REGULAR SESSION – NOVEMBER 6, 2017

The City Council met in regular session at 6:00 p.m. on November 6, 2017 in the City Hall Council Chambers. Mayor Kelly B. Shaw called the meeting to order and on roll call the following members were present: Shirley Clark (via phone), Joe Gezel, John Parker, Pam Pepper, Brad Ross and Greta Southall.

Council member Clark was excused from the meeting.

Item K – claims on the computer printout for November 6, 2017 was pulled from the consent agenda.

The consent agenda consisting of the following was approved on a motion by Ross and seconded by Parker. On roll call the vote was, AYES: Pepper, Gezel, Southall, Parker and Ross. NAYS: None. ABSENT: Clark. Whereupon the Mayor declared the motion carried unanimously.

Approval of agenda

October 16, 2017 Minutes

Resolution No. 2017-155 setting November 20, 2017 as a public hearing and first consideration amending provisions of the ordinance of the City of Indianola, Iowa, regarding regulations associated with fireworks use (the complete resolution may be viewed at the City Clerk's Office)

Resolution No. 2017-156 setting November 20, 2017 as a public hearing and first consideration to amend Chapter 165 regarding fireworks sales (the complete resolution may be viewed at the city Clerk's Office)

Resolution No. 2017-157 setting November 20, 2017 as a public hearing to grant a public utility easement for the benefit of the Indianola Municipal Utilities (the complete resolution may be viewed at the City Clerk's Office)

Change order number 3 for the 2017 Drainage Repairs Project - will extend the completion time from November 3 to November 21, 2017

Refuse hauling rate increase from Waste Connections and TRM Disposal effective January 1, 2018 (rates may be viewed at the City Clerk's Office)

Resolution No. 2017-158 accepting acknowledgement/settlement agreement for cigarette civil penalty (the complete resolution may be viewed at the City Clerk's Office)

Resolution No. 2017-159 authorizing past due sewer of $4,041.68, recycling of $608.71 and storm water of $126.82 fees to be sent to the State Off-Set Program for collection (the complete resolution may be viewed at the City Clerk's Office)

<u>Prior approval applications for urban revitalization designation</u>
Autumn Ridge Development - 400 S. 8th Ct. #50 - SFD - $132,900
Autumn Ridge Development - 400 S. 8th Ct. #51/52 - Duplex - $265,700
Jerry's Homes - 1702 E. Clinton - SFD - $142,200
Jerry's Homes - 1706 E. Clinton- SFD - $154,900
Jerry's Homes - 1708 E. Clinton - SFD - $144,100
Doering Properties - 329/331 S. Spruce Street - Duplex - $318,100
Doering Properties - 333/335 S. Spruce Street - Duplex - $318,100
Jerry's Homes - 500 N. 18th Street - SFD - $134,500

Jerry's Homes - 404 N. 18th Street - SFD - $165,100
Jerry's Homes - 310 N. 18th Street - SFD - $162,300
DRE Properties - 509 E. Scenic Valley Ave. - Commercial Building - $1,450,000
Cory Drees - 2007 N. 6th Street - Chiropractic Clinic/Office - $780,000
CIO Properties - 302 E. Scenic Valley Avenue - Orthodontic Clinic - $600,583
Vance & Ruth Overton - 206/208 South "H" Street - Duplex - $296,000
New Era Homes - 111 S. 20th Street - SFD - $183,300
Ron & Eileen Lenninger - 401 S. Buxton Street - SFD - $230,300

Final approval applications for urban revitalization designation
Autumn Ridge Development - 400 S. 8th Ct. #45 - SFD - $129,000
Wade & Lesley Leuwerke - 3208 W. 4th Avenue - $349,000
Steger Construction - 705 N. "W" Street - SFD - $186,800
Jerry's Homes - 803 N. Kenwood Blvd. - SFD - $147,500
Schlepphorst - 108 N. "G" Street - SFD - $182,400
Frank & Linda Jackson - 1217 S. 4th Street - SFD - $174,500
Jerry's Homes, Inc. - 1603 W. Girard Avenue - SFD - $185,500

The claims on the computer printout for November 6, 2017 was approved on a motion by Pepper and seconded by Southall. On roll call the vote was, AYES: Gezel, Southall, Ross and Pepper. NAYS: None. ABSTAINED: Parker. ABSENT: Clark. Whereupon the Mayor declared the motion carried.

