

JOHNSTON CITY COUNCIL
Work Session No. 16-17 - Minutes
Johnston City Hall, 6221 Merle Hay Road
TUESDAY, September 6, 2016
6:00 p.m.

1. CALL TO ORDER

Mayor Dierenfeld called the meeting to order at 6:03 p.m.

2. ROLL CALL

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

3. DISCUSS MERLE HAY ROAD GATEWAY LANDSCAPE IMPROVEMENT PROJECT

Director of Planning and Development David Wilwerding briefly provided background on the item in reference to the 123 acres of Merle Hay Redevelopment as authorized by Council Resolution in 2013. An early step was to explore environmental impact of landscaping / tree clearing, including environmental review, wetland delineation, full tree survey, study of endangered bats, etc.

We have all necessary permitting in order to proceed. Economic Development Committee asked that we present to Tree Board and we did on August 23rd. The Tree Board had some concerns which we listed out on the staff report. Following that meeting we did reduce the area that was proposed to be cleared and Des Moines Water Works is looking to enhance water main connectivity and thus may be trying to acquire easements. Therefore, we have removed the understory clearing from the plan.

Eva Moritz from Foth Engineering provided some further information: We started with the environmental clearances for the project and invited all of the stakeholder agencies to a pre-project meeting. That agency meeting drove the studies we completed. Based on the wetland delineation, it dictated how we propose and where we proposed tree clearing. We also discovered two endangered bat species. Because of that our tree clearing needs to occur from October through April as the bats will be hibernating elsewhere.

Because it is wetland, we cannot disturb the roots, but instead will grind the stumps. We would like to have a vast mix of species for growth and we will be planting 25 trees. We discussed with an arborist and it is their opinion that we not leave one tree standing here or there, but instead complete any clearing in full sections as they are used to supporting each other. The species are primarily cottonwoods and maples.

Wilwerding mentioned that there were some emails circulating with the Council and that several folks in attendance would like to speak on the topic. He went on to state that the plan has been amended and reduced the clearing area from 11 acres to around 9.4. If we are moving forward, we need to move relatively quickly due to the endangered bat and limited window for clearing.

Mayor Dierenfeld asked for a reminder of the goal of the clearing. Wilwerding stated that it is to tie in the redevelopment site and access to the trail and creek through interconnectivity. We want to better connect the resources we have today with our development site and we have a visibility concern. Any development located will need to be seen. Mayor Dierenfeld added that runners would like some shade, but also visibility for safety and security so we need to accomplish both.

Councilmember Cope asked how we protect the area and maintain it moving forward. Wilwerding stated it would be the responsibility of the property owners and we would plant it back with a wetland mix which would require once a year tall mowing.

Councilmember Clabaugh asked what criteria DNR and Army Corps of Engineers looks for in approval. Eva Moritz from Foth stated that the Army Corps of Engineers makes sure we minimize surface disturbance and as long as we cut off at ground level we do not need a permit. We did not need a flowage easement as of now based on the plan. DNR examined the endangered species and wetlands, and they deferred to Fish and Wild Life and the Army Corps. In terms of Floodplain, since there was no permanent filling we did not need a permit.

Mayor Dierenfeld asked if there were questions or comments and an opportunity to address the Council on this matter from the public: Virginia Solberg of 5979 Dogwood Circle – I encourage you to wait to see what DMWW does. There is a difference between a forester and an arborist who looks at a few trees. This is a wetland and a mixture is nice, but it may get too wet to mow and the brush will get out of hand, plus there are steep slopes and if not seeded after clearing there will be runoff. I find it incongruent that we are protecting the other wetland when we aren't protecting this one.

Councilmember Clabaugh responded by asking Solberg if she could comment regarding additional conversations – urban forester seems to be contradicting what the DNR position is and I'd like to reconcile that. Solberg stated that there are a lot of different divisions in the DNR and each examine most closely their jurisdiction and will have different opinions.

Rhonda Martin of 5501 Garrison Court: I am on the tree board and a landscape architect with Iowa State University. I'm not anti-development – I sent a letter questioning the tree removal before we have a development. Why do we have to rush into it and I question the timing. We are all about tree preservation and now we are clearing it without knowing the use. The Beaver Creek area is a gem of a resource for the City with a creek unlike others. Once the trees are gone, they're gone for good. This development with site lines will take away what we have, and we will not have any negotiation power with developers. I feel the shrubbery is too dense, but if they cleared out the understory it would be better – I feel it's a maintenance item. Why spend so much money to cut down our own trees to get an unknown development.

Councilmember Brown asked a question: I looked up the USGS map of the site for historical perspective of tree location and elevations. What is the elevation of the interstate? What does it do down to the creek and where the site is? Basically, can we leave some more – what can stay due to not being in sight lines and not encroaching on visibility--- any other level of compromise? Wilwerding stated that the creek flows where it does due to relocation for the interstate, which caused some of the wetland area.

Councilmember Lindeman stated that we will have a better idea once we get the Des Moines Water Works plan and Foth creates an overlay potentially to show what it may look like.

Councilmember Cope stated that developers typically have a tough time seeing potential of this site and are hesitant until it is in its final stages, and they are also looking at other potential development sites in the metro area. Cope added that the City has taken many steps in the interest of maintaining natural resources and trees. This is a good plan that we can fine tune as we move forward, but the time is upon us to act.

Mayor Dierenfeld stated that there is not a lot of time and we need to move forward – the time is now. We will continue dialogue with the Tree Board, but we have to build it before the developers come.

Wilwerding confirmed the direction is to move forward and provided a rough timeline and next steps.

4. UPDATE ON 2014 STORMWATER PROJECTS

Due to a lack of time, this item was referred to a committee meeting on October 3rd or the 1st item for discussion on October 3rd.

The meeting adjourned at 6:57 p.m.

Paula S. Dierenfeld, Mayor

ATTEST:

Cyndee Rhames, City Clerk