

**CITY OF WINDSOR HEIGHTS REGULAR BUSINESS MEETING MINUTES**  
**March 4, 2013 - 6:00 p.m. City Hall - Publication version**

Council Member Willits called the meeting to order at 6:00 p.m. Council present: Diana Willits, Charlene Butz, David Jenison, Betty and Dave Burgess. Mayor Sullivan was excused from the meeting.

**Approval of the Agenda**

Council Member Burgess moved approval and asked that agenda items 13 and 14 be tabled to the March 18<sup>th</sup> meeting. Council Member Willits seconded with the changes. Voice vote passed unanimously.

**Public Hearing on Proposed FY 14 Windsor Heights Annual Budget**

Council Member Burgess moved to convene the public hearing, Council Member Jenison seconded. Roll Call vote passed unanimously. The public hearing was convened at 6:00pm. Resident Nicole Crain discussed the proposed levy increase in the new budget and informed the council she was not in favor of the slight levy increase. She feels the new levy will put Windsor Heights at a competitive disadvantage with other metro communities. No other residents were on hand to comment. Council Member Butz made a motion to close the public hearing; Council Member Glover seconded the motion. Roll Call vote passed unanimously. The public hearing was closed at 6:04pm.

**Public Hearing on Proposed FY 13 City of Windsor Heights Budget Amendment**

Council Member Jenison moved to open the public hearing for the budget amendment, Council Member Burgess seconded the motion. Roll Call vote passed unanimously. Public Hearing was convened at 6:04pm. City Administrator Fiegenschuh explained the reasons for the amendment included the City Administrator search and changes to the fair housing grant program administered through the Urban renewal fund. Fiegenschuh explained that the administrative costs are now paid annually instead of biannually and that the City had not budgeted for the expense. Council Member Willits told the Council she would look into what the benefits to the program are and report back to the Council. There were no other public comments on the proposed budget amendment. Council Member Burgess made a motion to close the public hearing, Council Member Butz seconded. Roll Call vote passed unanimously. The public hearing was closed at 6:07pm.

**Public Hearing to consider temporary moratorium on pawnshops and pay day lending operations**

Council Member Butz moved to open the public hearing, Council Member Burges seconded. Roll Call vote passed unanimously. The public hearing was convened at 6:07pm. Mindy Schmidt, owner of Moda Salon was on hand to urge the Council to approve the moratorium. No other members of the public were on hand to comment at the public hearing. Council Member Jenison moved to close the public hearing, Council Member Burgess seconded. Roll Call vote passed unanimously. The public hearing was closed at 6:10pm.

**Good of the Order** No comments

**Approval of Minutes February 18, 2013**

Council Member Jenison moved to approve the minutes as presented, Council Member Butz seconded. Voice vote pass unanimously with Council Member Glover abstaining because she was not in attendance at the previous meeting.

**Public Comment** No public Comment

**Approval of the Consent Agenda**

Council Member Jenison moved to approve Claims & Payroll and January Clerk and Investment Reports, Council Member Butz seconded. Voice vote passed unanimously.

**Consideration of Resolution 13-0307, a resolution to proceed with the issuance and sale of revenue bonds (Childserve Inc.) Series 2013, in an amount not to exceed \$7,500,000.**

Council Member Butz moved to approve, Council Member Glover seconded. The Council requested that the Administrator invite Childserve Inc. back in 6-9 months to give a progress report on the project. Roll Call vote passed unanimously.

**Consideration of Resolution 13-0308 a resolution approving FY 14 City of Windsor Heights annual budget**

Council Member Jenison moved to approve, Council Member Willits seconded. Council member Butz brought her concerns with the 73<sup>rd</sup> and Hickman intersection project. Council Member Burgess concurred and said he feels the project does not need to be done. Fiegenschuh said he and Public Works Supt. VanAusdall would work to bring the engineers back to present on the project at the March 18<sup>th</sup> meeting. Council Butz said she feels the City's match could be better served repairing other streets. Fiegenschuh reminded the Council that 80% of the total \$485,000 project cost is being funded by a grant through IDOT. No other objections were made regarding the budget. Council Member Willits called for a roll call vote. Roll Call Vote: Burgess (No), Willits (Yes), Glover (Yes), Butz (Yes), Jenison (Yes).

