

REGULAR SESSION – OCTOBER 1, 2018

The City Council met in regular session at 6:00 p.m. on October 1, 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 Greta Southall. Absent: John Parker.

Council member Marchant offered his views and opinions regarding the September 17, 2018 council meeting, the letters Mayor Shaw read at this meeting, previous meetings regarding nominations to the Boards and Commissions and his attendance at the Planning and Zoning Commission meeting.

Susan Glick, 511 W. Boston, spoke regarding how the elected officials are treating each other, how the image of Indianola is being portrayed and spoke in support of Mayor Shaw.

Louis Nady, 409 S. Buxton, spoke in support of the Mayor Shaw.

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

Approval of agenda

September 17, 2018 Minutes

Applications

- A renewal Class "C" Liquor License, Outdoor Area and Sunday Sales Privilege for LaCasa Restaurant - 508 N. Jefferson
- A renewal Class "C" Liquor and Sunday Sales Privilege for MoJo's - 206 N. Howard

Second consideration of an ordinance amending the City's floodplain regulation

Final consideration of a request from Kacee West to include "athletic training facility" under M-2 (general industrial) zoning regulations as a permitted principal use and adoption of ORDINANCE NO. 1602 entitled, "AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF INDIANOLA, IOWA, CHAPTER 165, ZONING REGULATIONS, M-2 GENERAL INDUSTRIAL TO ADD ATHLETIC TRAINING FACILITY", the ordinance to be effective upon publication

Resolution No. 2018-167 setting October 15, 2018 as a public hearing and first consideration to rezone 506 W. 2nd from R-2 (single and two-family residential) to C-2 (Highway Commercial) (the complete resolution may be viewed at the City Clerk's Office)

Resolution No. 2018-168 approving order accepting acknowledgement/settlement agreements and imposing civil penalty with regard to cigarette permit holder (Route 69 Vapor) violations of Iowa Code 453A.2 (the complete resolution may be viewed at the City Clerk's Office)

Resolution No. 2018-169 approving order accepting acknowledgement/settlement agreements and imposing civil penalty with regard to cigarette permit holder (Wal Mart Supercenter) violations of Iowa Code 453A.2 (the complete resolution may be viewed at the City Clerk's Office)

Resolution No. 2018-170 approving order accepting acknowledgement/settlement agreements and imposing civil penalty with regard to cigarette permit holder (Indy West 929) violations of Iowa Code 453A.2 (the complete resolution may be viewed at the City Clerk's Office)

Change order number three in an amount of (-\$8,827.41) for the Indianola Morlock Downstream Gravity Sewer Improvement Project - revised contract \$1,887,835.35

Street closure request from the Indianola Parks and Recreation for their annual Children's Costume Party and Parade - October 27, 2018 from 6:00 a.m. - 1:00 p.m. - request is to close the inside lanes around the square

Street usage request from Simpson College for a 5K run on October 6, 2018 from 8:00 a.m. - 10:00 a.m. - request is to use "D" Street, W. Boston, North "F", W. Detroit, North "E", North "G", West Salem and North Buxton

Claims on the computer printout for October 1, 2018

It was moved by Marchant and seconded by Kling to receive and file the Boards and Commission List. On roll call the vote was, AYES: Gezel, Southall, Kling, Clark and Marchant. NAYS: None. ABSENT: Parker. Whereupon the Mayor declared the motion carried unanimously.

Council member Kling reported on the BRAVO meeting.

The following Mayor's nominations of James (Roy) Shanks to the Memorial Aquatic Center Commission for a term to begin immediately and expire July 1, 2021 was approved on a motion by Clark and seconded by Marchant. On roll call the vote was, AYES: Marchant, Gezel, Southall, Kling and Clark. NAYS: None. ABSENT: Parker. Whereupon the Mayor declared the motion carried unanimously.

Mayor Shaw recognized a sign made by Mrs. Lindstrom's second grade class at Whittier Elementary School showing their appreciation to Mayor Shaw for visiting their class when they were learning about "Leaders in our Community". Mayor Shaw visited the class for a question and answer session.

