

JOHNSTON CITY COUNCIL
COUNCIL MEETING NO. 10-18
Johnston City Hall, 6221 Merle Hay Road
August 2, 2010
7:00 p.m.

1. CALL TO ORDER

Mayor Dierenfeld called the meeting to order at 7:01 p.m.

2. ROLL CALL

Present: Clabaugh, Culbert, Hibbs, Lindeman

Absent: Kallen

3. WELCOME

Mayor Dierenfeld welcomed citizens and guests to the meeting.

4. AGENDA APPROVAL

City Administrator Jim Sanders noted the following changes to the agenda:

Item 7c – Correcting the wage amount

Item 7k – Moving to the Non-Consent Agenda

Item 7s – Removal of Resolution No. 10-137

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

ROLL CALL:

Aye: Culbert, Hibbs, Lindeman, Clabaugh

Nay: None

Motion Approved:

4-0

5. PUBLIC COMMUNICATIONS

a. Recognition for Steve Scott

Mayor Dierenfeld and Library Director Willona Goers thanked Mr. Scott for his fourteen years of service to the Library Board.

b. American Legion Legacy Run Overview – Kathy Nees - State Program Director

Ms. Nees provided an overview of the Legacy Run, noting a date of August 24th, 2010.

She encouraged participation from the city, residents and businesses.

6. PUBLIC HEARINGS

a. Public hearing to consider First reading of Ordinance 832- Amending 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.

The Public Hearing opened at 7:14 p.m.

Senior Planner Aaron Wolfe reviewed the proposal, noting that the rezoning was in anticipation of future construction of an office building and research facility.

No public comments were received.

The Public Hearing closed at 7:16 p.m.

Motion by Culbert second by Hibbs to approve First Consideration of Ordinance No. 832.

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

b. Consider the following items related to the improvements for Crown Point Community Center Remolding:

- Conduct Public hearing.
The Public Hearing opened at 7:17 p.m.
Parks and Recreation Director Ron Ward reviewed the project, noting a bid date of August 19, 2010.

No public comments were received.

The Public Hearing closed at 7:24 p.m.

- Consider Resolution 10-127, a Resolution Adopting Plans, Specifications, Form of Contract, and Estimate of Cost for Crown Point Community Center Remodeling, Phase I.
Motion by Clabaugh second by Lindeman to approve Resolution No. 10-127.

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

c. Consider the following items related to the NW 100th Street Overlay, NW 62nd Ave to NW 70th Ave. Project:

- Conduct Public hearing.
The Public Hearing opened at 7:26 p.m.
Public Works Director Dave Cubit reviewed the project.

No public comments were received.

The Public Hearing closed at 7:29 p.m.

- Consider Resolution No. 10-135-A Resolution Adopting Plans, Specifications, form of contract and estimate of cost.
Motion by Culbert second by Clabaugh to approve Resolution No. 10-135

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

d. Public hearing to consider First reading of Ordinance No. 830 Chapter 171 by adding 171.09 of the Johnston Municipal Code of Ordinances of 2007 establishing Administrative Approval for minor modifications to an approved site plan.

The Public Hearing opened at 7:30 p.m.

Planning Intern Dustin Powers reviewed the proposed Ordinance and answered questions from the Mayor and Council.

While Council members indicated some desire to have a review or reporting process added to the proposal, they also indicated the positive implications of removing cumbersome portions of the current process.

Powers noted he would take the Council's feedback to the Community Development Director for any changes prior to the next reading.

No public comments were received.

The Public Hearing closed at 7:43 p.m.

Motion by Clabaugh second by Hibbs to approve First Consideration of Ordinance No. 830.

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

- e. Public hearing to consider First reading of Ordinance No. 831 amending Chapter 166.27 of the Johnston Municipal Code of Ordinances of 2007 establishing special exceptions for six-foot fences on corner lots.

The Public Hearing opened at 7:44 p.m.

Planning Intern Dustin Powers reviewed the proposed Ordinance and answered questions from the Council.

