

**City of Windsor Heights Regular Business Meeting Minutes
Tuesday, September 4, 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, Zachary Bales-Henry, and Joseph Jones.

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 Erin Clanton, City Engineers Justin Ernst and Matt Ferrier.

3. Approval of the Agenda

Motion by Harms to approve the agenda with the following item removed from the consent agenda for separate consideration: Item #6A – (Approval of the Minutes of the Regular Council Meeting on July 16, August 6, and August 20 2018). Seconded by Bales-Henry. Motion passed unanimously on a roll call vote.

4. Public Hearing (s)

A. Public Hearing on Amendments to Chapter 40 Public Offenses; Sub 40.02.15 Smoking and Tobacco Use Prohibited at City Facilities: Motion by Joseph Jones to open the public hearing at 6:03 PM. Seconded by Bales-Henry. Motion carried unanimously on a roll call vote. Comments: none. Motion by Loffredo to close the public hearing at 6:04 PM. Seconded by Mike Jones. Motion carried unanimously on a roll call vote.

- i) First Reading on Ordinance No.18-13, A new Ordinance Chapter 40.02.15 of the Code of Ordinances prohibiting Smoking and Tobacco Use at City Facilities: Motion by Bales-Henry to approve the first reading of Ordinance No.18-13, A new Ordinance Chapter 40.02.15 of the Code of Ordinances prohibiting Smoking and Tobacco Use at City Facilities. Seconded by Harms. Motion carried unanimously on a roll call vote.
- ii) Approve Resolution No. 18-0937, A Resolution establishing a personnel policy creating Tobacco-free City Facilities for the City: Mayor Burgess made a recommendation to table the resolution until the practices in other cities could be further reviewed and the impact on employees could be considered. The Council held an extensive discussion on smoking as it relates to the personnel policy. Harms spoke in favor of the resolution and the benefits of the policy for both the city and the employees in terms of the health of the employees and healthcare costs. Clanton addressed legal concerns and did not find any issues with the policy. Loffredo spoke to the negative image of smoking by employees during the work day and is in favor of the policy. Harms and Loffredo spoke to smoking cessation benefits offered to employees by the City. Motion by Harms to approve Resolution No. 18-0937, A Resolution establishing a personnel policy creating Tobacco-free City Facilities for the City. Seconded by Joseph Jones. Comments: Jeneane Moody, Iowa Public Health Association and Iowa Tobacco Prevention Alliance spoke in favor of the policy and gave statistics in support of the policy. Mike Jones asked how many cities in Iowa prohibited smoking in personal vehicles. Ms. Moody did not have Iowa examples. Darren Skeries – 1441 64th St. – spoke in favor of the policy and commented on police and fire department smoking cessation policies and a possible policy in the City of Newton. Motion carried unanimously on a roll call vote.

5. Public Comment:

Sara Trone-Garriott– 2012 69th St. – spoke about the crossing guard change at Clive Elementary from a city paid employee to school provided volunteers and the need for city sponsored crossing guards. Chief McCluskey gave an explanation of the changes made at the city and school level to provide crossing guards at Clive Elementary. The Council held an extensive discussion about providing crossing guards.

John Thompson, 6300 School Street #222 – spoke in favor of providing city sponsored crossing guards.

Michael Libbie, 2009 80th St. – chamber updates. Lauren Campbell is the new Chamber secretary.

Susan Skeries, 1441 64th St. – March 5th meeting minutes need to be corrected to indicate that a paramedic position was being discussed and not an EMT position. Supports crossing guards. Harms would like to see the March 5th meeting minutes amended to reflect Susan Skeries comments. Jones spoke to the cost of republishing minutes.

6. Approval of the Consent Agenda:

Motion by Harms to approve the Consent Agenda items 6B through 6D. Seconded by Joseph Jones. Motion carried unanimously on a roll call vote.

Motion by Loffredo to approve Item #6A – (Approval of the Minutes of the Regular Council Meeting on July 16, August 6, and August 20 2018). Seconded by Harms. The Council held an extensive discussion about meeting minutes. Loffredo withdrew his motion. Harms withdrew her second. The Council came to the consensus to review and amend the minutes of July 16, August 6, and August 20 2018 and to amend the March 5, 2018 Minutes to reflect that a paramedic position was being discussed during budget discussion rather than an EMT position. Each set of minutes will be considered at the next council meeting as separate agenda items.

