



- j. Consider approval of Tyler Technology's agreement for Incode Online components
- k. Consider motion authorizing the Finance Director to issue payments for necessary end of fiscal year (FY 10) purchases.
- l. Consider renewal of the Class "B" Beer Permit for China Café, 5659 Merle Hay Road
- m. Consider renewal of the Class "C" Liquor License for Okoboji Grill of Johnston, 8481 Birchwood Court.
- n. Consider renewal of the Class "A" Liquor License renewal and the Class "B" Wine Permit for Hyperion Field Club, 7390 NW Beaver Drive.
- o. Approving and authorizing the mayor to sign the renewal 28E for the police department's continued participation in the Suburban Emergency Response Team (SERT).
- p. Consider Resolution No. 10-93 – Allowing the Johnston Police Department to charge a \$20.00 administrative handling fee for vehicle impounds.
- q. Consider approval of a Memorandum of Understanding for the joint participation between the Police Department and the Johnston Community School District for a joint grant application with the Office of Community Oriented Policing Services (COPS) of the United States Department of Justice in an effort to improve school safety.
- r. Authorize the Chief of Police to submit an application to hire (1) police officer under the COPS Hiring Recovery Program (CHRP). This position would be utilized as a school resource officer.
- s. Consider Resolution No. 10-96 – Establishing a new pay scale for Paid-on-Call firefighting personnel.
- t. Consider Resolution No. 10-97 – Establishing emergency ambulance service fees.
- u. Consider Resolution No. 10-98 – Approving Staff appointments and establishing wages.
- v. Consider appointment to the Comprehensive Plan Advisory Board.
- w. Consider initiating a rezoning of 20.34 acres from A-R, Agricultural Reserve to PC, Professional Commerce Park District. The subject property is located east of NW 86<sup>th</sup> Street and north of NW 62<sup>nd</sup> Avenue.
- x. Consider the following items relating to the Green Meadows Watershed Improvements project:
  - Resolution No. 10-99 – Fixing July 6, 2010 at 7:00 p.m. as a date for public hearing to consider the plans, specifications, form of contract and engineers estimate of costs for Phase 1A;
  - Resolution No. 10-100 - Fixing July 6, 2010 at 7:00 p.m. as a date for public hearing to consider the plans, specifications, form of contract and engineers estimate of costs for Phase 1B.
- y. Consider Resolution No. 10-94 – Setting dates of a consultation and public hearing on proposed amendment No. 4 to the East Central Urban Renewal Plan in the City of Johnston, Iowa
- z. Consider renewal of the employment agreement for the City Administrator.
- aa. Receive and File the following reports:
  1. Bank Reconciliation Report – May 31, 2010
  2. Treasurer's Investment Report – May 2010
  3. Year-to-Date Treasurer's Report – May 31, 2010
  4. Monthly Report Summarization – May 31, 2010
  5. Senior Citizens Report – May 2010
  6. Annual Accounts Receivable Report – June 2010
  7. Fire Department Incident Report – May 2010
  8. Planning & Zoning Meeting Minutes – June 14, 2010
  9. Building Permit Report – May 2010

Council Member Culbert requested clarification on item 7K, which was provided by Finance Director Teresa Rotschafer.

Motion by Culbert second by Clabaugh to approve the consent agenda.

Council Member Lindeman requested clarification on item 7R relating to a grant application for a school resource officer.

Mayor Dierenfeld asked Chief Vaughn to provide some background on item 7O relating to the Save our Schools Grant.

ROLL CALL:                      Aye: Kallen, Lindeman, Clabaugh, Culbert  
  Nay: None  
Motion Approved:                      4-0

8. NON-CONSENT AGENDA

- a. Third and Final Consideration of Ordinance No. 825 – Amending the City of Johnston Revised Ordinances of 2007 by amending §48.09, to add “with the exception of Beaver Creek, it is unlawful for any person to enter any lagoon, pond, creek, or stream at any time”; and to adopt and publish.  
No questions or changes from Second Consideration.

Motion by Clabaugh second by Lindeman to approve Third and Final Consideration of Ordinance No. 825 and to adopt and publish.

ROLL CALL:                      Aye: Kallen, Lindeman, Clabaugh, Culbert,  
  Nay: None  
Motion Approved:                      4-0

- b. Third and Final Consideration of Ordinance No. 826 – Amending the City of Johnston Revised Ordinances of 2007 by amending §49.03(1) – Revising the language to read ”Fishing allowed in accordance with State of Iowa Fishing Regulations”; and to adopt and publish.  
No questions or changes from Second Consideration.

Motion by Culbert second by Clabaugh to approve Third and Final Consideration of Ordinance No. 826 and to adopt and publish.

ROLL CALL:                      Aye: Lindeman, Clabaugh, Culbert, Kallen  
  Nay: None  
Motion Approved:                      4-0

- c. Third and Final Consideration of Ordinance No. 827 – Amending the City of Johnston Revised Ordinances by amending Chapter 26.02 and 26.04(1), (2), (4), (6), and (7); and to adopt and publish.  
No questions or changes from Second Consideration.

