

REGULAR SESSION – JULY 1, 2019

The City Council met in regular session at 6:00 p.m. on July 1, 2019 in the City Hall Council Chambers. Mayor Kelly B. Shaw called the meeting to order and on roll the following members were present: Shirley Clark, Joe Gezel, Bob Kling, Greg Marchant and John Parker. ABSENT: Greta Southall.

Public Comment – The following spoke against the amendment to Chapter 165 (Zoning Regulations), regarding Bed and Breakfast:

Joe Hoger, 900 N. “B”  
Barb Blake – 904 N. “B”  
John Benoit – 808 N. “C”  
Pat Hicks – 906 N. “C”  
Thomas & Elizabeth Beggs – 211 W. Iowa  
Mary Nestvedt – 903 N. “B”  
Darren Heater – 901 N. Buxton  
James Haddox – 901 N. “C”  
Carl Halgreen – 801 N. “C”  
Mike Smothers – 807 N. “B”  
Rheanna Edenburn – 810 N. “C”  
Edward Kennedy – 811 N. Buxton

Item “H” - Resolution renewing the worker’s compensation, life and accident and equipment insurance for FY 19/20 was pulled from the consent agenda

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

Approval of agenda

June 17 and 26, 2019 Minutes

Applications - A renewal Class "C" Beer, Class "B" Wine, Class "E" Liquor License and Sunday Sales Privilege for Jiffy Express - 311 N. Jefferson

Motion to receive and file a letter from Johansen Enterprises, LLC and setting a hearing on the request for July 15, 2019 at 6:00 p.m.

Resolution No. 2019-119 setting dates of a consultation (July 8, 2019) and a public hearing (August 5, 2019) on a proposed Amendment No. 2 to the Hillcrest/Downtown Unified Urban Renewal Plan in the City of Indianola, State of Iowa (The complete resolution may be viewed at the City Clerk’s Office)

Second consideration to amend Chapter 165 (Zoning Regulations), regarding notification procedures and timelines of items brought forward to the Planning and Zoning Commission, Board of Adjustment and City Council

Final consideration of a request from Chad and Christine Keller for a vacation and conveyance of the east/west alley lying between 204 and 206 N Jefferson Way and adoption of ORDINANCE NO. 1614 entitled, “ORDINANCE VACATING A PORTION OF REAL ESTATE DESCRIBED AS THE EAST/WEST ALLEY LYING NORTH OF LOT 7, EXCEPT THE WEST 5.5’, AND NORTH OF THE WEST 40’ OF LOT 8, ALL IN BLOCK 4 OF THE PLAN OF EAST INDIANOLA (KNOWN

AS 204 AND 206 NORTH JEFFERSON WAY) IN THE CITY OF INDIANOLA, WARREN COUNTY, IOWA AND RETAINING EASEMENT RIGHTS” (The ordinance to be effective upon publication) and adoption of the following resolution entitled, “RESOLUTION NO. 2019-120 APPROVING SALE OF AN ALLEY DESCRIBED AS THE EAST/WEST ALLEY LYING NORTH OF LOT 7, EXCEPT THE WEST 5.5’, AND NORTH OF THE WEST 40’ OF LOT 8, ALL IN BLOCK 4 OF THE PLAN OF EAST INDIANOLA (KNOWN AS 204 AND 206 NORTH JEFFERSON WAY) IN THE CITY OF INDIANOLA, WARREN COUNTY, IOWA TO ADJACENT PROPERTY OWNERS CHAD KELLER AND CHRISTINE KELLER” (The complete resolution may be viewed at the City Clerk’s office)

Resolution No. 2019-121 amending the Employee Handbook regarding travel and transportation policy (The complete resolution may be viewed at the City Clerk’s Office)

Resolution No. 2019-122 of the Indianola City Council providing for a regular meeting date and time (The complete resolution may be viewed at the City Clerk’s Office)

Resolution No. 2019-123 approving the four-year maintenance bonds for sanitary sewer and storm sewer in Heritage Hills Plat 9 (The complete resolution may be viewed at the City Clerk’s Office)

Resolution No. 2019-124 authorizing receipt of bequeathed funds to the Indianola Public Library (The complete resolution may be viewed at the City Clerk’s Office)

Resolution No. 2019-125 Approving Salaries (The complete resolution may be viewed at the City Clerk’s Office)

