

City of Indianola - Regular Session – June 21, 2021

The Indianola City Council met in regular session at 6:00 p.m. on June 21, 2021 in the City Hall Council Chambers. Mayor Pam Pepper called the meeting to order and on roll call the following members were present: Heather Hulen, John Parker, Bob Kling, Greg Marchant, Gwen Schroder, Greta Southall and Mayor Pepper. Absent: None.

Mayor Pepper read a resolution honoring the service of Police Chief Dave Button, who is retiring, and thanked him for his service to the City.

Bill Howard, 701 E 2nd Ave, stated the Sustainability Committee worked with City staff to include solar panel codes in proposed ordinance changes.

Council Members Hulen and Parker requested Claims on the computer printout for June 21, 2021 be pulled from the consent agenda and Council Member Kling requested Resolution approving Fiscal Year 22 Salaries be pulled from the consent agenda, all citing a conflict of interest. Council Member Southall moved to approve the consent agenda and Schroder seconded the motion. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously. The consent agenda was as follows:

- Approval of agenda
- Resolution 2021-138 approving monthly transfers.
- June 7, 2021 Minutes.
- Resolution 2021-139 setting a Public Hearing date for a Fiscal Year 22 budget amendment on July 6, 2021 at 6:00PM
- Annual renewal of cigarette permit applications.
- Approval of a renewal Class E liquor license with Class B and C permits and Sunday sales privileges for Casey's General Store, located at 1101 East 2nd Avenue.
- Approval of a special Class C liquor license with Sunday sales privileges for Des Moines Metro Opera, at 513 North D Street.
- Approval of a renewal Class C Beer liquor license with Sunday sales and Class B Wine permit privileges for Feed and Foster, located at 103 North Buxton Avenue.
- Resolution 2021-140 approving Change Order Number 4, Payment Application Number 2 and final acceptance for the Traffic Signal System Timing Updates Project.
- Approval of Payment Application Number 12 from Williams Brothers Construction for the Water Resource Recovery Facility in the amount of \$1,467,673.67.
- Resolution 2021-141 approving Amendment Number 2 to a Professional Services Agreement with Bolton and Menk, Inc. for engineering services for the Square Reconstruction Project.
- Resolution 2021-142 approving a Professional Services Agreement with Schneider Geospatial, LLC. For Geo Permits Portal Development, Hosting and Maintenance.
- Resolution 2021-143 approving an agreement with Snyder and Associates for the West Boston Avenue and North F Street Reconstruction Project.
- Resolution 2021-144 approving an agreement with Terracon for Geotechnical Engineering Services on Prairie Glynn Plat 3.
- Resolution 2021-145 approving an agreement with HR Green for engineering services.
- Resolution 2021-146 approving liability, auto, property, worker's compensation and machinery equipment replacement insurance for Fiscal Year 22.

- Second consideration of an Ordinance approving the right-of-way vacation and conveyance of a portion of the east/west alley that lies between Lots 1, 2, 3 and Lots 10, 11, 12 and a portion of the north/south alley that lies between Lots 3 and 4, all in Block 14 of the Plat of Jones and Windles Addition to Indianola, Warren County, Iowa to Peterson Funeral Service, Inc.
- Approval of the Civil Service Commission list of applicants certified eligible for the position of career Firefighter/Paramedic.
- Resolution 2021-147 approving salaries.

Southall moved and Marchant seconded to approve Claims on the computer printout for June 7, 2021. On roll call, the vote was AYES: Kling, Schroder, Southall and Marchant. NAYS: None. ABSTAIN: Hulen, Parker. Whereas the Mayor declared the motion passed.

It was moved by Marchant and seconded by Parker to approve Resolution 2021-148 approving Fiscal Year 22 salaries. On roll call, the vote was AYES: Hulen, Parker, Schroder, Southall and Marchant. NAYS: None. ABSTAIN: Kling. Whereas the Mayor declared the motion passed.

City Manager Ryan Waller stated many of the items on the consent agenda will help staff prepare for the new fiscal year beginning on July 1.

Parker moved and Hulen seconded to receive and file the April 2021 EMS Billing Activity Report. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Council Member Parker reported the Des Moines Convention and Visitors Bureau has approved their FY22 budget and that events postponed due to the pandemic are mostly coming back to the area.

Council Member Kling stated the Metro Advisory Committee reviewed legislative changes that affect cities.

In the Bravo report, Council Member Kling reported the Des Moines Metro Opera was one of the recipients of Bravo's capital project grants.

Mayor Pepper gave a statement detailing a petition filed against the City and the subsequent dismissal of the claim by the State of Iowa's Public Information Board. She also recently attended a meeting at which changes to the county's emergency dispatch program were decided upon.

Mayor Pepper said that she and Council Member Southall are forming a Human Relations Commission to address issues in Indianola so that all people feel welcome in our community. She then read a Proclamation on Pride Month.