No public comments were received.

The Public Hearing closed at 7:49 p.m.

Motion by Hibbs second by Lindeman to approve First Consideration of Ordinance No. 831

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

7. CONSENT AGENDA

- a. Consider Minutes of July 19, 2010 Meeting
- b. Consider approval of a Purchase Order to Truck Equipment for the purchase of a snow plow \$5,546.00.
- c. Consider Resolution No. 10-128 – Approving Hiring of Part-time Library Employees and Establishing Wages at Johnston Public Library and Approving the transfer of a Maintenance Worker I-Water & Sewer Employee to a Maintenance Worker I-Street Department Employee.
- d. Consider authorizing the Mayor and Chief of Police to sign the Federal Equitable Sharing Agreement and Certification.

- e. Consider authorizing out-of-state travel for Bill Vaughn to attend the International Association of Chiefs of Police Annual Law Enforcement Executives Conference, October 23-27, 2010 in Orlando, Florida.
- f. Consider the following actions related to the 2010 Lew Clarkson and Pointe Vista Improvements
 - Consideration of construction bids
 - Resolution No. 10-132 – Making award of construction contract to TK Concrete, Pella, Iowa in the amount of \$122,250
 - Resolution No. 10-133 – Approving construction contract and bond.
- g. Consider the renewal of a Class C Beer Permit to include Sunday sales for Casey's General Store #1910, 6110 Merle Hay Road.
- h. Consider the renewal of a Class E Beer Permit to include Carryout Wine, Carryout Beer and Sunday sales for Dahl's Foods, 5440 NW 86th Street.
- i. Consider the renewal of a Class C Beer Permit to include Carryout Wine, Carryout Beer and Sunday sales for Kum & Go #62, 6130 NW 86th Street.
- j. Consider approval of a Class B Wine Permit for John Deere Credit to auction Iowa Wines as part of their United Way fundraising drive.
- ~~k. Consider Resolution No. 10-129 Approving PZ Case 10-16, the amended Site Plans and a proposed building expansion for the Pioneer Mendel Addition, 7305 NW 62nd Avenue.~~
- l. Consider approval of an Iowa Clean Air Attainment Program (ICAAP) application on Merle Hay Road with Foth Infrastructure.
- m. Consider approval of Pay Request No. 6 in the amount of \$55,660.87 to Manatt's, Inc. for the work completed as of July 16, 2010 on the PCC Pavement Widening-NW 86th Street from Chambery Blvd. to NW 62nd Avenue Project.
- n. Consider approval of a purchase order to Ferguson Water Works Supply to purchase water meters \$12,045.28.
- o. Consider approval of purchase order to Keck Oil for the purchase of fuel 18,139.00.
- p. Consider approval of purchase order to Brown Traffic Products for the purchase of LED lights for traffic signals.
- q. Consider Resolution No. 10-134-A Resolution approving Change Order No. 5 and 6 for the PCC Pavement Widening-NW 86th Street from Chambery Blvd. to NW 62nd Avenue Project.
- r. Consider approval of purchase order to Tiger Corporation for the purchase of Roadside mower boom attachment \$14,763.50.
- s. Consider the following actions related to the NW 170th/NW 70th Water Main Improvement project:
 - Consideration of construction bids
 - Resolution No. 10-136-Making award of construction contract to Priority Excavating, Des Moines, IA in the amount of \$436,248.80.
 - ~~• Resolution No. 10-137 Approving construction contract and bond.~~
- t. Consider Revocation of Protected Tree Status for a Street Tree located at 5762 Linden Court.
- u. Consider authorizing out-of-state travel for David Wilwerding to attend the American Planning Association Policy and Program Conference in Washington, D.C. from September 27-28, 2010.
- v. Consider a severance agreement for the Assistant City Administrator position.
- w. Consider assignment of Agreement for Waste Collection and Disposal Services.
- x. Consider approval to enter into an agreement with Foth Infrastructure and Environment, LLC for the Johnston Police Department Fiber connection to Des Moines.

