

City of Windsor Heights Regular Business Meeting Minutes
August 20, 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 was absent.

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, City Attorney Matt Brick, and City Engineer Justin Ernst.

3. Approval of the Agenda

Motion by Harms to approve the agenda with the following items removed from the consent agenda: Item #5A – (Approval of the Minutes of the Regular Council Meeting on July 16, 2018 and August 6, 2018) and Item #5B – (Approval of the Cash Disbursements). Harms requested that the following items be added to the agenda: staff and council reports and a closed session pursuant to Iowa Code Section 21.5.1(i), To evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. City Attorney Matt Brick advised the council that adding the reports and the closed session must be for discussion purposes only and that no action could be taken as a result of the added agenda items. Seconded by Bales-Henry. Motion passed unanimously on a roll call vote.

4. Public Comment:

Michael Libbie, 2009 80th St. – The Windsor Heights Chamber Executive Director stated Nights in the Heights was a great success. They added two new members to our Chamber, Sweet Swirls and Peterson Painting.

David Swartz, 6601 Northwest Dr. – The Windsor Heights Foundation President gave a summary of the Windsor Heights Foundation's Nights in the Heights and thanked the council for their partnership on this event. Swartz also thanked the public works department for all of their hard work to get the park ready after the flood.

Darren Skeries, 1441 64th St. – Spoke on the parking change on 64th and Del Matro, they received a letter regarding the changes, but would have liked text messages to alert when the change was happening. Spoke on other streets in the City that the parking should be changed like Washington, College and School Street. Spoke on the speeding issue on Washington.

Susan Skeries, 1441 64th St. – Spoke on minute changes and her request to change the meeting minutes from March 5th. She searched the March 5th minutes for an amendment or correction and believed her statement has been erased from the minutes. She attended the August 6th meeting and that the meeting minutes for that meeting were missing how many times the meeting tried to adjourn or that Council Member Harms comments were not included. She would like to look through the punch list to see what is listed. Spoke on the parking changes on 64th Street and that the faculty of the school didn't know of the parking changes. There is a parking sign that should be moved as well.

Vern Chiles, 6502 Alison St. – Spoke on the flooding issues from June and past flooding issues at his property and asked what the City is planning regarding the rain water situation. Spoke on the damage and the loss of vehicles. His property has been flooded three to four times. Council held an extensive discussion with Mr. Chiles on flood issues.

Tracy Willits, 1911 76th St. - Spoke on the condition of streets especially since the flooding in June. College Street is horrible condition and believes the street is on a plan to be repaired. Spoke on not being able to find information on our website and would like to see improvements. Spoke on not seeing flood updates regarding what is going on with the state of creek and flood mitigation. Spoke on a plan to slow the water and how to do we fix it and where is the progress of those plans listed in the comprehensive plans.

Darren Skeries, 1441 64th St. – is in favor of additional information on processes as they occur.

Vern Chiles, 6502 Alison St. – wants to know if the Council is making flood issues a priority.

Council held an extensive discussion on flood issues and communications.

5. Approval of the Consent Agenda:

Motion by Harms to approve the Consent Agenda with item#5A (Approval of the Minutes of the Regular Council Meeting on July 16, 2018 and August 6, 2018) and item # 5B (Approval of the Cash Disbursements) to be removed for separate consideration. Seconded by Bales-Henry. Motion carried unanimously on a roll call vote.

6. Old Business:

- A. Discussion and Appropriate Follow Up on Tobacco Policies. Motion by Harms to direct staff to prepare the appropriate documents relating to smoke-free and tobacco-free policies for City facilities and employees for council consideration at an upcoming meeting. Seconded by Loffredo. Roll call vote: Mike Jones – nay, Harms – aye, Loffredo – aye, and Bales-Henry - aye. Motion carried 3-1. Motion by Harms to set a public hearing for September 4, 2018 at 6:00 PM for the purpose of hearing public comment on a proposed Tobacco Free Ordinance. Seconded by Mike Jones. Motion carried unanimously on a roll call vote.
- B. First Reading on Ordinance No. 18-22, An Ordinance Amending Chapter 40 allowing 24 hour use of the Walnut Creek Trail in Windsor Heights. Motion by Harms to approve the first reading of Ordinance No.18-22. Seconded by Mike Jones. Motion carried unanimously on a roll call vote.

