

Urbandale City Council Minutes
January 15, 2019

The Urbandale City Council met in regular session on Tuesday, January 15, 2019, at 7:00 p.m. in the Council Chambers, 3600 86th Street, with Mayor Robert D. Andeweg presiding. Answering roll call were the following Council Members: Mike Carver, Creighton Cox, Tom Gayman, Ron Pogge, David Russell. Absent: None. Also present were City Manager A.J. Johnson, City Attorney Bob Laden, Assistant City Manager/Economic Development Director Curtis Brown, Economic Development Specialist Katie Gieszler, Marketing & Communications Specialist Derek Zarn, Director of Parks & Recreation Jan Herke, Director of Engineering and Public Works Dave McKay, Assistant Director of Engineering John Larson, Senior Engineer Kristin Brostrom, GIS Coordinator Ryan Noah, Engineering Technician Scot Ford, Finance Director Nicci Lamb, Assistant Finance Director Kim Keisler, Accountant Addison Riebkes, Community Development Director Steve Franklin, Chief Planner/Community Development Manager Kristi Bales, Police Chief Rob Johansen, Police Officer Dawson, Fire Chief Jerry Holt, City Treasurer Donald J. Brush, City Clerk Nicole Lunders.

Mayor Andeweg led the Pledge of Allegiance and recited the CHARACTER COUNTS! statement.

Gayman moved, seconded by Pogge to approve the agenda. On roll call, Ayes: Gayman, Pogge, Cox, Russell, Carver. Nays: none. Motion carried.

Pogge moved, seconded by Cox to approve Resolution 014-2019 Approving Mayor's Appointments. On roll call, Pogge, Cox, Gayman, Carver, Russell. Nays: none. Motion carried.

Russell moved, seconded by Cox to approve the January 2, 2019 City Council minutes, as amended. On roll call, Ayes: Russell, Cox, Gayman, Carver. Nays: none. Abstain: Pogge. Motion carried.

Gayman moved, seconded by Russell to approve Consent Agenda items 8a – 8n. On roll call, Ayes: Gayman, Russell, Carver, Cox, Pogge. Nays: none. Motion carried.

Gayman moved, seconded by Russell to authorize the payment of warrants as listed on City Bill Lists 01-03-2019 and 01-10-2019. On roll call, Ayes: Gayman, Russell, Carver, Cox, Pogge. Nays: none. Motion carried.

Gayman moved, seconded by Russell to approve the Merchant Credit Card Processing Program – City-Wide Credit Card Services. On roll call, Ayes: Gayman, Russell, Carver, Cox, Pogge. Nays: none. Motion carried.

Gayman moved, seconded by Russell to approve the Special Event Request for the Urbandale Education Foundation Friday Fun Fest. On roll call, Ayes: Gayman, Russell, Carver, Cox, Pogge. Nays: none. Motion carried.

Gayman moved, seconded by Russell to approve Aurora Avenue Paving, 109th Street to Railroad Crossing Final Acceptance. On roll call, Ayes: Gayman, Russell, Carver, Cox, Pogge. Nays: none. Motion carried.

Gayman moved, seconded by Russell to approve the Legal Service Conflict Waiver Waukee Community School District 28E Agreement. On roll call, Ayes: Gayman, Russell, Carver, Cox, Pogge. Nays: none. Motion carried.

Gayman moved, seconded by Russell to receive the Solid Waste Collection Operator, Firefighter/EMT-Paramedic, Administrative Technician and Laborer Certified Lists. On roll call, Ayes: Gayman, Russell, Carver, Cox, Pogge. Nays: none. Motion carried.

Gayman moved, seconded by Russell to receive the October 31, 2018 Civil Service Commission Minutes; the November 19, 2018, November 27, 2018 and December 11, 2018 CIP Committee Minutes; the January 7, 2019 Planning & Zoning Commission Minutes; and the December 2018 Building Permit Report. On roll call, Ayes: Gayman, Russell, Carver, Cox, Pogge. Nays: none. Motion carried.

Mayor Andeweg continued the public hearing to consider the Merle Hay Apartments Amendment to the Comprehensive Plan and Rezoning from C-G General Commercial District to P.U. D. Planned Unit Development District, 6300 Block of Douglas Avenue pursuant to notice of the time and place of hearing duly published, and pursuant to prior action of the Council; and announced that both written and oral objections would be received and considered by the Council at this time.

Mayor Andeweg reviewed the procedural rules requiring a super majority to approve the amendment.

Steve Franklin reviewed the proposed amendment and rezoning. Planning & Zoning Commission recommended denial. Staff recommended denial.

