

**ABRIDGED MINUTES OF THE NORWALK REGULAR CITY COUNCIL MEETING
ON JANUARY 19, 2023**

(Minutes to be approved at the February 2, 2023 meeting)

This meeting of the City of Norwalk City Council, on January 19, 2023 was held electronically and in person. Attendees could access the meeting via Zoom or attend in person.

Mayor Phillips called the City Council meeting to order at 5:01 P.M. Present at roll call: David Lester, Stephanie Riva, Ed Kuhl, and Mayor Tom Phillips. Absent: Brian Baker and Jaki Livingston. (RC = roll call vote)

Staff present included: Luke Nelson, City Manager; Lindsey Offenburger, City Clerk; Kerri Keyte, Human Resources Director; Jenn Porter, Fire Chief; Greg Staples, Police Chief; Wayne Schwartz, Public Works Director; Robin Leaper, Parks & Recreation Director; Luke Parris, Community Development Director; Hollie Zajicek, Economic Development Director; Jean Strable, Library Director; and Jim Dougherty, City Attorney.

Pledge of Allegiance

Motion by Riva, seconded by Kuhl to approve the agenda as presented; carried unanimously, voice vote.

Dedicated Work Session

Budget Recap & Finalization presented by Jean Kelly

Welcome of Guests and Public Comment

Consent Agenda

Motion by Lester, seconded by Riva to approve the consent agenda which included: tax abatements; January 5, 2023 Minutes of the regular City Council meeting; New 5-day Class C Retail Alcohol License for Top It Off event at 340 Wright Rd., effective January 20, 2023 through January 24, 2023; Renewal Class C Retail Alcohol License and Sunday Sales for Echo Valley Country Club; Renewal Class Retail Alcohol License for Fareway Stores #077; **Resolution 23012**

approving the renewal of a Preventative Maintenance Agreement with Life Med Safety; **Resolution 23013** approving second (final) payment to JNB Senior 2, LP (Alice Place Norwalk); **Resolution 23014** approving Denovo Construction Services; **Resolution 23015** to approve Pay Estimate No. 9 to Sternquist Construction for Sunset Drive/IA Hwy 28 and North Avenue Intersection Improvements Project; **Resolution 23016** setting February 2, 2023 for a Public Hearing regarding an Amendment to the Hughes Century Crossing Planned Unit Development Parcel F Land Uses; **Resolution 23017** approving Subscription Agreement for Customer Relationship and Project Management Tool EDC Forge for Economic Development Project Management and Client Database System; Set Public Hearing for February 2, 2023 to approve the proposed Maximum Property Tax Levy for General Fund, Liability, Property & Self-Insurance Costs & Special Revenue Levies for Employee Benefits; Set Public Hearing for February 16, 2023 for FY24 Capital Improvement Plan (CIP) Budget; Correspondence; Monthly Reports; and Expenditures, carried unanimously, RC.

PAYEE	DESCRIPTION	AMOUNT	PAYEE	DESCRIPTION	AMOUNT
ABT MAILCOM	UTILITY BILL PROCESSING & MAILING	3,052.22	NORTHLAND	OIL & WASHER FLUID - BULK	1,021.85
ADVANCED PROBLEM SOLUTIONS	SERVICE ON HEAT	250.00	ONENECK IT SOLUTIONS LLC	CITY WIDE PHONE SYSTEM	115.34
AHLERS & COONEY, P.C.	UNION NEGOTIATIONS	970.00	ANDREA KINGREY	DODGEBALL CANCELLATION	93.09
ANDREW J POOLE	428 SNYDER - CURB & GUTTER	1,285.00	ASHLEY DUSENBERY	CANCELLATION OF MOMMY & ME REFUND	30.00
BAKER & TAYLOR INC	DVDS	1,892.70	MEGAN FROHLING	REFUND PROGRAM WITHDRAWAL	33.75
BISHOP ENGINEERING	CORE-NORWALK CENTRAL	2,015.00	PENWORTHY COMPANY	BOOKS	851.89
BOLTON & MENK, INC	GWT - PHASE 3	2,562.00	PROCIRCULAR	CYBER SECURITY MONTHLY FEE	841.34
BRINDLEE MOUNTAIN FIRE APPARATUS	BROKER FEE	10,000.00	ROTARY CLUB OF NORWALK	QUARTERLY DUES - NELSON	200.00
CHRISTINA OLSON	MILEAGE REIMBURSEMENT	8.89	SNYDER & ASSOCIATES INC	N AVE REALIGNMENT	1,524.75
CITY OF DES MOINES	FEB 2023 WRA PAYMENT	108,150.25	STERNQUIST CONSTRUCTION, INC	SUNSET DR/HWY 28 AND NORTH AVE	71,757.95
CITY OF WEST DES MOINES	WESTCOM JAN 2023 PMT	29,326.52	STRATUS BUILDING SOLUTIONS	CLEANING SERVICES	1,096.00
CIVIC SYSTEMS, LLC	SEMI-ANNUAL SUPPORT FEES	14,973.00	SWANK MOTION PICTURES, IN	MOVIE LICENSING FEE	347.00

