REGULAR SESSION – SEPTEMBER 2, 2014

The City Council met in regular session at 6:00 p.m. on September 2, 2014. Mayor Pro Tem Pamela Pepper called the meeting to order and on roll call the following members were present: Greg Marchant, Eric Mathieu, John Parker Jr., Pam Pepper, Brad Ross and Greta Southall. Absent: Mayor Kelly Shaw.

Jeremy Arndt, 702 N. "O", informed the Mayor Pro Tem and Council of other cities which allow chickens within their city limits. A new petition is being circulated and as of today has 125 signatures from Indianola residents.

Item "H" claims on the computer printout for September 2, 2014 was pulled from the consent agenda.

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

Approve agenda

August 18, 2014 Minutes

Application-A renewal Class "B" Native Wine Permit and Sunday Sales Privilege for Indianola Glass Creations - 119 N. Buxton St.

Downtown Incentive Program preliminary application for 220/222 W. Salem

Street usage request from Indianola Christian Church - November 8, 2014 starting at 8:00 a.m. - will be using the East 1st, North 9th and McVay Trail

High School Student Council - Homecoming Parade - September 18, 2014 from 5:30 p.m. - 7:30 p.m. - parade route includes west on Ashland, south on Buxton, east on Salem, north on Howard and east on First Avenue

<u>Prior approval applications for urban revitalization designation</u>
Greg Johansen - 907/909 E. Lincoln Avenue - Duplex - $200,000
Greg Johansen - 1210/1212/1214/1216 N 8th Ct. - 4-plex - $420,000
Greg Johansen - 801/803/805/807 E. Lincoln Avenue - 4-plex - $400,000
Greg Johansen - 813/815/817/819 E. Lincoln Avenue - 4-plex - $400,000
Dr. Michael Lindeberg - 2000 N. 4th - Addition - $250,000

<u>Final approval applications for urban revitalization designation</u>
Andrew Hart - 309/311 S. Kenwood - Duplex - $138,000
FFI Investments - 2006 N. 4th - Medical Clinic - $3,100,000
Phil DeLong - 1110 South "R" - SFD - $280,000
Autumn Ridge Development - 400 S. 8th Ct. #9-10 - Duplex - $241,500
Orton Homes, LLC - 1306 West 14th Ave. - SFD - $250,000

The claims on the computer printout for September 2, 2014 were approved on a motion by Pepper and seconded by Ross. Question was called for and on voice vote the Mayor Pro Tem declared the motion carried unanimously.

Council member Marchant moved to approve the following Resolution Approving Personnel Salaries. Council member Southall seconded the motion. On roll call the vote was, AYES: Pepper, Mathieu, Southall, Parker, Ross and Marchant. NAYS: None. Whereupon the Mayor Pro Tem 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:

Janean Hallin, Park and Recreation Part-time Clerical Assistant, from Range 1-4 $13.399/hour to Range 1-5 $14.053/hour effective July 13, 2014

Passed and approved on the 2nd day of September, 2014.

Executive Director Sally Dix presented the BRAVO Report.

Mike Metcalf presented the second quarter safety report.

A public hearing and first consideration of an amendment to Indianola Code Chapter 40, "Public Peace" concerning regulation of noise within the City was held. There were no objections either oral or written. Parker moved and Mathieu seconded to approve the first consideration of this amendment. Question was called for and on voice vote the Mayor Pro Tem declared the motion carried unanimously.

A public hearing and first consideration of an amendment to Indianola Code Chapter 135, "Street Use and Maintenance" concerning street excavation permit costs and cash deposit changing from $5.00/square foot to $10.00/square foot was held. There were no objections either oral or written. It was moved by Ross and seconded by Parker to approve the first consideration of this amendment. Question was called for and on voice vote the Mayor Pro Tem declared the motion carried unanimously.

The second consideration of a request from Vetter Equipment Company to rezone the East 1/2 of the NE 1/4 of the SW 1/4 of Section 29, Township 76 North, Range 23 West, 5th p.m. and locally known as the 2100 Block of East 2nd Avenue from A-1 (agriculture) to C-2 (highway commercial) was approved on a motion by Mathieu and seconded by Parker. Question was called for and on voice vote the Mayor Pro Tem declared the motion carried unanimously.

The second consideration of an amendment to Indianola Code Chapter 55, "Animal Protection and Control" to remove special council approval exception to keeping of livestock was approved on a motion by Marchant and seconded by Mathieu. Question was called for and on voice vote the Mayor Pro Tem declared the motion carried unanimously.

Council member Ross moved and Parker seconded to receive and accept the $25,500 offer for 301 W. Salem from Hart Holdings LLC. Question was called for and on voice vote the Mayor Pro Tem declared the motion carried unanimously.

The following resolution entitled "RESOLUTION SETTING HEARING, OCTOBER 20, 2014, ON A PROPOSAL TO SELL REAL ESTATE OWNED BY THE CITY OF INDIANOLA, IOWA, LOCALLY KNOWN AS 301 W. SALEM AVENUE TO HART HOLDINGS, LLC" was approved on a motion by Mathieu and seconded by Marchant. On roll call the vote was, AYES: Southall, Parker, Ross, Marchant, Pepper and Mathieu. NAYS: None. Whereupon the Mayor Pro Tem declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2014-33
RESOLUTION SETTING HEARING, OCTOBER 20, 2014, ON A PROPOSAL TO SELL REAL ESTATE OWNED BY THE CITY OF INDIANOLA, IOWA, LOCALLY KNOWN AS 301 W. SALEM AVENUE TO HART HOLDINGS, LLC

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

The following resolution approving the FY 2014 IDOT Street Finance Report was approved on a motion by Marchant and seconded by Parker. On roll call the vote was, AYES: Pepper, Mathieu, Southall, Parker, Ross and Marchant. NAYS: None. Whereupon the Mayor Pro Tem declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2014-34

RESOLUTION APPROVING THE FY 2014 IDOT STREET FINANCE REPORT

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

Council member Ross moved and Council member Marchant seconded to approve the following resolution entitled, "RESOLUTION AUTHORIZING THE CERTIFICATION OF LIENS TO THE WARREN COUNTY TREASURER FOR PURPOSES OF ASSESSING THE COST OF THE NUISANCE ABATEMENT AGAINST PROPERTY." On roll call the vote was, AYES: Marchant, Pepper, Mathieu, Southall, Parker and Ross. NAYS: None. Whereupon the Mayor Pro Tem declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2014-35

RESOLUTION AUTHORIZING THE CERTIFICATION OF LIENS TO THE WARREN COUNTY TREASURER FOR PURPOSES OF ASSESSING THE COST OF THE NUISANCE ABATEMENT AGAINST PROPERTY

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

A motion was made by Parker and seconded by Southall to enter into closed session pursuant to Chapter 21.5(c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation. On roll call the vote was, AYES: Ross, Marchant, Pepper, Mathieu, Southall and Parker. NAYS: None. Whereupon the Mayor Pro Tem declared the motion carried unanimously.

Parker moved and Marchant seconded to return to regular session. On roll call the vote was, AYES: Ross, Marchant, Pepper, Mathieu, Southall and Parker. NAYS: None. Whereupon the Mayor Pro Tem declared the motion carried unanimously.

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

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Pamela Pepper, Mayor Pro Tem Diana Bowlin, City Clerk