

**PLEASANT HILL CITY COUNCIL
REGULAR SESSION
September 27, 2016
6:30 PM**

1. CALL TO ORDER/ROLL CALL

Mayor Kurovski called the Pleasant Hill City Council meeting to order on September 27, 2016 at 6:30 p.m. in the City Council Chambers. PRESENT: Jeff Mullen, Curt Gause, Dean Cooper, Barb Malone, and Mayor Sara Kurovski. ABSENT: Mark Konrad.

2. APPROVAL OF AGENDA

Malone/Mullen moved to approve the agenda minus item 9. City Manager Don Sandor pulled item 9 from the agenda. ROLL CALL: AYES: Mullen, Gause, Cooper, Malone. NAYS: None. Motion carried 4-0.

3. PRESENTATION: Amanda Wanke and Ethan Standard from DART did a presentation on the Pleasant Hill and Broadlawns expansion of service.

4. PUBLIC HEARINGS

Mayor Kurovski opened the Public Hearing for the Rezoning A-1 Agricultural to R1-90 Single Family Residential at 6:39 p.m. Senior Planner Madeline Sturms explained the change would assign a zoning designation matching the City's adopted future land use plan and the Planning and Zoning Commission has reviewed the request with a recommendation for approval. Hearing no comments from the public, the Mayor closed the public hearing at 6:40p.m.

a. Rezoning A-1 Agricultural to R1-90 Single Family Residential.

1. First reading of **Ordinance 809** – Rezoning A-1 Agricultural to R1-90 Single Family Residential – Lots 2, 3, and 4, in Block 4, Rising Sun.

Malone/Cooper moved to approve First reading of **Ordinance 809** – Rezoning A-1 Agricultural to R1-90 Single Family Residential – Lots 2, 3, and 4, in Block 4, Rising Sun. ROLL CALL: AYES: Mullen, Gause, Cooper, and Malone. NAYS: None. Motion carried 4-0.

Mayor Kurovski opened the Public Hearing for the General Obligation Street Improvements Loan Agreement in a principal amount not to exceed \$8 million at 6:41 p.m. City Manager Don Sandor explained that through the Capital Improvement Program (CIP) the City Council has identified numerous street improvement projects that are necessary for ongoing development and growth of the community. These projects are of significant magnitude that they will require bonding by the City to fund. Currently Pleasant Hill has \$4 million in outstanding debt with a debt capacity of more than \$58 million, or about 7% of the capacity is currently being used. Approximately one-half of the existing \$4 million debt will be paid off in FY's 17, 18, and 19. The City currently has an Aa3 credit rating from Moody's Investment Services. We will receive an updated credit review from Moody's for this bond sell. The sell date is scheduled for November 8th. Hearing no comments from the public, the Mayor closed the public hearing at 6:43p.m.

b. General Obligation Street Improvements Loan Agreement in a principal amount not to exceed \$8 million.

1. **Resolution #092716-01** - Expressing intent to enter into a loan agreement.

Cooper/Gause moved to approve General Obligation Street Improvements Loan Agreement in a principal amount not to exceed \$8 million. ROLL CALL: AYES: Mullen, Gause, Cooper, and Malone. NAYS: None. Motion carried 4-0.

5. PUBLIC INPUT (5 MINUTES FOR ITEMS NOT ON THE AGENDA)

Nora Schatzberg thanked the Council for allowing her to host Art on the Lake last weekend. She said it had a great turnout with up to 1,000 people in attendance, and a successful way to create awareness of the community. The Artists said they would be back to enjoy the Lake Park. Her goals for next year are to increase the number of artists and amount of business participation with a larger marketing campaign. The Council thanked her as well.

6. CONSENT ITEMS

Mullen/Gause moved to approve the **CONSENT ITEMS**: Council Minutes - dated 09-13-16, Claims Listing - dated 09-27-16, Revenue Report - dated 08-31-16, Expenditure Report - dated 08-31-16, Treasurers Report - dated 08-31-16, Park and Recreation Commission Minutes dated 09-08-16, Police Dept Monthly Report - August 2016, **Resolution #092716-02** – Residency requirement waiver, **Resolution #092716-03** – Approval of Payment Application No. 8 – NE 75th Street Improvements Project, **Resolution #082316-04** – Transfer of Funds – Emergency Fund to Equipment Replacement Fund, **Resolution #082316-05** – Transfer of Funds – Employee Benefits Fund to General Fund. ROLL CALL: AYES: Mullen, Gause, Cooper, and Malone. NAYS: None. Motion carried 4-0.

