

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

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

This meeting of the City of Norwalk City Council, on July 7, 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 6:01 P.M. Present at roll call: David Lester, Brian Baker, Stephanie Riva, Ed Kuhl, and Mayor Tom Phillips. Absent: Jaki Livingston. (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; Robin Leaper, Parks & Recreation Director; Luke Parris, Community Development Director; Hollie Zajicek, Economic Development Director; Jim Dougherty, City Attorney.

Pledge of Allegiance

Motion by Riva, seconded by Kuhl to approve the agenda as amended by removing item "I" from the consent agenda, Resolution approving Intergovernmental Agreement for operations of joint Fire and EMS records management system by the cities of Clive, Grimes, Johnston, Norwalk, Urbandale, Waukee and Windsor Heights; carried unanimously, voice vote.

Welcome of Guests and Public Comment

Consent Agenda

Motion by Riva, seconded by Baker to approve the consent agenda which included: June 9, 2022 minutes of the special City Council meeting; June 16, 2022 minutes of the regular City Council meeting; tax abatements; **Resolution 22176** approving Supplemental Agreement for additional Engineering Services for IA-28 Traffic Signal System Improvement Project; **Resolution 22177** to approve Property, Liability, and Worker's Compensation Insurance Renewal for Fiscal Year 2023; **Resolution 22178** approving Right-of-Way Permit Fee increase; **Resolution**

22179 approving engineering services for Wright Road Water Main Replacement Project; **Resolution 22180** authorizing execution of an Agreement with Bolton & Menk, Inc. for Construction Services for the Great Western Trail Connection Phase 3 Project; **Resolution 22181** adopting the Street Naming and Addressing Policy; **Resolution 22182** reappointing Jason Brown to the Norwalk Planning & Zoning Commission; **Resolution 22183** approving Fire Services Contract Agreement pursuant to Iowa Code Section 28E between Lee Township and the City of Norwalk, Iowa; **Resolution 22184** approving the Park and Recreation Department to purchase replacement playground equipment at Billy O. Phillips Park; Correspondence; and expenditures, carried unanimously, RC.

Payee	Description	Amount	Payee	Description	Amount
ABT MAILCOM	UTILITY BILL PROCESSING & MAILING	2,611.88	JOE BALLARD	NORWALK SAMS CLUB MEMBERSHIP	180.00
ACCO	DEWINTERIZATION	2,660.54	JUNIOR LIBRARY GUILD	BOOKS	485.80
ADVANCED PROBLEM SOLUTIONS	TOILET PAPER	750.00	KAYLA BECKER	MILEAGE REIMBURSEMENT	33.17
ALL IOWA POOL	CHEMICAL TEST KIT SUPPLIES	59.72	KELTEK INCORPORATED	MOBILE CAMERA REPAIR	213.60
ANKENY SANITATION	DUMPSTER @ MCANINCH FOR PARK	106.00	LARRY WINDOWS	EXTERIOR-CH	95.00
ARCHIVE SOCIAL	SOCIAL MEDIA ARCHIVING	5,988.00	LIBRARY IDEAS LLC	BOOKS/FILMS	527.40
BACKFLOW SOLUTIONS INC	ANNUAL ONLINE SUB FEE	495.00	LUND FIRE PROTECTION	FIRE REVIEW- NORWALK CENTRAL	1,500.00
BAKER & TAYLOR INC	BOOKS	1,917.14	MARY JANE SHARP	PAYMENT FOR SERVICES	1,874.60
BAKER TILLY VIRCHOW KRAUSE, LLP	ACCOUNTS RECEIVABLE	4,550.00	METRO WASTE AUTHORITY	COLLECTION COSTS	38,367.56
BEDWELL GARDENS	PLANTERS/LANDSCAPE	170.67	MICHAEL ALBERT	PERFORMER FEE	600.00
BENTLEY RIDGE TREE FARM	TREES FOR PARKS	6,556.00	MICROMARKETING ASSOCIATES	BOOKS/FILMS	1,069.24
BOLTON & MENK, INC	GWT PHASE 3 ENGINEER	4,162.00	MIDAMERICAN ENERGY	801 NORTH AVE	237.48
BOUND TREE MEDICAL, LLC	MEDICAL SUPPLIES	1,332.67	NEOGOV	POWER POLICY 22-23	5,806.50
BOWEN DESIGN LLC	PAYMENT FOR AQUATIC STAFF SHIRT	427.50	NFLF HOLDINGS LLC	GRANT REIMBURSEMENT - REMAINING	3,000.00
BRICK GENTRY PC	BEARDSLEY & HWY	170.00	NICOLE BERGER	PAYMENT FOR SERVICES	4,405.00