- y. Receive and File the following reports:
 1. Police Department Statistics
 2. Johnston Public Library Circulation Report – June 2010
 3. Senior Citizen Advisory Board Report- June 2010

Motion by Culbert second by Clabaugh to approve the Consent Agenda as corrected.

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

8. NON-CONSENT AGENDA

- 7K. Consider Resolution No. 10-129-Approving PZ Case 10-16, the amended Site Plans and a proposed building expansion for the Pioneer Mendel Addition, 7305 NW 62nd Avenue.

Planning Intern Dustin Powers reviewed the proposed Pioneer Hi-Bred project, noting that Pioneer would be required to provide updated building elevations showing the locations of roof mounted mechanicals and an updated site plan showing updated parking calculations prior to the issuance of a building permit.

Motion by Culbert second by Clabaugh to approve Resolution No. 10-129.

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

- a. Consider First consideration of Ordinance No. 833 an Ordinance amending Ordinances No. 438, Ordinance No. 449, Ordinance No. 455, Ordinance No. 496, Ordinance No. 635 and Ordinance No. 772 providing that general property taxes levied and collected each year on property located within the amended East Central TIF Urban Renewal Area, in the city of Johnston, county of Polk , state of Iowa, by and for the benefit of the state of Iowa, city of Johnston, county of Polk, Johnston Community School District, and other tax districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the city in conjunction with the amended East Central TIF Urban Renewal Redevelopment Project.

Sanders reviewed the proposed Ordinance, noting that this puts into place the funding mechanism for projects within the East Central TIF district.

Motion by Culbert second by Hibbs to approve First Consideration of Ordinance No. 833.

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

- b. Consideration of NW 70th & NW 100th Traffic Signal Design Contract Agreement with Foth Infrastructure and Environment, LLC.

Public Works Director Dave Cubit noted that this project seemed to be moving forward.

Cubit noted that bond proceeds would be used to fund this project and the project would be moving from 2011/2012 CIP to the current CIP. He also advised that in addition to the traffic count that would be conducted, there would also be design work related to the design of the intersection to handle the additional traffic that is anticipated.

Motion by Culbert second by Clabaugh to approve Traffic Signal Design Contract with Foth Infrastructure and Environment, LLC.

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

- c. Consider the following items related to Woodlands Estates Preliminary and Final Plats; the subject property is located east of NW 107th Street and north of NW 70th Avenue (PZ case 09-26).

Senior Planner Aaron Wolfe reviewed the proposed project and answered questions from the council.

- Approval of resolution 10-16, approving a Preliminary and Final Plat for Woodlands Estates;
Motion by Clabaugh second Hibbs by to approve Resolution No. 10-16.

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

- Approval of resolution 10-130, accepting a Petition and Waiver agreeing to connect to and be assessed for improvements to the sanitary sewer;
Motion by Hibbs second by Lindeman to approve Resolution No. 10-130.

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

- Approval of resolution 10-131; accepting a petition and waiver agreeing to future assessments for improvements to NW 107th Street.
Motion by Culbert second by Hibbs to approve Resolution No. 10-131.

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

- d. Approval of Claims in the Amount of \$223,323.07.
Motion by Clabaugh second by Hibbs to approve Claims as presented.

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

9. CITY ADMINISTRATOR/STAFF COMMENTS

Moved to Worksession

10. CITY COUNCIL COMMENTS

Council Member Clabaugh requested additional information on NIMS training
Council Member Lindeman updated the Council on his meeting with the Central Iowa
Regional Drinking Water Commission.

Mayor Dierenfeld noted that a number of National Guard sendoff ceremonies were scheduled
and encouraged council members to attend.

11. UPCOMING MEETINGS

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

The meeting adjourned at 8:21 p.m.

Paula S. Dierenfeld, Mayor

ATTEST:

Cyndee D. Rhames, City Clerk