

**ABRIDGED MINUTES OF THE NORWALK REGULAR CITY COUNCIL MEETING
ON 4-7-2022**

(Minutes to be approved at the April 21, 2022 meeting)

This meeting of the City of Norwalk City Council, on April 7, 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 6:01 P.M. Present at roll call: David Lester (via Zoom), Brian Baker, Stephanie Riva, Ed Kuhl, and Jaki Livingston (via Zoom). Absent: None. (RC = roll call vote)

Staff present included: Luke Nelson, City Manager; Jean Kelly, Finance Director; Kaylen Petullo, Utility Billing Clerk; Kerri Keyte, Human Resources Director; Jenn Porter, Fire Chief; Ben Lewiston, Police Officer; Robin Leaper, Parks & Recreation Director; Luke Parris, Community Development Director; Hollie Zajicek, Economic Development Director; Jean Strable, Library Director; Jim Dougherty, City Attorney.

Pledge of Allegiance

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

Presentations

Norwalk Community School District Update from DT Magee

Welcome of Guests and Public Comment

Proclamations

Mayor Phillips presented a Proclamation declaring April 3-9, 2022 as National Library Week and a Proclamation declaring April 29, 2022 as Arbor Day.

Consent Agenda

Motion by Riva, seconded by Baker to approve the consent agenda which included: March 24, 2022 minutes of the regular City Council meeting; tax

abatements; **Resolution 22088** approving payment to Michael Foods for High Quality Jobs Program; **Resolution 22089** approving Memorandum of Understanding for the Iowa Opioid Settlement Allocation; **Resolution 22090** authorizing the City of Norwalk, Iowa, to accept Iowa Department of Transportation Urban-State Traffic Engineering Program Funds for the partial funding of the IA-28/Beardsley Street Intersection Improvements Project; **Resolution 22091** setting April 21, 2022 for a Public Hearing regarding a Zoning Amendment to change land west of Shadow Creek Estates south of Beardsley from A-R Agricultural Reserve to the Hackney Hills Planned Unit Development; **Resolution 22092** setting April 21, 2022 for a Public Hearing regarding a Comprehensive Plan Amendment to change the future land use of approximately 10 acres of land west of Shadow Creek Estates south of Beardsley Street from Medium Density Residential to High Density Residential; **Resolution 22093** approving Fire Apparatus Purchase Agreement; **Resolution 22094** ratifying police training agreements; **Resolution 22095** approving legal services for North Avenue and Highway 28 Intersection Improvements Project; **Resolution 22096** appointing Magdalena Reese to the Library Board of Trustees; and expenditures, carried unanimously, RC.

Payee	Description	Amount	Payee	Description	Amount
AIRPORT SIGNS AND GRAPHIC	2 ADVERTISEMENT BANNERS MCANINCH	270.00	MENARDS DES MOINES	TORNADO SUPPLIES	3671.12
AUREON	P&R INTERNET	590.00	METRO WASTE AUTHORITY	GROW GOLD/MONTHLY CURB IT FEE	17544.14
BAKER & TAYLOR INC	BOOK	886.64	MICHAEL FOODS INC	HQJP- GRANT	73000.00
BIBLIONIX	APOLLO ILS ANNUAL FEE	3648.00	MICROMARKETING ASSOCIATES	BOOKS	1049.00
BOLTON & MENK, INC	GWT ENGINEERING	12640.50	MID IOWA PLANNING ALLIANCE	FY22 & FY23 MIPA DUES	2399.00
BONNIE'S BARRICADES INC	BARRICADES DURING TORNADO	362.00	MIDAMERICA BOOKS	BOOKS	33.90
BOUND TREE MEDICAL, LLC	MEDICAL SUPPLIES	1534.29	MIDAMERICAN ENERGY	GAS/ELECTRIC	21393.06
CARTER PRINTING CO., INC.	5,000 WINDOW ENVELOPES	533.58	MIDWEST ALARM SERVICES	PS FIRE ALARM INSPECTION	991.76
CATHERINE SHOOK	WAUKEE PUBLIC LIBRARY	22.81	NOAH RIEMER PRODUCTIONS LLC	SUMMER PERFORMER	375.00
CENTRAL IOWA PEST CONTROL SERVICES INC	PEST CONTROL LIBRARY	275.00	NORTH WARREN TOWN & COUNT	NEWSPAPER HIRING AD	453.96
CITY OF CLIVE	KNO2-IMAGE TREND	259.00	NORTHLAND	BULK OIL	1700.34

