

**December 20, 2010**  
**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: Diana Willits, Steve Peterson, Charlene Butz, David Jenison and Betty Glover. 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 Assistant City Attorney Doug Fulton present.

**Item 2: Approval of the Agenda - Roll Call 344**

Peterson moved Willits seconded approval. Voice vote passed unanimously.

**Item 3: Good of the Order**

Steve Oliver from the Windsor Heights Lions Club presented a United States and an Iowa flag to the City to use at the Community Center.

The Mayor presented a proclamation of congratulations to Baru 66, named the Restaurant of the Year by Datebook.

The Mayor announced the winners of the Windsor Heights Foundation Lighting Contest award winners are on the wall.

**Item 4: Approval of the minutes - Roll Call 345**

Jenison moved Butz seconded approval of December 5th, 2010 minutes. Voice vote passed unanimously.

**Item 5: Public Comment**

None.

**Item 6: Consent Agenda - Roll Calls 346-353**

Butz asked that item 6g be removed for further discussion. Jenison moved Willits seconded approval of appointments to Metropolitan Planning Organization, appointments to Metro Waste Authority, November Fire, Police, Public Works and Clerk and Investment Report, Final payment to Elder Corporation for phase 3 of the Colby Park Project, and Claims and Payroll.

**Item 7: Public Hearing on FY 2010-2011 Budget Amendment #2 and Consideration of Resolution adopting said amendment. Roll Call 354**

Sullivan opened the public hearing at 6:11 pm. Oliver reported no written or oral comment had been received. Butz asked if Brannen could explain the double book entry so everyone could understand. Brannen explained the reason revenues on the amendment are showing \$7.2 million versus \$3.82 million is because the series 2011A bonds will be receipted in revenues twice due to a transfer between two funds. The series 2011A bonds for \$3.38 million will be transferred into the TIF fund, and then transferred out of TIF and into the general fund. The budgeted revenues must be amended to show a transfer into TIF, a transfer out of TIF, and a transfer into the general fund. This is necessary because the bond proceeds are being used by the TIF fund to pay off an obligation due to the general fund. Therefore revenues must be amended in both the TIF fund and the general fund. Booking a transfer between the two funds shows a clear paper trail of how the money was borrowed and where the proceeds are being used. If you look toward the bottom of the budget amendment, you will see \$3.82 million listed on the transfers out line item. This is the transfer out of the TIF fund to the general fund.

December 20, 2010

Council Meeting Minutes – Unabridged Version

2 | Page

In order to calculate total bond proceeds received, you must net the amended revenues and the amended transfers out line items together. When you do this, you get the total listed on the last line item of the budget amendment of \$3.38 million. Willits asked why this is shown this way. Brannen said it provides a good audit trail for the funds since they are obligated to go to a specific area.

No one present wished to speak. Sullivan closed the public hearing at 6:14 pm. Peterson moved approval, Willits seconded. Roll call vote passed unanimously.

**Item 8: Consideration of a resolution authorizing the execution of a Memorandum of Understanding (MOU) with the United States Marshals Service to participate in a special law enforcement project in Polk County that targets the apprehension of violent offenders. Roll Call 355**  
Butz moved approval, Willits seconded. Jenison asked if Windsor Heights is the only city participating. McDaniel said no, that Windsor Heights has not participated in the past while other cities have. Peterson asked if the officers have to take a special oath, McDaniel said no, that jurisdictional issues are spelled out in the MOU. Roll call vote passed unanimously.

**Item 9: Consideration of Resolution Authorizing Execution of Agreement with Gee Willie Entertainment for 4th of July inflatables. Roll Call 356**

Willits moved approval, Jenison seconded in an amount not to exceed \$4,100. Heggen explained that this agreement is for four inflatables on July 4<sup>th</sup>, plus one addition leftover from last year's contract since it had to be cancelled due to the weather. Butz asked if a cost comparison was done. Heggen noted he had received quotes from another vendor, but that they could not provide staff on the 4<sup>th</sup> of July. In addition, the city still has some items to use up from Gee Willie. Willits noted the city has used this vendor the last couple years during special events and has been really happy with how easy they are to work with. Peterson asked if the city was looking into a longer contract. Heggen said yes and added he would like to see a three year agreement made in the spring. Glover asked if the city makes money off the inflatables. Heggen said no but the city made about \$2,000 on Oktoberfest and when lots of kids are on the inflatables, their parents are purchasing other items from the concession stand and beer tent, etc. Roll call vote passed unanimously.

**Item 10: Consideration of Ordinance 10-13 amending provisions on the existing public consumption regulations in City Code Chapter 40.06.02(2). Roll Call 357**

Peterson moved approval of the final reading, Willits seconded. Roll call vote passed unanimously.