Motion by Culbert second by Clabaugh to approve Third and Final Consideration of Ordinance No. 827 and to adopt and publish.

ROLL CALL:                   Aye: Clabaugh, Culbert, Kallen, Lindeman  
                                  Nay: None  
Motion Approved:           4-0

- d. Consider Second Consideration of Ordinance No. 828 – Amending the Code of Ordinances for the City of Johnston, adding chapter 52 establishing regulations regarding noise.  
No questions or changes from First Consideration.

Motion by Clabaugh second by Culbert to approve Second Consideration of Ordinance No. 828.

ROLL CALL:                   Aye: Culbert, Kallen, Lindeman, Clabaugh  
                                  Nay: None  
Motion Approved:           4-0

- e. Consider First Consideration of Ordinance No. 829 – Changing Sewer Rate (Staff requests waiving second and third readings, and to adopt and publish).

Finance Director Rotschafer reviewed Ordinance, noting that this was necessitated by the average usage amount in the previous Ordinance relating to the sewer rate change.

Motion by Lindeman second by Culbert to approve First Consideration of Ordinance No. 829.

ROLL CALL:                   Aye: Kallen, Lindeman, Clabaugh, Culbert  
                                  Nay: None  
Motion Approved:           4-0

Motion by Clabaugh second by Culbert to waive Second and Third Consideration, and to adopt and publish.

ROLL CALL:                   Aye: Kallen, Lindeman, Clabaugh, Culbert  
                                  Nay: None  
Motion Approved:           4-0

- f. Consider Resolution No. 10-95 – Approving an amended preliminary plat for Hawkeye Estates, subdividing 17.881 acres into 4 single family residential lots. The subject property is located on NW 86<sup>th</sup> Street south of Little Beaver Creek.  
Community Development Director David Wilwerding reviewed the project noting the issue with the corrugated metal pipe for storm sewer lines instead of the required reinforced concrete pipe. Wilwerding noted that the developer was requesting the approval of a development agreement which would allow the developer to leave the corrugated metal pipe in place, making the property owner / homeowner’s association responsible for replacement and failure should that occur. Wilwerding noted that the development agreement was not being approved at this meeting, but would come back with the Final Plat.

Wilwerding also noted that the development agreement would be recorded and should be picked up on any title opinion in the future.

The developer, Tom Dean, 7344 NW 86<sup>th</sup> Street, addressed the council noting his request to leave the corrugated metal pipe in place due to the expense of the initial installation, and removal and replacement with the reinforced concrete pipes.

Motion by Kallen second by Clabaugh to approve Resolution No. 10-95.

ROLL CALL:                   Aye:   Kallen, Lindeman, Clabaugh, Culbert  
                                      Nay:   None  
Motion Approved:           4-0

g. Approval of Claims in the Amount of \$571,348.85

Motion by Clabaugh second by Kallen to approve Claims as presented.

ROLL CALL:                   Aye:   Lindeman, Clabaugh, Culbert, Kallen  
                                      Nay:   None  
Motion Approved:           4-0

9. CITY ADMINISTRATOR/STAFF COMMENTS

a. Discuss Pioneer Tax Increment Financing

City Administrator Jim Sanders reviewed the proposed TIF agreement relating to Pioneer Hi-Bred's expansion project. Sanders noted that the RISE grant had been awarded for costs related to the NW 62<sup>nd</sup> Avenue road improvements that would be required for the expansion.

Sanders also noted that the proposed rebate would be \$4.2 million based on a \$30 million valuation, over a 5-year period.

Council members noted their endorsement of offering TIF to Pioneer Hi-Bred.

Council Member Culbert noted that item 7B, Minutes for June 7, 2010 meeting contained a typographical error on page 3, relating to the vote for approval of second consideration of Ordinance No. 820 (item 8a). Culbert noted the vote should be recorded as 3-1 and not 3-0.

Motion by Culbert second by Clabaugh to reconsider approval of tonight's Consent Agenda with the amendment as noted above.

ROLL CALL:                   Aye:   Lindeman, Culbert, Clabaugh, Kallen  
                                      Nay:   None  
Motion Approved:           4-0

10. CITY COUNCIL COMMENTS

Council Member Lindeman commended city staff for another great Green Days weekend. Mayor Dierenfeld echoed Lindeman's comment.

Council Member Culbert provided a brief overview on the annual Washington D.C. trip. Sanders mentioned the Stormwater Walking Tour, noting the tour would begin at 5:00 p.m. and 7:00 p.m.

Public Works Director Dave Cubit provided an update on flooding potential over the next week.

11. UPCOMING MEETINGS

<b>TUESDAY</b> , July 6, 2010	City Hall	Worksession 6:00 p.m. Regular Session 7:00 p.m.
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Monday, July 19, 2010	City Hall	Worksession 6:00 p.m. Regular Session 7:00 p.m.
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12. ADJOURNMENT

The meeting adjourned at 7:52 p.m.