

UNABRIDGED MINUTES OF THE NORWALK CITY COUNCIL MEETING ON 07-21-16
(Minutes to be approved at the August 4th, 2016 meeting)

Mayor Pro Tem Isley called the City Council meeting to order at 6:01 p.m.
Present at roll call: Erika Isley, Ed Kuhl, Jaki Livingston, Stephanie Riva and David Lester. Absent: (RC = roll call vote)

Staff present included: Jodi Eddleman, City Clerk; Jean Furler, Finance Director; Nancy Kuehl, Parks and Recreation Director; Greg Staples, Police Chief; Tim Hoskins, Public Works Director; Ryan Coburn, Fire Chief; Holly Sealine, Library Director; Tony Bellizzi, City Engineer; Wade Wagoner, Planning and Economic Development Director; Luke Parris, City Planner and Jim Dougherty, City Attorney.

Items e and f were moved off of consent and added after item 16 on the agenda.

16-135 Motion by Riva, seconded by Lester, to approve the agenda, carried unanimously by voice vote.

Presentations:

Tony Bellizzi of Veenstra & Kimm gave the council an update on the Beardsley Regional Detention 1 phase 2 grading and drainage project. He received confirmation that the flood plain permit from the DNR was approved; he has not heard back from the Corp of Engineers on the permit but is anticipating that permit will be approved. The temporary construction easement has not yet been received from United Properties. V & K is looking at ways to minimize the impact on the United Properties piece and is recommending shifting the northern most part of the pond westerly about 30 feet to give more room to help with the transition grading, eliminating the ditch in the area, by putting in a retaining wall in behind the bike trail and putting a drainable fill in. This will gain somewhere in the order of 8 feet and would make them well within the easements. This was presented to United Properties representatives, they preferred the 5 to 1 slope which would only affect their property by about 15 feet. Bellizzi anticipates having the change order in place for the grading plan and the retaining wall design as well as the agreement with the property owners and the temporary easement executed in the next couple of weeks.

Welcome of Guests and Public Comment

With no one present wishing to speak, Mayor Pro Tem Isley opened the business portion of the meeting.

Consent included tax abatements; approval authorizing the City Clerk to destroy records per the records retention manual; **Resolution 0721-16-077** approving the purchase of a new police vehicle; receive and file monthly department reports and expenditures.

A+ LAWN	IRRIGATION SYSTEM	763.57	JEAN FURLER	REIMBURSEMENT	100
ADAM SMITH	PARTIAL REFUND	18.55	JOHN DEERE	VEHICLE REPAIR	41.96
ADVENTURE LIGHT	LED LIGHTS	52.5	JOHNSTONE SUPPLY	AIR FILTERS	102.26
AIA CORP	FD T-SHIRTS	635.03	JOPLYN WHITEHEAD	REIMBURSEMENT	25
ALL IOWA POOL	QUICK SHOCK	283.18	KABEL BUS	HRA CHECKS	250
AMY VANDYKE	PARTIAL REFUND	37.1	KATIE ENOS	REFUND	25
ANGELA COOPER	ANGELA COOPER	42.67	LASER RESOURCES	LEASES	538.37
ANGELA FOLDES	PARTIAL REFUND	18.55	LETTISHA SMITH	PARTIAL REFUND	37.1
ANGIE VANDEMARK	PARTIAL REFUND	18.55	LOGAN CONT	SUPPLIES	56.9
ANKENY SANITATION	GARBAGE SERVICE	52.5	MCANINCH CORP	PAVEMENT	91,869.18
BARCO MUNICIPAL	SIGNS	2,446.50	MEDIACOM	INTERNET	157.4
BERENS-TATE CONSU	2016 BONDS	3,000.00	MEDICAP	MEDICINE	99.96
BEST PORTABLE	MCANINCH TOILETS	140	MENARDS	CEDAR MULCH	236