Public comment in opposition to the proposed amendment and rezoning was shared with Council prior to the meeting.

Applicant, Liz Holland, Merle Hay Mall, 6200 Aurora Avenue, Des Moines, outlined the proposal and requested Council approval.

Russ Frazier, Anawim Housing, 1171 7th Street, Des Moines, outlined the housing project and requested Council approval.

William Lillis, 14121 Wilden Drive, Urbandale, addressed the Council in support of the project.

Kristine Winter, 7305 Airline Avenue, Urbandale, addressed the Council in support of the project.

Mary Polson, 6840 Mill Pond Drive, Urbandale, addressed the Council in support of the project.

Carver moved, seconded by Pogge to close the public hearing. On roll call, Ayes: Carver, Pogge, Cox, Gayman, Russell. Nays: none. Motion carried.

Carver moved, seconded by Pogge to approve the Merle Hay Apartments Amendment to the Comprehensive Plan. On roll call, Ayes: Carver, Pogge, Cox. Nays: Gayman, Russell. Motion fails.

Mayor Andeweg continued the public hearing to consider the adoption of the proposed Resolution of Necessity for the Construction of the Meredith Drive Improvements – 156th Street to 170th Street,

pursuant to notice of the time and place of hearing duly published and mailed, and pursuant to prior action of the Council; and announced that both written and oral objections would be received and considered by the Council at this time.

Dave McKay summarized the recommendations from the Mayor's subcommittee and presented the revised preliminary assessment.

No additional comments were received.

Cox moved, seconded by Pogge to close the public hearing. On roll call, Ayes: Cox, Pogge, Gayman, Russell, Carver. Nays: none. Motion carried.

Cox moved, seconded by Pogge to approve Resolution 005-2019 with Respect to the Adoption of the Resolution of Necessity Proposed for the Meredith Drive Paving Improvements – 156th Street to 170th Street. On roll call, Ayes: Cox, Pogge, Gayman, Russell, Carver. Nays: none. Motion carried.

Cox moved, seconded by Pogge to approve Resolution 006-2019 Directing Preparation of Detailed Plans and Specifications, Form of Contract and Notice to Bidders on the Meredith Drive Paving Improvements – 156th Street to 170th Street. On roll call, Ayes: Cox, Pogge, Gayman, Russell, Carver. Nays: none. Motion carried.

Cox moved, seconded by Pogge to approve Resolution 007-2019 Ordering Bids, Approving Plans and Specifications, Form of Contract and Notice to Bidders on the Meredith Drive Paving Improvements – 156th Street to 170th Street. On roll call, Ayes: Cox, Pogge, Gayman, Russell, Carver. Nays: none. Motion carried.

Cox moved, seconded by Pogge to approve a right-of-way acquisition and easement in the amount of \$27,800. On roll call, Ayes: Cox, Pogge, Gayman, Russell, Carver. Nays: none. Motion carried.

Mayor Andeweg stated that publication to consider the 2019-2024+ Capital Improvements Program had been completed as required by State law and asked if there were any objections, written or oral, to the form of the notice. There were none.

Gayman moved, seconded by Pogge to open the public hearing. On roll call, Ayes: Pogge, Gayman, Russell, Carver, Cox. Nays: none. Motion carried.

AJ Johnson reviewed the CIP process and noted changes. Mayor Andeweg thanked the committee and staff for their efforts.

Carver moved, seconded by Cox to close the public hearing. On roll call, Ayes: Carver, Cox, Gayman, Pogge, Russell. Nays: none. Motion carried.

Pogge moved, seconded by Carver to approve the 2019-2024+ Capital Improvements Program. On roll call, Ayes: Pogge, Carver, Cox, Gayman, Russell. Nays: none. Motion carried.

Mayor Andeweg stated that publication to consider Amendment No. 2 to the Amended and Restated Northwest Market Center Urban Renewal Plan had been completed as required by State law and asked if there were any objections, written or oral, to the form of the notice. There were none.

Pogge moved, seconded by Cox to open the public hearing. On roll call, Ayes: Pogge, Cox, Gayman, Carver, Russell. Nays: none. Motion carried.

Nicci Lamb reviewed the Amendment.

No additional comments were received.

Cox moved, seconded by Russell to close the public hearing. On roll call, Ayes: Cox, Russell, Carver, Gayman, Pogge. Nays: none. Motion carried.

