

JOHNSTON CITY COUNCIL
COUNCIL MEETING NO. 17-03
Johnston City Hall, 6221 Merle Hay Road
February 6, 2017
7:00 p.m.

1. CALL TO ORDER

Mayor Dierenfeld called the meeting to order at 7:10 p.m.

2. ROLL CALL

Present: Clabaugh, Lindeman, Brown, Cope, Temple
Absent: None

3. WELCOME

Mayor Dierenfeld welcomed residents and guests to the meeting.

4. PLEDGE OF ALLEGIANCE

5. AGENDA APPROVAL

Motion by Lindeman, which was seconded by Temple to approve the Agenda.

ROLL CALL: Aye: Lindeman, Brown, Cope, Temple, Clabaugh
Nay: None
Motion Approved: 5-0

6. PUBLIC COMMUNICATIONS

6. PUBLIC HEARINGS

a. Conduct a Public Hearing and Consider the Following Items Related to the Public Hearing for Terra Lake Phase IV Construction Project:

- Resolution No. 17-33 – Adopting Plans, Specifications, Form of Contract and Estimate of Cost;
- Construction Bids;
- Resolution No. 17-34 – Making Award of Construction Contract to Minturn, Inc. of Brooklyn, Iowa;
- Resolution No. 17-35 – Approving Construction Contract and Bond with Minturn, Inc.

The Public Hearing opened at 7:12 p.m.

Parks Director John Schmitz stated that the City received three (3) bids. Schmitz stated that he had not worked with Minturn before, but that our engineer has and provided a positive reference. The construction would start potentially in the next few weeks or even as early as next week with an anticipated June completion. However, they do have until December 1, 2017. There were no public comments received.

The Public Hearing closed at 7:16 p.m.

Motion by Cope, which was seconded by Brown to approve Resolution No. 17-33.

ROLL CALL: Aye: Brown, Cope, Temple, Clabaugh, Lindeman
Nay: None
Motion Approved: 5-0

Motion by Brown, which was seconded by Lindeman to approve Resolution No. 17-34.

ROLL CALL: Aye: Cope, Temple, Clabaugh, Lindeman, Brown
Nay: None
Motion Approved: 5-0

Motion by Lindeman, which was seconded by Temple to approve Resolution No. 17-35.

ROLL CALL: Aye: Temple, Clabaugh, Lindeman, Brown, Cope
Nay: None
Motion Approved: 5-0

- a. Conduct a Public Hearing on the Authorization of a Loan and Disbursement Agreement and the Issuance of Not to Exceed \$5,200,000 Storm Water Management Utility Revenue Capital Loan Notes of the City of Johnston, Iowa, and Consider the following:
- Resolution No. 17-26 – Instituting Proceedings to Take Additional Action for the Authorization of a Loan and Disbursement Agreement and the Issuance of Not to Exceed \$5,200,000 Storm Water Management Utility Revenue Capital Loan Notes

The Public Hearing opened at 7:17 p.m.

Finance Director Teresa Rotschafer stated that this is the 3rd public hearing on this item – the first two covered water and sanitary sewer and this covers storm water portion. There were no questions or public comments.

The Public Hearing closed at 7:18 p.m.

Motion by Temple, which was seconded by Clabaugh to approve Resolution No. 17-26.

ROLL CALL: Aye: Clabaugh, Lindeman, Brown, Cope, Temple

Nay: None

Motion Approved: 5-0

- b. Conduct a Public Hearing on the proposed Amendment No. 2 to the West Central Urban Renewal Plan and consider the following:
- Resolution No. 17-29 - Determining an Area of the City to be an Economic Development Area, and that the Rehabilitation, Conservation, Redevelopment, Development or a Combination Thereof, of Such Area is Necessary in the Interest of the Public Health, Safety or Welfare of the Residents of the City; Designating Such Area as Appropriate for Urban Renewal Projects; and Adopting Amendment No. 2 to the West Central Urban Renewal Plan

The Public Hearing opened at 7:19 p.m.

Economic Development Manager Adam Plagge stated that this is a continuation of working through the Urban Renewal Plans and completing updates. This is the 2nd amendment to the West Central district to include additional property near the high school. This allows for funding of the economic development manager position and update of current projects, and the anticipated expenditures for those projects. It is not creating an ordinance for the segregation of taxes.

The Public Hearing closed at 7:21 p.m.

Motion by Lindeman, which was seconded by Clabaugh to approve Resolution No. 17-29.