DENOVO	CORE BLDG PM	65,013.09	TIM HILDRETH CO	COMBUSTION SYSTEM REPAIR	105.00
DEPARTMENT OF ADMINISTRATIVE SERVICES	CPM COURSE - LO	250.00	TITAN MACHINERY	PUSHER	531.20
EAST WEST BOOKS	BOOKS	305.86	EGAN, JOHN	UTILITY DEPOSIT REFUND	30.26
FIRE RECOVERY EMS LLC	DEC BILLING FEES	1,414.79	JORDAN, MARCUS	UTILITY DEPOSIT REFUND	33.53
FOTH INFRASTRUCTURE & ENVIRONM, LLC	GOLDEN VALLEY DR IMPROVEMENTS	12,386.50	KLOCKO, COBY	UTILITY DEPOSIT REFUND	8.99
GALLS LLC	POLO - CURTIS	39.26	SHACKELFORD, JOHN	UTILITY DEPOSIT REFUND	62.74
HAPPY HEART YOGA AND WELLNESS LLC	PRESENTER FEES	50.00	SUMMIT REAL ESTATE SERVICES	UTILITY DEPOSIT REFUND	3.96
IOWA COMMUNICATIONS NETWORK	INTERNET SERVICE	352.50	COSGRIFF DEVELOPMENT	UTILITY REFUND	13.86
IOWA ONE CALL	LOCATION NOTIFICATIONS	342.30	HAPPE HOMES	UTILITY REFUND	40.88
IOWA SIGNAL INC	HWY 28 & COLONIAL	922.50	HUBBELL HOMES LC	UTILITY REFUND	84.11
JAMES OIL COMPANY LLC	FUEL	17,797.99	KRUSE CONSTRUCTION	UTILITY REFUND	622.82
JNB SENIOR 2, LP	2ND PMT - ALICE PLACE DEV AGREEMENT	175,000.00	NFLF HOLDINGS	UTILITY REFUND	0.03
JONATHAN MAY	PERFORMER FEES - DEPOSIT	60.00	SUMMIT HOMES	UTILITY REFUND	157.63
LARRY WINDOWS	CH EXTERIOR	95.00	VANDERPOOL CONSTRUCTION	AUGUSTA- WATER REPAIRS	5,041.03
LIBRARY FURNITURE INTERNATIONAL	SHELVING INSTALLATION	2,607.00	VERIZON WIRELESS	PHONE SERVICE	1,610.38
MICROMARKETING ASSOCIATES	BOOKS/FILMS	714.27	WELLS FARGO BANK	CREDIT CARD PURCHASES	38,607.64
MUNICIPAL SUPPLY	REPAIR CLAMP & CORP STOP	10,272.60	WITMER PUBLIC SAFETY GROUP	LADDER BELTS	202.64
NICHOLS EQUIPMENT LLC	EQUIP TO TAKE DOWN XMAS LIGHTS	1,389.25			
NORTH WARREN TOWN & COUNT	PUBLICATIONS	560.95		TOTAL	\$589,129.10

