

MINUTES OF THE NORWALK CITY COUNCIL MEETING ON 03-03-16
(Unabridged)

Mayor Pro Tem Erika Isley called the City Council meeting to order at 6:04 p.m.

Present at roll call: David Lester, Erika Isley, Stephanie Riva, Ed Kuhl and Jaki Livingston. (RC = roll call vote)

Mayor Phillips was absent

Staff present included: Marketa Oliver, City Manager; Jodi Eddleman, City Clerk; Jean Furler, Finance Director; Holly Sealine, Library Director; Tim Hoskins, Public Works Director; Nancy Kuehl, Parks and Recreation Director; Greg Staples, Police Chief; Wade Wagoner, Planning and Economic Development Director; Jen Vetterick, Fire Department; and Jim Dougherty, City Attorney.

16-034 Motion by Livingston, seconded by Riva to approve the **agenda**. Voice vote carried unanimously.

Mayor Pro Tem Isley presented a plaque to Jim Lane for his 24 years of service as the City's representative on The MPO.

Mayor Pro Tem Isley presented an award to Marketa Oliver showing the City's appreciation for her dedication and service to the City.

Presentations

Norwalk Chamber of Commerce

Deb Mineart, Executive Director, Joe Nguyen, President and Mark Miller, Vice President thanked the council for the opportunity to speak about the function of the Norwalk Chamber of Commerce. The chamber is a member of the Greater Des Moines Partnership and a member of the Iowa Chamber of Commerce Executives. Events throughout the year include RUNorwalk, Party Before the Works, Norwalktoberfest and a golf outing. The chamber has also donated to the welcome sign fund, recognized chamber businesses, citizens and teacher and student of the year and donated to the Special Olympics dodge ball tournament held in January. The chamber provides networking opportunities through volunteering at events and membership meetings throughout the year.

Metro Waste

Mike McCoy and Leslie Irlbeck addressed the council regarding the changes in yard waste collection from the curb. They addressed the environmental impact, public opinion and financial considerations. Haulers are willing to amend their solid waste contracts to provide comingled collection there will be no change in collection in 2016. Two studies have been conducted on the environmental impact regarding separate collection and comingled collection. It was determined in that study that comingled collection creates electricity and the reduction in collection trucks reduces greenhouse gas emissions by 11 percent. Leslie explained how comingle collection would work. Mike told the council that they are looking for a definitive direction from cities by July.

Welcome of Guests and Public Comment

Mayor Pro Tem Erika Isley welcomed guests and invited the public to speak to an item that is not on the agenda.

16-035 Motion by Livingston, seconded by Kuhl to approve the **minutes** of the February 11th council study session and the minutes of the February 18th regular council meeting. Voice vote carried unanimously.

Livingston asked that item 6.c be removed from the consent agenda and discussed at the end of the meeting.

Lester asked that items 6.g and 6.i be removed from the consent agenda and discussed at the end of the meeting.

16-036 Motion by Lester, seconded by Livingston to amend the consent agenda by removing items 6.c, 6g and 6i off of consent for discussion passed unanimously, RC.

Consent included **tax abatements, Board of Appeals appointment, A.J. Samuelson, receive and file annual storm water report, Resolution 0303-16-023** renaming Northside Drive to Hickory Drive, **LED lighting proposal for Library, two year contract with Norwalk Living Magazine** and expenditures:

