

REGULAR SESSION – FEBRUARY 19, 2019

The City Council met in regular session at 6:00 p.m. on February 19, 2019 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, Joe Gezel, Bob Kling and Greg Marchant. Absent: John Parker and Greta Southall.

There was no public comment.

Item L – Claims on the computer printout for February 19, 2019 and the December 2018 and January 2019 receipts report were pulled from the consent agenda.

Council member Clark moved to approve the consent agenda as follows and Kling seconded the motion. On roll call the vote was, AYES: Marchant, Gezel, Kling and Clark. NAYS: None. Absent: Parker and Southall. Whereupon the Mayor declared the motion carried unanimously.

Approval of agenda

February 4, 2019 minutes

Applications:

- A renewal refuse permit for Waste Management of Iowa
- A renewal Class “C” Liquor License and Sunday Sales Privilege for Deng’s Garden of Indianola – 312 N. Jefferson Way
- A renewal Class “C” Liquor License, Outdoor Area and Sunday Sales Privilege for Deer Run Golf Club – 2305 W. 2nd Avenue

Final consideration for a vacation and conveyance of the north and south alley lying between 203 and 209 W. 2nd Avenue and adoption of ORDINANCE NO. 1609 entitled, AN ORDINANCE VACATING A PORTION OF REAL ESTATE DESCRIBED AS THE NORTH NINETY-FIVE (95) FEET OF LOTS ONE (1) AND TWO (2) IN BLOCK FOUR (4), CROSTHWAIT AND COMPANY’S ADDITION TO INDIANOLA, IOWA; AND LOT 3 IN BLOCK 4 IN CROSTHWAIT AND COMPANY’S ADDITION TO INDIANOLA, IOWA AND THE EAST AND WEST ALLEY LYING SOUTH OF LOT 3, BLOCK 4 CROSTHWAIT AND COMPANY’S ADDITION TO INDIANOLA, IOWA TO ADJACENT PROPERTY OWNER GIL AND BECKY WIGELAND – (The ordinance to be effective upon publication) and the following resolution entitled, “RESOLUTION NO. 2019-25 APPROVING SALE OF AN ALLEY DESCRIBED AS THE NORTH NINETY-FIVE (95) FEET OF LOTS ONE (1) AND TWO (2) IN BLOCK FOUR (4), CROSTHWAIT AND COMPANY’S ADDITION TO INDIANOLA, IOWA; AND LOT 3 IN BLOCK 4 IN CROSTHWAIT AND COMPANY’S ADDITION TO INDIANOLA, IOWA AND THE EAST AND WEST ALLEY LYING SOUTH OF LOT 3, BLOCK 4 CROSTHWAIT AND COMPANY’S ADDITION TO INDIANOLA, IOWA TO ADJACENT PROPERTY OWNER GIL AND BECKY WIGELAND” (The complete resolution may be viewed at the City Clerk’s Office)

Resolution No. 2019-26 approving the transfer of property and assignment of development agreement by and between the City of Indianola and Kenneth McCoy (The complete resolution may be viewed at the City Clerk’s Office)

Resolution No. 2019-27 authorizing the submission of a SAFER Grant for the Fire Department (The complete resolution may be viewed at the City Clerk’s Office)

Resolution No. 2019-28 approving salaries (The complete resolution may be viewed at the City Clerk's Office)

Change order number five for the Indianola Morlock Downstream Gravity Sewer Improvement Projects in an amount of (-\$24,500.00)

Certification of the Civil Service Commission list of applicants for the position of Police Officer in the Police Department, subject to passing all other requirements

Receive and file an updated report on the HRA budget

Receive and file the Police Department's annual report

After discussion regarding the Snyder and Associated claim, Clark moved and Gezel seconded to approve the claims on the computer printout for February 19, 2019 and the December 2018 and January 2019 receipts report. On roll call the vote was, AYES: Marchant, Gezel, Kling and Clark. NAYS: None. ABSENT: Parker and Southall. Whereupon the Mayor declared the motion carried unanimously.

The December 2018 and the January 2019 Treasurer report was approved on a motion by Marchant and seconded by Kling. On roll call the vote was, AYES: Gezel, Kling, Clark and Marchant. NAYS: None. ABSENT: Parker and Southall. Whereupon the Mayor declared the motion carried unanimously.

It was moved by Clark and seconded by Kling to approve the Mayor's nomination of Christopher Goodale to the Park and Recreation Commission – a term to begin immediately and expire January 1, 2022. On roll call the vote was, AYES: Marchant, Gezel, Kling and Clark. NAYS: None. ABSENT: Parker and Southall. Whereupon the Mayor declared the motion carried unanimously.

Council member Kling moved to approve the following resolution entitled, "RESOLUTION APPROVING TERMINATION OF TRANSACTION AND AGREEMENTS BY AND BETWEEN THE CITY OF INDIANOLA AND JK MANAGEMENT LLC D/B/A KAPPELMAN APPLIANCE." Council member Marchant seconded the motion to adopt. On roll call the vote was, AYES: Clark, Marchant, Gezel and Kling. NAYS: None. ABSENT: Parker and Southall. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2019-29
RESOLUTION APPROVING TERMINATION OF TRANSACTION AND AGREEMENTS BY AND
BETWEEN THE CITY OF INDIANOLA AND JK MANAGEMENT LLC
D/B/A KAPPELMAN APPLIANCE

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

The Mayor and Council received an update regarding the City of Indianola Codification Project. The update included cleaning up of items, legislative changes, adopted ordinances, remove outdated material and to reopen up space between chapters and sections for future growth. It was the consensus of the Council to send the code updates to Iowa Codification.

A motion was made by Kling and seconded by Gezel to approve the following resolution entitled, "RESOLUTION APPROVING A PLAT OF SURVEY FROM WILLIAM AND KATHRYN THAYER IN WARREN COUNTY AND WITHIN TWO MILES OF INDIANOLA." On roll call the vote was, AYES: Clark, Marchant, Gezel and Kling. NAYS: None. ABSENT: Parker and Southall. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2019-30

RESOLUTION APPROVING A PLAT OF SURVEY FROM WILLIAM AND KATHRYN THAYER
IN WARREN COUNTY AND WITHIN TWO MILES OF INDIANOLA

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

Charlie Dissell, Community and Economic Development Director presented the Community Development Department update.

Clark moved, and Marchant seconded to receive and file the Planning and Zoning Annual Report. On roll call the vote was, AYES: Marchant, Gezel, Kling and Clark. NAYS: None. ABSENT: Parker and Southall. Whereupon the Mayor declared the motion carried unanimously.

A motion was made by Marchant and seconded by Kling to receive and file correspondence of the weekly updates dated February 1 and 8, 2019 from Ryan Waller, City Manager. On roll call the vote was, AYES: Gezel, Kling, Clark and Marchant. NAYS: None. Absent: Parker and Southall. Whereupon the Mayor declared the motion carried unanimously.

Mayor Kelly B. Shaw was excused from the meeting.

Council member Marchant moved, and Clark 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, Kling, Clark and Marchant. NAYS: None. ABSENT: Parker and Southall. Whereupon the Mayor declared the motion carried unanimously.

It was moved by Marchant and seconded by Kling to return to regular session. On roll call the vote was, AYES: Gezel, Kling, Clark and Marchant. NAYS: None. ABSENT: Parker and Southall. Whereupon the Mayor declared the motion carried unanimously.

Meeting adjourned at 6:45 p.m. on a motion by Marchant and seconded by Gezel.

Kelly B. Shaw, Mayor

Diana Bowlin, City Clerk