

**ABRIDGED MINUTES OF THE NORWALK REGULAR CITY COUNCIL MEETING
ON DECEMBER 15, 2022**

(Minutes to be approved at the January 5, 2023 meeting)

This meeting of the City of Norwalk City Council, on December 15, 2022 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 6:00 P.M. Present at roll call: David Lester, Brian Baker, Stephanie Riva, Ed Kuhl, Jaki Livingston and Mayor Tom Phillips. Absent: None. (RC = roll call vote)

Staff present included: Luke Nelson, City Manager; Jean Kelly, Finance Director; Lindsey Offenburger, City Clerk; Kerri Keyte, Human Resources Director; Jenn Porter, Fire Chief; Greg Staples, Police Chief; Luke Parris, Community Development Director; Hollie Zajicek, Economic Development Director.

Pledge of Allegiance

Motion by Livingston, seconded by Riva to approve the agenda as amended by moving the following consent items to the regular agenda: m - Resolution appointing representatives to various Boards & Commissions; n - Resolution appointing City of Norwalk representation to the Des Moines Area Metropolitan Planning Organization (MPO); o - Resolution appointing City of Norwalk representation to the Metro Waste Authority's Board of Directors; carried unanimously, voice vote.

Presentations

Chief Porter presentation to Dr. Newland

Dedicated Work Session

Airport Avigation Easement Discussion presented by Community Development Director, Luke Parris; Des Moines International Airport Director of Operations, Clint Torp and Des Moines International Airport Executive Director, Kevin Foley.

Welcome of Guests and Public Comment

Kate Baldwin, 4250 R57 Highway thanked the council and all City employees for years of cooperation with her and the Norwalk Community School District.

Consent Agenda

Motion by Livingston, seconded by Kuhl to approve the consent agenda which included: tax abatements; December 1, 2022 minutes of the regular City Council meeting; Renewal Special Class C Retail Alcohol License for China Dragon; Renewal Class C Alcohol License for 804 Main; **Resolution 22334** setting the schedule and location of Norwalk City Council Meetings for 2023; **Resolution 22335** officially naming publications for the City of Norwalk for calendar year 2023; **Resolution 22336** Setting a Date of Meeting at which it is Proposed to Approve a Development Agreement with Norwalk JV22, LLC, including Annual Appropriation Tax Increment Payments (South of Delaware on Certified Site 2.0 Property); **Resolution 22337** approving Statutory End Date for Legacy, Colonial Meadows and Norwalk Business Center (NBC) Tax Increment Financing (TIF) Collections; **Resolution 22338** setting dates involved with the Community Cleanup Event for 2023; **Resolution 22339** to approve Pay Estimate No. 8 and Change Order No. 5 to Sternquist Construction for Sunset Drive/IA-Hwy 28 and North Avenue Intersection Improvements Project; **Resolution 22340** accepting the Certificate of Completion for Great Western Trail - Phase 2 and to approve Final Pay Estimate to Herberger Construction; **Resolution 22344** to appoint a member and alternate member to the Polk County 911 Service Board; **Resolution 22345** approving MidAmerican Energy Sponsorship Agreement for City Building Plaza in Norwalk Central; **Resolution 22346** approving starting wage for the newly hired Circulation Supervisor, Christina Olson; Correspondence; and expenditures, carried unanimously, RC.

PAYEE	DESCRIPTION	AMOUNT	PAYEE	DESCRIPTION	AMOUNT
ACCO	AQUATIC CENTER WINTERIZATION	2,976.75	KIMBALL MIDWEST	FASTENERS/PARTS	321.81
AHLERS & COONEY P.C.	UNION NEGOTIATIONS - PD	2,670.00	LASER RESOURCES	LX5820447	745.07
ANKENY SANITATION	20 YD FLAT EMPTY/RETURN	463.36	LIBRARY IDEAS LLC	VOX BOOKS	540.84
AUREON	DIA INSTALL - 1100 CHATHAM - INTERNET	795.00	LOCUTION SYSTEMS INC	MAINTENANCE AGREEMENT	2,279.00
BAKER & TAYLOR INC	DVDS	1,442.87	MATHESON	OXYGEN	1,983.32

