REGULAR SESSION – NOVEMBER 19, 2012

The City Council met in regular session at 6:00 p.m. on November 19, 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.

The following items were pulled from the consent agenda:
Item E – Resolution of Support For Local Government Collaboration

Item H – Change order #4 in an amount of $12,000 to Snyder and Association, Inc. for the 2012 Street Improvement Project

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

Approve agenda

November 5, 2012 Minutes

Applications

- A renewal Class "C" Liquor, Sunday Sales Privilege and Outdoor Area for the Sports Page Grill - 1802 W. 2nd
- A renewal Class "C" Liquor, Sunday Sales Privilege and Outdoor Area for the Brickhouse - 107 N. Buxton
- A renewal Class "A" Liquor License, Sunday Sales Privilege and Outdoor Area for Benevolent & Protective Order of Elks - 110 W. Ashland

I&I Phase III - project acceptance and retainage payment of $68,980.56 in 31 days

Purchase of a Flygt pump in an amount of $26,201 from Electric Pump Company for a replacement at the South Plant

Change order #3 in an amount of $2,282.73 - Larson & Larson Construction for the Wellness Center

Change order #3 in an amount of $2,256.75 - Sternquist Construction for the 2012 Street Improvement Project

$8,306.60 I&I Loan to 904 E. Ashland

Subordination Agreement for 1101 Ann Parkway

Authorize sewer ($4,790.92), recycling ($730.62) and storm water fee ($117.28) write offs

Claims on the computer printout for November 19, 2012 and the October 2012 receipts

It was moved by Parker and seconded by Berry to approve the Resolution of Support For Local Government Collaboration. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

RESOLUTION OF SUPPORT FOR LOCAL

GOVERNMENT COLLABORATION

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

A motion was made by Parker to approve change order #4 in an amount of $12,000 to Snyder and Association, Inc. for the 2012 Street Improvement Project. Sirianni seconded the motion. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

It was moved by Berry and seconded by Sirianni to approve the Mayor's nomination of Grant Johnson to the IMU Board of Trustees. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

A motion was made by Mathieu and seconded by Sirianni to approve Greg Marchant as representative to the Greater Des Moines Convention and Visitors Bureau. Question was called for and on voice vote the vote was, AYES: Berry, Parker, Sirianni and Mathieu. NAYS: None. ABSTAINED: Marchant. ABSENT: Pepper. Whereupon the Mayor declared the motion carried.

The October 2012 City Treasurer's Report 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.

Mayor Kenan Bresnan presented the November 12, 2012 Council Study Committee report.

Council member Eric Mathieu and Mayor Bresnan reported on the Metro Advisory meeting.

Council member Greg Marchant reported on the WCEDC meeting.

Council member John Sirianni updated the Mayor and Council regarding the YMCA progress.

The Mayor announced that this was the time and place for the public hearing and meeting on the matter of the issuance of $1,865,000 General Obligation Bonds, in order to provide funds to pay costs of equipping the fire and street departments, including acquisition of a fire truck and dump trucks; and improvements to the City parks, including ADA restroom improvements, sewer improvements, and trail improvements, an essential corporate purpose, 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 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 Sirianni introduced and delivered to the Clerk the Resolution hereafter set out entitled "RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF $1,865,000 GENERAL OBLIGATIONS BONDS" and moved that the Resolution be adopted. 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 measure duly adopted.

RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF $1,865,000 GENERAL OBLIGATION BONDS

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

Council member Berry introduced the following Resolution entitled "RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF $1,865,000 GENERAL OBLIGATION BONDS, SERIES 2013A, AND $5,510,000 GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2013B, AND APPROVING ELECTRONIC BIDDING PROCEDURES" and moved its adoption. Council member Parker seconded the Resolution to adopt. The roll was called and the vote was: AYES: Parker, Sirianni, Marchant, Mathieu and Berry. NAYS: None. ABSENT: Pepper. Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION DIRECTING THE ADVERTISEMENT FOR SALE OF $1,865,000 GENERAL OBLIGATION BONDS, SERIES 2013A, AND $5,510,000 GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2013B, AND APPROVING ELECTRONIC BIDDING PROCEDURES

