

JOHNSTON CITY COUNCIL
COUNCIL MEETING NO. 10-17
Johnston City Hall, 6221 Merle Hay Road
July 19, 2010
7:00 p.m.

1. CALL TO ORDER

Mayor Dierenfeld called the meeting to order at 7:00 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 the removal of item 8B, and the addition of a Resolution to item 7T.

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

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

Nay: None

Motion Approved: 5-0

5. PUBLIC COMMUNICATIONS

- a. American Legion Legacy Run Overview – Kathy Nees State Program Director
Postponed until August 2, 2010 Meeting

6. PUBLIC HEARINGS

- a. Consider the following items related to the proposition of the application of excess bond proceeds:

- Conduct a Public Hearing on the proposition of the application of excess bond proceeds;

The public hearing opened at 7:04 p.m.

Finance Director Teresa Rotschafer reviewed the proposal noting that the purpose was to add an additional \$200,000.00 to the Crown Point Remodel project.

Rotschafer advised that there was additional work needed in order to bring the building up to code.

No public comments were received.

The public hearing closed at 7:10 p.m.

- Consider Resolution No. 10-111 – Instituting proceedings to take additional action for the application of excess bond proceeds of the General Obligation Bonds, Series 2005B, General Obligation Bonds, Series 2006B, and the General Obligation Bonds, Series 2007B.

Motion by Clabaugh second by Kallen to approve Resolution No. 10-111.

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

- b. Consider the following items related to the NW 107th Street / NW 70th Avenue Water Main Improvements project:

- Conduct a Public Hearing;
The public hearing opened at 7:11 p.m.

Public Works Director Dave Cubit introduced Jeff Schug of McClure Engineering who provided a brief overview of the project.

No public comments were received.

The public hearing closed at 7:13 p.m.

- Consider Resolution No. 10-124 – Adopting Plans, Specifications, Form of Contract and Estimate of Cost for the NW 107th Street / NW 70th Avenue Water Main Improvements project.

Motion by Lindeman second by Culbert to approve Resolution No. 10-124.

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

- c. Consider the following items related to Amendment No. 4 to the East Central Urban Renewal Plan:

- Conduct a Public Hearing;
The public hearing opened at 7:14 p.m.
City Administrator Jim Sanders reviewed the proposed amendment and answered questions from the council. Sanders also noted that the amendment did not change the process whereby the council would need to approve any TIF applications.

There were no public comments received.

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

- Consider Resolution No. 10-114 – A Resolution determining an area of the city to be a blighted and economic development area, and that the rehabilitation, conservation, redevelopment, development or a combination thereof, of such an area is necessary in the interest of public health, safety and welfare of the residents of the city; designating such area as appropriate for an Urban Renewal Project; and adopting the Amendment No. 4 to the East Central Urban Renewal Plan therefor.

Motion by Hibbs second by Lindeman to approve Resolution No. 10-114.

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

d. Consider the following items related to the Low Clarkson Park and Pointe Vista Park Improvement Plans:

- Conduct a Public Hearing;
The public hearing opened at 7:23 p.m.
Parks Director Ron Ward reviewed the proposed projects at the parks, noting that the improvement for Low Clarkson Park was a trail connection running south to NW 54th Avenue and in following the 2005 Park Master Plan, improvements at Pointe Vista Park included a 10 car parking lot and a half-court basketball area.

Council members noted their concern about the placement of the basketball court and their desire to maximize the green space in the park.

Parks Director Ron Ward answered questions from the Council regarding the proposed improvements at Pointe Vista Park. Ward also noted that the location of the basketball court had not yet been finalized. Ward also advised that he had received a number of emails about the proposed improvements at Pointe Vista Park and had included those in items distributed to the Council.

Angela Butler, 6820 NW 93rd Court, addressed the Council noting the process that had been followed in recommending the improvements.

The public hearing closed at 7:45 p.m.

- Consider Resolution No. 10-113 – Adopting Plans, Specifications, Form of Contract and Estimate of Cost for Low Clarkson Park and Pointe Vista Park improvements. Motion by Lindeman second by Culbert to approve Resolution No. 10-113

ROLL CALL: Aye: Culbert, Hibbs, Lindeman
Nay: Clabaugh, Kallen
Motion Approved: 3-2

7. CONSENT AGENDA

- a. Consider Minutes of July 6, 2010 Meeting
- b. Annual maintenance contract for the defibrillator/monitors carried on the Fire Department ambulances and the Automatic External Defibrillators carried by the Police and Fire Departments.
- c. Consider Resolution No. 10-123 – Accepting Public Improvements known as the 2009 Johnston Community Fiber Optic System, Phase II project.
- d. Consider approval of a Purchase Order to Cargill, Inc. for the purchase of road salt for the 2010-2011 winter season.
- e. Consider approval of Pay Request No. 15 for \$5,682.93 from Van Maanen Electric, Inc. for work completed as of June 22, 2010 on the Johnston Community Fiber Optic System Phase 2 project.
- f. Consider Resolution No. 10-120 – Approving Change Order No 8 for the Johnston Community Fiber Optic System Phase 2 project.