BOBS CUSTOM	CHESS TROPHY	42.9	MERCY COLLEGE	FISCHER ECARD	17
BOUND TREE MED	SUPPLIES	1,988.42	MINDY SMITH	PARTIAL REFUND	37.1
BRENT WALKER	CHESS CAMP	69.44	MURPHY TRACTOR	OIL AND FILTER	496.44
BRIAN PETTIT	REIMBURSEMENT	441.52	NANCY KUEHL	REIMBURSEMENT	337.64
CAPITAL SANITARY	INVOICES	1,552.35	NATALIE FRANK	REFUND	25
CAPPEL'S ACE	DOOR PARTS	150.69	NORWALK HARD	SUPPLIES	744.2
CARPENTER UNIFORM	UNIFORM	1,386.57	NORWALK LAND CO	ORCHARD HILLS TRAIL	1,225.08
CENTURYLINK	POOL PHONE	677.6	PEPSI-COLA	POOL CONCESSION	125.49
CHAD RAYMOND	PARTIAL REFUND	18.55	PHIL PARKER	REIMBURSEMENT	42.39
CINDY MILLER	WATER AEROBICS	9	PITNEY BOWES	POSTAGE	111
COBEY JOHNSON	REIMBURSEMENT	25	RDG PLANNING	GATEWAY SIGN	693
CONFLUENCE	SUB AREA 1	6,406.34	REASONER'S GARAGE	KUHN MOWER PARTS	54.09
CORELL CONT	ASPHALT	3,690.79	REGISTER MEDIA	PUBLIC NOTICE	391.84
DCI GROUP	DETENTION POND	2,522.00	RICKY HARKIN	REFUND	138
DES MOINES REG	DAILY PAPER	35	ROLLING THUNDER	JAZZ INJULY	550
DIAMOND VOGEL	SUPPLIES	1,108.43	SAM'S CLUB	SUPPLIES	765.72
DYLAN PETERSON	REFUND	60	SANDSTONE	ORCHARD VIEW	95,349.34
ELECTRIC PUMP	AGREEMENT	600.7	SCHWAN'S	CONCESSION	690.26
EMERGENCY APP	ELECTRCONNECTOR	527.44	SECRETARY OF STATE	NOTARIES RENEWAL	90
FAREWAY	SUPPLIES	95.47	SENSUS	SUPPORT	1,665.98
G & L CLOTHING	UNIFORM	707.03	SHIVE HATTERY INC	CEDAR STREET	2,797.00
GREG GRAVES	REFUND	5	SHRED IT	ON SITE	50.24
GREGG YOUNG	PD WHEEL ALIGNMENT	1,145.50	SIMPLEX GRINNELL	MONITORING	484.06
GRIMES ASPHALT	MATERIAL	946.46	SPRINGER	PEST CONTROL	68
HALLETT MATERIALS	SAND FOR JAZZ IN JULY	115.61	STACY SLATE	PARTIAL REFUND	37.1
HARVEY'S AUTO	WASHER FLUID	851.03	STOREY KENWORTHY	DIRECT DEPOSIT STUBS	60
HAWKINS, INC.	CHEMICALS	938.47	SUNDOWN EQUIP	KUBOTA TRACTOR	193.89
INDOFF INC	OFFICE SUPPLIES	331.5	TARA BADGER	PARTIAL REFUND	37.1
INTL INSTITUTE	MEMBERSHIP	180	GRAPHIC EDGE	T-SHIRTS	1,347.30
IA AMU	DUES	789.37	TRACY TRUMAN	PARTIAL REFUND	37.1
IOWA LIVING	ADVERTISING	1,050.00	TRANS IOWA	EQUIPMENT	250.08
IOWA ONE CALL	LOCATES	1,141.60	TRUE VALUE	CURB STOP BOX	17.26
IA STATE	CONFERENCE	50	UNITYPOINT CLINIC	HEP B VACCINATION	830
IOWA WINDOW	PUBLIC SAFETY	185	V&K	PRE PLAT	9,782.05
JACKIE MARSHALL	PARTIAL REFUND	42.67	VERIZON	CELL PHONE	1,388.28
JAMES JONES	SOCCER REFUND	102	WARREN CO ASSESS	GIS ELA	6,000.00
JAMES OIL	DYED DIESEL	6,088.46	WATERS & COMPANY	RECRUITMENT	17,150.00
			WATERS EDGE	POOL PLANNING	8,560.00

16-136 Motion by Kuhl, seconded by Riva to approve the consent agenda, passed unanimously, RC.

