

DECEMBER 7th, 2009
CITY OF WINDSOR HEIGHTS
REGULAR BUSINESS MEETING MINUTES
5:15 P.M. – Council Chambers
Unabridged version

Item 1: Roll Call

Mayor Sullivan called meeting to order at 5:15 p.m. Council present: Charlene Butz, Carole Tillotson, Flo Hunter, Steve Peterson and Diana Willits. City Administrator Marketa George Oliver, Chief Gary Walters, Public Works Director Jason VanAusdall, Community Services Director Josh Heggen, Fire Chief Cross and City Attorney Matt Brick present.

Item 2: Approval of the Agenda - Roll Call 312

Hunter moved Peterson seconded approval. Voice vote passed unanimously.

Item 3: Good of the Order

Item 4: Approval of the minutes - Roll Call 313

Peterson moved Willits seconded approval of the November 2, 2009 both published and unabridged versions. Voice vote passed unanimously.

Roll Call 314

Peterson moved Willits seconded approval of the November 30, 2009 both published and unabridged versions. Voice vote passed unanimously.

Item 5: Committee, staff or pending request updates, if any.

(a) Governors Traffic Safety Bureau grant end of year report

Captain Dennis McDaniel, from the Windsor Heights Police Department updated the council on the year report from the Governor's Traffic Safety Bureau and the successes the group has had over the past year. Reimbursement for traffic safety events for this year is \$13,000.

Item 6: Public Comment

Harold Varce, 6623 Forest Court, thanked Flo and Carole for their service to the city. Varce asked, since the Windsor Heights Neighborhood Association figured so prominently in the last two elections, what their connection is to the city and what the basic purpose of the organization is. Oliver noted they association has no connections to the city, the Council does not approve and set any benchmarks for a neighborhood association, like is done in Des Moines or other cities with an official process. Varce asked if anyone knew the Association's purpose or goals. Hunter said she did not know. Willits encouraged Varce to contact the officers of the Association for answers to his questions.

Scott Krueger, owner of the gas station at 6300 Hickman Road, spoke and said he was interested in negotiating and selling his property to the city as part of the road project. Allen Sydness, 2012 66th Street, thanked Carole and Flo for their service and asked that they stay involved. Hunter responded that she would have to see what she needs to be done. Sydness continued and asked that the council read the open meeting and open records requirements set by the state. He also asked that the already approved minutes be corrected to note more of Glover's comments. He felt that all of Roger Maxwell's comments were documented but not all of Glover's comments.

Item 7: Consent Agenda - Roll Calls 315-319

Hunter moved Willits seconded approval of: Appointments to the Des Moines Area Metropolitan Planning Organization, Change order No.2 in the amount of \$8,404 and Progress Payment No 3 for the 73rd Street resurfacing project in the amount of \$55,725.86 to Grimes Asphalt, Progress Payment No 5 for the Community Center project in the amount of \$206,957.50 to Prostruct Construction, November Public Works Report, and Claims and Payroll. John Thompson, 6300 School Street #222 asked how the payments are made to the contractor. Oliver noted that as work is complete by the contractor, they submit a payment to the architect who reviews it to make sure all noted work is complete and then a payment is made, minus a percent for retainage. She also noted the project was approved by the council for a not to exceed amount of \$1,600,000. Voice vote passed unanimously.

Item 8: Approval of liquor license requests Roll Call 320

(a) Mustards

Hunter moved approval, Peterson seconded approval. Voice vote passed unanimously.

Item 9: Presentation regarding and Consideration of Resolution 09-1207/321 approving a site plan for 6733 University Avenue. Roll Call 321

Kris Gregersen and Matt Cale, the owners and developers of this project, presented to the council their site plan for this project, including renderings of the finished building. Tillotson noted she would like to see more landscaping along the building. The Council reviewed and some runoff concerns. The engineer showed the council how the runoff will get filtered into a bioswale/retention area before entering the storm sewer. Willits move approval of the site plan pending a further approval of a landscaping plan, Hunter seconded approval. Roll Call vote passed unanimously.

