REGULAR SESSION – DECEMBER 17, 2012

The City Council met in regular session at 6:00 p.m. on December 17, 2012. Mayor Kenan Bresnan called the meeting to order and on roll call the following members were present: Pete Berry, Greg Marchant, Eric Mathieu, John Parker Jr., and John Sirianni. Absent: Pam Pepper.

Item D change order #4 in an amount of $33,612.79 – Larson & Larson Construction – Indianola Wellness Center was pulled from the consent agenda.

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

Approve agenda

December 3 and 10, 2012 Minutes

Set a public hearing and first consideration of the following:

- January 7, 2013 - An ordinance amending changes to Chapter 155 as to permitted and prohibited signs
- January 7, 2013 - Amend C-3 General Retail and Office Zoning to include community meeting rooms
- January 22, 2013 - A request from Larry McConnell to rezone a portion of the SE 1/4 of the NE 1/4 of Section 29, Township 76, Range 23, locally known as 2008 E. 2nd Avenue from A-1 (Agriculture) to C-2 (Highway Commercial)

Change order #4 in an amount of $16,263.88 - Sternquist Construction for the 2012 Street Improvement Project

Claims on the computer printout for December 17, 2012 and the November 2012 receipts

A motion was made by Sirianni and seconded by Parker to approved change order #4 in an amount of $33,612.79 - Larson & Larson Construction - Indianola Wellness Center. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

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

Kurt Ripperger, Information Technology Manager, from CE 10-1 $56,770/year to CE 10-2 $58,444/year effective November 18, 2012

Ron Hamell, Interim Police Chief, from CE 8.5-12 $66,707/year to CE 12-5 $76,959/year effective December 2, 2012

Jean Furler, Finance Director, from CE 11-7 $74,389/year to CE 12-9 $85,619/year effective December 2, 2012

Dorothy Houston, Library Assistant Part-time, from CE 1-2 $11.458/hour to CE 1-3 $11.787/hour effective January 13, 2012

Brian Stolte, Cable Operator, from CE 2-6 $15.021/hour to CE 2-7 $15.407/hour effective December 2, 2012

Passed and approved on the 17th day of December, 2012.

Mayor Bresnan reported on the Metro Advisory meeting.

Council member John Parker reported on the IDOT meeting regarding 65/69.

The November 2012 City Treasurer report was approved on a motion by Parker and seconded by Sirianni. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

Mike Metcalf presented the quarterly safety report.

A motion was made by Sirianni and seconded by Parker to approve the following Mayor's nominations to Boards and Commission. Question was called for and on voice vote the vote was, AYES: Mathieu, Berry, Parker and Sirianni. NAYS: None. ABSTAINED: Marchant. ABSENT: Pepper. Whereupon the Mayor declared the motion carried.

Joe Butler, Planning and Zoning Commission, a term to begin February 1, 2013 and expire February 1, 2018

Reed Thacker, Board of Adjustment, a term to begin December 31, 2012 and expire December 31, 2017

Jennifer Leech, re-nomination to the Park and Recreation Commission, a term to begin January 1, 2013 and expire January 1, 2016

Dave Button, re-nomination to the Park and Recreation Commission, a term to begin January 1, 2013 and expire January 1, 2016

Berry moved and Mathieu seconded to approve the following representatives to the Central Iowa Regional Transportation Planning Alliance. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

Eric Hanson, Policy Committee Representative (Chuck Burgin as alternate)
Chuck Burgin, Technical Committee Representative (Eric Hanson as alternate)

Council member Mathieu moved to approve the following representatives to the Des Moines Metropolitan Planning Organization. Council member Parker seconded the motion. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

Eric Hanson, MPO Primary Representative (Chuck Burgin as alternate)
Chuck Burgin, MPO Technical Committee Representative (Eric Hanson as alternate)

A public hearing to consider the proposal from Simpson College to vacate "C" Street from Girard Avenue to Clinton Avenue except the north 174 feet was held. Those speaking in favor of the proposal were:

Christopher R. Pose, Lillis O'Malley Olson Manning Pose & Van Dike-317 6th Avenue, Suite 300 Des Moines, Iowa, Attorney for the Delta House Corporation located at 705 North "C" Street. He stated the Delta House supports the request of Simpson College with conditions (on file at the City Clerk's Office).

Ken Birkenholtz-1909 Country Club Road, Simpson College Vice President for Business and Finance
Doug Schuster – 801 N. "C" Street
Ryan Lane – 700 W. Scenic Valley Drive and Student Vice President of Simpson College

Those speaking against were:
Brad Ross – 812 N. "S" Court
Sam Stanfield – 407 W. Ashland

David Slick – 502 N. "N"
Gary Middleswart – 102 Orchard
Susan Glick – 511 W. Boston
Jenny Wren – 509 Norwood
Michelle Bradford – 311 W. Clinton
Cathy Stanfield – 407 W. Ashland
Orrie Koehlmoos – 804 Sunset Drive
Linda Brown – 1101 N. "C"
Elaine Ansley – 1000 N. Buxton
Jim Jauron – 1203 W. 2nd
Charlotte Guilford – 407 N. "K"

Written comments against the vacation of "C" Street were received from Timothy Paterson, 207 W. Boston #3.

