

**ABRIDGED MINUTES OF THE NORWALK REGULAR CITY COUNCIL MEETING
ON 3-24-2022**

(Minutes to be approved at the April 7, 2022 meeting)

This meeting of the City of Norwalk City Council, on March 24, 2022 was held electronically and in person. Attendees could access the meeting via Zoom or attend in person.

Mayor Tom Phillips called the City Council meeting to order at 6:06 P.M. Present at roll call: David Lester, Brian Baker (via Zoom), Stephanie Riva, Ed Kuhl, and Jaki Livingston. Absent: None. (RC = roll call vote)

Staff present included: Luke Nelson, City Manager; Lindsey Offenburger, City Clerk; Jenn Porter, Fire Chief; Greg Staples, Police Chief; Robin Leaper, Parks & Recreation Director; Luke Parris, Community Development Director; Hollie Zajicek, Economic Development Director; Jim Dougherty, City Attorney.

Pledge of Allegiance

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

Welcome of Guests and Public Comment

Proclamations

Mayor Phillips presented a Proclamation declaring March 30, 2022 as Iowa Honey Bee Day and a Proclamation declaring April 2022 as Child Abuse Prevention Month

Consent Agenda

Motion by Kuhl, seconded by Livingston to approve the consent agenda which included: March 3, 2022 minutes of the regular City Council meeting; tax abatements; **Resolution 22074** approving Public Works Seasonal Right-of-Way Maintenance Position Job Description; **Resolution 22075** appointing Luke Parris to the Mid-Iowa Planning Alliance (MIPA) for Community Development Board of Directors; **Resolution 22076** to approve Pay Estimate No. 2 (Final) to Iowa

Contracting Inc. for the Cherry Parkway Rehabilitation Project; **Resolution 22077** to approve Pay Estimate No. 4 to S.M. Hentges & Sons, Inc. for the Northwest Service Trunk Sewer Extension Project; **Resolution 22078** approving the Chief of Police to dispose of City property; **Resolution 22079** requesting approval to submit an application for the Community Forestry Grant through the Iowa Department of Natural Resources; Monthly Reports; Correspondence; and expenditures.

Payee	Description	Amount	Payee	Description	Amount
6585 CONSULTING	COMPENSATION STUDY 2/2 PMTS	6,400.00	LOOKOUT BOOKS	BOOKS	232.40
ABT MAILCOM	UTILITY BILL PROCESSING & MAILING	2,600.32	LUCKY 3" LLC"	TAHOE REPAIR	219.00
AETNA	FILE#3825-2697237,ALJ	440.45	LYDIA M. SIGWARTH	AUTHOR VISIT	200.00
AIRPORT SIGNS AND GRAPHIC	2 ADVERTISEMENT BANNERS- NORWALK FAMILY DENTISTRY	270.00	MATHESON TRI-GAS, INC.	OXYGEN	1,031.55
ALADTEC INC	SCHEDULING SOFTWARE SUB	2,729.00	MCCLURE ENGINEERING CO	REGIONAL DETENTION FACILITY	9,555.00
AMES PUBLIC LIBRARY UIB	LOST ILL REPLACEMENT	16.99	MCLAREN, ANGELA	UTILITY REFUND	159.49
ANDREW BJORK	UTILITY DEPOSIT REFUND	29.00	MEDICAP PHARMACY	MEDICATIONS	69.58
ASHLEY DAVIS	UTILITY DEPOSIT REFUND	43.34	METRO WASTE AUTHORITY	MONTHLY GARBAGE COLLECTION	55,146.26
BAKER & TAYLOR INC	DVDS	2,069.76	MICROMARKETING ASSOCIATES	DVDS	1,735.07
BOUND TREE MEDICAL, LLC	MEDICAL SUPPLIES	1,588.05	MIDAMERICAN ENERGY	GAS/ELECTRIC	24,674.80
BOWEN DESIGN LLC	CD DECAL	60.00	MIDWEST BREATHING AIR LLC.	QUARTERLY AIR TEST	191.40
BRYAN SCHAIKER	UTILITY DEPOSIT REFUND	48.00	MSA PROFESSIONAL SERVICES INC	2040 COMPREHENSIVE PLAN	12,500.00
CANTEEN REFRESHMENT SERVICES	PS COFFEE SERVICE	315.49	NEW ERA HOMES	UTILITY REFUND	19.79
CENTURYLINK	PHONE SERVICE	3,229.75	NORTH WARREN TOWN & COUNT	PUBLICATIONS	1,053.78
CHRISTOPHER EDWARDS	UTILITY DEPOSIT REFUND	34.27	O'HALLORAN INTERNATIONAL	MATERIALS TO REPAIR 1047 & 1044	380.43
CITY OF DES MOINES	APRIL 2022 WRA PAYMENT	90,909.73	ORTON HOMES	UTILITY REFUND	13.33