7. New Business:

- A. Approve Replacement of the Roof at the Public Works Maintenance Facility. Motion by Loffredo to approve the replacement of the public works maintenance facility. Seconded by Harms. After due consideration and discussion Loffredo withdrew his motion. Motion by Harms to table replacing the roof at the Public Works Maintenance Facility. Seconded by Mike Jones. Motion carried unanimously on a roll call vote.
- B. Approve Purchase of Recycling Containers for the Parks Department. Motion by Loffredo to approve purchasing recycling containers for the Parks Department. Seconded by Mike Jones. Motion carried unanimously on a roll call vote.
- C. Discussion and Appropriate Follow up on Reimbursement Agreement with Colby Interests for a DART Transition Station in the parking lot of Walmart and an Economic Development Program Application from Colby Interests in the amount of \$54,000.
 - i. Approve Resolution No.18-0836, A Resolution approving a Reimbursement Agreement with Colby Interests. Administrator Hansen gave a summary of the project and the easement agreement between DART and Colby Interests. Motion by Loffredo to approve Resolution No.18-0836, A Resolution approving a Reimbursement Agreement with Colby Interests. Seconded by Bales-Henry. Motion carried unanimously on a roll call vote.
 - ii. Approve Economic Development Program Application from Colby Interests in the amount of \$54,000. Motion by Bales-Henry to approve the application from Colby Interests in the amount of \$54,000. Seconded by Loffredo. Motion carried unanimously on a roll call vote.
- D. Approve Professional Services Agreement with Bolton & Menk, Inc. for the preliminary design of the 73rd Street Trail Connection Project in the amount not to exceed \$30,774. Motion by Harms to approve the agreement. Seconded by Bales-Henry. Justin Ernst, Bolton & Menk gave an overview of the preliminary design of a trail from Buffalo Rd to Walmart along the railroad. Harms spoke in favor of the trail project as good for economic development and consistent with the addition of the DART Hub. Harms reported that she witnessed a person in a wheelchair struggling on the street in the winter because there was no other means for the person to travel down 73rd St. Harms stated that it's clearly being used as a pedestrian trail and that there's a need for the trail connection. Nicole Crain, 7022 Del Matro Ave. – spoke in opposition to spending on design work for a trail and supports continuing to improve existing infrastructure. Loffredo spoke in opposition to the action stating that flood issues should take priority and that he does not support Bolton & Menk. Roll call vote: Harms – aye, Bales-Henry – aye, Mike Jones – nay, Loffredo – nay. Motion failed 2-2.

- E. Approve Tobacco Permit, Super Quick Mart. Motion by Jones to approve the permit. Seconded by Loffredo. Roll call vote: Harms – nay, Bales-Henry – aye, Mike Jones – aye, and Loffredo - aye. Motion carried 3-1.
- F. Discussion and Appropriate Follow up on Welcome Program. Motion by Loffredo to ask staff to prepare a sample packet of information to be sent to new residents for further review at a later meeting. Seconded by Harms. Motion carried unanimously on a roll call vote.
- G. Item#5A – Approve Minutes of the Regular Council Meeting on July 16, 2018 and August 6, 2018 – Motion by Loffredo to approve the minutes. Seconded by Bales-Henry. Harms has concerns that the items that she asked to be included in the August 6, 2018 minutes were not included and read the SOP section regarding minutes. The Council and staff held an extensive discussion regarding minutes and communications. The Council came to the consensus to follow the SOP and focus on quality and accuracy of the minutes over quantity. Harms stated that she would like to see the minutes corrected before approving them. Mike Jones asked for specifics as to what was going to be added to the minutes and to follow the SOP in the future. Harms agrees with the SOP but does not think that it's being followed. Harms asked that the August 6th Minutes reflect the process of adjournment. Roll call vote: Harms – nay, Bales-Henry – nay, Mike Jones - nay, and Loffredo – nay. Motion failed 4-0. Harms made a motion to approve the minutes as corrected. Harms offered to provide a list of changes that she would like to see in the minutes. City Attorney Brick asked Harms if she was making a motion to table the minutes until she had a chance to correct them. Motion by Harms to table the Approval of the July 16, 2018 and the August 6, 2018 minutes until they could be corrected. Seconded by Loffredo. Motion carried unanimously on a roll call vote.
- H. Item#5B – Approval of Payment of Cash Disbursements; Motion by Harms to approve payment of cash disbursements. Seconded by Bales-Henry. Harms asked for clarification on repair to the PD air conditioning and how it related to the ATE funds discussed at the prior meeting. Mike Jones and Mike Loffredo asked about University Avenue redesign. Staff explained that it was a portion of the Bolton & Menk overall billing. Motion carried unanimously on a roll call vote.

8. Reports: Harms stated that she wanted council and staff reports added to the agenda. Mayor – FEMA approval.

Bales-Henry – none.

Loffredo -Welcome back to school event. Speeding on Washington/placement of ATE vehicle.

Jones – parking on both sides of 64th Street. 70th Street manholes are raised.

Harms – requested that the insurance agent change be placed on the next agenda. Invited everyone to attend the Clive Elementary ice cream social. Expressed concern with the ATE budget. Requested flood communication updates on a regular basis. Administrator's Report – patching work; parking; better communication on future road projects; inquired about the ethics violation for LOST campaign – City Attorney Brick explained that personnel matters need to be kept out of open session. Administrator Hansen stated that the Chamber was asked to send the flier but did not respond and City was found in violation because the City sent the flier.

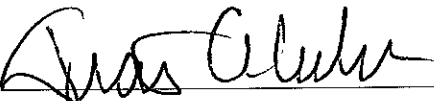
9. Closed Session: Motion by Loffredo to enter into closed session at 8:33 PM pursuant to Iowa Code Section 21.5.1(i) to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session. Seconded by Harms. Roll call vote: Harms – aye, Jones – aye, Loffredo – aye, and Bales-Henry – aye. Motion carried 4-0.

Motion by Loffredo to exit closed session at 9:06 PM. Seconded by Jones. Motion carried unanimously on a roll call vote.

10. Adjourn to 6:00 PM on Tuesday, September 4, 2018, for a Regular Council Meeting at Council Chambers.

Motion by Bales-Henry to adjourn the meeting at 9:06 PM. Seconded Loffredo. Motion carried unanimously on a roll call vote.



ATTEST: 
Travis Cooke, City Clerk

David Burgess, Mayor