

**Windsor Heights (Iowa) City Council Regular Meeting Minutes – September 17,
2007
Council Chambers, 1133 66th St.**

Item 1: Call to Order/Roll Call

Mayor Sullivan called meeting to order at 5:02 p.m. Council present: Carole Tillotson, Steve Peterson, Flo Hunter and Donna Markley absent and Diana Willits. City Administrator Marketa George Oliver, City Attorney Janet Huston and Community Services Director Clint Fichter present.

Item 2: Approval of the Agenda - Roll Call 211

Peterson moved Tillotson seconded to approve agenda. Voice vote unanimous.

Item 3: Good of the Order

Captain Dennis McDaniel of the Police Department presented the Council with information about an upcoming safety check and some defense classes that are scheduled. They classes are held in conjunction with the Urbandale Police Department and are for women to learn techniques to protect themselves from rape. Additional information is available by calling 278-3963.

Item 4: Approval of the minutes - Roll Call 212

Hunter moved Peterson seconded to approve September 4th regular meeting minutes. Voice vote unanimous.

Item 5: Approval of the consent agenda - Roll Call 213

Peterson moved Markley seconded receipt and file of the biennial bridge inspection report. Voice vote unanimous.

Item 6: Consideration of ordinance 07-03 related to brush waste collection costs – final reading - Roll Call 214:

Tillotson moved Peterson seconded to pass on final reading. The ordinance will implement a \$.32 monthly fee for brush waste collection. Roll call vote unanimous.

Item 7: Stormwater ordinances

The Public Works Director, John Wiedman explained that the 1987 amendments to the Clean Water Act required the US EPA to establish the National Pollutant Discharge Elimination System (“NPDES”) permitting program. In December 1999, the EPA published Phase II of the NPDES program titled “Storm Water Phase II Final Rule.” Phase II expands the program started in Phase I by automatically requiring NPDES storm water permits for US Census defined “urbanized areas”. All areas identified in the 1990 US census and the 2000 census maps as “urbanized areas” are required to have a Phase II permit and Windsor Heights is included because it is in the metropolitan area, even though it has fewer than 10,000 people.

Three ordinances are being proposed in order the City to meet the mandates of Storm Water Phase II. Ordinance 07-04 addresses the requirement for the City to monitor construction run-off and sediment control and creates a permitting process, mirroring the State NPDES Permit #2, referred to as a CONSTRUCTION SITE EROSION AND SEDIMENT CONTROL permit. In addition, the ordinance transfers to the City primary responsibility for inspection, monitoring and enforcement procedures to promote applicants' compliance with State NPDES General Permits #2 and City COSESCO Permits.

Ordinance 07-05 addresses the requirements of the pollution prevention and good housekeeping portion of Phase II by prohibiting illicit discharge of prohibited materials, such as erosion sediment, in the City's stormwater system.

Ordinance 07-06 sets minimum stormwater management standards according to Iowa Statewide Urban Designs and Specifications (SUDAS) and Best Management Practices.

Willits asked how the City would pay for the mandated inspections. Oliver said there was a fee included in the ordinance to take care of that. Staff also had included language in the draft ordinance that passes on any costs the City incurs by needing to hire outside consultants. The Council plans to take action on these ordinances at the next Council meeting.

Item 8: Discussion and possible action on additions to the Colby Park Contract based on the Park and Recreation Committee's recommendation to add public restrooms and expand and resurface the walking path on the east side of the park.

Oliver explained that on September 5th, 2007, the Parks and Recreation Committee recommended using savings from irrigation revisions to put permanent restrooms in Colby Park. Staff had received a positive recommendation from counterparts in Altoona for prefabricated concrete restrooms. The Committee further recommended asking the Foundation for \$15,000 to help fund the effort. Staff has developed some initial pricing for a concrete bathroom. It is approximately \$50,000 for a bathroom with one stall on each side (1 male and 1 female) or \$80,000 for a 4-stall unit. Additionally, Elder Corp. is developing a proposal to add the replacement and expansion of the asphalt trail into the Phase III project.

