

**City of Windsor Heights Regular Business Meeting Minutes
August 6, 2018- 6:00 PM. Council Chambers**

1. Call to Order

Mayor Burgess called the meeting to order at 6:00 PM.

2. Roll Call

Council members present: Michael Loffredo, Mike Jones, Threase Harms, and Zachary Bales-Henry. Joseph Jones attended via teleconference.

Staff present: City Administrator Elizabeth Hansen, City Clerk Travis Cooke, Public Safety Director/Police Chief Chad McCluskey, Deputy Clerk/Communications Specialist Jessica Vogel, Public Works Director Dalton Jacobus, Building and Zoning Official Sheilah Lizer, Park and Recreation Coordinator Michele Denkinger, City Attorney Erin Clanton, and City Engineer Justin Ernst.

3. Approval of the Agenda

Motion by Loffredo and seconded by Mike Jones to approve the agenda. Motion carried unanimously on a roll call vote.

4. Public Hearing (s):

- A. Public Hearing on Issuance of Senior Housing and Medical Clinic Revenue Bonds in the amount not to exceed \$7,000,000 for the Calvin Community Project: Motion by Mike Jones to open the public hearing at 6:01 PM. Seconded by Harms. Motion carried unanimously on a roll call vote. Comments: Cristina Kuhn of Dorsey and Whitney gave an overview of conduit financing. Mark Teigland, CEO of Calvin Community gave an overview of the campus expansion and development of a new medical clinic. No public comments. Council commented in support of the project. Motion by Harms to close the public hearing at 6:07 PM. Seconded by Loffredo. Roll call vote: Mike Jones – aye, Loffredo – aye, Joseph Jones – aye, Bales-Henry – nay, and Harms – aye. Motion carried 4-1.
 - i. Resolution No.18-0832 - A Resolution Approving the Issuance of Senior Housing and Medical Clinic Revenue Bonds, Calvin Community Project: Motion by Harms to approve Resolution No.18-0832 - A Resolution Approving the Issuance of Senior Housing and Medical Clinic Revenue Bonds, Calvin Community Project. Seconded by Loffredo. Roll call vote: Harms – aye, Bales-Henry - nay, Joseph Jones – aye, Mike Jones – aye, and Loffredo – aye. Motion carried 4-1.
- B. Public Hearing on Amendments to Chapter 40 pertaining to the Walnut Creek Trail hours: Motion by Loffredo to open the public hearing at 6:09 PM. Seconded by Bales-Henry. Motion carried unanimously on a roll call vote. Comments: Darren Skeries, 1441 64th St. supports keeping the trail open 24 hours a day. Council comments support keeping the trail open 24 hours a day. Motion by Harms to close the public hearing at 6:14 PM. Seconded by Loffredo. Motion carried unanimously on a roll call vote.

5. Public Comment:

Kerry Bowen, 7215 Reite Ave - updated on the Sister Cities Commission. Susan Skeries, 1441 64th St. – thanked Bolton & Menk for responding on their driveway; official minutes from March 5th should reflect that she spoke against Bolton & Menk getting paid for zoning work while the City was paying for a zoning officer and that she did not speak about EMTs because there is no shortage of EMTs on the Fire Department. There is a shortage of paramedics because a position was cut and that due to the paramedic position being cut the City could not guarantee 24/7 coverage; communications; grammar errors; administrator review; ethics violation for local option sales tax information. Darren Skeries, 1441 64th St. – minutes need more detail; Council flood communication was poor; in favor of exit interviews; accountability; grammar errors.

6. Approval of the Consent Agenda:

Motion by Mike Jones to approve the Consent Agenda with item#6A (Minutes of the Regular City Council Meeting on July 16, 2018) to be removed for separate consideration at a later date. Seconded by Loffredo. Motion carried unanimously on a roll call vote.

7. Old Business:

- A. Discussion and Appropriate Follow Up on Custom City Newsletter: Charlene Butz, 7114 N. Washington Ave. – Ankeny has a printed newsletter and she supports one. Nicole Crain, 7022 Del Matro Ave – supports copyediting and does not think that the newsletter should be sent to businesses.

John Thompson, 6300 School St. #222 – no newsletter. Lauren Campbell, 1004 63rd St. – send newsletter to businesses. Motion by Loffredo to instruct staff to proceed with a custom City newsletter agreement with Akili Design and Marketing to be sent to residents and businesses with copy editing, a monthly opt-out, and the formation of a newsletter focus group to meet quarterly and consist of a group that has a gender balance, geographic considerations, and of all ages. Seconded by Mike Jones. Roll call vote: Bales-Henry – aye, Loffredo – aye, Harms – nay, Mike Jones – aye, and Joseph Jones – aye. Motion carried 4-1. Harms voted no because the City does not have a communications plan.

