REGULAR SESSION – FEBRUARY 6, 2012

The City Council met in regular session at 6:00 p.m. on February 6, 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., Pam Pepper and John Sirianni.

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

Approve agenda

January 17, 2012 minutes

<u>Applications:</u>

- A renewal Class "C" Liquor License, Sunday Sales Privilege and outdoor area for Cal's Fine Food – 1501 N. 1st

<u>Set February 21, 2012 as a public hearing for:</u>

- A grade ordinance for the 2012 Indianola Street Improvements Project
- An amendment to the Bike Night Ordinance - changes dates to third Friday April - September

<u>Annual adoption of the Investment Policy</u>

<u>Write off</u> $33,352 ambulance bills from July 1, 2011 through December 31, 2011

<u>Authorize sewer</u> ($3,165.76), recycling ($471.93) and storm water fee ($48.87) to be written off

<u>Agreement</u> between The Sports Page Grill, Inc. dba The BrickHouse Tavern and the City of Indianola for a deck located on 107 N. Buxton from April 5, 2012 through September 22, 2012

<u>Street closure request</u> from the Warren County Health Services – Warren County Health & Safety Fair – September 13, 2012 from noon – 6:00 p.m. – will close the inside lane on Howard and Ashland Street on the square

<u>Final approval applications for urban revitalization designation</u>
Indianola Medical Clinic – 307 E. Scenic Valley – Medical Clinic - $3,833,137
Kenneth & Sarah Chapman – 307 S. 3rd St. – Addition - $19,300

Claims on the computer printout for February 6, 2012

Council member Pam Pepper reported on the January 23, 2012 council study meeting.

A motion was made by Mathieu and seconded by Sirianni to appoint Greg Marchant to the WCEDC Board. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

It was moved by Pepper and seconded by Marchant to authorize four people to attend DM Partnership Annual Washington DC trip – May 9-11, 2012. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

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The following resolution approving personnel salaries was approved on a motion by Pepper and seconded by Marchant. On roll call the vote was, AYES: Mathieu, Berry, Parker Sirianni, Marchant and Pepper. NAYS: None. Whereupon the Mayor declared the motion carried unanimously.

RESOLUTION APPROVING SALARIES

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

The following salaries are hereby approved:

Michele Burkhart – Patrick, Adult-Teen Services Librarian, from CE 5-3 $37,065/year to CE 5-4 $38,160/year effective January 15, 2012

Dorothy Houston, Library Assistant Part-time, from CE 1-1 ½ $11.031/hour to CE 1-2 $11.234/hour effective January 15, 2012

Passed and approved on the 6th day of February, 2012.

The MultiVista $12,600 proposal for construction documentation for the Y/Wellness Center was approved on a motion by Sirianni and second by Pepper. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

The Mayor then called for objections to the adoption of the proposed Resolution of Necessity for the construction of the Indianola, Iowa 2012 Street Improvements in the corporation, pursuant to notice of the time and place of hearing duly published and mailed, and pursuant to prior action of the Council; and announced to those present at the Council meeting that both written and oral objections would be received and considered by the Council at this time. Written objections were received from Linda Hayes, 125 W. Salem, requested District Five, South Buxton Street, West 1st Avenue to West Salem Avenue be pulled from the 2012 Street Improvement Project.

Oral objections were received from:
Sally Johnson – 306 N. "D"
Dave Zaborac – 211 N. 4th
Chris Christensen – 225 N. Buxton
Charles Johnson – 410 W. Salem
Steve Pfeifer – McCoy Hardware – 216 N. Howard
Jamie Tomkins - 311 E. Boston
Russ Vanderhoef – 410 E. Boston
Linda Hayes – 125 W. Salem

Council Member Pepper moved that the time for the public hearing and receiving of objections be closed. Seconded by Council Member Parker. On vote, the motion was adopted.

After reviewing all the objections received, the Council found and determined that no remonstrance, pursuant to the provisions of Section 384.51 of the Code of Iowa, was filed with the Council, pertaining to the proposed improvement as set out in the Resolution of Necessity as originally proposed.

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Council Member Pepper introduced the following Resolution entitled "RESOLUTION WITH RESPECT TO THE ADOPTION OF THE RESOLUTION OF NECESSITY PROPOSED FOR THE INDIANOLA, IOWA 2012 STREET IMPROVEMENTS" and moved that it be adopted. Council Member Parker seconded the motion to adopt. The roll was called and the vote was, AYES: Pepper. NAYS: Mathieu, Berry, Parker, Sirianni and Marchant. Whereupon, the Mayor declared the motion failed.