Tillotson said she thinks that is so much money and would rather see it rolled into remodeling the shelter house. She does not like the idea of creating bathrooms if they will become obsolete or redundant after the shelter house project is finished. Markley said that she also viewed it as a short-term solution, but with continued, long-term use. In the short-term, it addressed the need for bathrooms and after the shelter project is completed, the bathrooms would then be ancillary ones to those available in the shelter house. The Committee discussed it and made the recommendation because there is no time frame for the shelter house project. It could be 2 or 5 years away. The Committee thinks the bathrooms could be paid for by the savings from the irrigation running under budget and with some assistance from the Foundation.

Hunter said she agreed and added that with the addition of the new playground, there are a lot of children and the bathrooms would have a lot of use. Peterson asked if there had been talk about making the current shelter house bathrooms open to the public. Oliver noted that approximately 5 years ago, staff developed an estimate to add bathrooms to the outside of the shelter house, taking advantage of joint plumbing with the ones inside, and that estimate was approximately \$18,000. She said they also requested and received an estimate to build a structure and it was in excess of \$165,000. Willits would like to see more pictures of the structures of the restrooms.

Peterson asked how wide of a walking path the Committee envisioned and Markley said 6-foot.

The Council will discuss this matter at its October 22nd study session.

Item 9: Public Comments

Vicki Sodawasser, 2101 68th Street, asked if the stormwater ordinances remove the requirement for construction projects to have a “SWPP” plan on file. Oliver said no, it simply transferred the oversight of those to the City.

Logan Carlson, 6501 Lincoln, said there is water, not sediment running off from an adjacent property. The ordinances address the sediment, but is there anything to address the water.

Patricia Schneider, 6609 Lincoln Avenue, asked if the fees were high enough to prevent the town from having to pay for anything that the developer was doing. Oliver said the language regarding passing through professional fees was put into the ordinances to prevent that from happening.

Vicki Harris, 2019 68th, asked what happened if someone did not comply with the stormwater ordinances. Oliver said it was a municipal infraction punishable by up to \$750 for the first offense and \$1,000 for each offense thereafter.

Dave Jenison, 6531 Del Matro, is concerned with code enforcement. The City does not look good in certain pockets. He is concerned about the increase in rentals. The properties become unkempt. He asked where the public comments are in the Council meeting minutes. Oliver explained that when abbreviated minutes are done, the comments are not included. Only the action needs to be recorded in Council minutes. Additionally, the City must pay for every character that is published. Jenison noted that he hardly ever sees police cars on the street any more and when he does, the officer is on his phone.

Gary Bahr, 7214 Bellaire, complimented the Police Department for doing a fine job in his vacation house check. On the vicious dog ordinance, he does not think the police chief should make the call if the animal is vicious. He also does not think the spring clean up should be canceled.

Oliver noted that was an incorrect statement in the paper. The spring household waste clean up will continue. The brush waste collection is being changed to be done only after a storm. Bahr noted that seniors have concerns about hazardous waste and how to get rid of it. Tillotson said there is a permanent drop off point in Bondurant and there are temporary drop off sites periodically in other places. Markley mentioned that one was held in Clive last summer.

Linda Smith, 2019 68th Street, would like bathrooms in the park. She is also concerned with water run off. She is also in favor of having another hazardous waste collection.

Item 10: Council Member Comments

Markley suggested that coordinating a hazardous waste collection could be a fund raiser for the Youth Council.

Willits asked to have the Community Development Committee review the City's rental code to make sure it is as strong as it can be.

Item 11: Mayor's Inquiries

Sullivan announced that there will be a Lions Park Dedication on October 1st.

Item 12: Adjournment - Roll Call 215

Peterson moved Willits seconded to adjourn to 5:00 p.m. on October 1st. The meeting adjourned at 5:50 p.m. Voice vote unanimous.

David J. Sullivan, Mayor

ATTEST:

Marketa George Oliver, City Administrator/Clerk