B. 2017 Sidewalk Project – Kingston Services

Resolution No.18-0833, A Resolution approving the 2017 Sidewalk Project Substantial Completion:

Motion by Loffredo to approve Resolution No.18-0833, A Resolution approving the 2017 Sidewalk Project Substantial Completion. Seconded by Harms. Susan Skeries, 1441 64th St. – 64th Street Reported cracks and punch list items and does not support the action. John McKee, 1423 64th St. – substantial completion restricts liquidated damages and does not support the action. Charlene Butz, 7114 N. Washington Ave. – 63rd Street walls are a mess and does not support the action. Lauren Campbell, 1004 63rd St. – 63rd Street is an eyesore and does not support the action. Carol Tillotson, 1418 64th St. – consider sod and does not support the action. Harms stated that she walked 64th Street and Del Matro and created her own punch list. The Council’s intention was always to restore the driveways and yards back to their original condition or leave them better than we found them and this is not being done.

- i. After due consideration and discussion Council was not able to reach consensus on Resolution No.18-0833. Roll call vote: Harms – nay, Bales-Henry – nay, Joseph Jones – aye, Mike Jones – nay, and Loffredo – nay. Motion failed 1-4.
- ii. Approve Pay Request No. 11 in the amount of \$54,568.47: Motion by Harms to approve Pay Request No. 11 in the amount of \$54,568.47 to Kingston Services. Seconded by Bales-Henry. Motion carried unanimously on a roll call vote.

C. 2018 HMA Resurfacing – Grimes Asphalt & Paving Corporation

- i. Approve Change Order No. 2 in the amount of \$6,467.50: Motion by Mike Jones to approve Change Order No. 2 in the amount of \$6,467.50 to Grimes Asphalt & Paving Corporation. Seconded by Bales-Henry. Motion carried unanimously on a roll call vote.
- ii. Approve Pay Request No. 3 in the amount of \$159,041.86: Motion by Loffredo to approve Pay Request No. 3 in the amount of \$159,041.86 to Grimes Asphalt and Paving. Seconded by Harms. Motion carried unanimously on a roll call vote.

D. Discussion and Appropriate Follow Up on Special Events: Council reviewed a schedule of events being planned for in 2018 and 2019. Lauren Campbell, 1004 63rd St. – partnering with Animal Rescue League for 2019 Yappy Hour. Harms reported that Hy-Vee was looking at December 1st or 8th for Windsor Wonderland.

8. New Business:

- A. Discussion and Appropriate Follow Up on Automatic Traffic Enforcement (ATE) Revenues and Expenses for FY 2018-19:** Staff explained each item on the list of proposed uses of Automatic Traffic Enforcement (ATE) revenues. John Thompson, 6300 School St. #222 - wants curb cut at CEC and does not support plan. John McKee, 1423 64th St. stated that the City should have budgeted ATE funds rather than looking for ways to spend them in August and does not support the plan. After due consideration and discussion the Council tabled the item for formal action at a later date.
- B. Discussion and Appropriate Follow Up on Tobacco Policies:** Council reviewed options and staff recommendations on Tobacco Policies. After due consideration and discussion the Council tabled the item for formal action at a later date.
- C. Discussion and Appropriate Follow Up on possible expansion of the Metro Home Program**
 - i. Approve Resolution No.18-0834 - A Resolution Approving a Memorandum of Understanding Regarding the Metro Home Improvement Program: Motion by Harms to approve Resolution No.18-0834 - A Resolution Approving a Memorandum of Understanding Regarding the Metro Home Improvement Program. Seconded by Loffredo. Motion carried unanimously on a roll call vote.
- D. Discussion and Appropriate Follow Up on Storm Water Rate Analysis:** Chip Schultz, UMB Bank presented a rate analysis. John McKee, 1423 64th St. - spoke in favor of level rates. Loffredo asked

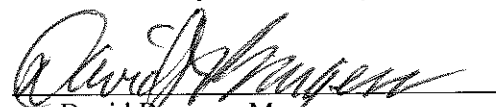
for a motion to approve storm water rates. Motion by Harms to approve a flat rate of \$6.73 per ERU. Seconded by Bales-Henry. John McKee, 1423 64th St. –wants the operational budget applied to the fee analysis and supports the flat rate. After due consideration and discussion Harms withdrew her motion. Seconded by Bales-Henry. Council came to the consensus to bring it back at a later date.

