REGULAR SESSION – MARCH 25, 2013

The City Council met in regular session at 6:00 p.m. on March 25, 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.

The following items were pulled from the consent agenda:
Item C-1 – A new Class "B" Beer permit and Outdoor Area for the Square Bar Association – Indianola Town Square

Item C-3 - A Class "C" Liquor License transfer of Chartwells Dining Services from Pfieffer Dining Hall to Kent Campus Center

Item E – Change order #5 for the 2012 Street Improvement Project – changes the project completion date to August 22, 2012

Item H-1 – Street closure request from First Baptist Church Ice Cream Social - August 31, 2013 from 3:00 p.m. - 7:00 p.m. - will close the N/S alley east of the First Baptist Church for their annual ice cream social

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

March 4 and 11, 2013 Minutes

<u>Applications</u>

- A renewal Class "E' Liquor License, "B" Wine, "C" Beer and Sunday Sales Privilege for Indy 66 - 1201 N. Jefferson

<u>Change order #6</u> in an amount of $2,852.89 - Larson & Larson Construction - Indianola Wellness Center

<u>$9,995.00 demolition bid</u> from Vanderpool Construction for 1206 W. 2nd Avenue

<u>Horticulturist Assistant Request</u> – will use funds allocated for a part-time horticulturist assistant, to start the full-time horticulturist assistant May 1, 2013 instead of July 1, 2013

<u>Street Closure request for the following:</u>

- Street usage request from the Rotary Club of Indianola - May 4, 2013 from Noon - 5:00 p.m. - streets included in the two routes are Salem, Howard, Kentucky, Apple Drive, Orchard, Iowa, Buxton and Summerset Trail
- Indianola Mayor's Youth Council Bike Fest - June 8, 2013 from 6:00 a.m. - 1:00 p.m. - will close Buxton between Salem and Ashland and the remaining inside lanes on the square

<u>Noise permit</u> for Mike Murphy - Indianola Classic Car-Truck-Cruise Night – May 18, 2013 – September 21, 2013 (every Saturday night from 4-9) at the Community Bank, 1401 N. Jefferson, parking lot

<u>Prior approval applications for urban revitalization designation</u>
Jerry's Homes – 1401 N. 6th #17 – 4 plex - $426,350

Jerry's Homes – 1401 N. 6th #18 – 4 plex - $426,350
Jerry's Homes – 1401 N. 6th #19 – 4 plex - $426,350
Jerry's Homes – 1401 N. 6th #20 – 4 plex - $426,350
Emmet Brody – 2301 N. 8th St. – SFD – $250,000
Emmet Brody – 2209 N. 8th St. – SFD - $240,000

<u>Final approval applications for urban revitalization designation</u>
Brody Construction – 2204 N. 8th St. – SFD - $200,000
Barry Robb – 1102 N. 9th St. – SFD - $210,000
Cody Sinclair – 2101 E. 1st – Duplex - $172,325
Steger Construction – 804 E. Scenic Valley Court – SFD - $152,800
Steger Construction – 2108 N. 8th St. – SFD - $165,800

Claims on the computer printout for March 25, 2013 and the February 2013 receipts

A motion was made by Parker and seconded by Pepper to approve a new Class "B" Beer permit and Outdoor Area for the Square Bar Association –Indianola Town Square. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

It was moved by Berry and seconded by Mathieu to approve a Class "C" Liquor License transfer of Chartwells Dining Services from Pfieffer Dining Hall to Kent Campus Center. Question was called for and on voice vote the vote was, AYES: Parker, Marchant, Pepper, Mathieu and Berry. NAYS: None. ABSTAINED: Sirianni. Whereupon the Mayor declared the motion carried.

Change order #5 for the 2012 Street Improvement Project which changes the project completion date to August 22, 2012 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.

Parker moved to approve the street closure request from First Baptist Church Ice Cream Social - August 31, 2013 from 3:00 p.m. - 7:00 p.m. which will close the N/S alley east of the First Baptist Church for their annual ice cream social. Pepper seconded the motion. Question was called for and on voice vote the vote was, AYES: Sirianni, Marchant, Pepper, Mathieu and Parker. NAYS: None. ABSTAINED: Berry. Whereupon the Mayor declared the motion carried.