ADVENTURE LTG	BLDG MAINT	197.98	MARYJANESHARP	REGISTRATIONS	891.80
ALADTEC INC	SUPPORT	1,570.00	MCHS EMS	CEH 3/9/16	10.00
ANIM RES LEAGUE	LIVE INTAKE	125.00	MEDIACOM	SERVICE	7.50
AUDITOR, STATE OF IA	FY 2015 AUDIT	625.00	MEDICAP	MEDICATIONS	49.98
BLUE TARP	REPAIR	59.98	MENARDS	PAINT SUPPLIES	125.54
BOBS TROPHIES	SERV AWARD	105.05	MENARDS	SUPPLIES	161.52
BOUND TREE MED	SUPPLIES	861.69	MERCY COLLEGE	E CARD	25.50
CAPITAL CITY EQUIP	BOBCAT	593.20	METRO WASTE	SUPPLIES	850.00
CARPENTER UNIFORM	UNIFORMS	49.99	MIDWEST K-9	CERTIFICATION	75.00
CONSTRUCTION & AG	TOOLS	153.35	MORGAN TAYLOR	VOLLEYBALL REF	60.00
COURTNEY WESTVOLD	COMPLIANCE CK	200.00	MPH INDUSTRIES	RADAR REPAIR	121.25
CRESCENT ELEC	THERMOSTAT	54.30	MUNICIPAL SUPPLY	METERS	6,064.00
DANKO EQUIPMENT	PARTS	821.79	NANCY KUEHL	REIMBURSEMENT	100.00
DAVIS EQUIPMENT	JAC MOWER	438.66	NOBLE FORD	SERVICE	200.34
DES MOINES IRON	PLOW REPAIR	54.17	NWTC	MINUTES	306.07
DOUGHERTY LAW FIRM	LEGAL 13-16	41,377.50	OHALLORAN	DUMP TRUCK	293.38
ELECTRICAL ENG	LIGHTS	89.56	OCCUP HEALTH	RANDOM TESTING	86.00
EXTERIOR SHEET METAL	LIBRARY ROOF	9,146.00	PLUMB SUPPLY	SUPPLIES	111.90
GE CAPITAL	LEASES	520.00	RUTH JOINER	SOCCER REFUND	216.45
GRIMES ASPHALT	COLD MIX	153.30	SHRED IT	SHRED IT	50.27
HOLMS RADIATOR	DUMP TRUCK	435.00	STANDRIDGE GROUP	BUSINESS CARDS	342.00
HOTSY	FLEETWASH	440.00	STOREY KENWORTHY	COUNCIL CHAIR	480.18
INDOFF INC	OFFICE SUPPLIES	1,450.65	STRAUSS SECURITY	BLDG MAINT	104.80
INTERSTATE BATTERY	REPAIR	62.50	TREAT AMERICA	MTG/CONF	23.61
IOWA PUBLIC HEALTH	REGISTRATIO	105.00	TRUCK EQUIP	BUCKET TRUCK	182.78
IOWA FIRE CHIEFS	REGISTRATIO	25.00	TYLER TECH	MAINTENANCE	177.50
IOWA LEAGUE CITIES	CONF	150.00	U S POSTAL	PD POSTAGE	300.00
IOWA WINDOW	BLDG MAINT	85.00	UNITYPOINT CLINIC	SUPPLIES	261.00
JAMES OIL	FUEL	6,076.23	V & K INC.	LEGACY PLAT 19	7,910.70
KABEL SERVICES	HRA CK	7,136.24	VERIZON	CELL SERVICE	1,431.12
KILEY WESTHOFF	VOLLEYBALL REF	60.00	WADE WAGONER	MTG/CONF	54.93
LANDS END	UNIFORMS	844.64	WASHER SYSTEMS	SHOP CAR WASH	36.10
LARUE	SERVICES	99.62	WAYNE DENNIS	PARTS	179.40

16-037 Motion by Lester, seconded by Livingston to approve the **consent** agenda passed unanimously, RC.

Public hearing urban renewal plan amendment

Mayor Pro tem Isley opened the Public hearing on the proposed urban renewal plan amendment with the Norwalk Community School District at 6:40 p.m. Eddleman reported receiving no comments.

With no one present wishing to speak, Isley closed the public hearing at 6:41 p.m.

Kuhl asked if Dougherty had reviewed the agreement. Kuhl wanted to make sure that the total amount collected from the incremental taxes received would not be divided between the city and the school.

Dougherty stated that he had reviewed the agreement and that the council could move forward contingent on Danos confirming that is how the agreement reads.

Kate Baldwin, Norwalk Schools stated that Oliver had worked diligently with Danos on the agreement and that it was Danos intent to protect the City.

Council approved the agreement contingent upon the City Attorneys satisfaction and clarification with bond counsel that the agreement only allocates to the School District the incremental tax amount the School District would have received from residential property had the tax increment district not existed.

16-038 Motion by Livingston, seconded by Lester to adopt **Resolution 0303-16-025 adopting the Urban Renewal Plan amendment related to providing economic development support to the Norwalk Community School District** passed unanimously, RC.

Public hearing Orchard View

Mayor Pro Tem Isley opened the Public hearing for approving plans and specification for Orchard View Regional detention facility at 6:54p.m. Eddleman reported receiving no comments.

With no one present wishing to speak, Isley closed the public hearing at 6:55 p.m.