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BROWN EQUIPMENT	EQUIPMENT	15,233.66		NORTH WARREN TOWN & COUNT	PUBLICATIONS 217.51
CAPITAL SANITARY SUPPLIES	TOILET PAPER HOLDER	171.11		NORWALK COMMUNITY SCHOOLS	REIMBURSEMENT FOR PLANT FOR COURTHOUSE 47.49
CASSANDRA WIDERHOLT	PAYMENT T & TH WATER AEROBICS	231.00		NORWALK HOMETOWN PRIDE	CITY ANNUAL MUSIC FEST SPONSORSHIP 5,000.00
CAVENDISH SQUARE	BOOKS	201.48		NORWALK READY-MIXED CONCRETE	CONCRETE-STORM-WAKONDA DR 1,035.50
CELEBRATE NORWALK	REQUEST FOR EXPENSE	3,000.00		NORWALK SEASONAL SERVICES	NUISANCE ABATEMENTS 1,785.00
CENTER POINT PUBLISHING	LARGE PRINT BOOKS	293.84		OVERDRIVE INC	EBOOK 147.49
CENTURYLINK	PHONE SERVICE	1,641.86		GLADYS YORK	REFUND FOR AQUATIC PASS 51.36
CITY OF DES MOINES	JULY 2022 WRA PAYMENT	108,150.85		MEAGEN WAHL	REFUND FOR AQUATIC PASS 102.72
CONTRACT SPECIALTY LC	GRUB CONTROL FERTILIZER FOR MCANINCH	3,564.48		PARK & REC REFUND 2022	REFUND FOR AQUATIC PASS 25.68
CTI READY MIX, LLC	CONCRETE-STREETS-CANDLEWICK	2,867.50		PENWORTHY COMPANY	BOOKS 367.24
CUMMINS SALES AND SERVICE	PS GENERATOR	758.06		PEPSI-COLA	CONCESSION STAND DRINKS 495.00
CYBRARIAN CORPORATION	ANNUAL TECH LICENSE	999.95		PFM FINANCIAL ADVISORS LLC	CONTINUING DISCLOSURE 2,000.00
DES MOINES ASPHALT & PAVING	TRAFFIC CONTROL (NORTH AVE)	37,826.20		PROCIRCULAR	CYBER SECURITY ANALYSIS 3,591.34
DES MOINES MPO	FY23 DUES	12,799.00		PROGRESSIVE STRUCTURES	WINDFLOWER DRAINAGE IMPROVEMENTS 1,673.11
DOWNING CONSTRUCTION	TORNADO REPAIR ON ROOF	22,396.28		RELIANT FIRE APPARATUS INC	E610 REPAIR 1,512.89
DUDE SOLUTIONS, INC	PERMITTING SOFTWARE	14,275.06		RICK E BRAMMER	PERFORMER FEE 250.00
ELIZABETH ANN HANSEN	GOAL SETTING SESSION	2,779.92		SHIVE-HATTERY	PORTION OF FINAL ENTRANCE SIGN DESIGN 5,925.00
FRAZER	MONSTER BRACKET	1,515.00		SNYDER & ASSOCIATES INC	HWY 28 SIGNAL PROJ 21,580.25
GALLS	ALLOWANCES - UNIFORM	249.50		STRATUS BUILDING SOLUTIONS	CLEANING SERVICES 1,096.00
GOPHER SPORT	MIGHTY MESH PIRNIE'S FOR YOUTH SPORTS	162.39		SYSCLOUD	CLOUD BACK-UP FY22 RENEWAL 3,240.00
GRANICUS	GOV DELIVERY CONTRACT	6,884.18		THRASHER SERVICE	SINK AND SHOWER REPAIR 175.77
HAWKINS, INC.	POOL CHEMICALS	2,130.49		TRUGREEN	P&R OFFICE WEED SPRAY 96.00

HINDS	MEMORIAL SCULPTURE REPAIR ELIZ HOLLAND	145.00		UNIONIST PUBLISHING	PR MATERIAL	288.90
HME, INCORPORATED	TITLE REPLACEMENT	100.00		JAMES MCFELEY	UTILITY DEPOSIT REFUND	17.44
HOFFMAN, CHARLES	PULL STARTER FOR PLATE PACKER	97.94		TOM BROGAN	UTILITY DEPOSIT REFUND	31.31
IOWA COMMUNICATIONS NETWORK	INTERNET SERVICE	352.50		VAN-WALL EQUIPMENT, INC	TRACTOR PARTS WEED EATER POWER WASHER	1,133.58
IOWA DEPARTMENT OF PUBLIC	IOWA SYSTEM ACCESS	1,131.00		VEENSTRA & KIMM INC.	HUGHES CENTURY CROSSING PLAT5/6	21,967.58
IOWA LAW ENFORCEMENT ACADEMY	POST TESTING	200.00		VERIZON WIRELESS	PHONE SERVICE	1,693.38
IOWA LEAGUE OF CITIES	FY23 MEMBERSHIP DUES	4,781.00		WARREN CO. FIREFIGHTERS ASSC.	ASSOCIATION DUES	35.00
IOWA ONE CALL	LOCATION NOTIFICATIONS	527.90		WARREN LAWN SERVICE LLC	DOG PARK WEED TREATMENT	320.00
JAMES OIL COMPANY	FUEL	8,725.78				
JASON KLING	FASTENERS	7.22			TOTAL	420,455.16

Old and New Business for Consideration, Discussion and Possible Action

Public Hearing regarding a Zoning Amendment to change 10 acres south of Bluebell Dr. and east of Timber View Dr. from A-R Agricultural Reserve to R-1(70) Single Family Residential

Mayor Phillips opened the public hearing at 6:04 p.m. Luke Parris presented the rezoning request. Lindsey Offenburger reported receiving no oral or written comments. Mayor Phillips closed the public hearing at 6:07 p.m.