Council member Pepper moved to approve the following Resolution Approving Personnel Salaries. Council member Marchant 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 SALARIES

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF INDIANOLA, IOWA:
The following salaries are hereby approved:

Luke Buhrow, Police Officer, from PO-3 $48,107/year to PO-4 $50,512/year effective March 24, 2013

Megan Berlin, Recreation Coordinator, CE 5-2 $36,880/year effective April 8, 2013

Aaron Hurt, Paramedic/Firefighter, FF-1 $43,635/year effective March 25, 2013

Joe Holaday, Seasonal Street Sweeper, $18.73/hour effective April 1, 2013

Charles Carico, Seasonal Brush Facility Monitor, $11.044/hour effective March 25, 2013

Turner Baldwin, Street Department Seasonal Summer Help, $10.00/hour effective May 1, 2013

Bryce Binter, Street Department Seasonal Summer Help, $9.50/hour effective May 27, 2013

Tanner Warton, Street Department Seasonal Summer Help, $9.00/hour effective May 22, 2013

Trevor Warton, Street Department Seasonal Summer Help, $9.00/hour effective May 22, 2013

Passed and approved on the 25th day of March, 2013

Mayor Kenan Bresnan reported on the Metro Advisory meeting.

The WCEDC report was presented by Council member Greg Marchant.

Council member Greg Marchant reported on the Greater Des Moines Convention meeting.

The 65/69 Report was presented by Council member John Parker, Jr.

The February 2013 City Treasurer's Report was approved on a motion by Berry and seconded by Pepper. 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 approve the FY 11/12 Audit Report. 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 Mathieu and seconded by Pepper to accept the report. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

Council member Berry moved to approve the Mayor’s nomination of John Monroe to the Civil Service Commission, a term to begin immediately and expire April 2, 2016. Parker seconded the motion. 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 authorization of a Loan and Disbursement Agreement by and between the City and the Iowa Finance Authority, and the issuance to the Iowa Finance Authority of not to exceed $750,000 Sewer Revenue Capital Loan Notes to evidence the obligations of the City under said Loan and Disbursement Agreement, in order to provide funds to pay costs of acquisition, construction, reconstruction, extending, remodeling, improving, repairing and equipping all or part of the Municipal Sewer System, including those costs associated with acquisition, construction, reconstruction, extending, remodeling, improving, repairing and equipping all or part of the Municipal Sewer System, including the Sanitary Sewer Infiltration and Inflow correction project (Phase IV), and that notice of the proposed action by the City Council to institute proceedings for the authorization of the Loan and Disbursement Agreement and the issuance of the Notes had been published pursuant to the provisions of Sections 384.24A and 384.83, as amended.

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

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

Whereupon, Council Member Parker introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE AUTHORIZATION OF A LOAN AND DISBURSEMENT AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED $750,000 SEWER REVENUE CAPITAL LOAN NOTES", and moved that the Resolution be adopted. Council Member Mathieu seconded the motion. The roll was called and the vote was, AYES: Sirianni, Marchant, Pepper, Mathieu, Berry and Parker. NAYS: None. Whereupon, the Mayor declared the measure duly adopted.

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE
ADDITIONAL ACTION FOR THE AUTHORIZATION OF A LOAN
AND DISBURSEMENT AGREEMENT AND THE ISSUANCE OF
NOT TO EXCEED $750,000
SEWER REVENUE CAPITAL LOAN NOTES

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

The second consideration of an ordinance adopting the 2009 International Building, Residential, Plumbing, Mechanical, Fuel Gas, Fire and 2011 Electrical Code was discussed. Berry moved and Pepper seconded 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. NAYS: None. Whereupon the Mayor declared the motion carried unanimously. A motion was made by Sirianni and seconded by Pepper to adopt the following ordinances. 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 ordinances to be effective upon publication.

