

Agenda Report

July 7, 2014 City Council Meeting

July 7, 2014
Item No. 13

ISSUE: Resolution allowing for up to \$150,000 of Street Improvement Capital Loan Notes to be used for bike trail reconstruction

BACKGROUND:

Last year the Council issued the 2014A Capital Loan notes for the street improvement project and originally bike trail improvements were to be included as a use for the funds. Unfortunately when the resolution authorizing the issuance of the bonds was approved the bike trail improvements were not included.

This year the City has budgeted \$50,000 to rehab the trail from College Street Bridge to Hickman Road. This is for resurfacing only and does not include widening or reconstruction work. The resurfacing work will be the first repair project to the trail since it was installed.

Recently staff was informed to qualify for future grants for trail and amenity improvements the trails need to be at least 10' to 12' wide. It is also important to note that most new trails are 10' to 12' in width for congestion and safety purposes. Last month the Public Works Director solicited informal bids for these improvements, with the low bid of \$150,000. Staff is asking the council to move forward with allowing \$150,000 of the street bonds to be used to cover the project costs. Due to the low bids for the streets these additional costs can be covered.

This resolution will set a public hearing for the July 21st meeting only and not actually allow for the funds to be spent on the trail improvements. If the final use of the funds is changed to allow for bike trail improvements, the \$150,000 will come from the current unused bond proceeds. No new additional debt will be issued.

RECOMMENDATION:

Staff recommends the City Council approve the resolution setting the public hearing for the July 21st meeting.

STAFF CONTACTS:

Jeffrey A. Fiegenschuh, City Administrator
Jason VanAusdall, Public Works Director

(This Notice to be posted)

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: The City Council of Windsor Heights, Iowa.
Date of Meeting: July 7, 2014
Time of Meeting: _____ o'clock __.M.
Place of Meeting: Council Chambers, City Hall, 1133 - 66th Street,
Windsor Heights, Iowa.

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for said meeting is as follows:

General Obligation Capital Loan Notes, Series 2014A

- X Resolution fixing date for a meeting on the proposition to authorize the use of a \$150,000 portion of the General Obligation Capital Loan Notes, Series 2014A, proceeds for constructing bike trail improvements.

Such additional matters as are set forth on the additional _____ page(s) attached hereto.
(number)

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code of Iowa, and the local rules of said governmental body.

City Clerk, Windsor Heights, Iowa

July 7, 2014

The City Council of Windsor Heights, Iowa, met in _____ session,
in the Council Chambers, City Hall, 1133 - 66th Street, Windsor Heights, Iowa, at
_____ o'clock __.M., on the above date. There were present Mayor
_____, in the chair, and the following named Council Members:

Absent: _____

* * * * *

Council Member _____ introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION TO AUTHORIZE THE USE OF A \$150,000 PORTION OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2014A FOR THE PURPOSE OF CONSTRUCTING BIKE TRAIL IMPROVEMENTS, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION 14-0732

RESOLUTION FIXING DATE FOR A MEETING ON THE PROPOSITION TO AUTHORIZE THE USE OF A \$150,000 PORTION OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2014A FOR THE PURPOSE OF CONSTRUCTING BIKE TRAIL IMPROVEMENTS, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that the City of Windsor Heights, Iowa, should apply a \$150,000 portion of the proceeds of General Obligation Capital Loan Notes, Series 2014A, for the additional purpose of constructing bike trail improvements; and

WHEREAS, before said note proceeds may be applied in that manner, it is necessary to comply with the provisions of the Code of Iowa, and to publish a notice of the proposal to apply such note proceeds and of the time and place of the meeting at which the Council proposes to take action for the application of the note proceeds to the expanded purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDSOR HEIGHTS, IOWA:

Section 1. That this Council meet in the Council Chambers, City Hall, 1133 - 66th Street, Windsor Heights, Iowa, at _____ o'clock __.M., on the 21st day of July, 2014, for the purpose of taking action on the matter of providing for the expenditure of a \$150,000 portion of the proceeds of the General Obligation Capital Loan Notes, Series 2014A, for the additional purpose of constructing bike trail improvements.

Section 2. That the Clerk is hereby directed to cause at least one publication to be made of a notice of said meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in said City, said publication to be not less than ten (10) nor more than twenty (20) clear days before the date of said public meeting on the use of said note proceeds.

Section 3. The notice of the proposed action shall be in substantially the following form:

NOTICE OF MEETING OF THE COUNCIL OF THE CITY
OF WINDSOR HEIGHTS, IOWA, ON THE MATTER OF
THE PROPOSED USE OF A \$150,000 PORTION OF THE
GENERAL OBLIGATION CAPITAL LOAN NOTES,
SERIES 2014A FOR THE PURPOSE OF CONSTRUCTING
BIKE TRAIL IMPROVEMENTS AND THE HEARING
THEREON

PUBLIC NOTICE is hereby given that the Council of the City of Windsor Heights, Iowa, will hold a public hearing on the 21st day of July, 2014, at 6:00 o'clock __.M., in the Council Chambers, City Hall, 1133 - 66th Street, Windsor Heights, Iowa, at which meeting the Council proposes to take additional action for the use of a \$150,000 portion of the note proceeds of the previously issued General Obligation Capital Loan Notes, Series 2014A, for the additional purpose of constructing bike trail improvements.

At any time before the date of said meeting, a petition, asking that the question of expanding the purposes be submitted to the legal voters of said City, may be filed with the Clerk of said City in the manner provided by Section 362.4 of the City Code of Iowa, pursuant to Section 384.26 of the City Code of Iowa.

At the above meeting the Council shall receive oral and written objections from any resident or property owner of the City, to the above action. After all objections have been received and considered, the Council will at this meeting or at any adjournment thereof, take additional action to use a \$150,000 portion of the 2014A funds for said purpose.

This notice is given by order of the Council of Windsor Heights, Iowa, as provided by Sections 384.24, 384.24A and 384.26(5)(a) of the City Code of Iowa.

Dated this 7th day of July, 2014.

City Clerk of Windsor Heights, Iowa

(End of Notice)

PASSED AND APPROVED this 7th day of July, 2014.

Mayor

ATTEST:

City Clerk

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POLK)

I, the undersigned City Clerk of Windsor Heights, Iowa, do hereby certify that attached is a true and complete copy of the corporate records of said Municipality showing proceedings of the Council, and the same is a true and complete copy of the action taken by said Council with respect to said matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council (a copy of the face sheet of said agenda being attached hereto) pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by said law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective city offices as indicated therein, that no Council vacancy existed except as may be stated in said proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of said Municipality hereto affixed this _____ day of _____, 2014.

City Clerk, Windsor Heights, Iowa

SEAL

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POLK)

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Clerk of the City of Windsor Heights, in the County of Polk, State of Iowa, and that as such Clerk and by full authority from the Council of the City, I have caused a

NOTICE OF MEETING OF THE COUNCIL OF THE CITY OF
WINDSOR HEIGHTS, IOWA, ON THE MATTER OF THE
PROPOSED APPLICATION OF THE USE OF A \$150,000 PORTION
OF THE GENERAL OBLIGATION CAPITAL LOAN NOTES,
SERIES 2014A FOR THE PURPOSE OF CONSTRUCTING BIKE
TRAIL IMPROVEMENTS, AND THE HEARING THEREON

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the "Des Moines Register", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the City, and that the Notice was published in all of the issues thereof published and circulated on the following date:

_____, 2014.

WITNESS my official signature at Windsor Heights, Iowa, this _____ day of _____, 2014.

City Clerk, City of Windsor Heights,
State of Iowa

(SEAL)