Motion by Kuhl, seconded Riva to approve Resolution 22185 to outline certain requirements regarding a neighborhood plan in regards to the first reading of an Ordinance amending the Official Zoning Map of the City of Norwalk, Iowa by rezoning 10 acres south of Bluebell Dr. and east of Timber View Dr. from A-R Agricultural Reserve to R-1 (70) Single Family Residential; carried unanimously, RC.

Motion by Kuhl, seconded by Baker to waive the second and third readings of **Ordinance 22-17** amending the Official Zoning Map of the City of Norwalk, Iowa by rezoning 10 acres south of Bluebell Dr. and east of Timber View Dr. from A-R

Agricultural Reserve to R-1 (70) Single Family Residential to be passed utilizing a resolution to outline certain requirements regarding a neighborhood plan; carried unanimously, RC.

Motion by Lester, seconded by Riva to approve **Resolution 22186** approving an Agreement for Engineering Services for North Ave. Traffic Study - Cherry St. to East 17th St., carried unanimously, RC.

Motion by Lester, seconded by Riva to approve **Resolution 22187** awarding General Obligation Corporate Purpose Bonds, Series 2022A, carried unanimously, RC.

Motion by Kuhl, seconded by Riva to approve **Resolution 22188** advance hiring of one police officer, carried unanimously, RC.

Motion by Lester, seconded by Baker to approve **Resolution 22189** approving the Promissory Note & Mortgage, and Contract for the Norwalk Rehabilitation Assistance Program project for 604 Snyder Ave., carried unanimously, RC.

Motion by Lester, seconded by Baker to approve **Resolution 22190** approving the Promissory Note & Mortgage, and Contracts for the Norwalk Rehabilitation Assistance Program project for 2219 Norwood Dr., carried unanimously, RC.

Motion by Kuhl, seconded by Riva to pass the second reading of an Ordinance creating a new Chapter 89, Cross Connections and Backflow Prevention, to the Norwalk Municipal Code, carried unanimously, RC.

Motion by Riva, seconded by Lester to pass the second reading of an Ordinance amending the Official Zoning Map of the City of Norwalk, Iowa by rezoning land south of W. Beardsley St. from A-R Agricultural Reserve to the Hackney Hills Planned Unit Development, carried unanimously, RC.

Motion by Lester, seconded by Baker to pass the final reading of **Ordinance 22-21** amending the Official Zoning Map of the City of Norwalk, Iowa by rezoning land south of W. Beardsley St. from A-R Agricultural Reserve to the Hackney Hills Planned Unit Development, carried unanimously, RC.

Motion by Riva, seconded by Baker to pass the final reading of **Ordinance 22-18** amending Chapter 177 - Rates & Fees, providing for amended Water, Sewer and Solid Waste Charges, carried unanimously, RC.

Motion by Baker, seconded by Riva to pass the final reading of **Ordinance 22-19** amending the Zoning Ordinance of the City of Norwalk regarding Swimming Pool Enclosures, carried unanimously, RC.

Motion by Kuhl, seconded by Riva to pass the final reading of **Ordinance 22-20** amending the Legacy PUD within the City of Norwalk, Iowa by allowing patios and decks to encroach into residential side-yard setbacks in PUD Parcel 1, carried unanimously, RC.

Discussion regarding the Central Iowa Water Works water capacity projections and methods of achieving water needs. Motion by Riva, seconded by Kuhl to approve participation in the Des Moines Water Works 10 million gallons per day expansion project and request that Des Moines Water Works adjust capacity needs for Norwalk, carried unanimously, voice vote.

Update and direction regarding nuisance enforcement of 407 Center St. Motion by Kuhl, seconded by Lester to proceed with litigation in regards to nuisance enforcement of 407 Center St., carried unanimously, voice vote.

Council Inquiries & Staff Updates

Enter into 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, carried unanimously, RC.

Mayor Phillips 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 Riva, seconded by Baker to enter into Closed Session at 7:07 p.m. Carried unanimously, RC.

Motion by Riva, seconded by Baker to adjourn the Closed Session at 7:27 p.m.
Carried unanimously, RC.

Motion by Kuhl, seconded by Riva to adjourn at 7:27 p.m., carried unanimously,
voice vote.

Tom Phillips, Mayor

Lindsey Offenburger, City Clerk