REGULAR SESSION – APRIL 16, 2012

The City Council met in regular session at 6:00 p.m. on April 16, 2012. Mayor Kenan Bresnan called the meeting to order and on roll call the following members were present: Greg Marchant, Eric Mathieu, John Parker Jr., Pam Pepper and John Sirianni. Absent: Pete Berry

The following items were pulled from the consent agenda:

- Item D-2 Set May 7, 2012 as a public hearing and first consideration for a request from Terry Barger, The Garage, to vacate and purchase the north/south alley lying between Lot 17 and 18, Block 9, Original Town Plat
- Item D-3 Set May 21, 2012 as a public hearing to amend the FY 2012 budget
- Item E – FY 10/11 IMU Audit Report from Shull & Co.
- Item F - $10,935.00 I&I loan to 207 N. 4th Street

The consent agenda consisting of the following was approved on a motion by Pepper and second by Mathieu. Question was called for and upon the council member votes, the Mayor declared the motion carried unanimously.

Approve agenda

April 2, 2012 minutes

Application:

- A new Class "C" Beer, Class "B" Wine, Class "E" Liquor License and Sunday Sales Privilege for DanLee Corporation dba Indy 66 #928 – 1201 N. Jefferson
- A renewal Class "C" Liquor License and Sunday Sales Privilege for Shirley Goering dba The Irishman Pub – 100 N. Howard St.
- A renewal refuse hauling permit for Waste Management of Iowa

Set May 7, 2012 as a public hearing and first consideration of an ordinance for a final industrial tax abatement – 1110 N. 14th Street

Salary tables for FY 12/13

Banner application from Des Moines Metro Opera – Hwy 65/69 banners from May 15, 2012 through July 15, 2012

Downtown Incentive Program preliminary application for 108 W. Ashland – Susannah Paeper – grant and interest free loan of $25,000 respectfully

Authorize of sewer ($1,566.75), recycling ($486.44) and storm water fees ($66.51) to be written off

Street usage request from the Rotary Club of Indianola – May 5, 2012 from 10:00 a.m. – 4:00 p.m. – streets included in the two routes are Salem, Howard, Kentucky, Apple Drive, Orchard, Iowa, Buxton, Euclid and Summerset Trail

Prior approval applications for urban revitalization designation
Robert & Linda Arrington – 1609 E. Boston Avenue – Finish Basement - $12,500
Van Dam Construction – 811 N. "V" Street – SFD - $239,900

Autumn Ridge Development – 400 S. 8th Ct. #32 – Duplex - $230,000
Autumn Ridge Development – 400 S. 8th Ct. #33 – Duplex - $230,000

Claims on the computer printout for April 16, 2012 and the March 2012 receipts

The council discussed the request from Terry Barger, The Garage, to purchase an alley. Council member Pepper moved and Parker seconded to set May 7, 2012 as a public hearing and first consideration of a request from Terry Barger, The Garage, to vacate and purchase the north/south alley lying between Lot 17 and 18, Block 9, Original Town Plat. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

Pepper moved and Parker seconded to set May 21, 2012 as a public hearing to amend the FY 2012 budget. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

It was moved by Pepper and seconded by Parker to accept the FY 10/11 IMU Audit Report from Shull & Co. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

A motion was made by Pepper and seconded by Marchant to approve the $10,935.00 I&I loan for 207 N. 4th Street. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

A motion was made by Pepper and seconded by Marchant to approve the Mayor's nomination of Dave Button to the Park and Recreation Commission – a term to begin immediately and expire January 1, 2013. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

The March 2012 City Treasurer's Report was approved on a motion by Pepper and seconded by Parker. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

Council member John Sirianni reported on the April 9, 2012 Council Study Committee meeting.

A motion was made by Parker and seconded by Sirianni to approve the following Resolution Approving Personnel Salaries. On roll call the vote AYES: Sirianni, Marchant, Pepper, Mathieu and Parker. NAYS: None. ABSENT: Berry. Whereupon the Mayor declared the motion carried and the following resolution duly adopted.

RESOLUTION APPROVING SALARIES

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF INDIANOLA, IOWA:

The following salaries are hereby approved:

Tanner Klein, Street Seasonal Summer Help, $9.00/hour effective May 21, 2012

Gary John Gioffredi, Ballfield Maintenance, $8.00/hour effective April 13, 2012

Passed and approved on the 16th day of April, 2012.

A public hearing and first consideration of an amendment to the buffer requirement under the design standards of Section 166.04(j) of the Site Plan Ordinance was held. There were no objections either oral or written. Sirianni moved and Pepper seconded to approve the first consideration of this amendment. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

A public hearing and first consideration of an amendment to Chapter 170 of the Indianola Subdivision Ordinance and Chapter 140 Controlled Access Facilities was held. There were no objections either oral or written. It was moved by Sirianni and seconded by Parker to approve the first consideration of this amendment. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

A public hearing and first consideration of an amendment to the Council Study Committee Ordinance which would remove the following under 17.04 (6) was held:

> The committee Chairperson and Vice Chairperson shall be selected by the committee, subject to Council approval. Votes taken in committee are not final decisions of the Council, but have the status of recommendations which the Council is given the opportunity to consider further.