**Item 11: Consideration of Ordinance 10-14 amending provisions on the existing animal protection and control regulations in City Code Chapter 55. Roll Call 358**

Butz moved approval of the final reading, Willits seconded. Roll call vote passed unanimously.

**Item 12: Discussion and possible Consideration of an Ordinance 11-01 making changes to chapter 101: Stormwater Drainage Utility to update definitions for Commercial Stormwater Classifications.**

Oliver reviewed the definition changes being made and recommended by the citizen stormwater committee. Glover noted that even with these changes, Windsor Heights will still be significantly less than some other communities. Willits asked if the city is too competitive and if the city should be charging more. Oliver said right now she would recommend redefining the categories and see how everything adjusts since the commercial water rates were raised earlier in 2010. With this new information, a long term stormwater model will be made for some long term adjustments. Oliver said during the budget process might be a good time for further, long term adjustments. Peterson noted from an earlier discussion, that these changes will still not put the fund in the black. Tionna Pooler from Public Financial Management noted this will give her a better idea where the city is going to she can make recommendations on how to improve the underlying structure.

Roll Call 359 Peterson moved approval of the first reading, Glover seconded. Roll call vote passed unanimously.

Roll Call 360 Peterson moved approval of the first reading, Willits seconded. Roll call vote passed unanimously.

**Item 13. Consideration of a resolution approving animal license fees.**

Roll Call 361 Jenison moved approval, Willits seconded. Roll call vote passed unanimously.

**Item 14. Consideration of resolution approving the preliminary official statement for the \$3,380,000 (amount subject to change) Taxable General Obligation REFUNDING Capital Loan Notes, Series 2011A. Roll Call 362** Willits moved approval, Jenison seconded. Roll call vote passed unanimously.

**Item 15. Consideration of resolution approving the preliminary official statement for the \$440,000 (amount subject to change) General Obligation REFUNDING Capital Loan Notes, Series 2011B. Roll Call 363** Peterson moved approval, Willits seconded. Roll call vote passed unanimously.

**Item 6g: Now item 16: Approval of the request for proposals for annual audit services.**

Roll Call 364 Butz asked that the State Auditor's do the city's next audit rather than a private company. Oliver noted the city's first step is always to send the RFP to the State Auditor's Office for their proposal. Glover voiced her concern because the proposal only says it is asking for qualified independent auditors for the audit, nothing about the State of Iowa. Oliver said though that by law, the city has to send the proposal first to the Auditor's Office. The City Attorney noted that the RFP sent to the State Auditor has to be the same one sent out to private companies which is why it is worded the way it is. Willits asked how long it takes the State to get back. Oliver said it takes about a week. Jenison asked when the last time is that the state did the city's audit. Oliver said in 2007 the state audited the city's auditor and picked the Windsor Heights audit to review and the auditor has not been alerted to any issues. Jenison asked if the city could communicate with the Auditor's Office letting them know that the city would like them to do the audit.

Glover said she thinks it is good business to have state do the city audit every couple of years. Willits asked if other cities to that. Glover says she thinks they do. Willits asked if she is certain of that. Willits asked why she feels the State Auditor should do the audit. Glover said she thinks we need an objective audit. Willits asked why Glover does not think the current auditor is objective. Glover said she does not think there is anything wrong, she just thinks it is good business. Glover asked Willits why not request the state do it. Willits said she is fine with sending out the RFP, but the State tells the city every time they do this to go out and use a private company. Willits said all the auditors the city uses are independent, objective auditors. Willits asked how many other cities in the metro get audited by the State. Oliver said she would research that question. Peterson moved to table until the next meeting when they had more information, Jenison seconded. Voice vote passed unanimously.

**Item 17: Staff updates:**

VanAusdall noted that 9 deer have been harvested from the city thus far.

**Item 18: Council member comments:**

Jenison thanked Cross for the great graduation for his cadets held in the Community Center. He also thanked staff for doing good diligence in getting the heating system repaired at city hall.

**Item 19: Mayor's inquiries.**

The mayor announced holiday hours. Sullivan also announced that early last year the city received a grant to purchase picnic tables from the Iowa Grocers Association and the tables are made by an Iowa company out of recycled plastic bags. The tables recently arrived at the City.

**Item 20: Adjournment - Roll Call 365**

At 6:50 p.m. Peterson moved Willits seconded to adjourn to 5:00 p.m. on Monday, January 10, 2011. Roll call vote passed unanimously.

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Jerry Sullivan, Mayor

ATTEST:

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Marketa George Oliver, City Administrator/Clerk