The second consideration of an Ordinance approving the rezoning of property located in the Southwest Quarter of the Southwest Quarter of Section 29, Township 76 North, Range 23 West from A-1 (Agricultural) to R-3 (Mixed Residential) was introduced on a motion by Kling and seconded by Parker. In discussion, Community and Economic Development Director Charlie Dissell said there was a request to waive the third reading of the Ordinance. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Council Member Marchant moved to suspend the rules and waive the third reading of the Ordinance and Schroder seconded it. In discussion, Parker stated he doesn't like to suspend the rules but since there have been no comments against the rezoning, he would vote in favor of waiving the final reading. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Parker moved and Southall seconded to open the Public Hearing regarding the Valley Place Reconstruction Project. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Public Works Director, Akhilesh Pal, explained the plans for the project and recommended that Council award the contract to TK Concrete. No other public comments were offered. Southall moved and Parker seconded to close the Public Hearing. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Resolution 2021-149 approving the plans, specifications, form of contract and estimate of cost for the Valley Place Reconstruction was introduced on a motion by Kling and seconded by Hulen. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Schroder moved and Southall seconded to approve Resolution 2021-150 awarding the contract for the Valley Place Reconstruction project. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Council Member Southall moved to open the Public Hearing regarding the vacation of a storm sewer and drainage way easement on part of Lot 1, Williams Terrace Plat 1 and Kling seconded it. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Dissell summed up the agenda items for Williams Terrace, noting that during the review of the plat, the need to change the storm sewer and drainage easement came to light. No other public comments were offered. Hulen moved and Parker seconded to close the Public Hearing. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

It was moved by Southall and seconded by Kling to approve the first consideration of an Ordinance approving the vacation of a storm sewer and drainage way easement on part of Lot 1, Williams Terrace Plat 1. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Kling moved and Parker seconded to approve Resolution 2021-151 approving a site plan for Williams Terrace, a residential development on a lot exceeding one acre, located at 1603 North 9th Street. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Dissell informed the Council that staff believes there is no longer a nuisance at 608 South G Street. Dennis Dop, 608 South G Street, stated he would like permission to collect items again during the city-wide cleanup event. Marchant moved to determine that a nuisance does not exist at the property located at 608 South G Street. Council Member Kling seconded it. In discussion, Council stated the process was followed this year and should be in future years as well if another complaint is received. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

The first consideration of an Ordinance approving amendments to Chapter 165 (Zoning Regulations) and Chapter 166 (Site Plan) was introduced on a motion by Parker and seconded by Hulen. In discussion, Dissell explained the changes to the Ordinance as a result of Council direction at the May 17 Study Session. Council further directed staff to have the Planning and Zoning Commission research shopping cart storage codes. Dissell also explained the zoning changes necessitated ordinances on adult entertainment and massage establishments. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Kling moved to approve the first consideration of an Ordinance amending the City Code of the City of Indianola, Iowa creating regulations for adult entertainment and uses, and Schroder seconded it. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

The first consideration of an Ordinance amending the City Code of the City of Indianola, Iowa creating regulations for massage establishments and technicians was introduced on a motion by Schroder. Hulen seconded the motion. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

It was moved by Marchant and seconded by Southall to open the Public Hearing regarding the adoption of an amended Official Zoning Map of Indianola, Iowa. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Dissell stated with new zoning code comes new zoning districts, which requires the zoning map to be updated. No other public comments were offered. Southall moved and Parker seconded to close the Public Hearing. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

The first consideration of an Ordinance approving an amended Official Zoning Map of Indianola, Iowa was introduced on a motion by Kling and seconded by Schroder. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

It was moved by Marchant and seconded by Parker to approve Resolution 2021-153 approving a preliminary plat for Fox Run Plat 2. In discussion, Dissell informed the Council the developer plans to donate part of the ground to the City for a park. The current sanitary sewer lines on the property need to be moved, which will require a development agreement between the City and Johansen Enterprises. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Council Member Marchant moved to approve Resolution 2021-154 setting a Public Hearing for July 6, 2021 regarding execution of a Development Agreement by and between the City of Indianola and Johansen Enterprises, LLC and Parker seconded it. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Resolution 2021-155 approving an agreement between the City of Indianola and Bird Rides, Inc was introduced on a motion by Kling and seconded by Southall. Dissell stated in discussion that the agreement outlines conditions under which scooters shall operate. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Southall moved and Marchant seconded to approve Resolution 2021-156 approving a request for alternative method of approval for a site plan for Herold Trailer Sales, located at 1806 West 2nd Avenue. In discussion, Dissell said the expansion project does not meet design standards so staff recommended tree planting along Hwy 92 instead. On roll call, the vote was AYES: Hulen, Parker, Kling, Schroder, Southall and Marchant. NAYS: None. Whereas the Mayor declared the motion carried unanimously.

Ryan Waller, City Manager, reminded the public of the June 28 special meeting and that the first regular meeting in July will be on Tuesday, July 6 due to city offices being closed on July 5th. He also reported that staff walked around the Square to review and look for improvements to pedestrian signage during construction. Staff will continue to reach out to businesses to address any issues that arise throughout construction.

Kling moved and Southall seconded to receive and file correspondence from June 4 and 11, 2021 weekly updates provided by City Manager, Ryan Waller. Question was called for and on voice vote the Mayor declared the motion carried unanimously.

Meeting adjourned at 7:07 pm on a motion by Marchant and seconded by Parker.

Immediately following the meeting, Council held a study session to receive an update on the proposed residential housing code.

Pam Pepper, Mayor

ATTEST:

Andrew J. Lent, City Clerk/CFO