

JOHNSTON CITY COUNCIL
COUNCIL MEETING NO. 10-04
Johnston City Hall, 6221 Merle Hay Road
February 1, 2010
7:00 p.m.

1. CALL TO ORDER

Mayor Dierenfeld called the meeting to order at 7:21 p.m.

2. ROLL CALL

Present: Clabaugh, Culbert, Hibbs, Kallen, Lindeman

Absent: None

3. WELCOME

Mayor Dierenfeld welcomed citizens and guests to the meeting.

4. AGENDA APPROVAL

City Administrator Jim Sanders noted that item 8a was being removed, item 7d was being moved to the non-consent agenda and item 7l should be corrected to show February 16th as the date of the public hearing.

Motion by Clabaugh second by Lindeman to approve the agenda as noted.

ROLL CALL: Aye: Culbert, Hibbs, Kallen, Lindeman, Clabaugh

Nay: None

Motion Approved: 5-0

5. PUBLIC COMMUNICATIONS

None

6. PUBLIC HEARINGS

None

7. CONSENT AGENDA

a. Consider Minutes of Strategic Planning Worksession

b. Consider Minutes of January 18, 2010 Council Worksession

c. Consider Minutes of January 18, 2010 Council Meeting

~~d. Approve contract for services with Bonestroo to develop a Resource Management Plan for the Beaver Creek Natural Resource Area.~~

e. Consider Resolution No. 10-20 – Appointing Chief Jim Krohse and Chief Bill Vaughn as the primary and alternate representatives to the Polk County Emergency Management Commission.

f. Consider renewal of a Class “C” Liquor License to include Sunday sales, outdoor service and catering privileges for Greenbriar Restaurant & Bar, 5810 Merle Hay Road.

g. Consider renewal of a Class “C” Beer permit to include Sunday sales for Kum & Go #129, 5225 NW 86th Street.

h. Consider renewal of a Class “C” Beer permit to include Sunday sales for Casey’s General Store #2816, 6417 Northglenn Drive.

- i. Consider Resolution No. 10-24 – Directing the sale of General Obligation Refunding Capital Loan Notes, Series 2010A.
- j. Consider setting March 1, 2010 at 7:00 p.m. as the date and time for a public hearing on the proposed budget for fiscal year July 1, 2010 through June 30, 2011.
- k. Consider approval of an amended contract for fiber optic cable with Qwest.
- l. Consider Resolution No. 10-22 – Setting a public hearing for February 16, 2010 at 7:00 p.m. to consider an amendment to the Johnston Commons PUD for three parcels totaling 3.879 acres from C-2 Commercial to a flex zone allowing either C-2 Commercial or R-3 multifamily residential uses. The subject property is located south of Northglenn Drive and east of Merle Hay Road between the Kum and Go and Chapel Ridge Apartments.
- m. Consider Resolution No. 10-23 – Not remanding BOA Case No. 09-10, application for a special use permit to allow overnight boarding/lodging of household pets in conjunction with the operation of a veterinary clinic.
- n. Consider Resolution No. 10-21 – Not remanding BOA Case No. 10-01, application for a variance to chapter 166.27.4.A(2) of the City of Johnston Code of Ordinances to construct a 5’ tall fence on a corner lot between the property line and street side-yard setback line at 6996 NW 95th Court.
- o. Receive and File the following reports:
 - 1. Johnston Library Board of Trustees Minutes – December 17, 2009
 - 2. Johnston Public Library Circulation Report – December 2009
 - 3. Johnston Public Library Claims – January 21, 2010
 - 4. Board of Adjustment Meeting Minutes – January 21, 2010
 - 5. City of Johnston Parks & Recreation 2009 Summary
- p. Consider Resolution No. 10-26 – Fixing a date of February 16, 2010 at 7:00 p.m. for the public hearing on the 2009 Johnston Commons Drainage Improvements project.

Motion by Clabaugh second by Hibbs to approve the Consent Agenda.

Financial advisor Paul Donna of Northland Security laid out the results of the bond sale held today.

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| ROLL CALL: | Aye: Hibbs, Kallen, Lindeman, Clabaugh, Culbert |
| | Nay: None |
| Motion Approved: | 5-0 |

8. NON-CONSENT AGENDA

~~a. Consider Resolution No. 10-16 (PZ Case No. 09-26) A Preliminary and Final Plat for Woodlands Estates. The subject property is located east of NW 10th Street and north of NW 70th Avenue~~

Item 7d. Approve contract for services with Bonestroo to develop a Resource Management Plan for the Beaver Creek Natural Resource Area.

Parks and Recreation Director Ron Ward noted that staff had contacted Bonestroo in order to have an inventory and recommendations for the Beaver Creek Natural Resource Area.

Council Member Kallen noted that it was his request that the item be moved to the non-consent agenda as he had concerns about development and implementation of a maintenance plan in the area and wanted the contract to be specific in addressing the issues in

implementation of development and a maintenance plan in the area. He also noted that there are a number of interested stake holders in the area and that he would encourage staff to include these stake holders in meetings regarding the study and plans going forward.

The following individuals addressed the Council regarding concerns with the contract and possible development within the area:

Eileen Robb, 8000 Briargate Court

Greg Knoploh, 6059 Nottingham Drive

Virginia Soelberg, 5979 Dogwood Circle

Motion by Kallen second by Hibbs to table the issue until such time as the contract has been reworked to address the concerns raised at tonight's meeting.

ROLL CALL: Aye: Kallen, Lindeman, Clabaugh, Culbert, Hibbs
 Nay: None
Motion Approved: 5-0

- b. Consider Resolution No. 10-25 – Accepting and filing the Watershed Assessment and Stormwater Management and Action Plan, as prepared by Nilles Associates for incorporation into the City's Comprehensive Plan.
Greg Pierce of Nilles Associates reviewed the finalized plan.

Community Development Director David Wilwerding discussed the action plan as well as potential funding sources and answered questions from the Council regarding the plan.

Mayor Dierenfeld and the Council thanked the committee, staff and Nilles Associates for their hard work on the Stormwater Management and Action Plan.

Resident and committee member Shannon Garretson, 5640 Kings Row, also addressed the Council regarding the findings of the plan and the importance of following the recommendations.

Motion by Kallen second by Hibbs to approve Resolution No. 10-25.

ROLL CALL: Aye: Lindeman, Clabaugh, Culbert, Hibbs, Kallen
 Nay: None
Motion Approved: 5-0

- c. Consider Approval of Claims in the Amount of \$215,593.41
Motion by Clabaugh second by Kallen to approve the claims as submitted.

ROLL CALL: Aye: Clabaugh, Culbert, Hibbs, Kallen, Lindeman
 Nay: None
Motion Approved: 5-0

The meeting adjourned at 8:54 p.m.

Paula S. Dierenfeld, Mayor

ATTEST:

Cyndee D. Rhames, City Clerk