Public hearing request from Norwalk Land Company to amend the master plan and ownership requirement of parcel 3 of Orchard View Planned Unit Development.

Mayor Pro Tem Isley opened the Public hearing at 6:20 p.m. Eddleman reported receiving no comments. Jaki Livingston reported that the mayor had received a letter from Carl Morton, 610 Tangelo Circle. The letter was submitted to the City Clerk for the record.

James Campney, 1444 NW 124th Court, Clive. The rental issue was the largest concern, the landscape buffers have been taken care of. That is what increased the site from 6.07 acres to 7.06 acres. Campney doesn't want to restrict ownership and all units will initially be marketed for sale. Campney provided council with a sketch of the townhomes and the layout of the units. Riva asked about using concrete board for safety of residents, Campney stated that they would make that available to people. Livingston asked if there would be a sidewalk on Orchard Hills, Campney responded that yes there is. Isley closed the public hearing at 6:40 p.m.

Council asked Chief Coburn if he had concerns with turning radius with the fire apparatus, he did not. Isley asked if he had concerns with the density, Coburn stated that from a tactical aspect they would have to take a different approach but it is similar to other neighborhoods that are already in the

community. Livingston asked about snow removal, Hoskins stated that if it were violated that would be enforced by city code.

16-137 Motion by Isley, seconded by Kuhl to pass the first reading of a proposed ordinance amending the master plan and ownership requirement of parcel 3 of the Orchard View Planned Unit Development by removing the current owner occupied language adding the new language, "it is the intent that the parcel will be developed as an owner occupied community. All units will initially be marketed individually for sale and the covenants would be reviewed by the City Attorney at final plat", passed 4 to 1 with Livingston voting nay.

Public hearing and consideration of a request from Hubbell Realty Company to amend parcel 10 of the Legacy PUD to designate the site for an assisted living facility.

Mayor Pro Tem Isley opened the Public hearing at 7:04 p.m.

Eddleman reported receiving no comments; Lester reported that he had received an email from Deb Mineart 7621 30th Avenue, Norwalk. The letter was submitted to the City Clerk for the record. Isley closed the public hearing at 7:05 p.m.

Luke Parris, city planner addressed the council and explained that the PUD requires that the developer amend the PUD to lock in the use of the site. It requires that prior to any development; the developer submits an amendment to the PUD that designates the specific permitted land use and rules, regulations, and guidelines for the development of the site.

Kris Sadoris, Hubbell Realty Company, 6900 Westown Parkway West Des Moines Iowa spoke in favor of the amendment.

16-138 Motion by Livingston, seconded by Kuhl to pass the first reading of a proposed ordinance amending the Legacy PUD, passed unanimously, RC.

Public hearing on adopting plans, specifications, form of contract and estimate of costs for the Gateway Sign project.

Mayor Pro Tem Isley opened the public hearing at 7:10 p.m. Eddleman reported receiving no comments.

Jonathan Martin, RDG Planning and Design addressed the council, council asked about the two bids received and had concern that they were above the budgeted dollar amount. Jonathan asked the council to consider either amending the budgeted amount by increasing it to 185,000. and accept the lower of the two bids or to build the sign in two phases adding the arches at a later date. Dougherty stated that bids are required and that could be done in the next fiscal year. Livingston stated that the council could increase the budget amount without opening new bids because the bidding was requested to either construct the sign or construct the sign with the arches. 175,000. Is the current budget. It was assumed that \$50,000 would be spent in FY 16 but it wasn't so that \$50,000 carried over to fiscal year 2017.

Steve Gilloti asked how TIF was paying for the sign when the sign isn't located in a TIF district. Dougherty responded that if one district is connected the city has the ability to add another district within the urban renewal area.

Isley closed the public hearing at 7:29 p.m.

