

**ABRIDGED MINUTES OF THE NORWALK REGULAR CITY COUNCIL MEETING
ON MARCH 2, 2023**

(Minutes to be approved at the April 6, 2023 meeting)

This meeting of the City of Norwalk City Council, on March 2, 2023 was held electronically and in person. Attendees could access the meeting via Zoom or attend in person.

Council Member Ed Kuhl called the City Council meeting to order at 6:00 P.M. Present at roll call: David Lester, Brian Baker (via Zoom), Stephanie Riva (via Zoom), and Ed Kuhl. Absent: Jaki Livingston and Mayor Tom Phillips. (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 Lester, seconded by Baker to approve the agenda as presented; carried unanimously, voice vote.

Welcome of Guests and Public Comment

Consent Agenda

Motion by Lester, seconded by Riva to approve the consent agenda which included: February 16, 2023 minutes of the special City Council meeting; Renewal Class C Alcohol License with Outdoor Service for Legacy Golf Club; New 5-day Class C Retail Alcohol License for Top It Off Liquid Catering - 340 Wright Place, effective March 17, 2023 - March 21, 2023; **Resolution 23060** approving participation in new National Opioid Settlements; and expenditures, carried unanimously, RC.

PAYEE	DESCRIPTION	AMOUNT	PAYEE	DESCRIPTION	AMOUNT
ABT MAILCOM	UTILITY BILL PROCESSING & MAILING	2,909.78	NORTH WARREN TOWN & COUNT	PUBLICATIONS	801.33
ACME TOOLS	MILWAUKEE TOOLS	2,365.00	ONENECK IT SOLUTIONS LLC	VMWARE SUPPORT & SUBSCRIPTION	4,062.35
ALADTEC INC	SCHEDULING SOFTWARE	3,057.00	ANGIE CROLL	CANCELLATION - 5TH-7TH SOCCER	51.00
BAKER & TAYLOR INC	DVD	2,147.16	MATT NIELSEN	CANCELLATION OF SPRING ESPORTS BY GG LEAGUES	40.00
BEDWELL GARDENS	TREES - WARREN CO PROGRAM	4,850.00	PENWORTHY COMPANY	MUSIC KITS	219.98
BISHOP ENGINEERING	NORWALK CENTRAL	4,951.97	PLUG UGLY CUSTOMS LLC	GEAR RACK COVERS	3,450.00
CAPITAL CITY EQUIPMENT CO	STUMP GRINDER FOR SKID LOADER	10,063.48	PROCIRCULAR	CYBER SECURITY MONTHLY FEE	841.34
CAPITAL SANITARY SUPPLIES	CLEANING SUPPLIES	232.73	RESULTANT	WORKSPACE BUS PLUS - GOOGLE LICENSE	810.84
CENTRAL IOWA PEST CONTROL SERVICES INC	PEST CONTROL - CITY HALL	340.00	RJ THOMAS MFG CO.	SAWDUST" MEMORIAL BENCH"	1,418.00
CENTURYLINK	PHONE SERVICE	247.79	SCCIC	SAFETY COALITION DUES	100.00
CTI READY MIX, LLC	CONCRETE - WATER - MEADOW	304.75	SHERWIN WILLIAMS	STREET PAINT	520.90
CUMMINS SALES AND SERVICE	LABOR ON PW GENERATOR	1,388.73	SHIVE HATTERY INC	ENTRANCE MONUMENT FINAL DESIGN WORK	1,485.00
DENOVO	NORWALK CENTRAL	47,731.60	STANDRIDGE GROUP LLC	GRID NOTEPADS	572.00
DEPARTMENT OF ADMINISTRATIVE SERVICES	CPM COURSE - LO	250.00	STRATUS BUILDING SOLUTIONS	CLEANING SERVICES - LIBRARY	1,096.00
EQUIPMENT MANAGEMENT COMPANY	MILWAUKEE BATTERY	303.00	SYNTECH SYSTEMS	FUELMaster ANNUAL MAINT.	1,275.00
FOTH INFRASTRUCTURE & ENVIRONM, LLC	GOLDEN VALLEY DR PROJ	8,907.00	THE KNOX COMPANY	KNOX BOX FOR C600	1,005.00
HAWKEYE TRUCK EQUIPMENT	LIGHTS FOR 1048	1,159.00	TRUENORTH COMPANIES, LC	EASE ACA FEES	450.00
HUTCHINSON SALT COMPANY	SALT FOR ROADS	41,230.46	DAPHNE WEINECKE	UTILITY DEPOSIT REFUND	12.74
I-80 CONCRETE	CONCRETE - BLUESTEM - STREETS	5,124.00	DEANNA SCHULZ	UTILITY DEPOSIT REFUND	2.44
IDALS	ANIMAL WELFARE LICENSE RENEWAL	75.00	ROXIE HART	UTILITY DEPOSIT REFUND	12.20
IOWA STATE-PUBLIC HEALTH	APPLICATION FOR CONTROLLED SUBSTANCES	90.00	KRM DEVELOPMENT	UTILITY REFUND	326.51
IPRA	AQUATICS CEU	135.00	SUMMIT REAL	UTILITY REFUND	89.05

