REGULAR SESSION – FEBRUARY 21, 2012

The City Council met in regular session at 6:00 p.m. on February 21, 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., Pam Pepper and John Sirianni.

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

February 6, 2012 special and regular minutes

Applications:

- A renewal Class "C" Liquor License, Outdoor Area and Sunday Sales Privilege for Deer Run Golf – 2305 W. 2nd
- A new Class "C" Beer, Class "B" Wine Permit and Sunday Sales Privilege for Dollar General Store – 1803 W. 2nd

Set March 19, 2012 as a public hearing and first 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 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 windless Addition and locally know as 506 W. 2nd Avenue

Ambulance 7% fee increase

Write off $33,352 ambulance bills from July 1, 2011 through December 31, 2011

Street closure request from:

- Simpson College – Living the Dream: Ending the Isms March & Rally – March 30, 2012 from 1:30 – 3:30 p.m. – the march will start sough on Buxton, east on Salem, north on Howard, west on Ashland and north on Buxton
- Indianola Sustainability Committee – April 20, 2012 from 8:00 a.m. – 3:30 p.m. – will close South "B" Street from West Salem to West 1st Avenue
- Warren County Corvette Club – June 2, 2012 from 7:00 a.m. – 4:00 p.m. – will close Ashland between Howard and Buxton and the remaining inside lanes on the square
- Indianola Mayor's Youth Council Bike Rally – June 9, 2012 from 7:30 a.m. – 1:00 p.m. – will close Buxton between Salem and Ashland and the remaining inside lanes on the square

Prior approval applications for urban revitalization designation
Marilyn Burley – 1316 N. 7th Street – Finish Basement - $11,500
Autumn Ridge Development – 400 S. 8th Ct. #28 – Duplex - $114,100
Autumn Ridge Development – 400 S. 8th Ct. #29 – Duplex - $114,100

Final approval applications for urban revitalization designation:
Marilyn Burley – 1316 N. 7th Street – Finish Basement - $11,500
Cory & Angie Sinclair – 807 W. Scenic Valley Dr. – SFD - $215,000
Autumn Ridge Development – 400 S. 8th Ct. #29 – Duplex - $114,100

Claims on the computer printout for February 21, 2012 and the January 2012 receipts

A motion was made by Berry and seconded by Parker to re-appoint James Sullivan and Dennis Parker to the Board of Adjustment Commission a term to begin immediately and expire December 31, 2015 and December 31, 2016 respectfully. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

The Iowa Municipal Worker's Compensation Association awarded the City of Indianola a certificate for successfully implementing practices to proactively manage its worker's compensation exposures.

Mike Metcalf presented the quarterly safety report.

A motion was made by Berry and seconded by Pepper to approve the January 2012 City Treasurer's Report. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

Council member Pam Pepper reported on the January 23, 2012 council study meeting.

The FY 12/13 union contract was approved on a motion by Sirianni and seconded by Parker. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

The following resolution approving personnel salaries was approved on a motion by Pepper and seconded by Mathieu. On roll call the vote was, AYES: Mathieu, Berry, Parker, Sirianni, Marchant and Pepper. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

RESOLUTION APPROVING SALARIES

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

The following salaries are hereby approved:

Jeffrey Spender, Paramedic/firefighter, from FF 4.5 $46,041/year to FF 5.5 $48,343/year effective January 15, 2012

Ty Herrick, WPC Operator, from Range 22-3 $47,489/year to Range 22-4 $49,798/year effective February 12, 2012

Angie Buchanan, Horticulturist, from Range 21-2 $41,051/year to Range 21-2 ½ $41,965/year effective March 11, 2012

Vonnie Peters, WPC Office Manager, from CE 3-1 ½ $13.961/hour to CE 3-2 $14.181/hour effective March 11, 2012

David Stern, Seasonal Horticulturist Assistant, $11.85/hour effective February 6, 2012

Passed and approved on the 21st day of February, 2012.