7. Old Business:

- A. Second Reading on Ordinance No.18-12, An Ordinance amending Chapter 40 allowing 24 hour use of the Walnut Creek Trail in Windsor Heights: Motion by Loffredo to approve the second reading of Ordinance No.18-12, An Ordinance amending Chapter 40 allowing 24 hour use of the Walnut Creek Trail in Windsor Heights. Seconded by Harms. Motion carried unanimously on a roll call vote. Motion by Joseph Jones to waive the third reading of Ordinance No.18-12, An Ordinance amending Chapter 40 allowing 24 hour use of the Walnut Creek Trail in Windsor Heights. Seconded by Bales-Henry. Motion carried unanimously on a roll call vote.
- B. Second Discussion and Appropriate Follow Up on Automatic Traffic Enforcement (ATE) Revenues and Expenses for FY 2018-19: The Council held a discussion on ATE revenue expenditure changes made by the budget committee. Mike Jones asked for clarification on the expense of restoring the bio swale at Colby Park. Public Works Director Jacobus and City Engineers explained how bio swales function and what work would be needed to restore it after flooding. The Council also discussed ADA compliance changes needed at the CEC and if the CEC was compliant with ADA when it was built.

8. New Business:

- A. Discussion and Appropriate Follow Up on Property Insurance Agents: Mark Currie spoke to the Council regarding the decision to name him as the City's agent of record for property and liability coverage and the allegations brought to the Council by the City's former agent. The Council came to the consensus that they were comfortable with having Mark as the City's insurance agent.
- B. Discussion and Appropriate Follow Up on Project Punch Lists: Matt Ferrier addressed the sidewalk project punchlist including retainages and liquidated damages as requested by councilmember Loffredo. There has been little to no work done on the items by Kingston to date. Liquidated damages are tied to the items on the punchlist. Mr. Ferrier looked into calling the construction bond and received a response from Kingston that the punchlist items would be completed by September 30th. Mr. Ferrier is keeping retainages until all items are completed. Double the contract costs for seeding will be held until next spring to make sure the grass survives the winter. Mr. Ferrier and the Council developed a communication plan for residents impacted by the outstanding punchlist items. The Council held a discussion with Mr. Ferrier and Clanton on the challenges that new state laws and the economy have placed on finding qualified contractors for future projects. Harms commented that she walked the project and does not feel as though the project meets the standards that the Council voted for when approving the project and wants to make sure that the residents living along the project are taken care of.

9. Reports:

Mayor – Congratulated Councilmember Joseph Jones on being selected for 90 Ideas in 90 Minutes. Congratulated the fire department on achieving an ISO rating of 3 – one of the best ratings in the state. League meeting next week.

Bales-Henry – DART meeting today. Everyone at DART is happy to see the Windsor Heights Hub become a reality. Construction will begin soon.

Joseph Jones – MPO updates – will be attending an upcoming meeting on policy committee structure changes.

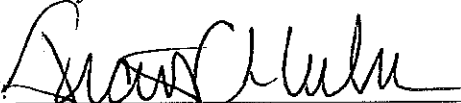
Loffredo – Wants complete street advisory committee updates. Handed out a sample certificate of appreciation to the Council for consideration as a thank you to the people of Windsor Heights to recognize the good things that are going on in the community. Need to discuss a policy on it in the future. Welcome letter coming soon. Crossing guard issue needs to be addressed quickly.


Mike Jones – Asked for clarification on how the sinkhole formed on Del Matro. Asked for an update from legal on the P&Z commission's sign ordinance issue from last year.

Harms – Emerald Ash Borer treatment updates. Thank you to Dalton for response to sewer backup. ATE legal issues. Communications plan and updates on 63rd Street (IDOT) project starting on September 10th. Economic development pitch book review. Budget committee needs to keep health care cost control measures in mind for budget discussions. Accuracy of the University Avenue redesign meeting dates in administrator's report. Goals in University Avenue communications plan are not measurable.

10. Adjourn to 6:00 PM on Monday, September 17, 2018, for a Regular Council Meeting at Council Chambers.

Motion by Joseph Jones to adjourn the meeting at 8:55 PM. Seconded Loffredo. Motion carried unanimously on a roll call vote.

ATTEST: 
Travis Cooke, City Clerk


David Burgess, Mayor