Scott Kruthoff, Executive Director of the Indianola YMCA requested support from the City Council to help fund an energy efficiency improvement project. They are requesting a $500 gift to be used towards a project cost of $16,500. The Indianola YMCA is seeking funding through a Rural YMCA Facility Improvement Grant from the State of Iowa to fund the remainder of the project ($11,000). Application for this grant requires a cash match of at least 50% of the total grant amount requested. It was moved by Parker and seconded by Pepper to approve the $500 request. On roll call the vote was, AYES: Ross, Pepper, Gezel, Southall and Parker. NAYS: None. ABSENT: Clark. Whereupon the Mayor declared the motion carried unanimously.

A public hearing granting a sign exemption for a civic identification sign located west of the Indianola Middle School for (1301 E. 2nd Avenue) was held. There were no objections either oral or written. It was moved by Parker and seconded by Pepper to approve the following resolution entitled, "A RESOLUTION GRANTING A SIGN VARIANCE FOR A CIVIC IDENTIFICATION SIGN LOCATED WEST OF THE INDIANOLA MIDDLE SCHOOL (1301 E. 2ND). On roll call the vote was, Ayes: Ross, Pepper, Gezel, Southall and Parker. Nays: None. ABSENT: Clark. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2017-160
A RESOLUTION GRANTING A SIGN VARIANCE FOR A CIVIC IDENTIFICATION SIGN LOCATED WEST OF THE INDIANOLA MIDDLE SCHOOL (1301 E. 2ND)

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

A public hearing to amend Chapter 165.10 15 (F) to refer non-community Mobile Food and Beverage Vendors to Chapter 122.22 of the Transient Merchant requirements was held. There were no objections either oral or written.

Community Development Director Chuck Burgin presented a draft amendment to the transient merchant ordinance. It was the consensus of the Mayor and Council to place this on the November 20, 2017 council meeting to set a public hearing to amend this ordinance.

The following bids were received regarding the emergency repairs of the2017 Indianola WWTP

Fixed Film Reactor Project:

Company	Bid
Joiner Construction Co. Inc.	$54,310.00
Vanderpool Construction, Inc.	$59,000.00
J&K Contracting, LLC	$71,150.00

Jim Rasmussen, HR Green, recommended the bid from Joiner Construction Co. Inc. in the amount of $54,310.00 be approved. The following resolution entitled, "RESOLUTION AWARDING THE BID TO JOINER CONSTRUCTION IN AN AMOUNT OF $54,310 FOR EMERGENCY REPAIRS OF THE 2017 INDIANOLA WWTP FIXED FILM REACTOR PROJECT" was approved on a motion by Parker and seconded by Pepper. On roll call the vote was, Ayes: Ross, Pepper, Gezel, Southall and Parker. Nays: None. ABSENT: Clark. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2017-161
RESOLUTION AWARDING THE BID TO JOINER CONSTRUCTION IN AN AMOUNT OF $54,310
FOR EMERGENCY REPAIRS OF THE
2017 INDIANOLA WWTP FIXED FILM REACTOR PROJECT

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

A motion was made by Parker and seconded by Pepper to remove from the table the resolution approving plans, specs, form of contract and estimate of cost for the 2017 Pickard Park Concessions/Storage Building Project. On roll call the vote was, AYES: Ross, Pepper, Gezel, Southall and Parker. NAYS: None. ABSENT: Clark. Whereupon the Mayor declared the motion carried unanimously.

Council member Southall moved to adopt the following resolution entitled, "RESOLUTION APPROVING PLANS, SPECS, FORM OF CONTRACT AND ESTIMATE OF COST" for the 2017 Pickard Park Concession/Storage Building. Council member Parker seconded the motion to adopt. On roll call the vote was, Ayes: Parker, Ross, Pepper, Gezel and Southall. Nays: None. ABSENT: Clark. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2017-162
RESOLUTION APPROVING PLANS, SPECS, FORM OF
CONTRACT AND ESTIMATE OF COST
for the 2017 Pickard Park Concession/Storage Building

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

A motion was made by Pepper and seconded by Parker to approve the following resolution entitled, "RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT TO DDVI FOR $189,451.70" for the 2017 Pickard Park Concession/Storage Building. On roll call the vote was, Ayes: Gezel, Southall, Parker, Ross and Pepper. Nays: None. ABSENT: Clark. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2017-163
RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT

TO DDVI IN AN AMOUNT OF $189,451.70
For the 2017 Pickard Park Concession/Storage Building

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

The second consideration of an ordinance establishing a property maintenance code was approved on a motion by Parker and seconded by Southall. On roll call the vote was, AYES: Ross, Pepper, Gezel, Southall and Parker. NAYS: None. ABSENT: Clark. Whereupon the declared the motion carried unanimously.

The second consideration to amend the nuisance abatement ordinance was approve on a motion by Southall and seconded by Ross. On roll call the vote was, AYES: Parker, Ross, Pepper, Gezel and Southall. NAYS: None. ABSENT: Clark. Whereupon the Mayor declared the motion carried unanimously.