			TRI-GAS, INC.		
BEELINE + BLUE	CORE PLANS	3,940.01	METRO WASTE AUTHORITY	COLLECTION COSTS	70,915.70
BEST PORTABLE TOILETS	2 PORTABLE TOILETS AT MCANINCH	243.80	MICHAEL P. LINDNER	FINAL BALANCE FOR HOTEL MARKET STUDY	3,750.00
BOBS CUSTOM TROPHIES	SERVICE AWARD	101.75	MICROMARKETING ASSOCIATES	BOOKS/FILMS	1,113.74
BOLTON & MENK, INC	GWT PHASE 3 ENGINEERS	8,918.00	MIDAMERICAN ENERGY	GAS/ELECTRIC	17,209.43
BOONE SIEREN	CONCRETE PADS	6,500.00	MUNICIPAL SUPPLY	SOCKET	81.80
BOUND TREE MEDICAL, LLC	MEDICAL SUPPLIES	898.38	NAV SURFWARREN DIV CRANE	NIGHT VISION LENSE	300.00
BOWEN DESIGN LLC	STAFF CLOTHING ORDER	162.00	NICHOLS EQUIPMENT LLC	RENTAL OF SCISSOR LIFT	1,504.25
CATHERINE SHOOK	MILEAGE REIMBURSEMENT	17.50	NORTH WARREN TOWN & COUNT	PUBLICATIONS	391.19
CENTER POINT PUBLISHING	BOOKS	27.97	NORWALK FOOD PANTRY	COPS WITH CARTS COLLECTIONS	3,121.28
CHRISTINA OLSON	MILEAGE REIMBURSEMENT	10.87	NORWALK SEASONAL SERVICES	CHEMICAL TREATMENTS	241.00
CITY OF DES MOINES	JAN 2023 WRA PMT	108,150.25	ONENECK IT SOLUTIONS LLC	CITY WIDE PHONE SYSTEM	5,124.79
CITY OF WEST DES MOINES	WESTCOM FY 22/23	175,959.12	PENWORTHY COMPANY	BOOKS	352.16
CTI READY MIX, LLC	CONCRETE-STREET-TURNBERRY	1,899.00	PETULLO, KAYLEN	EYE GLASSES REIMB	250.00
CUMMINS SALES AND SERVICE	PUBLIC SAFETY GENERATOR	542.43	PFM FINANCIAL ADVISORS	WATER FINANCIALS CIWW	4,400.00
DENMAN & COMPANY LLP	FISCAL YEAR END JUNE 2022	5,300.00	PTM DOCUMENT SYSTEMS	TAX FORMS	174.76
DEPARTMENT OF ADMINISTRATIVE SERVICES	CPM COURSE - LO	250.00	REGISTER MEDIA	NOTICE OF PUBLIC HEARING	18.70
DEPARTMENT OF THE TREASURY	PENALTY & INTEREST	325.83	RICH PENTICO	MEAL/PARKING @IEMSA	67.42
DEYARMAN FORD OF INDIANOLA	FLOOR MATS FOR 1035	125.00	SNYDER & ASSOCIATES INC	SOUTHERN COOP CONNECTOR	33,301.15
FAREWAY	COPS WITH CARTS	2,642.55	STERNQUIST CONSTRUCTION, INC	NORTH AVE & HWY 28 INTER. PROJ.	275,657.82
FELD FIRE	T615 REPAIR	636.50	STRATUS BUILDING SOLUTIONS	CLEANING SERVICES	1,096.00
FIRE RECOVERY EMS LLC	NOV BILLING FEES	2,325.27	SUMMIT FIRE PROTECTION CO.	SAT. SERV. CALL	299.00
GALLS	ALLOWANCES - UNIFORMS	180.99	TELEFLEX LLC	MEDICAL SUPPLIES - IO NEEDLES	1,115.50

