

Urbandale City Council Minutes  
December 28, 2010

The Urbandale City Council met in regular session on Tuesday, December 28, 2010, at 7:00 p.m. in the Council Chambers, 3600 86<sup>th</sup> Street, with Mayor Robert D. Andeweg presiding. Answering roll call were the following Council Members: Mike Carver, John Forbes, Tom Gayman, Ron Pogge, Mary Polson. Absent: none. Also present were City Manager A.J. Johnson, Legal Counsel Tim Pearson, Assistant City Manager Su Zanna K. Prophet, Director of Parks and Recreation and Community Education Jan Herke, Community Development Director Paul Dekker, Police Chief Ross McCarty, Director of Engineering and Public Works Dave McKay, Human Resources Director Jennifer Hubbard, Assistant Fire Chief Mike Cardwell, City Clerk Deb Mains.

Mayor Andeweg recited the CHARACTER COUNTS! statement.

Carver moved, seconded by Polson to approve the Agenda as amended to move Item No. 13 Consider Hotel/Motel Allocations – FY2011-2012 to follow Item No. 6, and to add Item No. 15.A Closed Session Pursuant to Code §21.5(1)(j). On roll call, Ayes: Carver, Polson, Gayman, Pogge, Forbes. Nays: none. Motion carried.

Mayor Andeweg made the following appointments:

Board of Adjustment – Patrick Kirchner, expires 01-01-2016

Board of Appeals –

Jan Beal, expires 12-31-2013

Rod Stevens, expires 12-31-2013

Board of Electrical Examiners –

Glenn Walkup, expires 12-31-2013

Doug Winger, expires 12-31-2013

Civil Rights Commission – Kim Thomas, expires 12-31-2013

Parks and Recreation Commission – Mark Courter, expires 12-31-2015

Planning and Zoning Commission – Paul Pick, expires 01-01-2016

Plumbing Board of Examiners – Alan (Mac) McConeghey, expires 12-31-2013

Tree Board –

Carolyn Chleborad, expires 12-31-2013

Bill Dane, expires 12-31-2013

Des Moines Area MPO –

Primary Representatives – Mike Carver, Robert Andeweg, A.J. Johnson

Alternate Representatives – Donald Brush, Phil Noah, Tom Gayman

TTC Primary Representatives – Paul Dekker, Dave McKay, John Larson

TTC Alternate Representatives – Steve Franklin, Heather MacBean, Tim Stovie

Metro Waste Authority Board of Directors –

Primary Representative – Ron Pogge

Alternate Representative – Dave McKay

E911 Service Board –

Primary Representative – Lieutenant Terry Nielsen

Alternate Representative – Chief Ross McCarty

Polk County Emergency Management Commission

Primary Representative – Chief Jerry Holt

Alternate Representative – Fire Marshal Jon Rech

Mayor Pro Tem – Tom Gayman

Metropolitan Advisory Committee (MAC) Representative – John Forbes

Pogge moved, seconded by Carver to affirm the Mayor's appointments. On roll call, Ayes: Pogge, Carver, Polson, Gayman, Forbes. Nays: none. Motion carried.

Polson moved, seconded by Gayman to approve the December 14, 2010 Council minutes as written. On roll call, Ayes: Polson, Gayman, Pogge, Forbes, Carver. Nays: none. Motion carried.

Polson moved, seconded by Gayman to approve the December 21, 2010 Lunch & Learn Council minutes as written. On roll call, Ayes: Polson, Gayman, Pogge, Forbes, Carver. Nays: none. Motion carried.

Polson moved, seconded by Forbes to approve the Consent Agenda as listed under Item No. 6. On roll call, Ayes: Polson, Forbes, Pogge, Gayman, Carver. Nays: none. Motion carried.

Polson moved, seconded by Forbes to authorize the payment of warrants as listed on Bill Lists 12-16-2010 and 12-22-2010. On roll call, Ayes: Polson, Forbes, Pogge, Gayman, Carver. Nays: none. Motion carried.

Polson moved, seconded by Forbes to approve renewal Class C Beer Permits for Big Kmart #4156, 7501 Hickman Road, and Wang's Asian Market, 3005 100<sup>th</sup> Street; a renewal Class C Liquor License for Phoenix Cafe, 6769 Hickman Road; and a Class B Beer Permit for Panchero's Mexican Grill, 3265 100<sup>th</sup> Street. On roll call, Ayes: Polson, Forbes, Pogge, Gayman, Carver. Nays: none. Motion carried.

Polson moved, seconded by Forbes to approve the third and final reading of Ordinance No. 2010-19 Vacating Certain Public Street Right-Of-Way As A Public Way In The Incorporated City Of Urbandale, Iowa (16300 Block of Wilden Drive). On roll call, Ayes: Polson, Forbes, Pogge, Gayman, Carver. Nays: none. Motion carried.

Polson moved, seconded by Forbes to approve the second reading of Ordinance No. 2010-20 Repealing Chapter 35, Entitled Fire And Rescue Department, Of The Code Of Ordinances Of The City Of Urbandale, 1999, And To Adopt New Chapter 35, Entitled Fire And EMS Department. On roll call, Ayes: Polson, Forbes, Pogge, Gayman, Carver. Nays: none. Motion carried.