It was moved by Southall and seconded by Pepper to approve the following resolution entitled, "RESOLUTION APPROVING AN AGREEMENT WITH CHARLES GABUS FORD IN AN AMOUNT OF $19,190.92 FOR THE PURCHASE OF A ONE-HALF TON TWO-WHEEL PICKUP FOR THE PARKS DEPARTMENT". On roll call the vote was, AYES: Parker and Pepper. NAYS: Ross, Gezel and Southall. ABSENT: Clark. Whereupon the Mayor declared the motion failed.

A motion was made by Ross and seconded by Gezel to approve the following resolution entitled, "RESOLUTION APPROVING AN AGREEMENT WITH SCHOTTENKIRK IN AN AMOUNT OF $19,961.00 FOR THE PURCHASE OF A ONE-HALF TON TWO-WHEEL PICKUP FOR THE PARKS DEPARTMENT." On roll call the vote was, AYES: Gezel, Southall and Ross. NAYS: Pepper and Parker. ABSENT: Clark. Whereupon the Mayor declared the motion carried and the following resolution duly adopted:

RESOLUTION NO. 2017-164
RESOLUTION APPROVING AN AGREEMENT WITH SCHOTTENKIRK IN AN AMOUNT OF
$19,961.00 FOR THE PURCHASE OF A ONE-HALF TON TWO-WHEEL PICKUP
FOR THE PARKS DEPARTMENT

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

A motion was made by Pepper and seconded by Southall to approve the following resolution entitled, "RESOLUTION APPROVING AN AGREEMENT WITH LIFE LINE EMERGENCY VEHICLES IN AN AMOUNT OF $211,597.00 FOR A 2017 MEDIC UNIT". On roll call the vote was, AYES: Gezel, Southall, Parker, Ross and Pepper. NAYS: None. ABSENT: Clark. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2017-165
RESOLUTION APPROVING AN AGREEMENT WITH LIFE LINE EMERGENCY VEHICLES IN
AN AMOUNT OF $211,597.00 FOR A 2017 MEDIC UNIT

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

The quarterly financial report was received.

Council member Ross moved that the form of Tax Exemption Certificate and Loan and Disbursement Agreement ($3,267,000 Sewer Revenue Capital Loan Notes, Series 2017) be placed on file and approved. Council member Parker seconded the motion and the roll being called thereon, the vote was as follows: AYES: Pepper, Gezel, Southall, Parker and Ross. NAYS: None. ABSENT: Clark. Whereupon the Mayor declared the motion carried unanimously.

Council Member Pepper introduced the following Resolution entitled "A RESOLUTION APPROVING AND AUTHORIZING A FORM OF LOAN AND DISBURSEMENT AGREEMENT BY AND BETWEEN THE CITY OF INDIANOLA, IOWA AND THE IOWA FINANCE AUTHORITY, AND AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SECURING THE PAYMENT OF $3,267,000 SEWER REVENUE CAPITAL LOAN NOTES, SERIES 2017, OF THE CITY OF INDIANOLA, IOWA, UNDER THE PROVISIONS OF THE CODE OF IOWA, AND PROVIDING FOR A METHOD OF PAYMENT OF SAID NOTES", and moved its adoption. Council Member Gezel seconded the motion to adopt. The roll was called and the vote was: AYES: Gezel, Southall, Parker, Ross and Pepper. NAYS: None. ABSENT: Clark. Whereupon the Mayor declared the following Resolution duly adopted:

RESOLUTION NO. 2017-166

A RESOLUTION APPROVING AND AUTHORIZING A FORM OF LOAN AND DISBURSEMENT AGREEMENT BY AND BETWEEN THE CITY OF INDIANOLA, IOWA AND THE IOWA FINANCE AUTHORITY, AND AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SECURING THE PAYMENT OF $3,267,000 SEWER REVENUE CAPITAL LOAN NOTES, SERIES 2017, OF THE CITY OF INDIANOLA, IOWA, UNDER THE PROVISIONS OF THE CODE OF IOWA, AND PROVIDING FOR A METHOD OF PAYMENT OF SAID NOTES

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

The following resolution entitled, "RESOLUTION AWARDING CONTRACT WITH HAWKEYE ENTERPRISE IN THE AMOUNT OF $24,976.00 FOR EMERGENCY ROOF REPAIRS TO THE INDIANOLA ACTIVITY CENTER" was approved on a motion by Pepper and seconded by Parker. On roll call the vote was, AYES: Gezel, Southall, Parker, Ross and Pepper. NAYS: None. ABSENT: Clark. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2017-167
RESOLUTION AWARDING CONTRACT WITH HAWKEYE ENTERPRISE IN THE AMOUNT OF $24,976.00 FOR EMERGENCY ROOF REPAIRS TO THE INDIANOLA ACTIVITY CENTER