Item 10: Consideration of Resolution 09-1207/322 approving an Economic Development Grant to Grale, LLC for redevelopment of 6733 University Avenue. Roll Call 322

John Hintze, City Development Counsel, noted some change had been made to the original document. Tillotson moved approval, Peterson seconded approval. Roll Call vote passed unanimously.

Item 11: Consideration of Resolution 09-1207-323 Authorizing Execution of Agreement with Gee Willie Entertainment for 4th of July inflatables. Roll Call 323

Hunter moved approval, Willits seconded approval. John Thompson, 6300 School #222 asked how these how bids were gotten on this item and what it costs. Oliver noted this costs the same as last year and saves the city over the last contractor, which cost the city roughly \$15,000 Roll Call vote passed unanimously.

Item 12: Consideration of a resolution 09-1207-324 authoring an additional work change order for the Windsor Heights Community Center construction contract with Prostruct, bringing the new approved spending level to \$1,775,000 from \$1,600,000. Roll Call 324

Tillotson moved approval, Peterson seconded approval. Willits asked how the security system and setup would work. Lt. Derek Meyer from the WH Police Department reviewed the placement of the cameras and how they would work and be monitored. Willits is worried the cameras are not and that not enough of the park would be covered by the cameras. Lt. Meyer said cameras can be added, most likely at a later time. Roll Call vote passed unanimously.

Item 13: Consideration of an ordinance amending ordinance Nos. 89-1, 95-10, 96-5 and 06-01, providing that general property taxes levied and collected each year on all property located within the consolidated Windsor Heights Urban Renewal Area of the City of Windsor Heights, County of Polk, State of Iowa, by and for the benefit of the State of Iowa, City of Windsor Heights, County of Polk, West Des Moines Community School District, and other taxing 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 connection with Amended and Restated Urban Renewal Plan for the Consolidated Windsor Heights Urban Renewal Area. Roll Call 325

Oliver noted the ordinance is the final step in completing what was started with the expansion of the Urban Renewal area, in order to enable the City to spend TIF money in that area. Tillotson move to approve the first reading, Willits seconded approval. Roll Call vote passed unanimously.

Roll Call 326

Peterson move to approve the second reading, Willits seconded approval. Roll Call vote passed unanimously.

Roll Call 327

Tillotson move to approve the third reading, Willits seconded approval. Roll Call vote passed unanimously.

Item 14: Consideration of an ordinance adoption the “Code of Ordinances for the City of Windsor Heights, Iowa.”

Butz asked if the \$1,000,000 approved last time was too high of insurance for dangerous dogs and that other areas were around \$300,000. Dennis Block, 6412 University Ave, said this would increase safety for citizens as vicious dog attacks can cause more than \$100,000 in personal damage in terms of medical bills, etc. He also noted that the City had other provisions that exceeded surrounding areas.

Roll Call 328

Peterson move to approve the second reading, Tillotson seconded approval. Roll Call vote passed unanimously.

Roll Call 329

Tillotson move to approve the third reading, Willits seconded approval. Roll Call vote passed unanimously.

Item 15: Council member inquiries.

Both Hunter and Butz thanked Jason VanAusdall for the snow removal in Windsor Heights.

Item 16: Mayor’s inquiries.

Mayor Sullivan reminded everyone about the Hickman Road Streetscaping meeting on Dec 14th at 6322 Hickman Road from 6-8 p.m.

Item 17: Adjournment to closed session pursuant to 21.5c (litigation) and 21.5j (real estate) of the Code of Iowa. Roll Call 330

Peterson moved to adjourn into closed session, Willits seconded approval. Roll call vote passed unanimously. The meeting closed at 6:20 pm.

The meeting resumed normal session at 7:01 pm.

Item 18: Consideration of Resolution 09-1207-331 authorizing the acquisition of property locally known as 6300 Hickman Road. Roll Call 331

Peterson moved approval, Willits seconded approval. Roll call passed with Hunter, Willits, Peterson and Tillotson voting yes. Butz voted No.

Item 19: Adjournment - Roll Call 332

Hunter moved Butz seconded to adjourn at 7:02 p.m. to 5:15 p.m. on December 21, 2009. Voice vote passed unanimously.

Jerry Sullivan, Mayor

ATTEST:

Marketa George Oliver, City Administrator/Clerk