Polson moved, seconded by Forbes to approve the Underground Electric Line Easement application from MidAmerican Energy for the establishment of an easement within Walker Johnston Park to provide electric service to the Urbandale Sports Association maintenance building. On roll call, Ayes: Polson, Forbes, Pogge, Gayman, Carver. Nays: none. Motion carried.

Polson moved, seconded by Forbes to receive the Civil Service Certified List for the Light Equipment Operator Classification; November, 2010 Building Department Report; November 15, November 30 and December 7, 2010 Capital Improvements Program Committee minutes; and the December 20, 2010 Planning and Zoning Commission minutes. On roll call, Ayes: Polson, Forbes, Pogge, Gayman, Carver. Nays: none. Motion carried.

The following organizations presented requests for FY2011-12 Hotel/Motel Tax funds to the Council: Choose Des Moines Communities, Downtown Urbandale Neighborhood Association, Polk County Master Gardeners, J-Hawk Sports Association, Urbandale Community Adult Band, Urbandale Community School District, Urbandale Little League, Urbandale/Johnston VFW Post 9668, Urbandale Sports Association, American Legion Post #663, Greater Dallas County Development Alliance, Urbandale Girls Recreation Association, Public Art Committee, UCAN and Urbandale Food Pantry, and Urbandale Chamber of Commerce. Mayor Andeweg advised that all requests will be reviewed during the budget process, and that funding may not be at levels seen in the past due to declining Hotel/Motel Tax receipts and current economic conditions.

Mayor Andeweg stated that publication had been completed as required by State law for the public hearing to consider the 2011-2016 Capital Improvements Program, and asked if there were any objections to the form of the notice. There were none.

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

John Forbes, CIP Committee Chair, and the City Manager reviewed the proposed CIP. John Hollebrands, 4217 86<sup>th</sup> Street, voiced his ideas regarding a possible bond referendum and stepping outside the City's current financial criteria to complete projects.

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

Following discussion, Polson moved, seconded by Carver to approve the 2011-2016 Capital Improvements Program. On roll call, Ayes: Polson, Carver, Forbes, Pogge, Gayman. Nays: none. Motion carried.

Mayor Andeweg stated that publication had been completed as required by State law for the public hearing to consider the "Hanson Residence" rezoning from "C-N" Neighborhood Convenience District to "R-1S" Suburban Density Single-Family District (3627 64<sup>th</sup> Street), and asked if there were any objections to the form of the notice. There were none.

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

Paul Dekker reviewed the proposed rezoning with the Council. No comments were made in favor of, or opposing, the proposed rezoning.

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

At the request of the property owner, Forbes moved, seconded by Pogge to suspend the rules requiring three readings of an ordinance for Ordinance No. 2010-21. On roll call, Ayes: Forbes, Pogge, Gayman, Polson, Carver. Nays: none. Motion carried.

Forbes moved, seconded by Pogge to waive the first and second readings and to approve the third and final reading of Ordinance No. 2010-21 Amending Title VII, Chapter 2, Section 3.5 Of The Code Of Ordinances Of The City Of Urbandale, Iowa, 1999 To Change The Official Zoning Map And To Rezone Certain Properties (3627 64<sup>th</sup> Street from C-N to R-1S). On roll call, Ayes: Forbes, Pogge, Gayman, Polson, Carver. Nays: none. Motion carried.

Following discussion, Polson moved, seconded by Carver to approve the "Children's Dental Center" Site Plan No. 012-2010-16.00 (2401-2499 128<sup>th</sup> Street), subject to recommendations of the Planning and Zoning Commission. On roll call, Ayes: Polson, Carver, Forbes, Pogge, Gayman. Nays: none. Motion carried.

Following discussion, Carver moved, seconded by Polson to approve a two year collective bargaining agreement between the City of Urbandale and the Des Moines Association of Professional Firefighters, AFL-CIO Local 4, effective July 1, 2011. On roll call, Ayes: Carver, Polson, Pogge, Forbes. Nays: Gayman. Motion carried.

Carver moved, seconded by Polson to accept the State bid of Elliott Equipment Co., in the amount of \$54,540.32, for the purchase of a snow blower. On roll call, Ayes: Carver, Polson, Gayman, Pogge, Forbes. Nays: none. Motion carried.

Carver moved, seconded by Polson to approve an amended engineering services agreement with Snyder and Associates, in the amount of \$54,320, for wetland related services for the Aurora Avenue Connection through Walnut Creek Regional Park Project. On roll call, Ayes: Carver, Polson, Gayman, Pogge, Forbes. Nays: none. Motion carried.

Other items of discussion included the Firefighters Union Contract and employee salary and benefit package; the Good News 2010 section of the Urbandale Register; and good impression recent out of town visitors received while in Urbandale.

Polson moved, seconded by Pogge to go into closed session pursuant to Iowa Code §21.5(1)(j). On roll call, Ayes: Polson, Pogge, Forbes, Carver, Gayman. Nays: none. Motion carried.

The meeting was closed to the public at 8:15 p.m.

The meeting was opened to the public at 8:33 p.m. No action was taken on items discussed in closed session.

Polson moved, seconded by Carver to adjourn at 8:34 p.m. On roll call, Ayes: Polson, Carver, Gayman, Pogge, Forbes. Nays: none. Motion carried.

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Robert D. Andeweg, Mayor

Attest:

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Debra Mains, City Clerk