	COURSE		ESTATE SERVICES		
JAMES OIL COMPANY LLC	GASOHOL & STATE TAX	12,955.30	NORM FORGET	UTILITY REFUND	46.26
JOHNSON CONTROLS	FIRE ALARM BATTERY	1,370.14	ELIZABETH JOHN	UTILITY REFUND	37.26
KATHY WILSON	PRESENTER FEE	260.00	KRISTEN RUNYAN	UTILITY REFUND	30.53
KAY SMITH	PRESENTER FEE	113.00	TIM & JOLENE WOLTER	UTILITY REFUND	26.47
KAYLA BECKER	MILEAGE REIMBURSEMENT	36.88	TANZANITE HOMES	UTILITY REFUND	16.22
LARRY WINDOWS	CH WINDOWS OUTSIDE	95.00	BENCHMARK BUILDERS	UTILITY REFUND	14.45
LASER RESOURCES	3UA297291	30.07	GROUND BREAKER HOMES	UTILITY REFUND	13.98
LIBRARY IDEAS LLC	VOX BOOKS	540.84	SERENITY HOMES	UTILITY REFUND	3.36
MARY JANE SHARP	PAYMENT CIRCUIT CLASS FEB 15-MAR 30	819.00	VEENSTRA & KIMM INC.	N RIVER INTERCEPTOR STUDY	55,041.35
MICROMARKETING ASSOCIATES	AUDIOBOOK	292.82	WARREN CO SHERIFF	407 CENTER ST. NOTICE	46.24
MIDAMERICAN ENERGY	1300 BEARDSLEY ST - TRAIL LIGHT	281.81	WARREN COUNTY FAIR	FAIR BOOTH FEE	250.00
MIDWEST BREATHING AIR LLC.	QUARTERLY AIR TEST	198.00	WHKS	BLUESTEM/PRAIRIE SAGE STREETS	2,166.04
NICOLE BERGER	WINTER YOUTH TENNIS 2ND & 3RD	2,640.00		TOTAL	233,830.15

Old and New Business for Consideration, Discussion and Possible Action

Public Hearing regarding the FY24 City of Norwalk Budget

Council Member Kuhl opened the public hearing at 6:04 p.m. Jean Kelly presented the FY24 Budget. Lindsey Offenburger reported receiving no oral or written comments. Council Member Kuhl closed the public hearing at 6:26 p.m.

Motion by Riva, seconded by Baker to approve **Resolution 23061** approving the FY24 City of Norwalk Budget, carried unanimously, RC.

Motion by Lester, seconded by Baker to approve **Resolution 23062** approving the City of Norwalk fiscal year 2023 re-estimated and fiscal year 2024 Budget Transfers, carried unanimously, RC.

Public Hearing regarding the establishment of the HH Norwalk Planned Unit Development

Council Member Kuhl opened the public hearing at 6:30 p.m. Luke Parris presented the PUD. Lindsey Offenburger reported receiving no oral or written comments. Council Member Kuhl closed the public hearing at 6:45 p.m.

Motion by Baker, seconded by Riva to pass the first reading of an Ordinance amending the Official Zoning Map of the City of Norwalk, Iowa by rezoning the HH Norwalk and Fareway Properties east of IA-28 and north of Chatham Avenue from C-2, C-O, R-4, and R-1 (60) to the HH Norwalk Planned Unit Development, as amended by limiting the height of R-4 buildings in Parcel B to four stories, and adding architectural requirements for any requests for higher density (more than 18 units/acre) R-4 uses in Parcel B that require 60% class 1 and 2 materials, 40% class 3 materials, and no class 4 materials, carried unanimously, RC.

Motion by Lester, seconded by Riva to approve **Resolution 23063** approving the Site Plan of Norwalk Ready Mix Concrete, carried unanimously, RC.

Motion by Lester, seconded by Baker to approve **Resolution 23064** approving an Agreement accepting a Surety for public infrastructure at the Dunn Property Plat 1 area, carried unanimously, RC.

Motion by Riva, seconded by Lester to approve **Resolution 23065** approving the Final Plat of Dunn Property Plat 1, carried unanimously, RC.

Motion by Lester, seconded by Baker to approve **Resolution 23066** approving the Site Plan of Dunn Property Plat 1, Lots 1 and 2, carried unanimously, RC.

Motion by Baker, seconded by Lester to approve **Resolution 23067** approving Purchase Agreement for 1.63 acres of ground to be used for a future water tower site and authorizing certain improvements thereon, carried unanimously, RC.

Motion by Baker, seconded by Lester to pass the final reading of **Ordinance 23-04** amending the Hughes Century Crossing Planned Unit Development, carried unanimously, RC.

Future Agenda Items (the purpose of this is for Council to give direction to staff by way of motion to have items placed on future agendas. This is not for discussion of the merits of the subject matter.)

Council Inquires & Staff Updates

Closed Session pursuant to Iowa Code Section 21.5(1)(j) to discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property.

Council Member Kuhl asked City Attorney Jim Dougherty if this was a valid reason to enter into Closed Session. Jim Dougherty indicated it was a valid reason.

Motion by Lester, seconded by Riva to enter Closed Session at 7:55 p.m., carried unanimously, RC.

Motion by Baker, seconded by Riva to adjourn Closed Session at 9:07 p.m., carried unanimously, RC.

Motion by Lester, seconded by Riva to adjourn at 9:08 p.m., carried unanimously, voice vote.

Tom Phillips, Mayor

Lindsey Offenburger, City Clerk