Simpson College President John Byrd presented their proposal (the complete proposal may be viewed at the City Clerk's Office) regarding "C" Street including rationale, identified issues, parking, traffic flow and "C" Street Concept. President Byrd requested the following Council's consideration:

- A phased approach – immediate coordination between the College and City to implement a cooperative plan to improve "C" Street which include beautification of the street, removal of parking and additional calming measures to slow and possibly discourage travel through campus
- Negotiate the purchase price for the land occupied by the street and the college's share of the improvements cited above when the street is closed
- Set a definitive future date for the closure of "C" Street which would allow adequate time for improvements to be made at Irving Elementary School and for broader decisions to be made concerning one-way streets and traffic flow in the city
- In summary Simpson College respectfully requested the Council take immediate action to repave "C" Street with amenities and establish a future date for the street's closure

Mike Teigland, Superintendent of Indianola Community Schools, talked about the cursory traffic review performed by Snyder and Associates and the potential impact of vehicle and pedestrian traffic operations adjacent to Irving Elementary School on the potential closure of North "C" Street between Clinton and Girard Avenues. The study showed an approximate 1-2 vehicles per minute in traffic would create additional potential conflicts. Mr. Teigland stated the school would be able to handle the additional traffic. Brian Clark, Confluence Engineering, spoke regarding how other colleges have implemented various plans to allow emergency access on campus street closure including bollard type removable Canterbury trash receptacles or retractable manual with a key. Council member Pepper stated the council had received a citizen's request to speak after Simpson's presentation. Mayor Bresnan stated they would receive comments but no questions. Those speaking in favor of the closure of "C" Street were:

Joe Sorenson – Student President Simpson College
Barb Mc Murray – 113 Phillip Place

Those speaking against the closure of "C" Street were:

Charlotte Guilford – 407 N. "K"
Michelle Bradford – 311 W. Clinton
Susan Glick – 511 W. Boston

It was the consensus of the council to place the Simpson College proposal on a future council study committee meeting and asked Simpson College to get a copy of the proposal to them for their review. Mayor Kenan Bresnan stated a public forum would be held with Simpson College to discuss their proposal.

A public hearing and first consideration of an amendment to the Bike Night Ordinance which changes the dates to the third Friday (April-September) was held. There were no objections either oral or written. It was moved by Berry and seconded by Marchant to suspend the rules requiring an ordinance be considered at three separate meetings before its adoption. On roll call the vote was, AYES: Parker, Sirianni, Marchant, Pepper, Mathieu and Berry. Whereupon the Mayor declared the motion carried unanimously. Sirianni moved and Mathieu seconded to adopt ORDINANCE NO. 1490 entitled, "INDIANOLA BIKE NIGHT ORDINANCE." On roll call the vote was, AYES: Marchant, Pepper, Mathieu, Berry, Parker and Sirianni. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the ordinance to be effective upon publication.

The second consideration of a request from Bryan Vaughan, Vaughan's RV & Custom Interiors, to amend M-2 (general industrial) to allow recreational vehicle sales, service/repair was approved on a motion by Sirianni and seconded by Marchant. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

The second consideration of an amendment to the zoning ordinance which will add a C-1 Office Park Classification was approved on a motion by Berry and seconded by Mathieu. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

The Mayor announced that this was the time and place for the public hearing and meeting on the matter of the issuance of not to exceed $4,135,000 General Obligation Bonds, in order to provide funds to pay costs of street improvements, utility improvements, traffic lights, equipping the sewer department, and acquisition of an ambulance, essential corporate purposes, and that notice of the proposed action by the Council to institute proceedings for the issuance of the bonds, had been published pursuant to the provisions of Section 384.25 of the City Code of Iowa.

The Mayor then asked the Clerk whether any written objections had been filed by any City resident or property owner to the issuance of the bonds. The Clerk advised the Mayor and the Council that no written objections had been filed. The Mayor then called for oral objections to the issuance of the bonds and none were made. Whereupon, the Mayor declared the time for receiving oral and written objections to be closed.

The Council then considered the proposed action and the extent of objections thereto.

Whereupon, Council Member Pepper introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED $4,135,000 GENERAL OBLIGATION BONDS", and moved that the Resolution be adopted. Council Member Parker seconded the motion. The roll was called and the vote was, AYES: Mathieu, Berry, Parker, Sirianni, Marchant and Pepper. NAYS: None. Whereupon, the Mayor declared the measure duly adopted.