City of Norwalk			
December 2022 Revenues			
Fund	Revenues	Fund	Revenues
General	\$ 408,325.67	NCIS Infrastructure	\$ -
Trust & Agency	\$ 5,763.83	Water Utility	\$ 303,862.02
Road Use Tax	\$ 153,610.09	Water bond/sinking fund	\$ -
Special Revenue	\$ 34,976.76	Water Improvement	\$ 4,900.60
T&A Self Funding	\$ -	Water T&A	\$ 2,635.48
LOSST	\$ 272,389.50	Water Reserve	\$ -
TIF	\$ 109,842.61	Sewer Utility	\$ 307,801.89
HIDTA forfeiture	\$ -	Sewer Improvement	\$ -
Economic Development	\$ -	Sewer equipment replacement	\$ -
T&A Plumbers Bonds	\$ -	Storm Water	\$ 54,608.69
T&A Library Trust	\$ 13,196.63	Storm water equipment replacement	\$ -
T&A Park Trust	\$ 1,329.30	Warren Water Buyout	\$ 438.82
Debt Service	\$ 60,743.18		
Capital Improvements	\$ 424,000.00	Total Monthly Revenues	\$ 2,158,425.07

Recess at 5:17 p.m.

Back in Session at 5:43 p.m.

Old and New Business for Consideration, Discussion and Possible Action

Motion by Riva, seconded by Lester to approve **Resolution 23023** approving the renaming of a remnant portion of County Line Road to Gracie Lane, carried unanimously, RC.

Motion by Kuhl, seconded by Riva to approve **Resolution 23022** approving the Site Plan Amendment of Norwalk Central SportsPlex USA, LC Facade Elevations, carried unanimously, RC.

Motion by Lester, seconded by Riva to approve **Resolution 23024** approving 28E Agreement with the Norwalk Community School District for IT Services, carried unanimously, RC.

Motion by Riva, seconded by Kuhl to pass the final reading of **Ordinance 23-01** amending the Official Zoning Map of the City of Norwalk, Iowa by rezoning 1305 Sunset Drive to the 1305 Sunset Drive Infill Planned Unit Development, carried unanimously, RC.

Motion by Kuhl, seconded by Riva to pass the final reading of **Ordinance 23-02** Providing for the Division of Taxes Levied on Taxable Property in the December, 2022 Addition to the Norwalk Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa, carried unanimously, RC.

Council Inquires and Staff Updates

Public Hearing regarding PCC Pavement Widening at Beardsley Street and IA Hwy-28 (Sunset Dr.)

Mayor Phillips opened the public hearing at 6:15 p.m. Wayne Schwartz presented the project. Lindsey Offenburger reported receiving no oral or written comments. Council Member Riva expressed her desire to remove the Right-in, Right-out on Highway 28 from the project. Mayor Phillips closed the public hearing at 6:33 p.m.

Motion by Riva, seconded by Lester to approve **Resolution 23018** approving plans, specifications, form of contract and estimate of cost for the PCC Pavement Widening at Beardsley Street and IA Hwy-28 (Sunset Dr.) Project on the condition that staff submit a change order to remove the turn lane portion on Highway 28 (Sunset Drive), carried unanimously, RC.

Motion by Kuhl, seconded by Riva to approve **Resolution 23019** awarding Contract for the PCC Pavement Widening at Beardsley Street and IA Hwy-28 (Sunset Dr.) Project, carried unanimously, RC.

Motion by Riva, seconded by Kuhl to approve **Resolution 23020** approving the Contract and Bond for the PCC Pavement Widening at Beardsley Street and IA Hwy-28 (Sunset Dr.) Project, carried unanimously, RC.

Public Hearing on proposed Amended Development Agreement with Diligent HCC, L.L.C.

Mayor Phillips opened the public hearing at 6:38 p.m. Hollie Zajicek presented the amended agreement. Lindsey Offenburger reported receiving no oral or written comments. Mayor Phillips closed the public hearing at 6:39 p.m.

Motion by Lester, seconded by Kuhl to approve **Resolution 23021** approving Amended Development Agreement with Diligent HCC, L.L.C., carried unanimously, RC.

Motion by Lester, seconded by Kuhl to pass the second reading of an Ordinance Providing for the Division of Taxes Levied on Taxable Property in the January, 2023 Addition to the Norwalk Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa, carried unanimously, RC.

Motion by Riva, seconded by Kuhl to adjourn at 6:43 p.m., carried unanimously, voice vote.

Tom Phillips, Mayor

Lindsey Offenburger, City Clerk