REGULAR SESSION – JANUARY 22, 2013

The City Council met in regular session at 6:00 p.m. on January 22, 2013. 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.

Item I – write off $45,100 ambulance bills from January 1, 2012 through July 31, 2012 was pulled from the consent agenda.

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

Approve agenda

January 7 and 14, 2013 Minutes

Set February 4, 2013 as a public hearing and first consideration of an ordinance readopting the existing City Code of Ordinances

$13,400 pre-engineering proposal from Snyder and Associates for the Highway 65/69 Improvement (Hillcrest to Hoover Street)

Annual spring/fall cleanup program refuse hauling proposals from Waste Management as follows:

Annual Spring Cleanup – curbside – dates to be determined

Year	Price
2013	$9,022
2014	$9,293
2015	$9,572

Spring & Fall Yard Waste Dumpster – Placed at the Brush Facility

Year	Price
2013	$150.00 + $27.00/ton disposal fee
2014	$155.00 + gate rate
2015	$160.00 + gate rate

Fall Cleanup – drop off site at the Brush facility (date to be determined)

Year	Price
2013	$205.00 + $26.00/ton disposal fee
2014	$211.00 + gate rate
2015	$217.00 + gate rate

Banner application from Des Moines Metro Opera - Hwy 65/69 banners from May 14, 2013 through July 14, 2013

Resolution regarding temporary closure/no parking on the downtown square and one block in all direction for Indianola Bike Night - dates are April 19, May 17, June 21, July 19, August 16 and September 20, 2013 from 5:01 p.m. to 10:30 p.m. (The complete resolution may be viewed at the City Clerk's Office)

Noise permit for the Supporters of Indianola - Bike Night (third Friday of the month April – September 2013)

Prior approval applications for urban revitalization designation
Barker Implement & Motor Inc. – 1306 S. Jefferson – Service Building - $639,750

Final approval applications for urban revitalization designation
Joel Morrow – 1608 W. Detroit Avenue – Garage - $15,600
Marvin Surber – 812 W. 1st Avenue – 3 season room - $10,000
Autumn Ridge Development – 400 S. 8th Ct. #32 – Duplex - $230,000

Claims on the computer printout for January 22, 2013 and the December 2012 receipts

A motion was made by Pepper and seconded by Mathieu to approve writing off $45,100 ambulance bills from January 1, 2012 through July 31, 2012. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

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

RESOLUTION APPROVING PERSONNEL SALARIES

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

The following salaries are hereby approved:

Brandon DeCook, Program Instructor, $9.00/hour effective January 19, 2013

Passed and approved on the 22nd day of January, 2013.

Council member Eric Mathieu reported on the Metro Advisory meeting.

Council member Greg Marchant updated the Mayor and Council regarding the WCEDC meeting.

Finance Director Jean Furler reported on the Landfill Committee meeting.

Council member John Sirianni reported on the progress of the YMCA.

Council member John Parker updated the Mayor and Council regarding the 65/69 project.

The December, 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.

A public hearing and first consideration of 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) was held. There were no objections either oral or written. A motion was made by Parker and seconded by Berry to approve the first consideration of this rezoning request. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

Upon the final consideration of an ordinance to vacate "C" Street between Girard Avenue to Clinton Avenue except the north 174 feet, Marchant moved and Parker seconded to adopt ORDINANCE NO. 1506 entitled, “AN ORDINANCE PROVIDING FOR THE VACATION OF A PORTION OF STREET RIGHT-OF-WAY”. Council Member Pepper discussed concerns of how this item has progressed and felt the Mayor and Council needed to discuss the pros and cons regarding the vacation of “C” Street between Girard Avenue and Clinton Avenue except the north 174 feet. On roll call the vote was, AYES: Mathieu, Parker and Marchant. NAYS: Pepper and Berry. ABSTAINED: Sirianni. Whereupon the Mayor declared the motion carried and the ordinance to be effective upon publication.

The second consideration of an amendment to the C-3 General Retail and Office Zoning to include community meeting rooms was held. It was moved by Marchant and seconded by Berry to suspend the rules requiring an ordinance be considered at three separate meetings before its adoption. On roll call the vote was, AYES: Pepper, Mathieu, Berry, Parker, Sirianni and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously. Marchant moved and Parker seconded to adopt ORDINANCE NO. 1507 entitled, “AN ORDINANCE AMENDING THE ZONING REGULATIONS BY ADDING COMMUNITY MEETING ROOMS AS A SPECIAL EXCEPTION USE TO THE C-3 ZONING (GENERAL RETAIL AND OFFICE) OF SECTION 165.09 OF THE CODE OF ORDINANCES OF THE CITY OF INDIANOLA, IOWA.” On roll call vote the vote was, AYES: Pepper, Mathieu, Berry, Parker, Sirianni and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the ordinance to be effective upon publication.

The second consideration of an ordinance amending changes to Chapter 155 as to permitted and prohibited signs were discussed. Mathieu moved and Berry seconded to suspend the rules requiring an ordinance be considered at three separate meetings before its adoption. On roll call the vote was, AYES: Berry, Parker, Sirianni, Marchant, Pepper and Mathieu. NAYS: None. Whereupon the Mayor declared the motion carried unanimously. A motion was made by Berry and seconded by Parker to adopt ORDINANCE NO. 1508 entitled, “AN ORDINANCE REGARDING CHANGES TO CHAPTER 155 AS TO PERMITTED AND PROHIBITED SIGNS”. On roll call the vote was, AYES: Parker, Sirianni, Marchant, Pepper, Mathieu and Berry. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the ordinance to be effective upon publication.

The following Resolution approving project completion and compliance from Susannah Paeper - Portraits by Susannah - 108 W. Ashland - for the Downtown Incentive Program was approved on a motion by Parker and seconded by Pepper. On roll call the vote was, AYES: Sirianni, Marchant, Pepper, Mathieu, Berry and Parker. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 02-13

RESOLUTION APPROVING ECONOMIC DEVELOPMENT GRANT
AND INTEREST FORGIVENESS UNDER INDIANOLA
DOWNTOWN BUSINESS INCENTIVE PROGRAM
For Portraits by Susannah – 108 W. Ashland

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

Susan Glick, 511 W. Boston, stated there is strong support from citizens and a petition has been filed to keep "C" Street open for public use.

Charlotte Guilford, 407 N. "K", stated the council should have informed the citizens that the Interim City Attorney has been informed that an injunction and law suit will be filed seeking to invalidate the ordinance vacating "C" Street.

Mayor Ken Bresnan clarified the City has not received any notice of an injunction or law suit being filed regarding the ordinance vacating "C" Street. What has been received from the Interim City Attorney was in regards to the sale of "C" Street.

Meeting adjourned on a motion by Berry and seconded by Parker.

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Kenan Bresnan, Mayor	Diana Bowlin, City Clerk