

MARCH 21, 2011
CITY OF WINDSOR HEIGHTS REGULAR BUSINESS MEETING MINUTES
6:00 pm City Hall
Unabridged version

Item 1: Roll Call

Mayor Jerry Sullivan called meeting to order at 6:00 p.m. Council present: Steve Peterson, Charlene Butz, David Jenison and Betty Glover. Council absent: Diana Willits. City Administrator Marketa George Oliver, Chief Financial Officer Carrie Brannen, Police Chief Dennis McDaniel, Public Works Director Jason VanAusdall, Community Services Director Josh Heggen, Fire Chief Christopher Cross and City Attorney Matt Brick present.

Item 2: Approval of the Agenda - Roll Call 76

Peterson moved Butz seconded approval of the agenda. Voice vote passed unanimously.

Item 3: Good of the Order

None.

Item 4: Approval of the minutes - Roll Call 77

Jenison moved Glover seconded approval of the March 7, 2011 minutes. Voice vote passed unanimously.

Item 5: Public Comment

Susan Pohl, 8689 Sunny Hill Drive in Clive, talked about the invasive garlic mustard plant. She hand removes the plant from along the trails but encourages the city to spray to kill the plant, which kills native species. Jenison asked what kills the plant. Pohl said Roundup. Glover asked if that will kill everything else too. Pohl said that it will, but that mustard should be sprayed before other native plants come up.

Item 6: Consent Agenda - Roll Calls 78-83

Sullivan noted item e had been removed to the end of the agenda at a council members request with a correction for the date of the slipling project to start in 2011, not 2010. Also, it should be noted the base of 73rd Street was *repaired* in areas where needed, not *reconstructed*. Butz moved Jenison seconded approval of the February Public Works Report, January and February Fire Report, January and February Nuisance Report, February Clerk and Investment Report, appointment of Lucas Casey to Board of Adjustment to serve out the term vacated by Joseph Jones and Claims and Payroll. Voice vote passed unanimously.

Item 7: Approval of liquor license renewal requests. - Roll Call 84

Jenison moved Glover seconded approval of a City of Windsor Height license request. Voice vote passed unanimously.

Item 8: Consideration of a resolution 11-0321/85 approving a 28e agreement with members of the Polk County Emergency Management Commission for Funding of Emergency Management Administration. - Roll Call 85 McDaniel noted there is not changed in our per capita cost. Glover moved approval, Butz seconded. Roll call vote passed unanimously.

Item 9: Consideration of a resolution 11-0321/86 approving a 28e Agreement with the City of Des Moines for the Hickman Road Improvement project. Roll Call 86 Peterson moved approval, Jenison seconded. Roll call vote passed unanimously.

Item 10: Consideration of a resolution 11-0321/87 approving a memorandum of understanding with the city of Clive and West Des Moines for flood mapping of North Walnut Creek in an amount not to exceed \$3,200. Roll Call 87 Heggen noted this was the final area needed to map North Walnut Creek. Jenison noted Clive shared Walnut Creek mapping with the city free of charge. McDaniel said that Clive had shared those maps, for a considerable cost savings to the city. Peterson moved approval, Glover seconded. Roll Call vote passed unanimously.

Item 11: Consideration of a resolution 11-0321/88 approving an updated alcohol use policy and waiver agreement for the Windsor Heights Community and Events Center. Roll Call 88

McDaniel noted this is a minor tweak that will raise the threshold for occupancy before a police officer is required at an event in the Community Center. Peterson asked about already scheduled events. McDaniel said he will work with the renters to make sure everything works for them. Jenison asked if McDaniel gets all the information needed from the form that he needs. McDaniel said it has worked well. Butz moved approval, Jenison seconded. Roll Call vote passed unanimously.

Item 12: Consideration of a resolution 11-0321/89 approving a primary towing agreement with Richman Enterprises LLC. Roll call 89

McDaniel noted this change is needed to update this towing agreement since Richman has updated their charges for towing. Glover moved approval, Peterson seconded. Roll call vote passed unanimously.

Item 13: Consideration of a resolution 11-0321/90 approving First Amendment to Intergovernmental Agreement between the City of Clive and the City of Windsor Heights for the 73rd Street and University Avenue Intersection Improvement Project. Roll Call 90

Oliver noted this was simply enacting legislation to formalize the decision the Council made with regard to funding for the University Boulevard Bridge Project. The Council had discussed the matter and made a proposal to Clive, who had accepted it and drafted the attached amendment. Butz moved approval, Jenison seconded. Roll Call vote passed unanimously.