7. BUSINESS ITEMS

a. Request to discharge firearms within the corporate limits of Pleasant Hill.

City Manager Don Sandor said Mr. Kody Daniels had expressed a request to hunt waterfowl in the City limits. He supplied permission slips from landowners and ordinances from Des Moines and West Des Moines on that subject. The staff is not recommending approval at this time since it would set a new precedence to change policy without extensive review via work sessions. The Council members agreed and would prefer to have a reviewed ordinance in place rather than grant individual permission. No action was taken.

b. Second Reading of **Ordinance 808** – Amending Chapter 163 Fire Code.

Malone/Mullen moved to approve the Second Reading of **Ordinance 808** – Amending Chapter 163 Fire Code. City Manager Don Sandor explained that this is due to the current Building Official resignation. This assignment has been in place for several years

and pre-dates the hiring of the full time Fire Chief for the City. It is more typical for the Fire Code Official to be a community's Fire Chief or in the case of larger communities it may be a designated member of a fire department such as a Fire Marshall. Moving the Fire Code Official role to the Fire Chief is an appropriate change at this time and would match the assignments in the other metro cities. There have been no comments since the first reading. ROLL CALL: AYES: Mullen, Gause, Cooper, and Malone. NAYS: None. Motion carried 4-0.

- c. **Resolution #092716-06** – Agreement for Preliminary Engineering Services – Norfolk Southern Railway Co. Cooper/Malone moved to approve **Resolution #092716-06** – Agreement for Preliminary Engineering Services – Norfolk Southern Railway Co. Senior Planner Madeline Sturms explained this agreement provides preliminary engineering services for Norfolk Southern Railway Co to design the railroad crossing that will be a part of the Pleasant Hill Blvd and Vandalia Rd improvement project. ROLL CALL: AYES: Mullen, Gause, Cooper, and Malone. NAYS: None. Motion carried 4-0.
- d. **Resolution #092716-07** – Approval of Job Description for Senior Building Inspector. Mullen/Gause moved to approve **Resolution #092716-07** – Approval of Job Description for Senior Building Inspector. Senior Planner Madeline Sturms explained that the Community Development Department has prepared an updated job description for the position of Senior Building Inspector due to the recent resignation of the City's Building Official. ROLL CALL: AYES: Mullen, Gause, Cooper, and Malone. NAYS: None. Motion carried 4-0.
- e. **Resolution #092716-08** – Approval of a Voluntary Annexation Agreement for Springer Hills Plat 1. Malone/Cooper moved to approve **Resolution #092716-08** – Approval of a Voluntary Annexation Agreement for Springer Hills Plat 1. Senior Planner Madeline Sturms explained this resolution approves the agreement with the owners of Springer Hills Plat 1 to provide future voluntary annexation. These agreements are consistent with past practice to create positive relationships with unincorporated residents and protect the City's long term need for responsible annexation. ROLL CALL: AYES: Mullen, Gause, Cooper, and Malone. NAYS: None. Motion carried 4-0.
- f. **Resolution #092716-09** – Approval of Firearm Purchase Policy. Mullen/Malone moved to approve **Resolution #092716-09** – Approval of Firearm Purchase Policy. City Manager Don Sandor explained that to create guidelines for the type of firearm and caliber authorized for on and off duty weapons, the Police Department has developed a policy which will allow a Pleasant Hill Police Officer to borrow up to \$750.00 from the city to purchase a firearm from a designated firearms dealer. The Officer will pay the loan off with a bi-weekly deduction from his/her pay check until the loan is paid in full. ROLL CALL: AYES: Mullen, Gause, Cooper, and Malone. NAYS: None. Motion carried 4-0.
- g. **Resolution #092716-10** – Approval of Event Pay Increase. Cooper/Malone moved to approve **Resolution #092716-10** – Approval of Event Pay Increase. City Manager Don Sandor explained that the event pay to police officers had not been adjusted since fiscal year 2009/2010 at which time it was established at \$34/hour paid to the officers and billable to customers at \$42/hour. The difference covered the employer's share of payroll taxes and insurance. In order to provide the members of the Pleasant Hill Police Department with a wage that is equal to other Police Agencies in the metro area, it is requested the Pleasant Hill City Council consider raising the event pay rate for officers to \$43/hour with a billing to customers at \$55/per hour to help cover the employer's share of taxes and insurance. ROLL CALL: AYES: Mullen, Gause, Cooper, and Malone. NAYS: None. Motion carried 4-0.
- h. **Resolution #092716-11** – Approval 28E Agreement with the Alcoholic Beverage Division of State of Iowa. Malone/Gause moved to approve **Resolution #092716-11** – Approval 28E Agreement with the Alcoholic Beverage Division of State of Iowa. City Manager Don Sandor explained each year the Pleasant Hill Police Department participates in the Alcoholic Beverage Division's I-Pledge program to ensure Pleasant Hill businesses are complying with state Tobacco laws. This is an important partnership to ensure local businesses are not selling tobacco products to unauthorized persons in the metro area. ROLL CALL: AYES: Mullen, Gause, Cooper, and Malone. NAYS: None. Motion carried 4-0.
- i. **Resolution #092716-12** – Approval of Contract with Snyder & Associates to Perform Cemetery Survey. Cooper/Malone moved to approve **Resolution #092716-12** – Approval of Contract with Snyder & Associates to Perform Cemetery Survey. Assistant Public Works Director Russ Paul explained the Public Works Department had budgeted for fiscal year 2016-17 dollars to perform survey and mapping work at the Oakwood Cemetery to re-install lot pins used to locate cemetery spaces. In August Public Works posted an RFP to perform this work and received four (4) proposals. After reviewing the proposals, City Staff recommends moving forward with the proposal submitted by Snyder and Associates. ROLL CALL: AYES: Mullen, Gause, Cooper, and Malone. NAYS: None. Motion carried 4-0.
- j. **Resolution #092716-13** – Approval of Right of Way License Fee. Mullen/Gause moved to approve **Resolution #092716-13** – Approval of Right of Way License Fee. Assistant Public Works Director Russ Paul explained that in November 2015 council approved chapter 143, Right-of-way management, with the intent to provide a process and safeguard for future utility work and improvements in the public right-of-way. In December of 2015, Aureon (formerly Iowa Network Services) submitted plans for installing fiber to service local businesses in Pleasant Hill. This project was completed during the summer of 2016 and Aureon is now seeking a license to operate this fiber utility. The current annual license fee for this project is \$2,727.00. This annual fee amount would be adjusted if additional utility is installed during the 5 year license term. ROLL CALL: AYES: Mullen, Gause, Cooper, and Malone. NAYS: None. Motion carried 4-0.