ORDINANCE NO. 1511 entitled "AN ORDINANCE REPEALING CHAPTER 156, BUILDING CODE, AND ENACTING A NEW CHAPTER 156, BUILDING CODE OF THE CODE OF ORDINANCES OF THE CITY OF INDIANOLA, IOWA"

ORDINANCE NO. 1512 entitled "AN ORDINANCE REPEALING SECTION 157.02 AND ENACTING A NEW SECTION 157.02 OF THE CODE OF ORDINANCES OF THE CITY OF INDIANOLA, IOWA"

ORDINANCE NO. 1513 entitled "AN ORDINANCE REPEALING SECTION 158.01 AND SECTION 158.02 AND ENACTING A NEW SECTION 158.01 AND SECTION 158.02 OF THE CODE OF ORDINANCES OF THE CITY OF INDIANOLA, IOWA"

ORDINANCE NO. 1514 entitled "AN ORDINANCE REPEALING SECTION 159.01 AND SECTION 159.02 AND ENACTING A NEW SECTION 159.01 AND SECTION 159.02 OF THE CODE OF ORDINANCES OF THE CITY OF INDIANOLA, IOWA"

ORDINANCE NO. 1515 entitled "AN ORDINANCE REPEALING SECTION 160.02, SECTION 160.03, 160.06 AND ENACTING NEW SECTIONS 160.02, 160.03 AND 160.06; AMENDING

SECTION 160.05; AND ADDING A NEW SECTION 160.14 OF THE CODE OF ORDINANCE OF THE CITY OF INDIANOLA, IOWA"

ORDINANCE NO. 1516 entitled "AN ORDINANCE REPEALING SECTIONS 162.01, 162.02, 162.03, 162.08, 162.09, 162.10 AND 162.11 AND ENACTING NEW SECTION 162.01, 162.02, 162.03, 162.08, 162.09 162.10 AND 162.11 OF THE CODE OF ORDINANCES OF THE CITY OF INDIANOLA, IOWA"

Council member Marchant moved and Berry seconded to receive the $200,000 offer from J&B Properties LLC – Community 1st Credit Union for 302 and 308 S. Jefferson. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

It was moved by Sirianni and seconded by Mathieu to approve the following resolution entitled "A RESOLUTION AUTHORIZING THE PUBLICATION OF NOTICE OF THE SETTING OF A HEARING (May 6, 2013) ON A PROPOSAL TO SELL REAL PROPERTY (302 & 308 S. Jefferson) OWNED BY THE CITY OF INDIANOLA, IOWA." On roll call the vote was, AYES: Marchant, Pepper, Mathieu, Berry, Park and Sirianni. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted:

RESOLUTION NO. 2013-05

A RESOLUTION AUTHORIZING THE PUBLICATION OF NOTICE OF THE SETTING OF A HEARING (May 6, 2013) ON A PROPOSAL TO SELL REAL PROPERTY (302 & 308 S. Jefferson) OWNED BY THE CITY OF INDIANOLA, IOWA

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

Whereupon, Council Member Berry introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION APPROVING ECONOMIC DEVELOPMENT GRANTS AND INTEREST FORGIVENESS UNDER INDIANOLA DOWNTOWN BUSINESS INCENTIVE PROGRAM," for 113 W. Salem – Cambron Investments (Hotel Warren) and moved its adoption. Council member Pepper seconded the motion. The roll was called and the vote was, AYES: Parker, Sirianni, Marchant, Pepper, Mathieu and Berry. NAYS: None. Whereupon the Mayor declared the measure duly adopted.

RESOLUTION NO. 2013-06

RESOLUTION APPROVING ECONOMIC DEVELOPMENT GRANT AND INTEREST FORGIVENESS UNDER INDIANOLA DOWNTOWN BUSINESS INCENTIVE PROGRAM

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

Susan Glick, 511 W. Boston, asked the following questions:

- Why the agenda's are not posted on the TV Channel 86
- Why citizen's need to wait until the end of the meeting regarding comments, they should be able to comment on items during that specific time on the agenda
- Why the Mayor did not sign the ordinance vacating "C" Street.

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

Kenan Bresnan, Mayor	Diana Bowlin, City Clerk