

CITY OF WINDSOR HEIGHTS REGULAR BUSINESS MEETING MINUTES
October 7, 2013 - 6:00 p.m. City Hall - Publication version

RC=Roll Call Vote

Mayor Pro Tem Willits called the meeting to order at 6:00 p.m. Council present: Diana Willits, Charlene Butz, David Jenison, Betty Glover and Dave Burgess.

Approval of the Agenda

Council Member Burgess moved approval, Council Member Jenison seconded approval of the agenda. Voice vote passed unanimously.

Good of the Order- Former Mayor Sullivan was on hand to accept several awards for his years of services. Mayor Pro Tem Willits read the official proclamation and read an email from former City Administrator Marketa Oliver. County Supervisor Robert Brownell presented a proclamation from the Polk County Supervisors. Mayor Pro Tem Willits presented a certificate to resident Darren Fife for the Walnut Creek Watershed Coalition and all his other volunteering in Windsor Heights.

Approval of Minutes

Council Member Butz moved to approve the September 16th and September 27th minutes, Council Member Glover seconded approval of minutes. Voice vote passed unanimously.

Public Comment

Windsor Heights Resident George Hanusa thanked Mayor Sullivan for his services. He further commented that the Lutheran Church is moving forward with a \$4.2 million expansion and construction will start later this month. Windsor Heights Resident Harold Varce thanked Diana for her years of service to the City on the City Council.

Approval of the Consent Agenda

Council Member Burgess moved to approve, Council Member Jenison seconded approval for Claims & Payroll and August 2013 Clerk & Investment Report. Voice vote passed unanimously. Council Member Jenison moved to approve, Council Member Butz seconded approval for Partial Pay Estimate No. 2 in the amount of \$33,808.69 for 73rd and Hickman Project and approval of Change Order No. 1 for 73rd and Hickman project in the amount of \$7,000. Voice Vote: Yes- Willits, Butz, Glover, Jenison, No- Burgess.

Consideration of Class C Liquor License Renewal Request for the Front Row

Council Member Burgess moved to approve, Council Member Butz seconded approval. Voice vote passed unanimously.

Consideration of Resolution 13-1062 authorizing 2nd amendment to original purchase agreement between the City of Windsor Heights and Richard Hurd Land Company, LLC

Christopher Stafford from NAI Optimum was on hand to discuss answer questions from the City Council. Council Member Butz asked why Mr. Hurd was asking for another extension. Mr. Stafford explained that Mr. Hurd has waived all due diligence contingencies and is ready to move forward with closing. However, there are still several components to the deal to be finalized and that won't happen prior to the scheduled closing date which is 30 days after the due diligence period ends. The actual requested extension is 45 days. He said barring any title issues, he is extremely confident the final closing will happen on December 20, 2013. Council Member Jenison moved to approve the resolution, Council Member Glover seconded. RC Vote passed unanimously.

Consideration of Ordinance 13-11 amending code of ordinances for the City of Windsor Heights, Iowa by amending chapter 18, Article 1, Appointment and Compensation; and Chapter 21, Article 2, term to provide for City Administrator's term of employment through resolution (3rd Reading)

Council Member Butz moved to approve, Council Member Burgess seconded approval. RC Vote passed unanimously.

Consideration of Ordinance 13-12 amending the municipal code of ordinances of the City of Windsor Heights, Iowa, by amending provisions pertaining to the collection of civil infractions through a private collection agency (2nd Reading)

Council Member Glover moved to approve, Council Member Butz seconded approval. RC Vote passed unanimously.

Council Member Comments

Burgess (No report), Willits (Metro Waste Update- October 26th is the last Hazardous Waste Drop Off Event at Colby Park from 8am-12pm), Glover (Thanks to Special Events for Oktoberfest), Jenison (Thanked everyone as well), Butz (Thanked everyone as well).

Mayor's Inquiries- Nothing to report

Adjourn to closed session pursuant to Iowa Code Section 21.5.1.c to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation

Council Member Burgess moved to approve entering into closed session, Council Member Glover seconded. RC Vote passed unanimously.

Council Member Burgess made a motion to leave closed session, Council Member Glover seconded. RC Vote passed unanimously.

Adjourn to 6:00pm on Monday October 21, 2013 for the regular meeting of the City Council.

Council Member Jenison moved and Council Member Butz seconded. Voice vote passed unanimously.

Diana Willits, Mayor Pro Tem

ATTEST:

Jeffrey Allen Fiegenschuh, City Administrator/Clerk