Tim Hoskins explained that the regional retention facility is located near West Pine and Orchard Trail Drive and that it collects water where the Rottlund homes are located. A small neighborhood park will be located around the basin.

16-039 Motion by Livingston, seconded by Lester to adopt **Resolution 0303-16-026 approving and confirming plans, specifications, form of contract and estimate of cost for the Orchard View Regional Detention Project** passed unanimously, RC.

Isley asked Hoskins how many bids were received, Hoskins responded that five were received and that the successful bid was lower than the engineers estimate, the other bids all averaged higher. Isley asked for the accurate engineers estimate, Hoskins did not have that information. Livingston requested that accurate information be submitted to the council.

16-040 Motion by Lester, seconded by Riva to adopt Resolution **0303-16-027 awarding contract for the Orchard View Regional Detention Project** passed 3-2 with Livingston and Isley voting nay. RC.

16-041 Motion by Riva, seconded by Isley to adopt **Resolution 0303-16-028 approving contract and bond for Orchard View Regional Detention Project to Sandstone Management** passed 4-1 with Livingston voting nay, RC.

Public hearing approving the budget

Mayor Pro Tem Isley opened the Public hearing approving the City of Norwalk budget for the 2016-2017 fiscal year at 7:04p.m. Eddleman reported receiving no comments.

With no one present wishing to speak, Isley closed the public hearing at 7:05 p.m.

It was the consensus of the council to approve the budget removing the salary schedule. The council also requested that the job descriptions and salary schedule be discussed at a future work session that the new City Manager could be in attendance at.

16-042 Motion by Kuhl, seconded by Riva to adopt **Resolution 0303-16-029 adopting the annual budget for the Fiscal Year ending June 30, 2017, and certifying the proposed tax levy rate. Removing the words, "and the City of Norwalk Salary Schedule"** passed unanimously, RC.

Consideration of second reading of ordinance amending the code of ordinances of the City of Norwalk, Iowa Chapter 177 – Rates and Fees, by amending the existing section 177.01 2 Chapter 24 Parks and Recreation Fees.

John Chapman, Norwalk Thunder baseball informed the council that 89% of players and coaches in the 9-U league live within Norwalk's city limits.

Michael Borst, Iowa Capitals baseball asked the council to reconsider the start date for the rate increase stating that the teams had booked the tournaments based on the old rate schedule.

Troy Taylor, 2740 Windsor Drive also spoke in favor of the delay in the rate increase stating that those tournaments had been booked based on the old rate schedule.

16-043 Motion by Kuhl, seconded by Isley to pass the second reading of an ordinance amending the Code of Ordinances of the City of Norwalk, Iowa Chapter 177 – Rates and Fees, by amending existing section 177.01 2. Chapter 24 – Parks and Recreation Fees with the effective date of July 1, 2016. Passed 4-1 with Lester voting against, RC.

16-044 Motion by Lester, seconded by Livingston to waive the 3rd reading and to adopt **Ordinance 16-04 amending the Code of Ordinances of the City of Norwalk, Iowa Chapter 177 – Rates and Fees, by amending existing section 177.01 2. Chapter 24 – Parks and Recreation Fees with the effective date of July 1, 2016** passed unanimously, RC.

Silverado Ranch Estates Plat 2

Isley asked Hoskins about the runoff problems at Silverado estates that the detention pond is filling in.

Brad Kuehl, Civil Design Advantage Grimes, Iowa addressed the council regarding the plat. A storm management plan is in place, people will be monitoring the detention pond.

Ryan Wiederstein, WB Realty Company, developer of Silverado Estates stated that there is language in the covenants regarding the silt removal in the detention pond. That that would be assessed to the property owners and not the city.

Dougherty stated that he wanted to review the restrictive covenants and related documents addressing the association responsibilities related to the maintenance of the storm water detention areas.

16-045 Motion by Livingston, seconded by Isley to adopt **Resolution 0303-16-030 approving the Silverado Ranch Estates Plat 2 – final plat** passed unanimously, RC.

16-046 Motion by Lester, seconded by Livingston to adopt **Resolution 0303-16-031 approving an Administration and Compliance Services Agreement between Kabel Business Services and the City of Norwalk** passed unanimously, RC.

Riva informed council that she and councilmember Lester had met on Tuesday that the city had received 4 RFOs and that they had reviewed them using a scoring grid based on the key points of location, team credentials and experience. Riva and Lester had both chosen Waters & Company a firm located out of Kansas City, Missouri.