CITY OF WEST DES MOINES	MARCH 2022 WESTCOM PAYMENT	26,349.75	OVERDRIVE INC	EBOOKS	87.49
DEMCO	LIBRARY CARDS	1,725.37	OVERHEAD DOOR COMPANY	FD DOOR REPAIR	562.55
DENOVO	NORWALK CENTRAL DESIGN	100,254.20	PALEN, MATTHEW	UTILITY REFUND	1.79
DES MOINES REGISTER MEDIA	NOTICE OF PUBLIC HEARING	33.94	PENWORTHY COMPANY	BOOKS	766.40
DORSEY & WHITNEY LLP	2021A BONDS	15,000.00	PRIMUS COMPANIES	UTILITY REFUND	18.66
ETC INSTITUTE	2021 COMMUNITY	2,700.00	PROCIRCULAR	CYBER SECURITY MONTHLY FEE	841.34
FELD FIRE	T615 HYDRAULIC FIX	1,288.46	S.M. HENTGES & SONS, INC.	NW SERVICE AREA TRUNK SEWER EXT	35,482.50
FRIENDS OF THE GRIMES PUBLIC LIBRARY	WARREN CO TIX KEEPER SOFTWARE	1,350.00	SCHOLASTIC INC	SUMMER READING PRIZES	1,356.96
FUN EXPRESS LLC	SUMMER READING PRIZES	136.18	SNYDER & ASSOCIATES INC	BEARDSLEY & HWY 28 IMP	36,835.00
GABRIEL TAGGART	CANCELLATION OF FLAG RUGBY	108.25	STRATUS BUILDING SOLUTIONS	CLEANING SERVICES	1,096.00
GALLS LLC	LONG SLEEVE UNIFORM - STAPLES	953.91	SYNTECH SYSTEMS	FUELMASTER MAINTENANCE	1,275.00
GENESIS HOMES INC	UTILITY REFUND	26.66	TANZANITE HOMES	UTILITY REFUND	35.74
GREG STAPLES	REIMBURSE- CHIEFS LUNCH MEETING	20.64	THOMSON REUTERS WEST	CLEAR ACCESS	260.68
HAWKEYE TRUCK EQUIPMENT	SNOW BLADES FOR VARIOUS VEHICLES	1,428.50	TIM HILDRETH CO	FD BOILER REPAIR	1,875.00
HEARTLAND BUSINESS SYSTEMS LLC	FIREWALL EQUIPMENT + 3 YR SUPPORT	14,720.46	TONY STRAVERS	IABO MTG JOHNSTON CITY HALL	24.57
HIGHLAND DEVELOPMENT	UTILITY REFUND	45.63	TRUENORTH COMPANIES, LC	HR SOFTWARE	262.50
HOTSY CLEANING SYSTEMS	FLEETWASH	231.00	TY LUNEBURG	UTILITY DEPOSIT REFUND	49.19
IDALS	ANIMAL WELFARE LICENSE RENEWAL	75.00	TYLER GUBBELS	UTILITY DEPOSIT REFUND	47.00
IOWA ASSOCIATION OF MUNICIPAL UTILITIES	SCCIC DUES	1,994.00	UPHDM OCCUPATIONAL MEDICINE	VRBAN- HEPB-1 & DOT DRUG	458.50
IOWA COMMUNICATIONS NETWORK	INTERNET SERVICE	352.50	UTILITY REFUND 2022	UTILITY REFUND	13.33
IOWA CONTRACTING	CHERRY PKWY REHAB PROJECT	10,086.43	VEENSTRA & KIMM INC.	MARKET PLACE TOWNHOUSE AT ECHO VALLEY PLAT 1	6,664.00
JAMES OIL COMPANY LLC	DIESEL	20,795.72	VERIZON WIRELESS	PHONE SERVICE	1,644.43