Each council member stated their comments regarding the vacation of "C" Street. Mayor Bresnan read Council Member Pam Pepper's comments.

Council member Marchant moved that the City Council pass a resolution to move forward with the process of vacating "C" Street, as specifically described in this public hearing, in accordance with City Code Chapter 137, and the Council do so by making the following findings as required by the Indianola City Code Section 137.04.

- "C" Street, as described, is not needed for the use of the public, and therefore its maintenance at public expense is no longer justified for these reasons:
  - Safety
  - Infrastructure
  - Economic Development
- That this proposed vacation will not deny owners of the property abutting on "C" Street reasonable access to their property because:
  - We have received a letter from Christopher Pose, who represents the Delta House Corporation stating the Delta House supports the request of Simpson College to the city to vacate and convey a portion of North "C" Street to Simpson College
  - Conditions of this support are provided in the letter (on file at the City Clerk's Office) and are agreed to as part of this motion and will be incorporated in the Resolution to Proceed with Vacation of "C" Street Based Upon Findings Pursuant to Indianola Code Section 137.04

Also to direct City Staff and the City Attorney to prepare a Resolution to Proceed with Vacation of "C" Street Based Upon Findings Pursuant to Indianola Code Section 137.04 in written form for review and formal passage at the January 7, 2013 City Council meeting and proceed with the first consideration of the ordinance vacating said street on that same date. Council member Parker seconded the motion. On roll call the vote was AYES: Mathieu, Parker and Marchant. NAYS: Berry. ABSTAINED: Sirianni. ABSENT: Pepper. Whereupon the Mayor declared the motion carried.

The following Resolution Approving Contract and Bond to Municipal Pipe and Tool in an amount of $3,219,342.85 for the I&I Phase 4 project was approved on a motion by Marchant and seconded by Mathieu. On roll call the vote was, AYES: Mathieu, Berry, Parker, Sirianni and Marchant. NAYS: None. ABSENT: Pepper. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION APPROVING CONTRACT AND BOND
FOR THE I&I PHASE 4 PROJECT

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

Council Member Berry moved that the form of Tax Exemption Certificate for the $1,865,000 General Obligation Bonds Series 2013A be placed on file and approved. Council Member Mathieu seconded the motion. The roll was called and the vote was, AYES: Parker, Sirianni, Marchant, Mathieu and Berry. NAYS: None. ABSENT: Pepper. Whereupon the Mayor declared the motion carried unanimously.

Council Member Sirianni moved that the form of Continuing Disclosure Certificate for the $1,865,000 General Obligation Bonds Series 2013A be placed on file and approved. Council Member Parker seconded the motion. The roll was called and the vote was, AYES: Marchant, Mathieu, Berry, Parker and Sirianni. NAYS: None. ABSENT: Pepper. Whereupon the Mayor declared the motion carried unanimously.

Council Member Parker introduced the following Resolution entitled "RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED $1,865,000 GENERAL OBLIGATION BONDS, SERIES 2013A, AND LEVYING A TAX TO PAY SAID BONDS" and moved that it be adopted. Council Member Sirianni seconded the motion to adopt, and the roll being called thereon, the vote was as follows: AYES: Sirianni, Marchant, Mathieu, Berry and Parker. NAYS: None. ABSENT: Pepper. Whereupon the Mayor declared said Resolution duly adopted as follows:

RESOLUTION AUTHORIZING AND PROVIDING FOR THE
ISSUANCE OF NOT TO EXCEED $1,865,000
GENERAL OBLIGATION BONDS, SERIES 2013A
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 for the $5,510,000 General Obligation Urban Renewal Bonds, Series 2013B be placed on file and approved. Council Member Parker seconded the motion. The roll was called and the vote was, AYES: Berry, Parker, Sirianni, Marchant and Mathieu. NAYS: None. ABSENT: Pepper. Whereupon the Mayor declared the motion carried unanimously.

Council Member Sirianni moved that the form of Continuing Disclosure Certificate for the $5,510,000 General Obligation Urban Renewal Bonds, Series 2013B be placed on file and approved. Council Member Marchant seconded the motion. The roll was called and the vote was, AYES: Marchant, Mathieu, Berry, Parker and Sirianni. NAYS: None. ABSENT: Pepper. Whereupon the Mayor declared the motion carried unanimously.

Council Member Marchant introduced the following Resolution entitled "RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF $5,510,000 GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2013B, AND LEVYING A TAX TO PAY SAID BONDS" and moved that it be adopted. Council Member Mathieu seconded the motion to adopt, and the roll being called thereon, the vote was as follows: AYES: Mathieu, Berry, Parker, Sirianni and Marchant. NAYS: None. ABSENT: Pepper. Whereupon the Mayor declared said Resolution duly adopted as follows:

RESOLUTION AUTHORIZING AND PROVIDING FOR THE
ISSUANCE OF $5,510,000 GENERAL OBLIGATION URBAN RENEWAL BONDS,
SERIES 2013B, AND LEVYING A TAX TO PAY SAID BONDS

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

The Mayor and Council discussed the Chamber of Commerce funding. It was the consensus to support this group.

Meeting adjourned on a motion by Parker and second by Marchant.

Kenan Bresnan, Mayor

Diana Bowlin, City Clerk