's Nest RV Park.
- Prior and final approval on Urban Revitalization Designations.
- Resolution 2020-202 approving salaries.

Southall moved and Marchant seconded to approve Item 5B, Claims on the computer printout for September 8, 2020. On roll call, the vote was AYES: Hulén, Kling, Schroder, Southall and Marchant. NAYS: None. ABSTAIN: Parker due to a conflict of interest. Whereas the Mayor declared the motion passed.

Item 5U, Resolution 2020-197 authorizing the City Manager to sign the agreement between the City of Indianola and the Young Men's Christian Association of Greater Des Moines, Iowa was introduced on a motion by Parker and seconded by Kling. On roll call, the vote was AYES: Parker, Kling, Schroder, Southall and Marchant. NAYS: None. ABSTAIN: Hulén due to a conflict of interest. Whereas the Mayor declared the motion passed.

This being the time and place fixed for a public hearing on the matter of Community Development Block Grant Funding for the Indianola Ultraviolet Disinfectant Device the Mayor Pro Tem called for any written or oral comments. City Clerk/CFO Andrew J. Lent presented the status of the Ultraviolet Disinfectant Device Acquisition Project, during which the City intends to purchase and utilize two Ultraviolet Disinfectant Devices to disinfect public safety vehicles and equipment to provide a sanitary environment for city employees and citizens in need. The need for this project is critical during this COVID-19 pandemic time period to halt the transmission of the virus. The amount of CDBG funding is \$8,130.00. The entire amount will benefit low- and moderate-income persons within the Indianola public safety service area. No relocation of any person is required for this project. The City of Indianola encouraged anyone with comments, questions, or concerns to contact the City of Indianola during the meeting.

Furthermore, the City of Indianola is seeking to address the housing needs of low-to-moderate person through the following activities:

- Consider a forgivable loan program for safety and repair of exterior elements that could compromise the health and well-being of the occupants, such as roofs, windows, and doors
- Partner with nonprofit agencies to provide residential clean up, maintenance, and repair services
- Create a neighborhood improvement mini-grant program for neighborhood associations to be awarded funds for beautification and improvement projects on public property
- Establish building and site design criteria for multifamily development and major modifications to existing developments
- Adopt a City Housing Code in compliance with Section 364.17 of the Iowa Code once the city reaches a population of 15,000, as determined by the decennial census
- Create a mixed-use zoning district for the area surrounding downtown and for neighborhoods (Neighborhood Mixed Use) that allows for a combination of residential and limited office or limited retail uses
- Create a mixed-use zoning district for transportation nodes and corridors (Community Mixed Use) that allows for medium/ high density residential, office, and commercial use
- Amend the zoning and subdivision regulations to allow for cluster development techniques, particularly for the purpose of preservation of natural areas, provision of parks or open space, or urban agricultural uses
- Evaluate the potential of tiny housing and various cooperative housing models

The City of Indianola plans to undergo the following planned or potential activities to address housing needs:

- Maintain and promote tax abatement for new housing
- Maintain and promote tax abatement for renovations and upgrades to housing
- Reevaluate housing needs to determine if the tax abatement programs continue to be justified in their current form
- Promote mixed-density housing developments (for example, a combination of single family detached and multi-family designed to complement each other)

Public comment was highly encouraged on these items during the meeting.

No other oral comments were offered, and the Deputy City Clerk reported that no written objections had been filed.

This being the time and place fixed for a public hearing on the matter of Community Development Block Grant Funding for the Indianola Meals Project the Mayor Pro Tem called for any written or oral comments. City Clerk Lent stated the purpose of the hearing was to give the status of the Indianola Meals Project, during which the City intends partner with the Indianola Chamber of Commerce, Helping Hands Food Pantry and Central Iowa Shelter and Services to support small business restaurants and reduce food insecurity in Indianola. The need for this project is critical during this COVID-19 pandemic time period to halt the transmission of the virus. The amount of CDBG funding is

\$62,700. The entire amount will benefit low- and moderate-income persons within the Indianola public safety service area. No relocation of any person is required for this project. The City of Indianola encouraged anyone with comments, questions, or concerns to contact the City of Indianola during the meeting.