ROLL CALL: Aye: Lindeman, Brown, Cope, Temple, Clabaugh

Nay: None

Motion Approved: 5-0

7. CONSENT AGENDA

- Consider Approval of Minutes of January 17, 2017 Work Session
- Consider Approval of Minutes of January 17, 2017 Council Meeting
- Consider Approval of Minutes of January 26, 2017 Goal Setting Session
- Consider Approval of Minutes of January 30, 2017 Budget Work Session
- Consider Approving an Ownership Update for the Eastwynn Theater, Inc.'s Carmike Wynnsong Theater, 5233 Stoney Creek Court
- Consider the Renewal of a Class "C" Liquor License to Include Sunday Sales, Outdoor Service and Catering Privileges for Greenbriar Restaurant and Bar, 5810 Merle Hay Road
- Consider Approval of Pay Request No. 1 to Rochon Corporation of Iowa, Inc., in the Amount of \$4845.00 for Greenwood Hills, Greenbelt Wetland Mitigation
- Consider Resolution No. 17-36 – Accepting the Agreement with Foth Infrastructure and Environmental LLC for Wetland Monitoring Services Associated with the Beaver Creek Natural Resource Area Phase III Mitigation Project
- Consider Resolution No. 17-43 – Acceptance of the Construction of Public Improvements within Outlot Z of Pinewood Glen Plat 4 Subdivision

- j. Consider the Following Related to 100th Street and 54th Avenue Intersection Improvement Joint Project with the City of Urbandale:
 - Resolution No. 17-27 – Authorizing the Transfer of Surplus Funds from the Johnston Municipal Sewer Utility to the City of Johnston:
 - Resolution No. 17-28 – Appropriating an Advance of Funds and Directing Filing of Certifications Under Iowa Code Section 403.19
- k. Consider the Following Related to the City’s Banking and Investment Depositories:
 - Resolution No. 17-37 – Naming Depositories for City Funds and Establishing the Amount not to Exceed;
 - Resolution No. 17-38 – Authorizing the Finance Director to Engage Miles Capital, Inc., to Provide Investment Management Services
- l. Consider Approval of Out-of-State Travel for Kathy Barger to Attend the 111th Annual Government Finance Officers Association (GFOA) Conference in Denver, Colorado, May 21-May 24, 2017
- m. Consider Setting the Public Hearing for March 6, 2017, at 7:00 p.m. on the Proposed Budget for Fiscal Year July 1, 2017, through June 30, 2018
- n. Consider the Following Related to the 2017D General Obligation Bonds:
 - Resolution No. 17-30 – Fixing Date for a Meeting on the Proposition of the Issuance of Not to Exceed \$6,900,000 General Obligation Bonds of the City of Johnston, Iowa, (For Essential Corporate Urban Renewal Purposes), and Providing for Publication and Notice Thereof
 - Resolution No. 17-31 – Fixing Date for a Meeting on the Proposition of the Issuance of Not to Exceed \$18,800,000 General Obligation Bonds of the City of Johnston, State of Iowa (for Essential Corporate Purposes) and Providing for Publication and Notice Thereof
 - Resolution No. 17-32 – Fixing Date for a Meeting on the Proposition of the Issuance of Not to Exceed \$700,000 General Obligation Bonds of the City of Johnston, Iowa, (For General Corporate Urban Renewal Purposes), and Providing for Publication and Notice Thereof
- o. Consider Approval of Pay Request No. 7 to Iowa Signal, Inc., in the Amount of \$74,679.22 for Work Completed as of September 30, 2016, on the Johnston Community Fiber Optic System Project Phase 3
- p. Consider Approval of Pay Request No. 2 to Blooming Prairie Nursery, in the Amount of \$2,037.72 for Work Completed as of January 11, 2017, on the 2016 Bioretention Planting Project
- q. Consider Approval of Amendment No. 2 to the Agreement with HR Green for the NW 100th Street Reconstruction Project
- r. Consider the following Resolutions Related to the East of Merle Hay Road Sanitary Sewer Extension Phase 1A NW Johnston Drive to NW 57th Avenue:
 - Resolution No. 17-41 – Accepting the East of Merle Hay Road Sanitary Sewer Extension Phase 1A NW Johnston Drive to NW 57th Avenue;
 - Resolution No. 17-42 – Release of Retainage for the East of Merle Hay Road Sanitary Sewer Extension Phase 1A NW Johnston Drive to NW 57th Avenue Project
- s. Consider Resolution No. 17-11 – Releasing Retainage for the East of Merle Hay Road NW 55th Avenue Improvements Project Phase 1B
- t. Consider Resolution No. 17-39 – Approving Change Order No. 9 for the Johnston Community Fiber Optic Phase III Project
- u. Consider Resolution No. 17-40 – Approving Change Order No. 2 for the 2016 Bio-retention Planting Project
- v. Receive and file the following reports:
 - 1. 2016 4th Quarter Police Activity Report
 - 2. Planning and Zoning Commission Minutes for Monday, January 30, 2017

Motion by Temple, which was seconded by Lindeman to approve the Consent Agenda.

ROLL CALL: Aye: Brown, Cope, Temple, Clabaugh, Lindeman
Nay: None

Motion Approved: 5-0

9. NON-CONSENT AGENDA

- a. Consider Second Reading of Ordinance No. 956 – Amending Johnston Revised Ordinances of 2007 by Amending Section 69.08 to Modify Parking on NW 98th Street Between Windsor Parkway and NW 97th Street to Modify Parking on Trace Court.

