JOHNSTON CITY COUNCIL
COUNCIL MEETING NO. 10-16
Johnston City Hall, 6221 Merle Hay Road
July 6, 2010
7:00 p.m.

1. CALL TO ORDER
   Mayor Dierenfeld called the meeting to order at 7:02 p.m.

2. ROLL CALL
   Present: Hibbs, Kallen, Clabaugh
   Absent: Culbert, Lindeman

3. WELCOME
   Mayor Dierenfeld welcomed citizens and guests to the meeting.

4. AGENDA APPROVAL
   Motion by Clabaugh second by Kallen to approve the agenda.

ROLL CALL:	Aye:	Clabaugh, Hibbs, Kallen
	Nay:	None
Motion Approved:		3-0

5. PUBLIC COMMUNICATIONS
   a. Proclaiming July National Parks and Recreation Month
      Mayor Dierenfeld proclaimed July National Parks and Recreation month.

6. PUBLIC HEARINGS
   None

7. CONSENT AGENDA
   a. Consider Minutes of June 21, 2010 Meeting
   b. Consider Resolution No. 10-105 – A resolution ordering construction of certain public improvements, and fixing a date for hearing thereon and taking of bids therefor, for Lew Clarkson Park and Pointe Vista Park.
   c. Consider renewal of the Class "C" Liquor License, including Sunday Sales, for the Boat House, 7695 NW Beaver Drive.
   d. Consider adding an "Outdoor Service" privilege to the WineStyles liquor license. WineStyles is located at 8460 Birchwood Court, Suite 500.
   e. Consider Resolution No. 10-101 – Fixing a date for a meeting on the proposition of the application of excess bond proceeds and providing for publication of notice thereof.
   f. Consider Resolution No. 10-106 – Adopting corrected final plat and schedule of assessments for the City of Johnston, Iowa Elmerodo Estates Water Main.
   g. Consider Resolution No. 10-107 – Accepting the Warranty Deed for Right-of-Way from Greater Iowa Credit Union, 6412 Northglenn Drive.
   h. Consider Resolution No. 10-102 – Not remanding BOA Case No. 10-02 – A Special Exception to allow non-domestic animals on premises at 6824 NW Beaver Drive.
   i. Consider Resolution No. 10-103 – Not remanding BOA Case No. 10-03 – Application for a variance of the maximum height allowed for solid fences along the street frontage of a corner lot from 2 ½ feet to 6 feet at 6415 Stanmore Court.

j. Consider Resolution No. 10-104 - Not remanding BOA case 10-04 – Application for a special exception for accessory building size as allowed by Chapter 166.23.3 of the City of Johnston Code of Ordinances on Lot 2, Cameron Acres.
k. Consider initiating a text amendment to the Zoning Ordinance for Section 166.27 – Fences, Walls and Vision Clearance.
l. Consider initiating a text amendment to the Zoning Ordinance for Administrative Approval for minor modifications to Chapter 171 Zoning – Site Plan Requirements.
m. Consider entering into an agreement with Foth Infrastructure and Environment, LLC for the Eagle Ridge Drainage design.
n. Consider approval of Pay Request No. 4 in the amount of $80,016.83 from Manatt's, Inc. for work completed as of June 24, 2010 on the PCC Pavement Widening-NW 86th Street from Chambery Boulevard to NW 62nd Avenue project.
o. Consider Resolution No. 10-109 – Approving construction contract and bond for the Northwest Water Tower, together with related work.
p. Consider approving the requisition to Pictometry for the purchase of Critical 360 Software.
q. Consider approving requisition order 09-644 for the Police Department's purchase of handgun and shotgun ammunition for firearms training, practice and qualifications.
r. Consider approval of out-of-state travel for Ron Ward to attend the National Recreation and Park Association annual conference in Minneapolis, Minnesota, October 24-29, 2010
s. Consider Resolution No. 10-108 – Waiving permit fees for flood damaged properties.
t. Consider Resolution No. 10-110 – Ordering construction and fixing a date of July 19, 2010 at 7:00 p.m. for the public hearing on the NW 107th Street/ NW 70th Avenue Water Main Improvements project.
u. Receive and File the following reports:
    1. Library Claims – June 21, 2010
    2. Johnston Library Board of Trustees Minutes – May 20, 2010
    3. Johnston Library Circulation Report – May 2010
    4. Board of Adjustment Meeting Minutes – June 17, 2010
    5. Planning & Zoning Commission Meeting Minutes – June 28, 2010
    6. Senior Citizen Advisory Board Meeting Minutes – May 24, 2010

Motion by Kallen second by Clabaugh to approve the Consent Agenda as presented.

Mayor Dierenfeld requested clarification on item 7S. City Administrator Jim Sanders noted that this was done as a way to expedite clean-up in anticipation of flooding, but unless flooding occurred it would have no impact.

ROLL CALL:		Aye:	Hibbs, Kallen, Clabaugh,
	Nay:	None	
Motion Approved:			3-0

8. NON-CONSENT AGENDA
a. Consider Third and Final Consideration of Ordinance No. 828 – Amending the Code of Ordinances for the City of Johnston, adding chapter 52 establishing regulations regarding noise; and to adopt and publish.

No questions or changes from Second Consideration.

Motion by Hibbs second by Kallen to approve Third and Final Consideration of Ordinance No. 828, and to adopt and publish.

ROLL CALL:	Aye:	Kallen, Clabaugh, Hibbs

Nay: None
Motion Approved: 3-0

b. Approval of Claims in the Amount of $410,945.12

Motion by Clabaugh second by Hibbs to approve Claims as presented.
ROLL CALL: Aye: Clabaugh, Hibbs, Kallen
Nay: None
Motion Approved: 3-0

9. CITY ADMINISTRATOR/STAFF COMMENTS
   a. Discuss overlay and turn-around projects
   Public Works Director Dave Cubit reviewed potential projects along NW 54th Court, NW 55th Avenue and NW 95th Court.

10. CITY COUNCIL COMMENTS
Council Member Hibbs thanked Dave Cubit and his staff for their actions related to the potential flooding.
Mayor Dierenfeld echoed Hibbs' comments noting that the entire city staff should be commended for their efforts.
Cubit noted that he would like to commend Brian Wilson and Dave Croll for all of their work.
Council Member Clabaugh noted that a food pantry was now available in the community, along with the clothes closet.

11. UPCOMING MEETINGS

Monday, July 19, 2010	City Hall	Worksession 6:00 p.m. Regular Session 7:00 p.m.
Monday, August 2, 2010	City Hall	Worksession 6:00 p.m. Regular Session 7:00 p.m.

12. CLOSED SESSION
Per Iowa Code §21.5.1 (j): To discuss the purchase 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. The minutes and the tape recording of a session closed under this paragraph shall be available for public examination when the transaction discussed is completed.

Motion by Kallen second by Hibbs to enter into Closed Session.
ROLL CALL: Aye: Hibbs, Kallen, Clabaugh
Nay: None
Motion Approved: 3-0
The meeting entered into Closed Session at 7:25 p.m.
The meeting entered into Open Session at 7:49 p.m.

13. ADJOURNMENT
The meeting adjourned at 7:49 p.m.

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Paula S. Dierenfeld, Mayor

ATTEST:

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Cyndee D. Rhames, City Clerk