**Consideration of Resolution 13-0309 approving FY 13 City of Windsor Heights Budget Amendment**

Council Member Butz moved to approve, Council Member Burgess seconded. Roll Call vote passed unanimously.

**Consideration of Resolution 13-0311 approving a temporary moratorium on new pawnshops and payday lending institution in Windsor Heights.**

Council Member Jenison moved to approve, Council Member Glover seconded. Roll Call Vote passed unanimously.

**Consideration of Resolution 13-0312 approving a contract with Carrie Kruse to serve as the City's part-time CFO.**

Council Member Burgess moved to approve, Council Member Glover seconded. The Council thanked Carrie for her continued service to the City and for staying on part-time to help. Roll Call vote passed unanimously.

**Consideration of Ordinance 13-01 amending table 168-2; zoning code-permitted uses by zoning district, amending the food sales (convenience) uses as a permitted use instead of as a conditional use in community commercial zoning districts.**

**(3<sup>rd</sup> and final reading)** Council Member Butz moved to approve ordinance 13-01 on third and final reading. Council Member Jenison seconded the motion. Roll Call Vote passed unanimously.

**Consideration of approval of Class C Liquor License (Commercial)** for West Des Moines Elks Lodge 2752 located at 7400 Hickman & Hot Potato, Inc. (The Ridgemont) located at 7460 Hickman. Chief of Police McDaniel reported that neither establishment had any issues related to their liquor licenses. Council Member Glover moved to approve. Council Member Butz seconded. Voice Vote passed unanimously.

**Administrator Update**-No Report

**Council Member Comments**-Burgess no report, Glover no report, Willits discussed Metro Waste Authority's new garbage can program that begins July 1<sup>st</sup> and asked the staff to put info on the new cans in future newsletters. Council Member Willits also discussed Metro Waste's adopt a stream program. Council Member Jenison welcomed Carrie back as the part-time CFO. Council Member Butz also welcomed Carrie back.

**Mayor's Inquires**-No report

**Council Committee of the Whole**

Council Member Willits asked if the Council wanted to discuss any items in committee of the whole. Council Member Butz asked to discuss the City's snow removal ordinance. Mayor Pro Tem Willits asked to discuss the City's rental inspection program. No other Council Members asked for additional discussion items.

City Administrator Fiegenschuh asked for clarification on the current code. The City Attorney clarified that currently the code prohibits residents from causing an obstruction on the travel way (curb to curb) and that as long as obstruction does not occur residents can push snow across the travel way. If the Council wants to prohibit residents from pushing snow onto the City's right of way then the code would need to be amended to include the road way. Resident Jim McDonald was on hand to discuss the inconsistency in the way the code is being enforced.

City Administrator Fiegenschuh asked the Council to set a policy for staff to follow and enforce fairly. Based on the City Attorney's opinion, the Council determined that residents at this time can push their snow across the street (travel way) as long as it does not create hazardous conditions. The Council asked the City Administrator and the Public Works director to further research the subject and to come back with some future recommendations.

Council Member Willits then brought up her concerns regarding the City's rental inspection program and the problems the Fire Department has had with enforcement. Fire Chief Cross addressed the Council and stated of the 140+ rental occupancies the City inspects there or only about 5 to 6 that consistently refuse to cooperate, which accounts for about 1 percent of the revenue generated by the program. The City Attorney offered to send sample language used in other communities that offers stiffer penalties. The Fire Chief said he would work with the City Administrator on a future proposal and bring back to the City Council for discussion.

**Adjourn to 6:00pm on March 18, 2013 for the regularly scheduled meeting of the City Council.**

Council Member Glover moved and Council Member Burgess seconded. Roll Call vote passed unanimously. City Council meeting closed at 7:30pm

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Jerry Sullivan, Mayor

ATTEST:

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Jeffrey Allen Fiegenschuh, City Administrator/Clerk