KAYLA BECKER	MILEAGE REIMBURSEMENT	39.25	WADE THOMPSON	UTILITY DEPOSIT REFUND	64.00
LANE INSURANCE AGENCY INC	CYBERSECURITY INS	7,858.00	WADES AUTO GLASS	REPAIR GLASS ON 1022	215.00
LARRY WINDOWS	EXTERIOR-CH	95.00	WARREN CO SHERIFF	PRISONER TRANSPORT	720.00
LIBRARY IDEAS LLC	VOX BOOKS	527.40	YOUTH ENRICHMENT LEAGUE	FALL PROGRAMMING (STEM, CHESS, FENCING)	3,464.00
LISA RIEBKES	REIMBURSEMENT FOR SEWER BACK UP	282.48	WELLS FARGO BANK	CREDIT CARD PURCHASES	41,070.61
LLC SUNSET CREST RETAIL	UTILITY DEPOSIT REFUND	44.01			
LOGAN CONTRACTORS SUPPLY	STREET REPAIR MATERIALS	3,742.76		TOTAL	565,423.77

City of Norwalk			
February 2022 Revenues			
Fund	Revenues	Fund	Revenues
General	\$ 263,763.00	NCIS Infrastructure	\$ -
Trust & Agency	\$ -	Water Utility	\$ 246,184.09
Road Use Tax	\$ 87,357.24	Water bond/sinking fund	\$ -
Special Revenue	\$ 10,278.96	Water Improvement	\$ 2,979.57
T&A Self Funding	\$ -	Water T&A	\$ 4,286.46
LOSST	\$ 140,823.82	Water Reserve	\$ -
TIF	\$ 30,372.12	Sewer Utility	\$ 296,509.27
HIDTA forfeiture	\$ -	Sewer Improvement	\$ -
Economic Development	\$ -	Sewer equipment replacement	\$ -
T&A Plumbers Bonds	\$ -	Storm Water	\$ 47,752.40
T&A Library Trust	\$ 874.17	Storm water equipment replacement	\$ -
T&A Park Trust	\$ 824.32	Warren Water Buyout	\$ 286.87
Debt Service	\$ 10,996.36		
Capital Improvements	\$ -	Total Monthly Revenues	\$ 1,143,288.65

Old and New Business for Consideration, Discussion and Possible Action

Public Hearing regarding reprecincting in and around the City of Norwalk

Mayor Phillips opened the public hearing at 6:09 p.m. Lindsey Offenburger explained the item and also reported receiving no oral or written comments. Mayor Phillips closed the public hearing at 6:10 p.m.

Motion by Riva, seconded by Livingston to pass the first reading of an ordinance amending Section 3.02 Voting Precincts, of the Norwalk Municipal Code related to Voting Precincts. Motion carried unanimously, RC.

Motion by Lester, seconded by Riva to waive the second and third readings of **Ordinance 22-08** amending Section 3.02 Voting Precincts, of the Norwalk Municipal Code related to Voting Precincts. Motion carried unanimously, RC.

Motion by Baker, seconded by Livingston to approve **Resolution 22080** approving an Agreement between the City of Norwalk and the City of Des Moines to include City of Norwalk Territory, located in Polk County, in Des Moines Precinct 61 and Norwalk Precinct 8, carried unanimously, RC.

Motion by Livingston, seconded by Riva to approve **Resolution 22081** approving the Preliminary Plat of Hughes Century Crossing Plat 5, as amended by adding Whereas, that the applicant understands that property in Hughes Century Crossing Plat 5 will be part of the Colonial Parkway Regional Stormwater Drainage District and subject to all assessments and fees relating thereto, to the resolution, carried unanimously, RC.

Motion by Lester, seconded by Livingston to approve **Resolution 22082** approving the Preliminary Plat of Hughes Century Crossing Plat 6, as amended by adding Whereas, that the applicant understands that property in Hughes Century Crossing Plat 5 will be part of the Colonial Parkway Regional Stormwater Drainage District and subject to all assessments and fees relating thereto, to the resolution, carried unanimously, RC.