Approval of the Civil Service Commission list of applicants certified eligible for the position of police officer

Receive and file letter from Kiya Koda of their fee changes as a notice to the citizens

Final approval on applications for Urban Revitalization Designation (The complete list may be viewed at the City Clerk’s Office)

Claims on the computer printout for July 1, 2019

Council member Parker moved to approve the following resolution entitled, “RESOLUTION RENEWING THE WORKER’S COMPENSATION, LIFE AND ACCIDENT AND EQUIPMENT INSURANCE FOR FY 19/20.” Council member Kling seconded the motion to adopt. On roll call the vote was, AYES: Kling, Clark, Marchant, Gezel and Parker. NAYS: None. ABSENT: Southall. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2019-126  
RESOLUTION RENEWING THE WORKER’S COMPENSATION, LIFE AND ACCIDENT AND  
EQUIPMENT INSURANCE FOR FY 19/20

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

Marchant moved and Gezel seconded to approve Amy Duncan to the Home Town Pride Committee with a term to begin immediately and expire December 31, 2019. On roll call the vote was, AYES: Gezel, Parker, Kling, Clark and Marchant. NAYS: None. ABSENT: Southall. Whereupon the Mayor declared the motion carried unanimously.

Council member Parker reported on the Greater Des Moines meeting.

A motion was made by Marchant and seconded by Parker to approve the second consideration to amend Chapter 165 (Zoning Regulations), regarding Bed and Breakfasts. It was moved by Parker and seconded by Marchant to accept and file the petition opposing the amendments to Chapter 165 (Zoning Regulations) regarding Bed and Breakfasts to the Indianola Code of Ordinance with respect to the definition and regulation of "Boardinghouse/Bed and Breakfast" with 90 resident signatures, representing 50 addresses and a letter from Pam Bachof, 805 N. "C" Street, objecting to this amendment (both are on file at the City Clerk's Office). On roll call the vote was, AYES: Kling, Clark, Marchant, Gezel and Parker. NAYS: None. ABSENT: Southall. Whereupon the Mayor declared the motion accepting the petition and letter carried unanimously. Charlie Dissell, Community and Economic Director presented information regarding the amendment. After discussion, the following vote was taking regarding the motion to approve the second consideration of the amendment to Chapter 165. AYES: Parker and Marchant. NAYS: Gezel, Kling and Clark. ABSENT: Southall. Whereupon the Mayor declared the motion failed. Clark moved to accept and file a letter from John Benoit, 808 N. "C" Street. Clark withdrew her motion.

The following resolution entitled, "RESOLUTION APPROVING PARTIAL RELEASE OF THE DEVELOPMENT AGREEMENT BETWEEN THE CITY AND SHDC, LLC" was approved on a motion by Marchant and seconded by Clark. On roll call the vote was, AYES: Gezel, Parker, Kling, Clark and Marchant. NAYS: None. ABSENT: Southall. Whereupon the Mayor declared the motion carried unanimously and the following resolution duly adopted.

RESOLUTION NO. 2019-127

RESOLUTION APPROVING PARTIAL RELEASE OF THE DEVELOPMENT AGREEMENT BETWEEN  
THE CITY AND SHDC, LLC

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

A motion was made by Marchant and seconded by Parker to receive and file correspondence of the weekly updates dated June 14 and the June 21, 2019 from Ryan Waller, City Manager. On roll call the vote was, AYES: Gezel, Parker, Kling, Clark and Marchant. NAYS: None. ABSENT: Southall. Whereupon the Mayor declared the motion carried unanimously.

A motion was made by Clark and seconded by Parker to enter into closed session in accordance with Iowa Code Section 21.5(1)(j) to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property. On roll call the vote was, AYES: Marchant, Gezel, Parker, Kling and Clark. NAYS: None. ABSENT: Southall. Whereupon the Mayor declared the motion carried unanimously.

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

Council member Parker moved to enter into closed session in accordance with Iowa Code Section 21.5(1)(i) to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. Kling seconded the motion. On roll call the vote was, AYES: Kling, Clark, Marchant, Gezel and Parker. NAYS: None. ABSENT: Southall. Whereupon the Mayor declared the motion carried unanimously.

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

Meeting adjourned at 7:55 p.m. on a motion by Marchant and seconded by Parker.

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Kelly B. Shaw, Mayor

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Diana Bowlin, City Clerk