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

Council member Pepper moved and Parker seconded to adopt the following resolution entitled, "RESOLUTION APPROVING THE DECLARATION OF LANDSCAPING BUFFER EASEMENT". On roll call the vote was, AYES: Gezel, Southall, Parker, Ross and Pepper. NAYS: None. ABSENT: Clark. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2017-168
RESOLUTION APPROVING THE DECLARATION OF LANDSCAPING BUFFER EASEMENT

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

The following resolution entitled, "RESOLUTION APPROVING THE WARREN COUNTY MULTI-JURISDICTIONAL HAZARD FEDERAL DISASTER MITIGATION PLAN" was approved on a motion by Southall and seconded by Pepper. On roll call the vote was, AYES: Parker, Ross, Pepper, Gezel and Southall. NAYS: None. ABSENT: Clark. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2017-169
RESOLUTION APPROVING THE WARREN COUNTY MULTI-JURISDICTIONAL HAZARD FEDERAL DISASTER MITIGATION PLAN

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

A motion was made by Parker and seconded by Pepper to approve the following resolution entitled, "RESOLUTION APPROVING AND AUTHORIZING THE FILING OF THE TAX INCREMENT (TIF) ANNUAL URBAN RENEWAL REPORT (AURR) TO THE STATE OF IOWA." On roll call the vote was, AYES: Ross, Pepper, Gezel, Southall and Parker. NAYS: None. ABSENT: Clark. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2017-170
RESOLUTION APPROVING AND AUTHORIZING THE FILING OF THE TAX INCREMENT (TIF) ANNUAL URBAN RENEWAL REPORT (AURR) TO THE STATE OF IOWA

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

It was moved by Ross and seconded by Southall to approve the following resolution entitled, "RESOLUTION ESTABLISHING A CROSSWALK AT EAST IOWA AVENUE AND NORTH SIXTH STREET." On roll call the vote was, AYES: Pepper, Gezel, Southall, Parker and Ross. NAYS: None. ABSENT: Clark. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2017-171
RESOLUTION ESTABLISHING A CROSSWALK AT EAST IOWA AVENUE AND NORTH SIXTH STREET

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

Jason Etnyre, Street Superintendent, presented an RFP for Brush Grinding at the Indianola Brush Facility. Bids will be received on November 22, 2017 and presented at the December 4th Council meeting. It was the consensus of the City Council to proceed with the RFP process.

Street Superintendent Jason Etnyre, presented of an RFP for concrete crushing at the Indianola Brush Facility. Bids will be received on November 22, 2017 and presented at the December 4th Council meeting. It was the consensus of the City Council to proceed with the RFP process.

Jason Etnyre, Street Superintendent, discussed the 2018 Freightliner and Freightliner chassis (unit #9. It was Jason's recommendation to seek quotes for the installation of its existing dump body onto the 2018 chassis, seek quotes for the purchase of a 11' x 42' snowplow and mild steel painted sand/salt spreader with spinner work light with two alternates. Also, to seek quotes for the addition of a 13K pusher axle onto the existing Freightliner that currently serves our Swaploader capable equipment. It was the consensus of the Council to proceed with the bidding process.

The following resolution entitled, "RESOLUTION APPROVING SALARIES" was approved on a motion by Pepper and seconded by Southall. On roll call the vote was, AYES: Gezel, Southall, Parker, Ross and Pepper. NAYS: None. ABSENT: Clark. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2017-172
RESOLUTION APPROVING SALARIES

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

City Attorney Doug Fulton spoke regarding the open records request from the Indianola Record Herald. The Indianola Record Herald is requesting that the fees be waived since the documents are not for commercial use. It was the consensus of the City Council to proceed with charging the fees.

Pepper moved and Parker seconded to enter into closed session in accordance with Iowa Code Section 21.5(1)(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: Gezel, Southall, Parker, Ross and Pepper. NAYS: None. ABSENT: Clark. Whereupon the Mayor declared the motion carried unanimously.

A motion was made by Parker and seconded by Southall to return to regular session. On roll call the vote was, AYES: Ross, Pepper, Gezel, Southall and Parker. NAYS: None. ABSENT: Clark. Whereupon the Mayor declared the motion carried unanimously.

Meeting adjourned at 8:06 p.m. on a motion by Parker and second by Ross.

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Kelly B. Shaw, Mayor　　　　Diana Bowlin, City Clerk