

JOHNSTON CITY COUNCIL  
COUNCIL MEETING NO. 10-05  
Johnston City Hall, 6221 Merle Hay Road  
February 16, 2010  
7:00 p.m.

1. CALL TO ORDER

Mayor Dierenfeld called the meeting to order at 7:04 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

Council Member Culbert noted that the description in item 6a should read "...west of Merle Hay Road..." and not east as noted on the agenda.

Motion by Clabaugh second by Kallen 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

- a. First Consideration of Ordinance No. 819 - 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 west of Merle Hay Road between the Kum and Go and Chapel Ridge Apartments.

The public hearing opened at 7:07 p.m.

Senior Planner Aaron Wolfe reviewed the project, noting the amendments requested by the applicants. Wolfe noted that the applicant had placed a sign on the property advising of the request for rezoning and that staff had notified property owners in a 320 foot radius around the property.

Council members asked questions of the applicant, Hubbell Realty, regarding the project.

The public hearing closed at 7:20 p.m.

Motion by Culbert second by Hibbs to approve First Consideration of Ordinance No. 819.

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

- b. Consider Resolution No. 10-34 – Adopting Plans, Specifications, form of contract and estimate of cost for the 2009 Johnston Commons Drainage Improvements project.

The public hearing opened at 7:22 p.m.

Sanders noted that this item had been discussed previously, but due to an error in the public hearing location, a new hearing was needed.

The public hearing closed at 7:23 p.m.

Motion by Clabaugh second by Culbert to approve Resolution No. 10-34.

ROLL CALL:                   Aye: Lindeman, Clabaugh, Culbert, Hibbs  
                                      Abstain: Kallen  
                                      Nay: None  
Motion Approved:               4-0-1  
Council Member Kallen abstained due to a conflict of interest.

7. CONSENT AGENDA

- a. Consider Minutes of February 1, 2010 Council Worksession
- b. Consider Minutes of February 1, 2010 Council Meeting
- c. Consider Resolution No. 10- 30- A three month moratorium extension on the installation of any Wind Energy Conversion Systems while the City develops a Small Wind Energy Conversion Systems Ordinance.
- d. Consider Resolution No. 10-31 – Approving Staff Appointments and establishing wages.
- e. Consider adoption of the 2010 City of Johnston Goal Setting Report.
- f. Consider Resolution No. 10-27 – Authorizing the redemption of General Obligation Bonds, Series 2002B, of the City of Johnston, State of Iowa, dated October 1, 2002, and directing notice be given.
- g. Consider the following items relating to the \$2,610,000.00 General Obligation Refunding Capital Loan Notes, Series 2010A:
  - Resolution No.10-28 – Appointing Bankers Trust Company of Des Moines, Iowa to serve as Paying Agent, Note Registrar, and Transfer Agent, Approving the Paying Agent and Note Registrar and Transfer Agent Agreement and Authorizing the Execution of the Agreement.
  - Motion that the form of Tax Exemption Certificate be approved and placed on file.
  - Motion that the Continuing Disclosure Certificate be approved and placed on file.
  - Resolution No. 10-29 – Approving and authorizing a form of Loan Agreement and authorizing and providing for the issuance of \$2,610,000.00 Capital Loan Notes, Series 2010A, and levying a tax to pay the notices.



Motion by Kallen second by Culbert to approve the Contract for Services with Bonestroo.

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

b. Consider Approval of Claims in the Amount of \$257,062.89

Motion by Culbert second by Clabaugh to approve the Claims as presented.

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

9. CITY ADMINISTRATOR/STAFF COMMENTS

Sanders noted that a meeting was held with the Army Corps of Engineers where mutual issues were discussed, including tree removal on Corps land by adjoining property owners and flooding issues of the past and future.

The Corps has advised that they will be blasting during the reconstruction of the NW 78<sup>th</sup> Avenue, which is expected to be completed in August.

10. CITY COUNCIL COMMENTS

Council Member Lindeman noted that after meeting with the department directors he was struck by the facilities that the fire and police departments are working out of. He stressed that public safety accommodations should be looked at in the near future.

Lindeman also noted that hydrant snow clearing was taking place on February 17, 2010.

Mayor Dierenfeld noted that she had participated as a celebrity judge at the Pinewood Derby held by the cub scouts at Timber Ridge Elementary.

11. UPCOMING MEETINGS

Monday, March 1, 2010	City Hall	Worksession 6:00 p.m. Regular Session 7:00 p.m.
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Monday, March 15, 2010	City Hall	Worksession 6:00 p.m. Regular Session 7:00 p.m.
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12. ADJOURNMENT

The meeting adjourned at 7:43 p.m.

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Paula S. Dierenfeld, Mayor

ATTEST:

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Cyndee D. Rhames, City Clerk