Council member Marchant introduced the following resolution entitled, "RESOLUTION APPROVING PARTIAL RELEASE OF THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF INDIANOLA, IOWA AND SHDC, LLC". Council member Kling seconded the motion to adopt. On roll call the vote was, AYES: Gezel, Southall, Kling, Clark and Marchant. NAYS: None. ABSENT: Parker. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2018-171
RESOLUTION APPROVING PARTIAL RELEASE OF THE DEVELOPMENT AGREEMENT
BETWEEN THE CITY OF INDIANOLA, IOWA AND SHDC, LLC

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

The first consideration of an ordinance amending Chapter 35.08 (Police Department Departmental Rules) was approved on a motion by Marchant and seconded by Southall. On roll call the vote was, AYES: Gezel, Southall, Kling, Clark and Marchant. NAYS: None. ABSENT: Parker. Whereupon the Mayor declared the motion carried unanimously.

The following resolution entitled, "A RESOLUTION WAIVING CITY ZONING BUILDING REQUIREMENTS IN LIEU OF STATE REQUIREMENTS FOR THE WARREN COUNTY LAW ENFORCEMENT CENTER AND COURTHOUSE" as requested by Warren County was approved on a motion by Clark and seconded by Southall. On roll call the vote was, AYES: Marchant, Gezel, Southall, Kling and Clark. NAYS: None. ABSENT: Parker. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2018-172
A RESOLUTION WAIVING CITY ZONING BUILDING REQUIREMENTS IN LIEU OF STATE
REQUIREMENTS FOR THE WARREN COUNTY LAW ENFORCEMENT CENTER AND
COURTHOUSE

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

It was moved by Marchant and seconded by Kling to approve the following resolution entitled, "RESOLUTION AUTHORIZING THE SUBMISSION OF THE ASSISTANCE FIREFIGHTERS GRANT (AFG) FOR THE CITY OF INDIANOLA FIRE DEPARTMENT." On roll call the vote was, AYES: Gezel, Southall, Kling, Clark and Marchant. NAYS: None. ABSENT: Parker. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2018-173
RESOLUTION AUTHORIZING THE SUBMISSION OF THE ASSISTANCE FIREFIGHTERS
GRANT (AFG) FOR THE CITY OF INDIANOLA FIRE DEPARTMENT

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

A motion was made by Kling to approve the following resolution entitled, "RESOLUTION APPROVING A STOP SIGN AND SPEED ZONE REQUEST POLICY." Council member Southall seconded the motion to adopt. On roll call the vote was, AYES: Clark, Marchant, Gezel, Southall and Kling. NAYS: None. ABSENT: Parker. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2018-174
RESOLUTION APPROVING A STOP SIGN AND SPEED ZONE REQUEST POLICY

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

The Mayor and Council discussed permit fees for the Warren County Habitat for Humanity. It was the consensus of the Council for staff to amend the Permit Fees for Local Government Entities to include the Warren County Habitat for Humanity and to place this on the next council agenda for approval.

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

RESOLUTION NO. 2018-175
RESOLUTION APPROVING SALARIES

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

A motion was made by Marchant and seconded by Kling to receive and file correspondence of the weekly updates dated September 14 and September 21, 2018 from Ryan Waller, City Manager, and the following updates:

- A Vision and Value Exercise will be held October 2, 2018 – within this process the two mission statements will be discussed
- Processing of Mayor/City Council mail
- Storm water issue at 1305 W. Clinton

On roll call the vote was, AYES: Gezel, Southall, Kling, Clark and Marchant. NAYS: None. ABSENT: Parker. Whereupon the Mayor declared the motion carried unanimously.

Council member Parker arrived at the meeting.

Council member Gezel requested a budget report for each department showing their reserve balance.

Council member Clark replied to some of Council member Marchant's views and opinion's he presented during public comment.

Council member Kling spoke regarding the attendance of the elected officials at Commission meetings and they should stay neutral.

Marchant moved and Parker seconded 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: Kling, Clark, Marchant, Gezel, Southall and Parker. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

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

Meeting adjourned at 7:18 p.m. on a motion by Parker and seconded by Kling.

Kelly B. Shaw, Mayor

Diana Bowlin, City Clerk