Item 14: Consideration of a resolution 11-0321/91 approving an agreement with Tennis Services of Iowa to resurface the Colby Park tennis courts in an amount not to exceed \$6,900. Roll Call 91

VanAusdall noted he received three bids and this is the lowest bid with large variance in quotes, depending on the work needed to the court. Butz asked how much use the courts receive. VanAusdall said the guys told him they get used a fair amount. He said within an hour of putting up the new net, people were out playing. Butz asked if the city should consider that area in the future for additional parking for the park. Peterson said he thinks after the resurface, usage will increase. Jenison asked if we can look at security cameras to see usage. VanAusdall said he will keep his eye on the court to watch usage. Peterson moved approval, Jenison seconded. Roll Call vote passed unanimously.

Item 15: Consideration of a resolution 11-0321/92 approving and adopting a revenue purpose statement for the use or expenditure of fee revenues from proposed cable franchise fees. Roll Call 92

Oliver noted this was the first step in updating the franchise fee that was changed by the state. Brick said he likes cities to do this resolution to be as cautious as possible. Jenison asked how it is calculated. Brick said it is calculated based on your cable services. Dave Burgess, 7306 Wilshire, asked if the city has to do this for each franchise it has. Brick said with changes to legislation, the city does not need to use the funds for specific work that the funds can be used in the general fund and the City only needs to do this for franchise fees if they are changing them. In this case, the rate was previously at 5% but due to language in the code, was collected at a 3% level since changing to the State Franchise. The City wished to restore it to 5%, but in an abundance of caution, Brick thought the City should follow this process. Peterson moved approval, Glover seconded. Roll Call vote passed unanimously.

Item 16: Staff Update

VanAusdall said that one week from today (March 28th) demolition would begin on the buildings on Hickman. McDaniel said there was a resignation in the police department and the recruitment process was underway. This recruitment process would include both people who were certified and well as those who were not yet certified in the State of Iowa. Glover asked McDaniel how the department was doing on staffing. McDaniel said it was tight because he was down three officers, however one officer would be finished with training in mid-April. Brannen said that last year she attended the Iowa Municipal Finance Officers training in Ames. She is working to achieve the Certified Municipal Financial Officer accreditation. She would like to apply for a scholarship that is available to help offset the costs, but she needs Council support and signatures. The Council signed the letter and was pleased to have staff looking for funding support.

Item 17: Council member comments

Glover reminded everyone that April 16th is the KWHB spring cleanup day. Peterson noted that on Saturday, the 26th of March, MWA is hosting a hazardous pickup in Urbandale. Jenison reminded everyone about the spaghetti dinner hosted by the Chamber Tuesday night.

Item 18: Mayor's inquiries.

Mayor Sullivan noted that Community Coffee Club in Saturday at Grounds for Celebration. Peterson volunteered to be the Council representative.

Item 19: Adjournment to closed session pursuant to 21.5c (litigation) of the Code of Iowa. Roll Call 093

Jenison moved to adjourn to closed session, Butz seconded. Roll call vote passed unanimously. Mayor Sullivan adjourned at 6:36 pm to closed session. Mayor Sullivan re-opened the public meeting at 6:45 pm.

Item 6e: Receive and file the FY 2010 Continuing Disclosure Report Roll Call 94 Glover said this is an important document and thinks that in addition to the changes Sullivan noted earlier, was whether the city should say the city has two competing offers for property on Hickman Road. Glover said it might be more correct to eliminate the word "competing." Glover said she did not recall have two offers competing. Peterson said before we signed official commercial agreement with Ruhl and Ruhl, we had two companies who were interested in the property. Glover recalls one of the offers being a low-ball bid and would not consider that competing. She thinks it is the wrong word to use. Oliver asked if Glover would be more comfortable by eliminated the word "competing" and have the item read "two proposals." Glover said she would feel better with that change. Oliver said she would just eliminate that word. Glover asked about another change related to 73rd Street. Oliver said it originally said that the base on 73rd Street was reconstructed where needed, but now reads it was repaired where needed. Butz noted that wording is used in more than one place and should be made consistent. Oliver will make the changes and email a final version to Council. Peterson moved approval, Jenison seconded. Voice vote passed unanimously.

Item 20: Adjournment - Roll Call 95

At 6:50 p.m. Jenison moved Butz seconded to adjourn to 6:00 p.m. on Monday, April 4, 2011. Voice vote passed unanimously.

Jerry Sullivan, Mayor

ATTEST:

Marketa George Oliver, City Administrator/Clerk