GET SOME GUNS LLC	BODY ARMOR - PALMER & HUTCHINSON	3,915.84	TRUENORTH COMPANIES, LC	HR SOFTWARE	262.50
GRASS MASTERS	AERATION OF SOCCER FIELDS @MCANINCH	3,782.16	LAWRENCE, JOHN & JENA	UTILITY DEPOSIT REFUND - 406 ORCHARD HILLS	62.74
HERBERGER CONSTRUCTION CO	GWT PHASE 2 PAY REQ #8 - FINAL	15,677.16	DODSON, BRYAN	UTILITY REFUND-1009 CASADY DR	44.24
I-80 CONCRETE	CONCRETE-STREET-TURNBERRY	1,350.00	HAPPE HOMES	UTILITY REFUND-210 PIN OAK CT	37.28
IMWCA	IMWCA FY23 PREMIUMS	25,612.00	TANZANITE HOMES	UTILITY REFUND-9413 BELLFLOWER LN	47.36
IOWA COMMUNICATIONS NETWORK	INTERNET SERVICE	352.50	VALLEY PLUMBING CO, INC	SEWER REPAIRS @ LIBRARY	5,530.00
IOWA DIVISION OF LABOR SE	PUBLIC WORKS MECHANIC ROOM	160.00	VANDERPOOL CONSTRUCTION	NORWALK BEARDSLEY VAULT REMOVAL	31,500.00
IOWA LAW ENFORCEMENT ACADEMY	TESTING - LEWISTON	10.00	VEENSTRA & KIMM INC.	DUNN PROPERTY PLAT 1 - PUBLIC IMPROV.	44,146.51
IOWA ONE CALL	LOCATION NOTIFICATIONS	340.40	VERIZON WIRELESS	PHONE SERVICE	1,566.73
JAMES OIL COMPANY LLC	FUEL	10,412.92	WELLS FARGO BANK	CREDIT CARD PURCHASES	35,331.98
JASON SMITH	METAL SCULPTURE/PRAIRIE MEADOWS GRANT	2,350.00	WT COX	MAGAZINE ANNUAL RENEWALS	1,780.52
JGS OLD FURNITURE SYSTEMS	JIM'S OFFICE FURNITURE	1,905.00			
JOHNSON CONTROLS	FIRE ALARM MONITOR CONTRACT	434.20		TOTAL	940,472.97

City of Norwalk			
November 2022 Revenues			
Fund	Revenues	Fund	Revenues
General	\$ 535,176.14	NCIS Infrastructure	\$ -
Trust & Agency	\$ -	Water Utility	\$ 351,220.75
Road Use Tax	\$ 171,060.02	Water bond/sinking fund	\$ -
Special Revenue	\$ 83,970.93	Water Improvement	\$ 8,399.49
T&A Self Funding	\$ -	Water T&A	\$ 3,258.71
LOSST	\$ -	Water Reserve	\$ -
TIF	\$ 278,946.74	Sewer Utility	\$ 324,280.10

HIDTA forfeiture	\$ -	Sewer Improvement	\$ -
Economic Development	\$ -	Sewer equipment replacement	\$ -
T&A Plumbers Bonds	\$ -	Storm Water	\$ (440,506.04)
T&A Library Trust	\$ 1,832.98	Storm water equipment replacement	\$ 500,000.00
T&A Park Trust	\$ 1,050.92	Warren Water Buyout	\$ 750.32
Debt Service	\$ 126,945.78		
Capital Improvements	\$ -	Total Monthly Revenues	\$ 1,946,386.84

Motion by Kuhl, seconded by Riva to approve **Resolution 22341** appointing representatives to various Boards & Commissions for calendar year 2023, carried unanimously, RC.

Motion by Livingston, seconded by Baker to approve **Resolution 22342** appointing City of Norwalk representation to the Des Moines Area Metropolitan Planning Organization (MPO), carried unanimously, RC.

Motion by Riva, seconded by Kuhl to approve **Resolution 22343** appointing City of Norwalk representation to the Metro Waste Authority's Board of Directors, carried unanimously, RC.

Old and New Business for Consideration, Discussion and Possible Action

Public Hearing regarding a Rezoning Request for 1305 Sunset Drive to establish an Infill PUD

Mayor Phillips opened the public hearing at 6:35 p.m. Luke Parris presented the request. Lindsey Offenburger reported receiving no oral or written comments. Mayor Phillips closed the public hearing at 6:40 p.m.