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED
$4,135,000 GENERAL OBLIGATION BONDS

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

The Mayor announced that this was the time for meeting on the matter of the issuance of not to exceed $170,000 of General Obligation Bonds, in order to provide funds to pay costs of improvements to the City pool, including acquisition and installation of a water slide, a general corporate purpose; and that notice of the proposal to issue the bonds and the right to petition for an election had been published as provided by Section 384.26, of the City Code of Iowa; and, the Mayor then asked the City Clerk whether any petition had been filed in the Clerk's Office, in the manner provided by Section 362.4 of the City Code of Iowa, and the Clerk reported that no such petition had been filed, requesting that the question of issuing the bonds be submitted to the qualified electors of the City.

Whereupon, the Mayor declared the hearing on the issuance of the bonds to be closed.

Whereupon, Council Member Pepper introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE AUTHORIZATION AND ISSUANCE OF NOT TO EXCEED $170,000 GENERAL OBLIGATION BONDS", and moved that the Resolution be adopted. Council Member Marchant seconded the motion. The roll was called and the vote was, AYES: Mathieu, Parker, Marchant and Pepper. NAYS: Berry and Sirianni. Whereupon, the Mayor declared the measure duly adopted.

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE AUTHORIZATION AND ISSUANCE OF NOT TO EXCEED $170,000 GENERAL OBLIGATION BONDS

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

The following Resolution Adopting Revenue Purpose Statement from the proposed gas franchise fee was approved on a motion by Sirianni and seconded by Pepper. On roll call the vote was, AYES: Marchant, Pepper, Mathieu, Berry, Parker and Sirianni. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the following Resolution duly adopted.

RESOLUTION ADOPTING REVENUE PURPOSE STATEMENT REGARDING USE OF REVENUES FROM GAS FRANCHISE FEES PURSUANT TO IOWA CODE SECTION 364.2(4)(F)

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

Pepper moved and Marchant seconded to hold a council study committee meeting on February 27, 2012 at 6:30 p.m. to discuss the following:

- Gas Franchise Fee
- Street replacement project
- FY 2012/13 Budget

Question was called for and on voice vote the Mayor declared the motion carried unanimously.

A motion was made by Sirianni and seconded by Pepper to approved the revised SVPA Engineering Professional Design Fee Proposal in an amount of $882,560, adjust their ongoing Design Development Phase and Construction Documents Phase billing to reflect an anticipated fee or 6.95%. After the actual bids have been received and awarded, SVPA will establish a form revised fixed fee for basic services according to 6.95% of the actual approved bid for the Cost of Construction. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

Vitas Bering and Steve Gray, SVPA Architects, presented a Design Development Phase update for the YMCA/Wellness Center Project. Shirley Clark, 403 N. "Y", stated the City had previously approved $12,500,000 and asked were the additional funding would come from. Mayor Kenan Bresnan stated the following project funding sources:

$12,500,000 – City of Indianola TIF funding
$ 200,000 – Utility Franchise Fee
$ 500,000 – YMCA fitness equipment & furnishings
$ 1,500,000 – Capitol funds Simpson/Indianola School District
$ 50,000 – Private Funding

The Mayor and Council discussed the interim city manager/transitional plan. Discussion regarding the interim position included: filling the position with one person who would perform the city manager's duties as stated in the job description, interim would be a minimum of three-four months, adequate compensation and if the interim person would need any additional staff assistance. A motion was made by Sirianni and seconded by Berry to appoint Jean Furler as Interim City Manager. Question was called for and on voice vote the Mayor declared the motion carried unanimously. A committee consisting of Mayor Kenan Bresnan, Council member Pete Berry and Pam Pepper would meet with Jean

Furler to discuss job duties, staff assistance and adequate compensation during this interim period. A recommendation would be brought to a future council meeting.

The amendment to the council policy on NON-TEA 21 Street which would change the assess eligible construction cost to 30% instead of 50% was struck from the agenda.

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

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Kenan Bresnan, Mayor Diana Bowlin, City Clerk