16-047 Motion by Livingston, seconded by Riva to adopt **Resolution 0303-16-032 approving a professional services agreement with Waters & Company for the City Manager executive recruitment** passed unanimously, RC.

Open Records Policy

Isley asked why this policy was being presented to the council.

Oliver stated that there had been several onerous requests recently made throughout the state for information and felt it necessary to set a policy; Riva mentioned that updating the policy had been discussed at the Metro Advisory Council.

Kuhl had concerns with the city clerk being named as the custodian of the records. Dougherty explained that that was referenced in chapter 22 of the Iowa Code. And that the clerk would coordinate response to all record requests with affected departments through the chain of command.

16-048 Motion by Livingston, seconded by Riva to adopt **Resolution 0303-16-033 adopting Open Records Policy and Fee Schedule** passed 4-1 with Kuhl voting nay, RC.

Isley asked for a 5 minute recess.

Meeting re adjourned at 8:07.

Discussion of pool renovations

Hoskins provided the council with an estimate for an engineer to take a look at the pool. The estimate was for \$3,500. The engineer will take staffs list and then determine what needs to take place to restore the pool for another 10 years of viability.

Kuhl asked if the engineer would be able to look under the pool, Hoskins stated that they can take core samples. Isley said the report from American Leak Detection stated that no leaks were found. Riva stated that she would like the engineer to take a look at the pool and not the list developed by staff.

Brandon Schulte, Senior Construction Manager, DCI, told the council that they were asked to take a look at the list Kuehl provided and put a price on it. DCI can help secure engineers and have a designer look at those items but that a general contractor may still be needed.

Oliver asked about the 400 hours of design work in the estimate, Schulte said that they had looked at the scale of the project and that the 400 hours would be investigative work needed to be done and design services. DCI built in contingencies because they do not know the specific scope.

Hoskins stated that for the council to make an informed decision the council needs accurate information. Isley asked if the engineer could assess if a pool closure would be warranted and asked for a sample of what their reports look like. Hoskins will get that information for the council. Riva stated that she would like a cost estimate from the engineer.

Riva doesn't believe the electrical problem should be fixed if the pool will not be reopened. Lester stated that he wants to know the cost to fix it.

Casey Bright, 639 Nantucket, asked why the city is going to the expense to fix and upgrade the pool. Isley responded saying that the city does not have the bonding capacity to replace the pool at this time.

Jessica Laurie, 917 High Road, asked if Warren County Economic Development could assist the city with the pool. Oliver responded that WCEDCs function is to attract businesses into the city and that the pool would be a public improvement project.

Administrative job descriptions

Oliver stated that over the past couple of years the job descriptions have been updated through the city and that when the City Clerk position was split the segregation of duties were updated to the administrative positions in the department.

Kuhl would like the administration department job descriptions to be reviewed by the new City Manager during a work session. Livingston would like to see the comparison between the old and new descriptions.

16-049 Motion by Kuhl, seconded by Riva to table item 6c, updating position descriptions for the Administration Department passed 4-1 with Lester voting nay, RC.

Pre levy resolution for pool renovation

Lester asked about the dollar amount listed. Oliver explained that is what is being levied on the budget. It limits the levy for certified debt at \$750,000. not the expenditures. That amount is the cut off between an automatic votes versus a non-vote. The council is adopting the pre levy resolution taking care of legal obligations by declaring the intent.

16-050 Motion by Kuhl, seconded by Livingston **to adopt Resolution 0303-16-024 pre levy for pool renovation**, passed unanimously, RC.

City Manager job description

Lester feels that Waters and Company could assist the city in refining the job description.

It was the consensus of the council to have Waters and Company review the City Manager job description.

16-051 Motion by Livingston, seconded by Riva to table item 6i, updating the City Manager job description, passed unanimously, RC.

Staff updates

Kuhl stated that he had had a good day on the hill.

Oliver reported that the LOSST vote had passed and the \$100,000. MPO grant had been granted. Oliver thanked the council for the award that was presented.

Isley asked Hoskins to provide a report to the council identifying streets that need to be overlaid. Hoskins will provide at the March 31st work session.

16-052 Motion by Riva, seconded by Lester to **adjourn** at 8:45 p.m. passed unanimously on a voice vote.

Tom Phillips, Mayor

Attest: _____

Jodi Eddleman, City Clerk