Motion by Livingston, seconded by Riva to pass the first reading of an ordinance 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.

Public Hearing on Proposed Amendment to the Norwalk Urban Renewal Area (South of Delaware on Certified Site 2.0 Property - Norwalk JV22, LLC)

Mayor Phillips opened the public hearing at 6:43 p.m. Hollie Zajicek presented the amendment. Lindsey Offenburger reported receiving no oral or written comments. Mayor Phillips closed the public hearing at 6:44 p.m.

Motion by Lester, seconded by Livingston to approve **Resolution 22347** to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan Amendment for the Norwalk Urban Renewal Area (South of Delaware on Certified Site 2.0 Property - Norwalk JV22, LLC), carried unanimously, RC.

Motion by Livingston, seconded by Riva to pass the first reading of an ordinance 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 (South of Delaware on Certified Site 2.0 Property - Norwalk JV22, LLC), carried unanimously, RC.

Motion by Baker, seconded by Kuhl to approve **Resolution 22348** Deleting Property from the Norwalk Urban Renewal Area (Norwalk Central - Diligent Land), motion carried on a roll call vote. Ayes: Livingston, Baker, Riva, and Kuhl. Nays: Lester.

Motion by Kuhl, seconded by Livingston to pass the first reading of an ordinance Deleting Property from the Tax Increment Financing District for the Norwalk Urban Renewal Area of the City of Norwalk, Iowa, Pursuant to Section 403.19 of the Code of Iowa (Norwalk Central - Diligent Land). Motion carried on a roll call vote. Ayes: Baker, Riva, Kuhl, and Livingston. Nays: Lester.

Motion by Livingston, seconded by Riva to waive the second and third readings of **Ordinance 22-29** Deleting Property from the Tax Increment Financing District for the Norwalk Urban Renewal Area of the City of Norwalk, Iowa, Pursuant to Section 403.19 of the Code of Iowa (Norwalk Central - Diligent Land). Motion carried on a roll call vote. Ayes: Baker, Riva, Kuhl, and Livingston. Nays: Lester.

Motion by Livingston, seconded by Baker to approve **Resolution 22349** officially naming Depositories for the City of Norwalk for calendar year 2023. Motion carried on a roll call vote. Ayes: Riva, Kuhl, Livingston and Baker. Nays: None. Abstain: Lester.

Motion by Livingston, seconded by Baker to approve **Resolution 22350** accepting infrastructure and approving the Final Plat of Market Place Townhomes at Echo Valley Plat 1, carried unanimously, RC.

Motion by Baker to approve a resolution to request approval to extend the stormwater pipe in the right-of-way at 400 Beardsley Street. Motion failed for lack of a second.

Motion by Livingston, seconded by Kuhl to pass the final reading of **Ordinance 22-30** amending Chapter 50, 51, 52, 135, 136, 151, 165, 175A, 175E, and 175H of the Norwalk Municipal Code to update infraction violations of various City nuisance and zoning codes, carried unanimously, RC.

Motion by Livingston, seconded by Lester to pass the first reading of an ordinance adopting the Norwalk, Iowa Municipal Code 2022, carried unanimously, RC.

Motion by Livingston, seconded by Lester to waive the second and third readings of Ordinance 22-31 adopting the Norwalk, Iowa Municipal Code 2022, carried unanimously, RC.

Council Inquiries & Staff Updates

IMPACT Update from Jean Kelly

Closed Session

Enter into Closed Session pursuant to Iowa Code Section 21.5(1)(j) 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.

Mayor Phillips asked City Manager Luke Nelson if this was a valid reason to enter into Closed Session. Luke Nelson indicated it was a valid reason.

Motion by Kuhl, seconded by Riva to enter Closed Session at 7:18 p.m., carried unanimously, RC.

Motion by Riva, seconded by Baker to adjourn Closed Session at 7:39 p.m., carried unanimously, RC.

Motion by Riva, seconded by Livingston to adjourn at 7:40 p.m., carried unanimously, voice vote.

Tom Phillips, Mayor

Lindsey Offenburger, City Clerk