Furthermore, the City of Indianola is seeking to address the housing needs of low-to-moderate person through the following activities:

- Consider a forgivable loan program for safety and repair of exterior elements that could compromise the health and well-being of the occupants, such as roofs, windows, and doors
- Partner with nonprofit agencies to provide residential clean up, maintenance, and repair services
- Create a neighborhood improvement mini-grant program for neighborhood associations to be awarded funds for beautification and improvement projects on public property
- Establish building and site design criteria for multifamily development and major modifications to existing developments
- Adopt a City Housing Code in compliance with Section 364.17 of the Iowa Code once the city reaches a population of 15,000, as determined by the decennial census
- Create a mixed-use zoning district for the area surrounding downtown and for neighborhoods (Neighborhood Mixed Use) that allows for a combination of residential and limited office or limited retail uses
- Create a mixed-use zoning district for transportation nodes and corridors (Community Mixed Use) that allows for medium/ high density residential, office, and commercial use
- Amend the zoning and subdivision regulations to allow for cluster development techniques, particularly for the purpose of preservation of natural areas, provision of parks or open space, or urban agricultural uses
- Evaluate the potential of tiny housing and various cooperative housing models

The City of Indianola plans to undergo the following planned or potential activities to address housing needs:

- Maintain and promote tax abatement for new housing
- Maintain and promote tax abatement for renovations and upgrades to housing
- Reevaluate housing needs to determine if the tax abatement programs continue to be justified in their current form
- Promote mixed-density housing developments (for example, a combination of single family detached and multi-family designed to complement each other)

Public comment was highly encouraged on these items at the time of the hearing.

No other oral comments were offered, and the Deputy City Clerk reported that no written objections had been filed.

Council Member Marchant moved to open a hearing in accordance with Chapter 56, section 56.05 of the City Code concerning seizure, impoundment and disposition of vicious animals. Council Member Hulen seconded the motion. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor Pro Tem declared the motion carried unanimously.

Officer Temple provided a summary of the incident at 207 South P Street on July 4, 2020.

Mercedes Fay and De'Monte Ruth, 205 South P Street, spoke in opposition of declaring the dog a vicious animal.

The hearing was closed on a motion by Marchant and seconded by Parker. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor Pro Tem declared the motion carried unanimously.

Kling moved and Parker seconded to receive and file the police incident report of July 4, 2020 regarding the incident at 205 S P St. The person owning, keeping, sheltering, or harboring the animal in question was given over 72-hours written notice of the time and place of the hearing. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor Pro Tem declared the motion carried unanimously.

A motion was made by Kling and seconded by Southall to determine the animal to be vicious and ordered the person owning, sheltering, harboring or keeping the animal to cause it to be destroyed in a humane manner. The order shall immediately be served upon the individual or entity against whom issued in the same manner as the notice of hearing. The order shall be complied with within three (3) days of its issuance. In discussion, the City Attorney noted that the City Ordinance does not allow for a lot of discretion when the bite is above the shoulders. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor Pro Tem declared the motion carried unanimously.

The first consideration of an Ordinance amending the Code of Ordinances of the City of Indianola, Iowa, making certain amendments to the adopted Fire Code was introduced on a motion by Southall and seconded by Kling. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor Pro Tem declared the motion carried unanimously.

Council Member Kling introduced Resolution 2020-203 approving pre-application for the 2020 Iowa Great Places Grant. Council Member Parker seconded the motion to adopt. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor Pro Tem declared the motion carried unanimously.

Resolution 2020-204 approving an amendment to the City Council TIF Program Policy was introduced on a motion by Marchant and seconded by Kling. In discussion, Community and Economic Development Director Charlie Dissell stated the current policy has some limitations and thresholds that do not fit with the recently adopted comprehensive plan. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor Pro Tem declared the motion carried unanimously.

City Manager Waller asked the Council if Andrew Lent, City Clerk/CFO, could act as the delegate for Indianola at the upcoming Iowa League of Cities Conference. Council allowed.

Waller stated The Greater Des Moines Partnership has requested that the City of Indianola participate in a study of rural fiber needs in order for the Partnership to apply for a grant. The Council gave permission for participation.

Waller also presented the new Police Department logo to the Council. No funds have been spent to date on the logo.

Marchant moved and Kling seconded to receive and file correspondence from August 14, 21 and 28, 2020, weekly updates provided by City Manager, Ryan Waller. Question was called for and on voice vote the Mayor Pro Tem declared the motion carried unanimously.

At 6:48 p.m. Parker moved and Hulen seconded to go into closed session 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: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor Pro Tem declared the motion carried unanimously.

Marchant moved and Parker seconded to come out of closed session at 6:58 p.m. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor Pro Tem declared the motion carried unanimously.

Parker moved to enter into closed session in accordance with Iowa Code Section 21.5 (1)(c) to discuss strategy with legal counsel in matters that are presently in litigation or where litigation is imminent and where its disclosure would be likely to prejudice or disadvantage the government at 6:58 p.m. Council Member Kling seconded the motion. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor Pro Tem declared the motion carried unanimously.

Kling moved and Hulen seconded to come out of closed session at 7:11 p.m. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor Pro Tem declared the motion carried unanimously.

Meeting adjourned at 7:11 pm on a motion by Parker and seconded by Marchant.

Greta Southall, Mayor Pro Tem

ATTEST:

Andrew J. Lent, City Clerk/CFO