A public hearing and first consideration of a request from Bryan Vaughan, Vaughan's RV & Custom Interiors, to amend M-2 (general industrial) to allow recreational vehicle sales, service/repair was held. There were no objections either oral or written. Parker moved and Berry seconded to approve the first consideration of this request. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

A public hearing and first consideration of an amendment to the zoning ordinance which will add a C-1 Office Park Classification. There were no objections either oral or written. A motion was made by Pepper and seconded by Mathieu to approve the first consideration of this amendment. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

Council member Marchant moved and Sirianni seconded to approve the following Resolution Approving The 2011 Storm Drainage Improvement and authorizing final payment of $25,841.99 in 31 days to The Underground Company. On roll call the vote was, AYES: Pepper, Mathieu, Berry, Parker, Sirianni and Marchant. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION APPROVING THE
2011 STORM DRAINAGE IMPROVEMENT

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

It was moved by Berry and seconded by Pepper to approve the following Resolution approving the Stephen Court Storm Sewer and authorizing final payment of $5,273.97 in 31 days to TK Concrete. 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 following resolution duly adopted.

RESOLUTION APPROVING THE
STEPHEN COURT STORM SEWER

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

The FY 12/13 Budget was discussed. Steve Richardson, 611 N. 6th Street Place, requested the FY 12/13 tax rate stay revenue neutral. A motion was made by Mathieu and seconded by Marchant to set March 5, 2012 as a public hearing for the FY 12/13 budget with a tax rate of $11.30. On roll call the vote was, AYES: Parker, Sirianni, Marchant, Pepper and Mathieu. NAYS: Berry. Whereupon the Mayor declared the motion carried.

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Council Member Marchant introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED $4,135,000 GENERAL OBLIGATION BONDS (FOR ESSENTIAL CORPORATE PURPOSES) OF THE CITY OF INDIANOLA, STATE OF IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member Sirianni seconded the motion to adopt. The roll was called and the vote was, AYES: Pepper, Mathieu, Berry, Parker, Sirianni and Marchant. NAYS: None. Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION FIXING DATE FOR A MEETING (February 21, 2012)ON THE
PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED $4,135,000
GENERAL OBLIGATION BONDS (FOR ESSENTIAL CORPORATE
PURPOSES) OF THE CITY OF INDIANOLA, STATE OF IOWA,
AND PROVIDING FOR
PUBLICATION OF NOTICE THEREOF

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

Council Member Marchant introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED $170,000 OF GENERAL OBLIGATION BONDS (FOR A GENERAL CORPORATE PURPOSE) AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member Pepper seconded the motion to adopt. The roll was called and the vote was, AYES: Pepper, Mathieu, Berry, Parker, Sirianni and Marchant. NAYS: None. Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION FIXING DATE FOR A MEETING ON THE
PROPOSITION OF THE ISSUANCE OF NOT TO EXCEED $170,000
OF GENERAL OBLIGATION BONDS (FOR A GENERAL
CORPORATE PURPOSE) AND PROVIDING FOR
PUBLICATION OF NOTICE THEREOF

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

Pepper moved and Mathieu seconded to approve the following Resolution Guaranteeing Maintenance And Operation For Surface Transportation Program Enhancement Project for the Jerry Kelley Trail Phase 2 – Memorial Park to Wilder School. 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 GUARANTEEING MAINTENANCE
AND OPERATION FOR SURFACE TRANSPORTATION
PROGRAM ENHANCEMENT PROJECT
For the Jerry Kelley Trail Phase 2 (Memorial Park to Wilder School)

It was moved by Berry and seconded by Pepper to approve the following Resolution Naming Depositories which indicates where and how much the city deposits public funds. On roll call the vote

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was, AYES: Parker, Sirianni, Marchant, Pepper, Mathieu and Berry. NAYS: None. Whereupon the Mayor declared the motion carried unanimously and the following Resolution duly adopted.

RESOLUTION NAMING DEPOSITORIES

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

Under other business and Mayor and Council discussed Item 7 A-1 "The 2012 Street Paving Project" and their motion regarding the RESOLUTION WITH RESPECT TO THE ADOPTION OF THE RESOLUTION OF NECESSITY PROPOSED FOR THE INDIANOLA, IOWA 2012 STREET IMPROVEMENTS for Districts 1, 2, 5, 6 and 14. They discussed if this motion also included Districts 3, 4, 7, 8, 9, 10, 11, 12 and 13. Council members Parker, Sirianni, Marchant, Mathieu and Berry stated yes and Council member Pepper stated no. Therefore the total 2012 Street Paving Project failed.

Charlotte Guilford, 407 N. "K", asked if Simpson College's formal proposal to Council regarding "C" Street would be on the February 21, 2012 council agenda and Mayor Kenan Bresnan stated that it would be.

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

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Kenan Bresnan, Mayor | Diana Bowlin, City Clerk