CONTRACT SPECIALTY LC	7 BUCKETS OF WHITE FIELD PAINT 1 AEROSOL PAINT	591.00	ILA MILLER	BASEBALL CANCELLATION	47.00
D & K PRODUCTS	GRASS SEED	1592.60	KAYLA TORREY	SOCCER CANCELLATION MOVED	84.75
DATAMAXX APPLIED TECHNOLOGIES	MOBILE COMPUTER ACCESS	1226.00	PROCIRCULAR	CYBER SECURITY ANALYSIS	841.34
DEMCO	DISPLAY UNITS	4244.72	SNYDER & ASSOCIATES INC	N AVE REALIGNMENT STUDY	25560.64
ELECTRONIC ENGINEERING CO	RADIO PROGRAMMING	37.50	STETSON BUILDING PRODUCTS, LLC	MATERIALS FOR STORM INTAKES	535.16
FINDAWAY	LAUNCH PAD ADAPTERS	76.88	STRATUS BUILDING SOLUTIONS	CLEANING SERVICES	1096.00
GALLS LLC	HATS- MILLER	818.88	UNPLUGGED WIRELESS COMMUNICATIONS LLC	OUTDOOR SIRENS SERVICE AGREEMENT	3192.00
GARRATT-CALLAHAN COMPANY	BLACK IRON FOR BOILER	912.00	CAPITAL CITY DEVELOPERS LLC	UTILITY DEPOSIT REFUND	39.15
GIFTS GALORE, LL LP	EASTER EGG HUNT SUPPLIES	595.00	UTILITY EQUIPMENT CO.	SEWER SUPPLIES	1320.00
GOPHER SPORT	8 REPLACEMENT NETS FOR J4K & KINDER GOALS	241.47	OGLE, COLT	UTILITY REFUND	65.92
HEARTLAND BUSINESS SYSTEMS LLC	NETWORK ENGINEER IV	92.50	SAGE HOMES INC	UTILITY REFUND	14.66
IOWA DEPARTMENT OF PUBLIC	IOWA SYSTEM ACCESS	1131.00	GENESIS HOMES INC	UTILITY REFUND	16.94
IOWA STATE UNIVERSITY	DTIMS ANNUAL MAINT	3000.00	TANZANITE HOMES	UTILITY REFUND	1081.60
JAMES OIL COMPANY LLC	GASOHOL & STATE TAX	13561.83	HAPPE HOMES	UTILITY REFUND	16.64
KAYLEN PETULLO	IMFOA CONFERENCE REGISTRATION	129.44	GREENLAND HOMES	UTILITY REFUND	13.33
LAKEVIEW BOOKS	BOOKS	69.97	CONNETT, LISA	UTILITY REFUND	5.25
LARRY WINDOWS	EXTERIOR-CH	95.00	VEENSTRA & KIMM INC.	MARKET PLACE TOWNHOUSE AT ECHO VALLEY PLAT 1	10248.38
LASER RESOURCES	LX5820447	64.57	WARREN COUNTY CONSERVATION	RENEW WARREN COUNTY CONSERVATION MEMBERSHIP	100.00
MACQUEEN EQUIPMENT LLC	REPAIRS TO SEWER CAMERA	3169.50	YOUTH ENRICHMENT LEAGUE	YOUTH ENRICHMENT LEAGUE PROGRAM FEES	2776.00
MARK MUERNER	NREMT RECERTIFICATION REIMBURSEMENT	25.00			
MEDICAP PHARMACY	MEDICATIONS	49.38		TOTAL	222412.10

Old and New Business for Consideration, Discussion and Possible Action

Public Hearing regarding regarding the Great Western Trail Connection Phase 3 Project

Mayor Phillips opened the public hearing at 6:27 p.m. Robin Leaper presented the project. Kaylen Petullo reported receiving no oral or written comments. Mayor Phillips closed the public hearing at 6:28 p.m.