9. Reports: City Administrator/Mayor/Council/Staff/Board/Committee/Commission Updates:

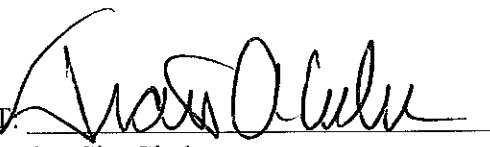
Bales-Henry – provided an update on the development committee and DART meeting scheduled for 8/7/18. Mike Jones – thanked Parks and Recreation Coordinator Michele Denkinger for organizing dog park clean-up. Harms –Thank you to Michele for the dog park efforts and asked if there is anything else volunteers could do. Would like to see Walnut Creek updates and restoration list for public works. Complaints about weeds on 73rd Street median; debris in the storm sewers including storm debris and concrete; 73rd to University has debris in storm sewer including plants growing and asphalt possibly from the resurfacing projects; light pole down by Burger King; Comments on City Newsletter regarding relocation of no parking signs on 64th Street and not seeing it before Council as an example of poor communication. Harms wants to review the Administrator’s evaluation with legal counsel and other Council members asking that the entire Council have an opportunity to have a conversation regarding the administrator’s review. The Mayor denied access to the evaluation and refused to have a discussion about it with the entire Council. Harms does not want to review the documents with Mayor Burgess as she would like to have a conversation with the entire Council and legal so we can understand the performance goals for the year as her managers. Loffredo questioned the objectives of the evaluation and would like to review the process going forward.

10. Adjourn to 6:00 PM on Monday, August 20, 2018, for a Regular Council Meeting at Council Chambers.

Motion by Mike Jones to adjourn the meeting at 9:19 PM. Seconded by Loffredo. Roll call vote: Harms – nay, Bales-Henry asked Harms if there was anything else she would like to discuss. Harms responded that she did not appreciate being addressed the way she was by the Mayor and that it does not resolve the issue. She will continue to bring up the Administrator’s evaluation at every meeting until she is able to review the Administrator’s evaluation. More discussion was held between Mayor Burgess and Harms. Harms stated that she was excluded from the process. Burgess replied that Harms was out of town. Harms asked City Attorney Clanton if the Administrator’s review could be brought up at a future meeting and Clanton responded that per the Standard Operating Procedures that it could be placed on a future agenda if two Council members requested it. Loffredo stated that he did not want to go back and reopen the evaluation but wanted to take a look at the process before next year’s evaluation. Harms stated that she did not want to reopen the evaluation but wanted to know what the results were including areas that needed improvement. Harms asked if the rest of the Council knew what those areas were. Mike Jones responded that he did know. Harms stated that she was the only one who did not see the results. Mayor Burgess invited Harms for a private review of the results. Loffredo said that he did not recall seeing the results. Mayor Burgess and Bales-Henry stated that Loffredo received a copy of the aggregated comments from each evaluator. Bales-Henry said that he saw the comments but also asked that action on the evaluation be tabled until Harms could be present. Mayor Burgess confirmed Bales-Henry’s statement. Loffredo thanked Mayor Burgess and Bales-Henry for the clarification. Mayor Burgess asked if there was a second to adjourn at 9:25 PM. Mike Jones stated that the Council was in the middle of voting. Harms requested a motion to place the evaluation on the next agenda. Clanton clarified that there were no additional action items on the agenda but that Harms could make the request. Harms requested that the Administrator’s evaluation be placed on the next agenda. Bales-Henry supports her request. Bales-Henry asked for clarification from Clanton on parliamentary procedure regarding the status of the motion to adjourn. Mike Jones stated that he moved to adjourn and Bales-Henry seconded the motion. Bales-Henry withdrew his second. There being no more agenda items Mayor Burgess called for the roll call. Harms – no, Bales-Henry – no, Joseph Jones - no, Mike Jones – yes, and Loffredo – yes. Motion failed 2-3. Clanton clarified that the meeting was not adjourned at 9:27 PM. Bales-Henry asked if the Administrator’s evaluation could be added to a later agenda. Clanton clarified that there were no more action items on the agenda but per the SOP it could be added to a future agenda by request from two Council members. Clanton further clarified that a request does not need to be made in a public meeting. Harms asked if the request needed to be in writing. It was the consensus of the Council that the request had been made by three members. Motion by Harms to adjourn the meeting at 9:30 PM. Seconded by Bales-Henry. Motion carried unanimously on a roll call vote.


David Burgess, Mayor

ATTEST.

A handwritten signature in black ink, appearing to read "Travis Cooke", written over a horizontal line.

Travis Cooke, City Clerk