- g. Consider approval of Final Pay Request No. 16 to Van Maanen Electric, Inc. for work completed as of June 22, 2010 on the Johnston Community Fiber Optic System Phase 2 project.
- h. Consider Resolution No. 10-119 – Approving Change Order No. 2 for the 2009 Johnston Commons Drainage Improvements project.
- i. Consider approval of Pay Request No. 3 for \$5,191.89 to Vanderpool Construction, Inc. for work completed as of June 30, 2010 on the 2009 Johnston Commons Drainage Improvements project.
- j. Consider approval of Pay Request No. 5 for \$41,250.05 to Manatt’s, Inc. for work completed as of July 6, 2010 on the PCC Pavement Widening NW 86th Street from Chambery Boulevard to NW 62nd Avenue project.
- k. Consider approval of a Purchase Order to Grimes Asphalt and Paving Corporation for work on NW 55th Avenue.
- l. Consider Resolution No. 10-117 – Setting August 2, 2010 at 7:00 p.m. as the date and time for a public hearing to consider an amendment to the Official Zoning Map for 20.34 acres and adjoining right-of-way for A-R, Agricultural Reserve, to PC, Professional Commerce Park district. The subject property is located north of NW 62nd Avenue and east of NW 86th Street.
- m. Consider Resolution 10-118 - Ordering Construction of Certain Public Improvements, and Fixing a Date of August 2, 2010 at 7:00 p.m. for Hearing thereon and Taking of Bids therefor, for Crown Point Community Center Remodeling, Phase 1
- n. Consider Resolution No. 10-125 – Ordering Construction and fixing a date of August 2, 2010 at 7:00 p.m. as the date and time for a public hearing on the NW 100th Street Overlay, NW 62nd Avenue project.
- o. Consider approval of a Purchase Order to Grimes Asphalt and Paving Corporation for work on NW 54th Court.
- p. Consider Resolution No. 10-115 - Setting August 2, 2010 at 7:00p.m. as the date and time for a public hearing to consider an Ordinance amending Chapter 171.09 of the Johnston Code of Ordinances of 2007 establishing Administrative Approval for minor modifications to an approved site plan.
- q. Consider Resolution No. 10-116 - Setting August 2, 2010 at 7:00p.m. as the date and time for a public hearing to consider an Ordinance amending Chapter 166.27 of the Johnston Code of Ordinances of 2007 establishing special exceptions for six-foot fences on corner lots.
- r. Consider renewal of the Class C Liquor License for Pagliai’s Pizza, 5312 Merle Hay Road.
- s. Consider amendments to the 28E Agreements between Polk County and the City of Johnston for fire protection and emergency response services within defined areas of Jefferson and Webster townships.
- t. Consider Resolution No. 10-126 – Approving an agreement with the Iowa Department of Transportation for a Revitalize Iowa’s Sound Economy (RISE) Project.
- u. Receive and File the following reports:
 - 1. Bank Reconciliation Report – June 30, 2010
 - 2. Treasurer’s Investment Report – June 2010
 - 3. Year-to-Date Treasurer’s Report – June 30, 2010
 - 4. Monthly Report Summarization – June 30, 2010
 - 5. Senior Citizens Report – June 2010
 - 6. Johnston Fire Department Incident Report – June 2010
 - 7. Johnston Public Library Claims – July 15, 2010
 - 8. City of Johnston Building Permit Report – June 2009
 - 9. Planning & Zoning Commission Meeting Minutes – July 12, 2010

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

Hibbs noted he would be abstaining on items 7K and 7O due to a conflict of interest.
Kallen noted he would be abstaining on item 7I due to a conflict of interest.

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

ROLL CALL including items 7K and 7O: Aye: Culbert, Kallen, Lindeman, Clabaugh
 Nay: None
 Abstain: Hibbs
Motion Approved: 4-0-1

ROLL CALL including item 7I: Aye: Culbert, Hibbs, Lindeman, Clabaugh
 Nay: None
 Abstain: Kallen
Motion Approved: 4-0-1

8. NON-CONSENT AGENDA

- a. Consider Resolution No. 10-112 – Approving site plans for 6515 Merle Hay Road for an 1843 square-foot bi-attached housing unit addition; PZ Case 10-08.

Planning Intern Dustin Powers reviewed the proposed site plan, noting that this project had been discussed at previous meetings.

Motion by Clabaugh second by Kallen to approve Resolution No. 10-112.

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

- ~~b. Consider Resolution No. 10-16 – A Preliminary and Final Plat for Woodland Estates. The subject property is located east of NW 107th Street and north of NW 70th Avenue; PZ Case 09-26.~~

- c. Approval of Claims in the Amount of \$570,320.79

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

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

9. CITY ADMINISTRATOR/STAFF COMMENTS

- a. Discuss asphalt shoulder on NW 70th Avenue

Public Works Director Dave Cubit noted that he had provided an overview on this project at the last meeting, but that as the quote on the job was approximately \$95,000.00 he wanted to discuss the item before moving forward with a purchase order for the work.

Council members noted the consensus to move forward.

City Administrator Sanders noted that the Army Corps of Engineers had discovered a problem with the pneumatic gates at Saylorville so they would be inoperable until repaired.

10. CITY COUNCIL COMMENTS

Council Member Clabaugh noted that the Library was anticipating their millionth visitor and a campaign was underway to informing the public of the events linked to that visitor.

Clabaugh also noted that the Metro Waste Authority Strategic Planning session was coming up and encouraged council members to contact him with items or ideas they may want to see discussed.

11. UPCOMING MEETINGS

Monday, August 2, 2010	City Hall	Worksession 6:00 p.m. Regular Session 7:00 p.m.
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Monday, August 16, 2010	City Hall	Worksession 6:00 p.m. Regular Session 7:00 p.m.
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12. ADJOURNMENT

The meeting adjourned at 8:03 p.m.

Paula S. Dierenfeld, Mayor

ATTEST:

Cyndee D. Rhames, City Clerk