Planner Clayton Ender stated that there have been no changes since the first reading. Ender provided answers to questions that were posed during the first reading, which included the number of cars and available space

for parking. Currently there is approximately 1200 feet available on NW 98th Street and Trace Court has approximately 60 feet available. With the proposal contained in this ordinance there would be approximately 740 feet available on NW 98th Street and 30 feet available on Trace Court. Currently parking would accommodate 53 cars total, which would go down to 33 cars following passage of the ordinance. Ender clarified some other questions as well including where parking is available on both sides of the street currently, and comparison of how other metro area communities handle on-street parking.

There was an additional public comment from Patricia Habel in support of this ordinance.

Motion by Brown, which was seconded by Lindeman to approve Second Reading of Ordinance No. 956.

ROLL CALL: Aye: Cope, Temple, Clabaugh, Lindeman, Brown
 Nay: None
Motion Approved: 5-0

- b. Consider First Reading of Ordinance No. 957 – Establishing the Street Grades for the NW 57th Avenue Improvements from Merle Hay Road to NW Beaver Drive.

Public Works Director Matt Greiner introduced the agenda item. Greiner stated that it is a standard step in the reconstruction process which establishes the center line elevations of the roadway.

Motion by Temple, which was seconded by Cope to approve First Reading of Ordinance No. 957.

ROLL CALL: Aye: Temple, Clabaugh, Lindeman, Brown, Cope
 Nay: None
Motion Approved: 5-0

Motion by Cope, which was seconded by Lindeman to waive 2nd and 3rd readings of Ordinance No. 957 and adopt and publish. Motion carried unanimously on roll call vote – Ayes: Temple, Clabaugh, Lindeman, Brown, and Cope. Nays: None.

- c. Consider Resolution No. 17-44 – Approving the Preliminary and Final Plat for Camp Dodge Acres Plat 3, a Minor Subdivision of 9.41 Acres North of NW 70th Ave and West of NW 86th Street (PZ Case 16-38).

Senior Planner Aaron Wolfe introduced this agenda item. Wolfe stated Kum and Go owns the 9.4 acres on the northwest corner NW 86th and NW 70th and they propose to subdivide the property into two lots with the intent to transfer ownership of the larger parcel. Payment of all district connection fees was made with approval of Camp Dodge Acres Plat 1. Petition and waiver documents were also previously submitted. Zoning for both parcels will be C-2.

Motion by Brown, which was seconded by Temple to approve Resolution No. 17-44.

ROLL CALL: Aye: Clabaugh, Lindeman, Brown, Cope, Temple
 Nay: None
Motion Approved: 5-0

- d. Consider approval of Claims in the amount of \$738,921.55

Motion by Clabaugh, which was seconded by Temple to approve Claims as presented.

ROLL CALL: Aye: Lindeman, Brown, Cope, Temple, Clabaugh,
 Nay: None
Motion Approved: 5-0

10. CITY ADMINISTRATOR/STAFF COMMENTS

- a. IAMU SAFETY GROUP DIVIDEND

Rotschafer provided a summary of the report.

- b. REVIEW CITY COUNCIL / STAFF APPOINTMENTS TO BOARDS, COMMISSIONS, COMMITTEES

Sanders provided an updated document and inquired if any member had a desire for any changes. The 28E fire board will be added to the list.

Sanders attended a meeting Friday, February 3rd, at DART. DART will not be increasing the levy rate, but instead using federal fund subsidies to balance their budget. On February 21st there will be a joint meeting with the School Board. Councilmember Clabaugh asked if one of the topics could include an update to the suicide prevention program. There were 23 deer harvested this year.

Greiner stated that Federal Highway Association reviewed the City’s American’s with Disabilities Act Letter of Finding from the complaint and it is now considered closed, but we need to follow-up and complete our transition plan. Poles are up on 70th and wiring is going in on 100th.

11. CITY COUNCIL COMMENTS

Councilmember Lindeman expressed appreciation for the “coffee with a cop”. Lindeman also mentioned he is stepping down as chair of CIRDWC due to length of service already, and they have updated their website to be separate from Des Moines Water Works.

Mayor Dierenfeld discussed the DART governance task force meeting last week, which was mostly background information. DART would like to meet with the city administrator / mayor of each of the communities in terms of service and discuss any governance issues either party identifies.

12. UPCOMING MEETINGS

TUESDAY February 21, 2017	JSCD Administrative Resource Center	Joint Session 5:00 p.m.
TUESDAY February 21, 2017	City Hall	Worksession 6:00 p.m.
		Meeting 7:00 p.m.

13. ADJOURNMENT

The meeting adjourned at 7:47 p.m.

Paula S. Dierenfeld, Mayor

ATTEST:

Cyndee Rhames, City Clerk