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

Council Member Parker introduced the following Resolution entitled "RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST for the I&I Phase 4 Project", and moved that it be adopted. Council Member Berry seconded the motion to adopt. The roll was called and the vote was, AYES: Sirianni, Marchant, Mathieu, Berry and Parker. NAYS: None. ABSENT: Pepper. Whereupon, the Mayor declared the following resolution duly adopted:

RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST I&I Phase 4 Project

(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 Wastewater Collection System Rehabilitation, Phase 4, Indianola, Iowa, in accordance with the plans and specifications heretofore adopted.

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

Company	Bid	Alt 1	Alt 2	Alt 3	Alt 4
Municipal Pipe Tool Co. Hudson, Ia 50643	$2,741,223.85	$366,660.00	$144,850.00	$85,735.00	No Bid
SAK Construction O'Fallon, MO 63366	$4,443,077.05	$373,800.00	$327,035.00	$129,238.50	$197,400.00
Raccoon Valley Cont. Waukee, Ia 50263	$3,774,253.50	$365,640.00	$208,800.00	$105,500.00	No Bid

Visu Sewer Inc. Pewaukee, WI 53072	$3,301,210.25	$376,050.00	$159,830.00	$71,800.00	$226,800.00

The City Manager then recommended that the bid of Municipal Pipe and Tool in the amount of $3,219,342.85 be accepted.

Council Member Mathieu introduced the following resolution entitled "RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT from Municipal Pipe and Tool for the I&I Phase 4 Project", and moved its adoption. Council Member Parker seconded the motion to adopt. The roll was called and the vote was: AYES: Berry, Parker, Sirianni, Marchant and Mathieu. NAYS: None. ABSENT: Pepper. Whereupon, the Mayor declared the following Resolution duly adopted:

RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT
To Municipal Pipe and Tool For The I&I Phase 4 Project

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

Upon the final consideration of an ordinance for a prior industrial tax abatement at 1817 N. 7th Street, Marchant moved and Mathieu seconded to adopt ORDINANCE NO. 1505 entitled "AN ORDINANCE GRANTING PRIOR APPROVAL OF INDUSTRIAL PROPERTY TAX ABATEMENT FOR NEW CONSTRUCTION AT 1817 N. 7TH STREET". 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 ordinance to be effective upon publication.

A motion was made by Parker and seconded by Marchant to approve The Underground Companies contract and bond in an amount of $78,955 for the McVay Trail Streambanks Erosion Project. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

The contract and bond with Vanderpool Construction in an amount of $32,049.00 for the 13th Street Sanitary Sewer Repair was approved on a motion by Berry and seconded by Parker. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

Berry moved and Marchant seconded to approve the alternate method of approval of the Site Plan Ordinance from Westside Muffler and Repair at 1900 West 2nd Avenue to construct an accessory storage building with painted steel walls and roof. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

It was moved by Parker and seconded by Mathieu to approve the alternate method of approval of the Site Plan Ordinance as requested by Good Samaritan Society, 708 S. Jefferson, which would allow vinyl lap siding on the new addition's north wall in lieu of the required material. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

The following Resolution Approving Tax Increment Financing (TIF) Indebtedness to Warren County was approved on a motion by Parker and seconded by Marchant. On roll call the vote was, AYES: Sirianni, Marchant, Mathieu, Berry and Parker. NAYS: None. ABSENT: Pepper. Whereupon the Mayor declared the motion carried unanimously and the following Resolution duly adopted.

RESOLUTION NO. 17 -12
TAX INCREMENT FINANCING INDEBTEDNESS

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

Council member Sirianni moved and Mathieu seconded to approve the Tax Increment Finance Certificate to the State of Iowa. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

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

_____ _____

Kenan Bresnan, Mayor Diana Bowlin, City Clerk