

June 1st, 2009
CITY OF WINDSOR HEIGHTS
REGULAR BUSINESS MEETING MINUTES
5:15 P.M. – CITY 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, Police Chief Gary Walters, Fire Chief Chris Cross, Community Services Director Josh Heggen, City Attorney Matt Brick, and Public Works Director John Wiedman present.

Item 2: Approval of the Agenda - Roll Call 146

Willits moved Peterson seconded approval. Voice vote passed unanimously.

Item 3: Good of the Order

Mayor Sullivan thanks the Windsor Heights Foundation for their contribution to the All American City Competition.

Item 4: Approval of the minutes - Roll Call 147

Peterson moved approval of the May 18, 2009 City Council minutes both published and unabridged versions. Willits seconded approval. Voice vote passed unanimously.

Roll Call 148

Peterson moved approval of the May 20, 2009 Special City Council minutes both published and unabridged versions. Butz seconded approval. Voice vote passed unanimously.

Item 5: Public Comment

George Hanusa, Windsor Heights Foundation, noted that the Foundation is happy to make a \$500 contribution towards the All American City competition and is happy to support the City's effort. The Foundation has been involved in the park project from its conception and remains a partner in the improvements. He also reminded everyone that the first music in the park is June 9th at 7:00 pm. He also noted that there is a fungus that is attacking some maple trees, that it won't kill the tree, but that the dead leaves should be removed to help prevent the fungus from spreading.

Item 6: Consent Agenda - Roll Calls 149-155

Hunter moved Butz seconded approval of: Cigarette/Tobacco Permit for The Ridgemont, Krueger BP Amoco, Wine and Spirits Gallery, Kum and Go, and Quik Trip. Progress Payment No 1 for the 68th Walnut Creek Dredging project in the amount of \$114,527.35 to Peterson Contractors and Claims and Payroll. Voice vote passed unanimously.

Item 7: Public Hearing and consideration of resolution 09-0601/156 authorizing use of power of eminent domain for the acquisition of 6336 Hickman Road. Roll Call 156

Sullivan opened the public meeting at 5:20 pm. Oliver noted no public comment had been received. John Hintz from Ahlers Law Firm reminded the council that in 2005 the city created an urban renewal district, based on blight, that included this property. In order for the city to receive an appraisal of the property and to start negotiating with the property owner for the value of the property, this resolution needs to be passed. Russ Schoenauer, who is representing the majority owner of 6336 Hickman Road, noted he would like to see this resolution pass so the property can get appraised and they can get the building sold. Tillotson moved Peterson seconded approval. Roll call vote passed with Peterson, Hunter, Willits and Tillotson voting yes. Butz voted no.

Item 8: Consideration of Approval of Resolution 09-0601/157 Naming Official Depositories of the City of Windsor Heights. Roll Call 157

Peterson moved Willits seconded approval. Roll call vote passed unanimously.

Item 9: Consideration of a resolution 09-0601/158 establishing a fee structure for properties being converted from owner-occupied to rental housing. Roll Call 158

Willits moved Peterson seconded approval. Roll call vote passed unanimously.

Item 10: Consideration of a resolution 09-0601/159 approving a contract with Grimes Asphalt for the resurfacing of 73rd Street for \$737,123.50. Roll Call 159

Willits moved Peterson seconded approval. Oliver noted that the city received \$538,000 in federal funds to complete this road project but that bids came in really high. The city will make up the rest of the funds by asking for more from the DOT and MPO, from the reserve fund, which is at healthy levels, and from the water capital projects fund. Butz mentioned she didn't like using funds from other sources because those funds could be used for those specific areas. Peterson noted that this is a bargain, in the end, for the city to resurface the entire road for only \$200,000 from the city. Betty Glover, 6803 Del Matro, asked why the council would pass this if they do not know where the funds are coming from. Oliver noted the city only had a certain amount of time to approve this contract and the Council has agreed they want to do the project, they just have to decide from which fund the project would be paid. Tillotson stated that the Council discussed the project at its budget amendment meeting and all agreed that it was a needed improvement and that the \$200,000 that was above and beyond what the City was receiving in federal stimulus funds was a bargain for resurfacing the entire length of 73rd Street. Willits asked when the project will get done. Greg Roth, from Veenstra and Kim, noted the late start date is July 20th and they have 35 working days to actually finish the project. Roll call vote passed unanimously.

Item 11: Consideration of a resolution 09-0601/160 approving a contract with Veenstra and Kimm for Construction Engineering Services in the amount of \$37,850 for the 73rd Street resurfacing project. Roll Call 160

Tillotson moved Peterson seconded approval. Roll call vote passed unanimously.

Item 12: Consideration of a resolution 09-0601/161 awarding the Community Center Project to Prostruct Construction and authorizing the mayor to execute an agreement with Prostruct for the project in an amount not to exceed \$1,600,000, pending legal counsel review. Roll Call 161

Peterson moved Willits seconded approval. Oliver noted the City received eight bids for this project and Prostruct was the low bidder, which was below the engineer's estimate. Roll call vote passed unanimously.

Item 13: Discussion and possible Consideration of a resolution approving a 28e agreement for the building and administration of the new fire training facility in Urbandale.

Willits asked if the maintenance fee for the building can be capped so the City is not on the hook for more funds in future years. Chief Cross was gone on a fire call so the Council deferred on this issue.

Item 14: Council member comments.

Tillotson noted that the MWA's new curb it recycling bins had the wrong pick up day for people who are picked up on Friday, she just wanted to remind everyone that your pickup date is on the same day as your garbage pickup day. Butz reminded everyone that the Keep Windsor Heights Beautiful garden tour is scheduled for the 28th of June.

Item 15: Mayor's Inquiries.

None.

Item 16: Adjournment to closed session pursuant to 21.5c and 21.5j of the Code of Iowa.

Roll Call 162

Peterson motioned to adjourn to closed session at 5:45 pm. Hunter seconded motion. Roll call vote passed unanimously.

Open session resumed at 6:01 pm.

Item 17: Adjournment - Roll Call 163

Willits moved Butz seconded to adjourn at 6:02 p.m. to 5:15 p.m. on June 29th, 2009. Voice vote passed unanimously.

Jerry Sullivan, Mayor

ATTEST:

Marketa George Oliver, City Administrator/Clerk