Mayor Kenan Bresnan stated he had requested this amendment and felt the Mayor should preside over all council meetings. Council member Pepper stated she would like to leave the ordinance as is and feels this gives council member a responsibility and a leadership role. The council could decide who would chair the meetings and the Mayor could go into that rotation. Council member Marchant stated he was in favor of the amendment. Charlotte Guilford, 407 N. "K", spoke against the amendment. Council member Marchant moved and Sirianni seconded to approve the first consideration of this amendment. Question was called for and on voice vote the vote was, AYES: Mathieu, Parker, Sirianni and Marchant. NAYS: Pepper. ABSENT: Berry. Whereupon the Mayor declared the motion carried.

A public hearing and first consideration of a request from Jerry's Homes to rezone lots 4, 5, 6, 7 and Outlot Y of the amended Sunset Terrace Plat #1 and locally known as the 1300-1400 Block of North 6th Street from R-3 (mixed residential) to R-5 (planned residence district) was held. There were no objections either oral or written. A motion was made by Sirianni and seconded by Pepper to approve the first consideration of this request. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

The Mayor and Council discussed the following executive search firms for the City Manager's position.

Brimeyer Fursman, LLC
Maplewood, MN

HR-One Source
Johnston, Iowa

The Mercer Group Inc.
Galesburg, IL

Slavin Management Consultants
Atlanta, Georgia

Springsted
Saint Paul, MN

Voorhees Associates
Deerfield, IL

It was the consensus of the Mayor and Council to interview the following three firms on April 23, 2012 starting at 5:30 p.m.

Brimeyer Fursman, LLC
Maplewood, MN

The Mercer Group Inc.
Galesburg, IL

Slavin Management Consultants
Atlanta, Georgia

City Attorney John Hoyman stated Jerry's Homes has requested the previous action on the rezoning of 1300-1400 Block of North 6th Street from R-3 (mixed residential) to R-5 (planned residence district) be revisited and requested the second and third readings be suspended. It was moved by Parker and seconded by Pepper to strike the previous motion approving the first consideration of a request from Jerry's Homes to rezone lots 4, 5, 6, 7 and Outlot Y of the amended Sunset Terrace Plat #1 and locally known as the 1300-1400 Block of North 6th Street from R-3 (mixed residential) to R-5 (planned residence district). On roll call vote the vote was, AYES: Sirianni, Marchant, Pepper, Mathieu and Parker. NAYS: None. ABSENT: Berry. Whereupon the Mayor declared the motion carried. Council member Pepper moved and Parker seconded to suspend the rules requiring an ordinance be considered at three separate meetings before its adoption. On roll call the vote was, AYES: Mathieu, Parker, Sirianni, Marchant and Pepper. NAYS: None. ABSENT: Berry. Whereupon the Mayor declared the motion carried. Pepper moved and Mathieu seconded to adopt ORDINANCE NO. 1494 entitled "AN ORDINANCE AMENDING ZONING ORDINANCE NUMBER 341 AND CHANGING A PORTION OF THE ZONING MAP OF THE CITY OF INDIANOLA, IOWA." On roll call the vote was, AYES: Parker, Sirianni, Marchant, Pepper and Marchant. NAYS: None. ABSENT: Berry. Whereupon the Mayor declared the motion carried and the ordinance to be effective upon publication.

The second consideration to rezone a vacant lot from R-2 (one & two family residential) to C-2 (highway commercial) and legally described as Lot 9 and the South ½ of the N/S alley and the South 6' of the East 50' of the West 150' of the E/W alley within Block 18 of Jones and Windles Addition and locally known as 506 W. 2nd Avenue was approved on a motion by Parker and seconded by Mathieu. Question was called for and on voice vote the Mayor 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 Indianola Wellness Center Site Grading and Utilities, Indianola, Iowa, the Mayor 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 Sirianni introduced the following Resolution entitled "RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST" for the Indianola Wellness Center Site Grading and Utilities, and moved that it be adopted. Council Member Parker seconded the motion to adopt. The roll was called and the vote was, AYES: Marchant, Pepper, Mathieu, Parker and Sirianni. NAYS: None. ABSENT: Berry. Whereupon, the Mayor declared the following resolution duly adopted:

RESOLUTION ADOPTING PLANS, SPECIFICATIONS,
FORM OF CONTRACT AND ESTIMATE OF COST
For The Indianola Wellness Center Site Grading and Utilities

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

The Mayor thereupon announced that the City Clerk and the City Manager had opened and tabulated the bids for certain public improvements described in general as the construction of the Indianola Wellness Center Site Grading and Utilities, Indianola, Iowa, in accordance with the plans and specifications heretofore adopted.

The following bids were presented by the City Clerk and City Manager.

