

JOHNSTON CITY COUNCIL
COUNCIL MEETING NO. 17-01 MINUTES
Johnston City Hall, 6221 Merle Hay Road
TUESDAY, January 3, 2017
7:00 p.m.

1. CALL TO ORDER

Mayor Dierenfeld called the meeting to order at 7:10 p.m.

2. ROLL CALL

Present: Clabaugh, Brown, Cope, Temple
Absent: Lindeman

The record should reflect that Council Member Temple is participating by telephone, as allowed by *Iowa Code* §21.8

3. WELCOME

Mayor Dierenfeld welcomed residents and guests to the meeting.

4. PLEDGE OF ALLEGIANCE

Phil Dunshee, Executive Director of the Johnston Economic Development Corporation, led the chamber in the Pledge of Allegiance.

5. AGENDA APPROVAL

City Administrator Sanders noted that Item 8G should be item 7C.

Motion by Cope, which was seconded by Brown to approve the Agenda as noted.

ROLL CALL: Aye: Brown, Cope, Temple, Clabaugh
Nay: None

Motion Approved: 4-0

6. PUBLIC COMMUNICATIONS

None

6. PUBLIC HEARINGS

- a. Conduct a Public Hearing on the Authorization of a Loan Disbursement Agreement and the Issuance of Not to Exceed \$1,900,000 Sewer Revenue Capital Loan Notes of the City of Johnston, Iowa
 - i. Consider Resolution No. 17-05 – Instituting Proceedings to Take Additional Action for the Authorization of a Loan and Disbursement Agreement and the Issuance of Not to Exceed \$1,900,000 Sewer Revenue Capital Loan Notes

The Public Hearing opened at 7:12 p.m.

Finance Director Teresa Rotschafer provided background on this item; it is a loan disbursement agreement through Iowa Finance Authority and the State's Revolving Loan Fund. Rotschafer stated the City would only be receiving funds as the expenses occur. The funds are for the next three phases of the East of Merle Hay Road project. The interest rate is 1.75% for 20 year. We will have to establish sewer usage rates to cover 110% of the principal / interest due each year.

There were no comments received from the public.

The Public Hearing closed at 7:19 p.m.

Motion by Clabaugh, which was seconded by Cope to approve Resolution No. 17-05.

ROLL CALL: Aye: Cope, Temple, Clabaugh, Brown
Nay: None

Motion Approved: 4-0

- b. Conduct a Public Hearing on the Authorization of a Loan and Disbursement Agreement and the Issuance of Not to Exceed \$1,800,000 Water Revenue Capital Loan Notes of the City of Johnston, Iowa
 - i. Consider Resolution No. 17-06 – Instituting Proceedings to Take Additional Action for the Authorization of a Loan and Disbursement Agreement and the Issuance of Not to Exceed \$1,800,000 Water Revenue Capital Loan Notes

The Public Hearing opened at 7:21 p.m.

Rotschafer indicated this was a loan and disbursement agreement through the State of Iowa Drinking Water Facilities program with a requirement of user rates at 110% of principal / interest. The interest rate for this loan is also 1.75%

There were no public comments.

The Public Hearing closed at 7:23 p.m.

Motion by Clabaugh, which was seconded by Cope to approve Resolution No. 17-06.

ROLL CALL: Aye: Temple, Clabaugh, Brown, Cope
 Nay: None

Motion Approved: 4-0

- c. Conduct a Public Hearing and Consider the Following Items Related to the NW Beaver Drive Trail – Phase II Construction Project:
 - 1. Resolution No. 17-03 – Adopting Plans, Specifications, Form of Contract and Estimate of Costs;
 - 2. Consideration of Construction Bids;
 - 3. Resolution No. 17-04 – Making Award of Construction Contract to Concrete Technologies, Inc.

The Public Hearing opened at 7:24 p.m.

Park and Recreation Director John Schmitz provided background information for this item. Phase II is the off road at 63rd segment to 50 feet in front of boat house and then a protected bike lane. This is a City and Iowa Department of Transportation project. The City will receive a \$300,000 grant.

There were no public comments received.

The Public Hearing closed at 7:27 p.m.

Motion by Cope, which was seconded by Clabaugh to approve Resolution No. 17-03.

ROLL CALL: Aye: Temple, Clabaugh, Brown, Cope
 Nay: None

Motion Approved: 4-0

Motion by Cope, which was seconded by Clabaugh to approve Resolution No. 17-04.

ROLL CALL: Aye: Temple, Clabaugh, Brown, Cope
 Nay: None

Motion Approved: 4-0

7. CONSENT AGENDA

- a. Consider Approval of Minutes of December 19, 2016, Work Session
- b. Consider Approval of Minutes of December 19, 2016, Council Meeting
- c. Consider Resolution No. 17-01 – Regarding the Proposed Conveyance of Three Structures Located at 6337 and 5249 Merle Hay Road and Setting the Public Hearing, Inviting Bids and Establishing Procedure for the Conveyance
- d. Consider Approval of Out-of-State Travel for Two Fire Department Members
- e. Consider Approval of Purchase Order No. 15-913 to Vic Scott for \$5,430.00 for the 2017 Residential Tree Program