- k. Third Reading of **Ordinance 807** - Rezoning A-1 Agricultural to R1-90 Single Family Residential – Property at 5838 SE 6th Avenue. Malone/Cooper moved to approve the Third Reading of **Ordinance 807** - Rezoning A-1 Agricultural to R1-90 Single Family Residential – Property at 5838 SE 6th Avenue. Senior Planner Madeline Sturms said this third reading is the same as the first two readings, and that no comments have been received since the last reading. This ordinance will bring zoning into compliance with the comprehensive plan. ROLL CALL: AYES: Mullen, Gause, Cooper, and Malone. NAYS: None. Motion carried 4-0.
- l. **Resolution #092716-14** – Approval of a Development Agreement with Joseph R. Thomas and Sunrise Developing Company. Cooper/Mullen moved to approve **Resolution #092716-14** – Approval of a Development Agreement with Joseph R. Thomas and Sunrise Developing Company. Senior Planner Madeline Sturms explained that the development agreement was put together to clarify the responsibilities of future roadway and utility improvements that will be needed when additional development to the north occurs. ROLL CALL: AYES: Mullen, Gause, Cooper, and Malone. NAYS: None. Motion carried 4-0.

8. CLOSING COMMENT

City Manager Don Sandor announced there would be a work session on Tuesday, October 4th at 5:30pm.

Library Director John Lerdal said the Friends of the Library group were in the process of their annual membership drive, and the Library appreciated their contributions. Mr. Lerdal also said they would be having a special book sale event October 14th-16th, and the annual Halloween event would be Friday, October 21st at the Youth Center.

Mayor Kurovski asked if someone from staff could work with Nora Schatzberg on a BRAVO grant.

- 9. **CLOSED SESSION**- Pursuant to Iowa Code Section 21.5.1(c) For City Council to discuss legal issues
 - a. City Council may return to open session and take action on items discussed during the closed session. This item was pulled from the agenda.

10. ADJOURNMENT

Malone/Mullen moved to adjourn the meeting. ROLL CALL: AYES: Mullen, Gause, Cooper, and Malone. NAYS: None. Motion carried 4-0. The meeting was adjourned at 7:11 p.m.

Sara Kurovski, Mayor

ATTEST:

Dena J. Spooner, City Clerk/Finance Director