Name and Address	Bid
Elder Corporation Des Moines, Iowa	$299,100.00
Gator Excavating, Inc. Grimes, Iowa	$277,934.90
McAninch Corporation Des Moines, Iowa	$245,700.00
Sandstone Management Carlisle, Iowa	$326,500.00
Vanderpool Construction Indianola, Iowa	$240,172.10

The City Manager then recommended that the bid of Vanderpool Construction in the amount of $240,172.10 be accepted.

Council Member Sirianni introduced the following resolution entitled "RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT" to Vanderpool Construction for the Indianola Wellness Center Site Grading and Utilities, and moved its adoption. Council Member Mathieu seconded the motion to adopt. The roll was called and the vote was: AYES: Marchant, Pepper, Mathieu, Parker and Sirianni. NAYS: None. ABSENT: Berry. Whereupon, the Mayor declared the following Resolution duly adopted:

RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT
To Vanderpool Construction

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

Council Member Parker moved that the form of Tax Exemption Certificate be placed on file and approved for the $4,580,000 General Obligation Urban Renewal Bonds Series 2012A. Council Member Pepper seconded the motion. The roll was called and the vote was, AYES: Sirianni, Marchant, Pepper, Mathieu and Parker. NAYS: None. ABSENT: Berry. Whereupon the Mayor declared the motion carried unanimously.

Council Member Pepper moved that the form of Continuing Disclosure Certificate be placed on file and approved for the $4,580,000 General Obligation Urban Renewal Bonds Series 2012A. Council Member Parker seconded the motion. The roll was called and the vote was, AYES: Mathieu, Parker, Sirianni, Marchant and Pepper. NAYS: None. ABSENT: Berry. Whereupon the Mayor declared the motion carried unanimously.

Council Member Sirianni introduced the following Resolution entitled "RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF $4,580,000 GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2012A, AND LEVYING A TAX TO PAY SAID BONDS" and moved that it be adopted. Council Member Pepper seconded the motion to adopt, and the roll being called thereon, the vote was as follows: AYES: Marchant, Pepper, Mathieu, Parker and Sirianni. NAYS; None. ABSENT: Berry. Whereupon, the Mayor declared said Resolution duly adopted as follows:

RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF
$4,580,000 GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2012A,
AND LEVYING A TAX TO PAY SAID BONDS

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

Council Member Mathieu moved that the form of Tax Exemption Certificate be placed on file and approved for the $3,875,000 General Obligation Bonds Series 2012B. Council Member Pepper seconded the motion. The roll was called and the vote was, AYES: Parker, Sirianni, Marchant, Pepper and Mathieu. NAYS: None. ABSENT: Berry. Whereupon the Mayor declared the motion carried unanimously.

Council Member Pepper moved that the form of Continuing Disclosure Certificate be placed on file and approved for the $3,875,000 General Obligation Bonds Series 2012B. Council Member Parker seconded the motion. The roll was called and the vote was, AYES: Mathieu, Parker, Sirianni, Marchant and Pepper. NAYS: None. ABSENT: Berry. Whereupon the Mayor declared the motion carried unanimously.

Council Member Parker introduced the following Resolution entitled "RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF $3,875,000 GENERAL OBLIGATION BONDS, SERIES 2012B, AND LEVYING A TAX TO PAY SAID BONDS" and moved that it be adopted. Council Member Pepper seconded the motion to adopt, and the roll being called thereon, the vote was as follows: AYES: Sirianni, Marchant, Pepper, Mathieu and Parker. NAYS: None. ABSENT: Berry. Whereupon, the Mayor declared said Resolution duly adopted as follows:

RESOLUTION AUTHORIZING AND PROVIDING FOR THE
ISSUANCE OF $3,875,000 GENERAL OBLIGATION BONDS, SERIES 2012B, AND
LEVYING A TAX TO PAY SAID BONDS

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

The request from Mike Murphy for a noise permit to have a DJ on Saturday nights (May-September) from 5:00 p.m. – 9:00 p.m. at 1401 N. Jefferson was discussed. Mike Murphy, 19995 80th Avenue, New Virginia, Iowa, spoke in favor of his request. Keith Welling, Community Bank, stated he supported the event. A motion was made by Marchant and seconded by Parker to approve the permit and as with any noise permit, the Indianola Police Department reserves the right to order noise reduction or to cancel any permit, dependent upon the activity or complaints related to the event. Question was called for and on voice vote the Mayor declared the motion carried.

Council member Parker moved and Marchant seconded to approve the following Resolution Approving The Final Plat of Sunset Terrace Plat 3. On roll call the vote was, AYES: Sirianni, Marchant, Pepper, Mathieu and Parker. NAYS: None. ABSENT: Berry. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION APPROVING THE
FINAL PLAT OF SUNSET TERRACE PLAT 3

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

Meeting adjourned on a motion by Mathieu and seconded by Marchant.

Kenan Bresnan, Mayor	Diana Bowlin, City Clerk