Cox moved, seconded by Gayman to approve Resolution 010-2019 Determining an Area of the City to be a Blighted and Economic Development Area, and that the Rehabilitation, Conservation, Redevelopment, Development, or a Combination Thereof, of Such Area is Necessary in the Interest of the Public Health, Safety or Welfare of the residents of the City; Designating Such Area as Appropriate for Urban Renewal Projects; and Adopting Amendment No. 2 to the Amended and Restated Northwest Market Center Urban Renewal Plan. On roll call, Ayes: Cox, Gayman, Pogge, Russell, Carver. Nays: none. Motion carried.

Mayor Andeweg stated that publication to consider Thomas Capital Advisors LLC, Development Agreement had been completed as required by State law and asked if there were any objections, written or oral, to the form of the notice. There were none.

Cox moved, seconded by Gayman to open the public hearing. On roll call, Ayes: Cox, Gayman, Pogge, Russell, Carver. Nays: none. Motion carried.

Katie Gieszler presented the proposed Thomas Capital Advisors, LLC Development Agreement. Business owner Nick Ryan thanked the Council for their consideration.

No additional comments were received.

Russell moved, seconded by Cox to close the public hearing. On roll call, Ayes: Russell, Cox, Gayman, Pogge, Carver. Nays: none. Motion carried.

Russell moved, seconded by Cox to approve Resolution 008-2019 Approving and Authorizing Execution of A Development Agreement By and Between the City of Urbandale and Thomas Capital Advisors, LLC. On roll call, Ayes: Russell, Cox, Gayman, Pogge, Carver. Nays: none. Motion carried.

Mayor Andeweg stated that publication to consider Conveyance of Real Property to 7109 Hickman, LLC had been completed as required by State law and asked if there were any objections, written or oral, to the form of the notice. There were none.

Cox moved, seconded by Russell to open the public hearing. On roll call, Ayes: Cox, Russell, Pogge, Gayman, Carver. Nays: none. Motion carried.

Katie Gieszler reviewed the offer received and procedure for the sale of 7113 Hickman Road. No competing offers were received.

Gayman moved, seconded by Cox to close the public hearing. On roll call, Ayes: Gayman, Cox, Russell, Carver, Pogge. Nays: none. Motion carried.

Russell moved, seconded by Cox to approve Resolution 009-2019 Approving and Authorizing Execution of an Offer to Purchase Agreement by and between the City of Urbandale and 7109 Hickman, LLC. On roll call, Ayes: Russell, Cox, Gayman, Pogge, Carver. Nays: none. Motion carried.

Steve Franklin presented the Plateau at Deer Creek Preliminary Plat, Revised. Planning & Zoning Commission recommended approval subject to outlined requirements.

Ed Arp, Civil Engineering Consultants discussed resolution of stormwater concerns with adjoining property.

Kelly Hamborg, Brown Winick, attorney for adjacent property owner acknowledged resolution of concerns and withdrew a prior request to defer action.

Carver moved, seconded by Cox to approve The Plateau at Deer Creek Preliminary Plat, Revised, subject to the conditions established by the Planning & Zoning Commission. On roll call, Ayes: Carver, Cox, Gayman, Pogge, Russell. Nays: none. Motion carried.

Gayman moved, seconded by Russell to approve Resolution 011-2019 Ordering Construction of the 86th Street Preservation Project Phase II, and Fixing a Date for Hearing Thereon and Taking Bids Therefor. On roll call, Ayes: Gayman, Russell, Cox, Carver, Pogge. Nays: none. Motion carried.

Pogge moved, seconded by Russell to approve Resolution 012-2019 Ordering Construction of the 2019 PCC Reconstruction Program, and Fixing a Date for Hearing Thereon and Taking Bids Therefor. On roll call, Ayes: Pogge, Russell, Cox, Carver, Gayman. Nays: none. Motion carried.

Cox moved, seconded by Gayman to approve Resolution 013-2019 Ordering Construction of the 2019 Storm Sewer Intake Rehabilitation Program, and Fixing a Date for Hearing Thereon and Taking Bids Therefor. On roll call, Ayes: Cox, Gayman, Russell, Carver, Pogge. Nays: none. Motion carried.

Mayor Andeweg thanked Katie Gieszler for her service to the City and wished her luck in future endeavors.

Other items of discussion included: Recognition of staff work on the Urbandale Source and a desire to bring a selection of affordable housing to Urbandale.

Cox moved, seconded by Gayman to adjourn at 8:40 p.m. On roll call, Ayes: Cox, Gayman, Russell, Carver, Pogge. Nays: none. Motion carried.

Robert D. Andeweg, Mayor

Attest: _____
Nicole Lunders, City Clerk