Motion by Baker, seconded by Livingston to approve **Resolution 22097** approving plans, specifications, form of contract, and estimate of cost for the Great Western Trail Connection Phase 3 Project, carried unanimously, RC.

Motion by Riva, seconded by Livingston to approve **Resolution 22098** awarding contract for the Great Western Trail Connection Phase 3 Project, carried unanimously, RC.

Motion by Kuhl, seconded by Riva to approve **Resolution 22099** approving the Contract and Bond for the Great Western Trail Connection Phase 3 Project, carried unanimously, RC.

Motion by Livingston, seconded by Kuhl to remove from table the consideration of a resolution approving the Preliminary Plat & Site Plan for Marketplace Townhomes at Echo Valley, carried unanimously, RC.

Motion by Kuhl, seconded by Riva to approve **Resolution 22100** approving the Preliminary Plat & Site Plan for Marketplace Townhomes at Echo Valley, carried unanimously, RC.

Consideration of a Resolution allowing a 4 foot wrought iron fence to encroach a maximum of 25 feet into the buffer easement on lots 1, 39, 40, & 41 of Sunset Estates Plat 1 and lots 7 & 8 of Sunset Estates Plat 2

Luke Parris presented the request from the owner to allow the fence.

Chad Larson, 901 Orchard Hills Drive and his realtor, Scott Windel spoke regarding the desire to have a fence in the buffer. Chad stated that not allowing a fence in the buffer, essentially cuts his yard in half. He stated the

current request is to allow the fence 25 feet into the easement, which puts his fence at the base of the trees. He is asking Council to allow him an additional 12 feet to fence onto the opposite side of the trees.

Motion by Livingston, seconded by Lester to approve the Resolution as presented allowing a 4 foot wrought iron fence to encroach a maximum of 25 feet into the buffer easement on lots 1, 39, 40, & 41 of Sunset Estates Plat 1 and lots 7 & 8 of Sunset Estates Plat 2.

Mayor asked for further discussion. Kuhl made a Motion to amend the previous motion by Livingston, to amend the maximum footage of 25 feet to 33 feet into the buffer easement on lots 1, 39, 40, & 41 of Sunset Estates Plat 1 and lots 7 & 8 of Sunset Estates Plat 2. Baker seconded the motion. Motion failed by roll call vote. Ayes: Baker and Kuhl Nays: Riva, Livingston and Lester.

Motion by Livingston, seconded by Lester approving **Resolution 22101** allowing a 4 foot wrought iron fence to encroach a maximum of 25 feet into the buffer easement on lots 1, 39, 40, & 41 of Sunset Estates Plat 1 and lots 7 & 8 of Sunset Estates Plat 2. Motion carried on a roll call vote: Ayes: Lester, Baker, Kuhl, and Livingston. Nays: Riva.

Motion by Lester, seconded by Kuhl approving **Resolution 22102** approving FY22 Budget Amendment for Part-Time Library Staff, carried unanimously, RC.

Motion by Riva, seconded by Livingston to pass the final reading of **Ordinance 22-11** 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 Baker, seconded by Kuhl to pass the final reading of **Ordinance 22-12** 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: Lester, Baker, Riva and Kuhl. Nays: Livingston.

Council Inquiries & Staff Updates

Motion by Baker, seconded by Riva to adjourn at 7:37 p.m., carried unanimously, voice vote.

Tom Phillips, Mayor

Lindsey Offenburger, City Clerk