16-139 Motion by Kuhl, seconded by Livingston to adopt plans, specifications, form of contract and estimate of costs for the Gateway sign project. Motion failed 2-3 with Isley, Lester and Riva voting nay.

Old School Plat 2 public infrastructure and final plat

The Old School Plat 2 contains 10 lots that are located on the north side of Pine Ave. between Main Street and Center Street. This site occupies the southern half of the block that once was the site of the original high school. The developer's engineer, Cooper Crawford & Associates, L.L.C. have submitted documentation that the improvements have been installed in accordance with the plans and specifications. A site inspection performed on July 14, 2016 found all items completed. The contractor has provided the necessary bonds. With the acceptance of these improvements the 4 year maintenance bonds will start. The developer, Savanna Homes, is now requesting the City accept the following improvements.

16-140 Motion by Lester, seconded by Isley to approve Resolution 0721-16-078 accepting improvements known as the Old School Plat 2, passed unanimously, RC.

16-141 Motion by Riva, seconded by Isley to approve Resolution 0721-16-079 approving the Old School Final Plat 2, passed unanimously, RC

Amendment to Engineering agreement with Veenstra & Kimm regarding the Beardsley Regional Detention 1 phase 2 grading and drainage project.

Tony Bellizzi, Veenstra & Kimm addressed the council. The Beardsley Regional Detention project started out as a simple detention project and went from a 1 pond concept to a 3 pond concept and then back to 2. The 12 acre site became a 33 acre site. The original scope of services for the project anticipated a project construction cost of approximately \$1,000,000.00. After a year and a half and multiple design changes the project has grown to an estimated cost of \$2,500,000.00. The Amendment to Agreement provides for additional compensation in recognition of the additional design services necessary to complete the project. The total requested compensation is \$256,900.00. Council requested that they are kept informed if costs escalate again.

16-142 Motion by Livingston, seconded by Isley to approve **Resolution 0721-16-080** amending the original professional engineering agreement for the project now known as the Beardsley Regional Storm Water Detention Facility, passed 3-2 with Riva and Lester voting nay.

Ordinance amending ambulance fees

There has been an increase in allowable billing fees set forth by Wellmark. The fees have been increased to reflect these changes in the code. Lester asked if the actual cost for services, medical supplies used and fuel was covered. Riva asked how much additional revenue the increase would generate. Chief Coburn responded that it would equate to about \$20,000.

16-143 Motion by Riva, seconded by Lester to pass the first reading of an ordinance amending the code of ordinances of the City of Norwalk, Iowa, Chapter 177, updating EMS fees.

16-144 Motion by Riva, seconded by Lester to waive the second and third reading of **Ordinance No 16-07 an ordinance amending the code of ordinances of the City of Norwalk, Iowa, Chapter 177, updating EMS fees.**

Discussion on the proposed RFP for the 2017 NCIS project

Council asked Tim if it was possible to reconsider priority of which street would be repaired next, to consider repairs to Woodmayr Circle before Lakewood Drive. Council asked Tim to brief them on those two streets at the August 4th council meeting.

Approval of the engineering agreement with Waters Edge phase 2 swimming pool

Council asked if there was a drop dead date for completion of phase 2 in the contract. Kuehl responded that there was not; council asked that a completion date be added along with language that stated that Waters Edge will assist the city in the process of obtaining inspections and permits from the state.

16-145 Motion by Lester, seconded by Isley to table approval of the engineering agreement with Waters Edge until the City Attorney reviews, passed unanimously, RC.

Reports:

Greg reported that they have hired two new police officers who will begin employment with the city August 8th; the city was selected to participate in a pilot program that involves the school and the police communicating through Wi-Fi.

Ryan reported that the storm siren located near Mastellar is being relocated to the Lutheran Church.

Tim reported that through the heavy rain event that occurred there were no reports of any sewer backup.

Tony Bellizzi, reported that there is a preconstruction meeting on the Beardsley project scheduled for July 29th.

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16-145 Motion by Lester, seconded by Riva to adjourn the meeting at 8:50 p.m., carried unanimously by voice vote.

Erika Isley, Mayor Pro Tem

Attest:

Jodi Eddleman, City Clerk