Consideration of a Resolution approving the Preliminary Plat/Site Plan for Marketplace Townhomes at Echo Valley

Luke Parris presented the Preliminary Plat/Site Plan for Marketplace Townhomes at Echo Valley. Council Member Riva expressed concerns with street widths in regards to garbage trucks, fire trucks and school buses. Chief Porter indicated she has been working with the developer regarding the plan review and hasn't had an opportunity to review their comments and changes. Brandon Foldes with SHYFT Collective, 1300 Walnut St. Des Moines, IA 50309 and Dean Roghair with Civil Design Advantage, 4121 NW Urbandale Dr. Urbandale, IA 50322

discussed the street widths and stated they are willing to work with the City in regards to street widths/turnarounds, etc. Riva also expressed concerns with additional parking for guests.

Motion by Kuhl, seconded by Baker to approve the Resolution approving the Preliminary Plat & Site Plan for Marketplace Townhomes at Echo Valley.

Council Member Livingston asked for clarification in regards to still being able to make necessary changes to the Preliminary Plat/Site Plan after Chief Porter has a chance to review the plan. Jim Dougherty indicated if changes are to be made to road widths, etc. he would prefer to see it in the preliminary plat. Livingston indicated she would like to table this item until she hears from Chief Porter on her review.

Council Members Kuhl and Baker withdrew their motions to approve the Resolution approving the Preliminary Plat & Site Plan for Marketplace Townhomes at Echo Valley.

Motion by Kuhl, seconded by Livingston to table the consideration of a Resolution approving the Preliminary Plat & Site Plan for Marketplace Townhomes at Echo Valley. Motion carried on a roll call vote. Ayes: Baker, Riva, Kuhl and Livingston. Nays: Lester.

Motion by Livingston, seconded by Riva to approve **Resolution 22084** approving Agreement with Stratus Building Solutions for Janitorial Services, carried unanimously, RC.

Motion by Livingston, seconded by Riva to approve **Resolution 22085** approving the Conservation Plan and the Operation & Maintenance Plan at Serenity Woods with the National Resources Conservation Service (NRCS), carried unanimously, RC.

Motion by Lester, seconded by Riva to approve **Resolution 22086** approving a contract with Revize for new City website platform and redesign, carried unanimously, RC.

Motion by Baker, seconded by Riva to approve **Resolution 22087** approving an Agreement with Shive Hattery for the design and implementation of the Hwy 5/Hwy 28 Gateway Project. Motion carried on a roll call vote. Ayes: Livingston, Baker, Riva and Kuhl. Nays: Lester.

Motion by Riva, seconded by Livingston to pass the second reading of an Ordinance providing for the vacation of a portion of the road known as Old State Highway 28 within the City of Norwalk, carried unanimously, RC.

Motion by Kuhl, seconded by Riva to pass the second reading of an Ordinance amending the Official Zoning Map of the City of Norwalk, Iowa by rezoning 106.81 acres of land south of Beardsley Street and east of 50th Avenue from A-R Agricultural Reserve to R-1 (60) Single-Family Residential. Motion carried on a roll call vote. Ayes: Baker, Riva, Kuhl and Lester. Nays: Livingston.

Motion by Kuhl, seconded by Riva to pass the final reading of **Ordinance 22-09** providing for the Division of Taxes Levied on Taxable Property in the 2022 Addition to the Norwalk Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa, carried unanimously, RC.

Consideration of the third reading of an Ordinance amending Chapter 175 Zoning Regulations regarding Fireworks Sales

Jim Henter and Heather Swanson with Bellino Fireworks and Aubrey Floyd with Boom Daddy Fireworks spoke in opposition of the ordinance and asked council to consider delaying the ordinance until after the 2022 season.

Motion by Baker, seconded by Kuhl to pass the final reading of **Ordinance 22-10** amending Chapter 175 Zoning Regulations regarding Fireworks Sales. Motion carried on a roll call vote. Ayes: Kuhl, Baker and Riva. Nays: Livingston and Lester.

Council Inquiries & Staff Updates

Luke Nelson updated the Council on the East 27th Street/80th Avenue Lift Station Project.

Hollie Zajicek updated the Council regarding Development Agreements.

Motion by, seconded by to adjourn at 7:41 p.m., carried unanimously, voice vote.

Tom Phillips, Mayor

Lindsey Offenburger, City Clerk