- f. Consider Resolution No. 17-02 – Ordering Construction and Setting a Date of February 6, 2017, for a Public Hearing
 - h. Consider Resolution No. 17-07 – Setting Dates of a Consultation and Public Hearing on a Proposed Amendment No. 2 to the West Central Urban Renewal Plan in the City of Johnston, State of Iowa
 - i. Consider Approval – Authorization for the Police Chief to Renew a Renegotiated Product and Services Contract / Maintenance Agreement with Taser International to Supply Equipment and Services for Twenty-Four (24) Body Worn Cameras to the Police Department Over the Next Five Years. Further Authorize the Budgeted FY17 Capital Expenditure for Implementation of Additional Body Cameras
 - j. Consider Approval of Out-of-State Travel for Adam Plagge to Attend the International Economic Development Council Economic Development Credit Analysis Course – April 26-28, 2017
 - k. Consider Resolution No. 17-08 – Approving Change Order No. 4 for the NW 60th Avenue Improvements (Phase 4A)
 - l. Consider Approval of Pay Request No. 20 to Alliance Construction Group in the Amount of \$65,712.64 for Work Completed as of December 23, 2016, on the NW 70th Avenue Improvements 98th Street to West City Limits
 - m. Consider Approval of Proposal to Relocate Sanitary Sewer Service Stub to 6960 NW Beaver Drive
 - n. Consider Approval of Pay Request No. 13 to Rognes Corporation in the Amount of \$30,023.16, for Work Completed as of December 15, 2016, on the E of Merle Hay Road NW 60th Avenue Improvements Project – Phase 4A
 - o. Consider Approval for Out-of-State Travel for Brody Buskohl
 - p. Consider Approval of PO to McKinney Excavating (\$6,848.97)
 - q. Consider Approval of PO to McKinney Excavating (\$5,437.50)
- Motion by Cope, which was seconded by Brown to approve the Consent Agenda.
- ROLL CALL: Aye: Clabaugh, Brown, Cope, Temple
 Nay: None
- Motion Approved: 4-0

9. NON-CONSENT AGENDA

- a. Consider Third and Final Reading, Adopt and Publish of Ordinance No. 951 - Amending the Roughwood PUD to Expand Allowed Uses of the PUD to Include Those of the R-4, Multiple Family High Density Residential District in Addition to the Limited C-2, Community Retail Commercial District Uses. The Property is Located West of NW 86th Street and South of NW 54th Avenue.

Senior Planner Aaron Wolfe introduced the item and mentioned there was one change initiated by the Council at the last meeting. Language was clarified related to the temporary full access allowing the Council the opportunity to extend the time period if needed. Mayor Dierenfeld inquired regarding the next steps. Wolfe stated that prior to any building, Planning and Zoning would consider the site plan following proper notice to neighboring residences and then to the Council for action; it should take approximately six weeks from submittal until it goes before the Council for action.

Three members of the audience asked to address the Council in relation to this item: 1) Peggy Anderson of 8714 NW 53rd Place; 2) Terry Murphy of 8707 NW 53rd Place; and 3) Steve Scott of 6511 N. Winwood.

Anderson thanked Councilmember Cope for coming out and the Mayor and Councilmember Brown's responses. Anderson stated that no site of this size is being built next to residences. This development is too big and may cause damage to her property. Anderson added that it is not like the Council to go against the Planning and Zoning Commission and neighbors.

Murphy stated that the size is too large to be so close to residential property. Murphy stated that the site should stay commercial but of a reasonable size project.

Scott mentioned that there was a thorough examination and consideration of variables. He stated that he appreciates the Councils' understanding and that there were a significant amount of concessions made. He said based on engineering there is no reason to fear damage to adjoining properties.

Motion by Cope, which was seconded by Clabaugh to approve Third and Final Consideration of Ordinance No. 951, and to adopt and publish.

ROLL CALL: Aye: Brown, Cope, Temple, Clabaugh
Nay: None

Motion Approved: 4-0

- b. Consider Second Reading of Ordinance No. 954 - Amending the Johnston Revised Ordinance of 2007 by Amending Section 170.09 of the Zoning Sign Regulations.

Motion by Clabaugh, which was seconded by Brown to approve Second Consideration of Ordinance No. 954.

ROLL CALL: Aye: Cope, Temple, Clabaugh, Brown
Nay: None

Motion Approved: 4-0

- c. Consider approval of Claims in the amount of \$722,449.49

Motion by Clabaugh, which was seconded by Cope to approve Claims as presented.

ROLL CALL: Aye: Temple, Clabaugh, Brown, Cope
Nay: None

Motion Approved: 4-0

10. CITY ADMINISTRATOR/STAFF COMMENTS

Staff and City Administrator comments were made during the Work Session.

11. CITY COUNCIL COMMENTS

Mayor Dierenfeld thanked the community for supporting the food drive.

12. UPCOMING MEETINGS

TUESDAY, January 17, 2017	City Hall	Worksession 6:00 p.m. Meeting 7:00 p.m.
January 26, 2017	City Hall	Goal Setting 4:00 p.m.
February 6, 2017	City Hall	Worksession 6:00 p.m. Meeting 7:00 p.m.

13. ADJOURNMENT

The meeting adjourned at 7:52 p.m.

Paula S. Dierenfeld, Mayor

ATTEST:

Cyndee Rhames, City Clerk