

**PLEASANT HILL CITY COUNCIL
REGULAR SESSION
FEBRUARY 9, 2021
6:00 PM**

Given the Governor's prohibition on gatherings of ten or more persons during the COVID19 outbreak, some or all elected officials and staff may be participating in this meeting by electronic means. Meeting minutes will continue to be provided per the City's normal course of business. Members of the public may still attend the meeting in person subject to the ten-person limit or submit comments to the City Clerk prior to 4:30 PM on February 9, 2021. The meeting will also be available electronically through the following:

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/289354357>

You can also dial in using your phone.

United States: [+1 \(571\) 317-3122](tel:+15713173122)

Access Code: 289-354-357

New to GoToMeeting? Get the app now and be ready when your first meeting starts: <https://global.gotomeeting.com/install/289354357>

1. CALL TO ORDER/ROLL CALL

Mayor Sara Kurovski called the electronic Pleasant Hill City Council meeting to order on February 9, 2021 at 6:00 p.m. via www.gotomeeting.com. The City Council Chambers was also open and available to the public to participate in the meeting. City Manager Ben Champ read the electronic meeting statement. PRESENT: Len Murray, Ross Grooters, Curt Gause, Dean Cooper, and Mark Konrad. ABSENT: None.

2. APPROVAL OF AGENDA

Konrad/Grooters moved to approve the agenda. ROLL CALL: AYES: Murray, Grooters, Gause, Cooper, Konrad. NAYS: None. Motion carried 5-0.

3. PUBLIC HEARINGS

a. Consideration of Sale of Real Property to Kum & Go, LC.

Mayor Sara Kurovski opened the Public Hearing for item 3a at 6:02p.m. City Manager Ben Champ explained that the City Council has prioritized funding for the reconstruction of NE 60th Street, improvements to the 60th and University Avenue intersection, relocation of Morning Star Court, construction of a new section of Martha L Miller Drive. The City Engineer has completed the plans and specifications for the project and a construction contract has been awarded. The project will result in excess street right-of-way after Morning Star Court is relocated. The property can be vacated from its status as street right-of-way and disposed of to the adjacent owner Kum and Go. The purchase agreement for the property has been signed by the convenience store chain corresponding to an appraisal obtained by the City. There are multiple steps required in the process and two public hearings are needed. One for the vacation of street right-of-way and one for the consideration of the property disposal through the purchase agreement. This agenda contains actions following each of the hearings with a resolution to approve the purchase agreement and the first reading of an ordinance to vacate. Following final consideration of the ordinance, the sale would be able to close. Attorney Amy Beattie said the City would net \$445,000.00 from the sale of property that would benefit the City's capital improvement program, with the closing around March or April. After hearing no further comments or questions, the Mayor closed the public hearing at 6:06 p.m.

i. Resolution #020921-01 Authorizing the Execution of a Purchase Agreement By and Between the City of Pleasant Hill and Kum & Go, LC.

Murray/Gause moved to approve **Resolution #020921-01** Authorizing the Execution of a Purchase Agreement By and Between the City of Pleasant Hill and Kum & Go, LC. ROLL CALL: AYES: Grooters, Gause, Cooper, Konrad, Murray. NAYS: None. Motion carried 5-0.

b. Consideration of Vacation of Right-Of-Way Known as Morning Star Court

Mayor Sara Kurovski opened the Public Hearing for item 3b at 6:07p.m. City Manager Ben Champ explained that this item is related to the previous public hearing, and is for the vacation of the right of way. Councilmember Murray asked how this will affect the access and enforcement of traffic laws in the ROW. Attorney Amy Beattie clarified that part of the agreement contains language that once the ROW is conveyed, there will be a temporary egress agreement. Councilmember Grooters asked how these two agenda items will make the intersection better. City Manager Ben Champ explained that the intersection was undersized for the area, therefore this will improve traffic safety and allow room for redevelopment. After hearing no further comments or questions, the Mayor closed the public hearing at 6:16 p.m.

i. First Reading of Ordinance 889 – Vacating Public Right-of-Way Known as Morning Star Court

Grooters/Cooper moved to approve First Reading of **Ordinance 889 – Vacating Public Right-of-Way Known as Morning Star Court**. ROLL CALL: AYES: Gause, Cooper, Konrad, Murray, Grooters. NAYS: None. Motion carried 5-0.

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

There were none.

5. CONSENT ITEMS

Grooters/Gause moved to approve the CONSENT ITEMS: Council Minutes dated 01-26-21, Work Session Minutes dated 02-02-21, Claims Listing dated 02-09-21, Public Works Dept. Monthly Report – dated January 2021, **Resolution #020921-02** – Approve Tax Abatement Report – dated January 2021. ROLL CALL: AYES: Cooper, Konrad, Murray, Grooters, Gause. NAYS: None. Motion carried 5-0.

6. BUSINESS ITEMS

- a. Third Reading of **Ordinance #888** – Amending Chapter 55, Animal Protection and Control
Konrad/Murray moved to approve the Second Reading of **Ordinance #888** – Amending Chapter 55, Animal Protection and Control. Assistant Public Works Director Russ Paul explained that with Public Works no longer responsible for holding stray dogs and cats at our facility, the Animal Rescue League (ARL) of Iowa will be taking over this per the updated agreements. Based on the ARL agreement, the City will be charged \$35 for the first day and \$15 a day for each day after the first day for each domestic animal collected by Polk County. If the domestic animal goes unclaimed for a period of seven days, the City will be charged the full \$125. Given these are new expenses the City has not typically experienced at this level; city staff feel an adjustment to the impoundment fee is needed. After reviewing what surrounding communities are charging related to impoundment and holding fees, staff's final suggestion is a flat fee \$75 per domestic animal per collection. This fee will not completely offset the expense incurred by the City, but will put us more in line with other communities, and considered a fair subsidized fee. City staff would then review this fee amount after one year to determine if additional adjustments are needed. Currently, Chapter 55 outlines the impoundment and holding fees in section 55.15 and 55.16. City staff would recommend the fee value language be removed from these sections and instead refer to a fee schedule. Upon the third reading of the amended Chapter 55, city staff would accompany it with a recommended fee schedule to be adopted via resolution. There have been no comments since the first and second reading. ROLL CALL: AYES: Konrad, Murray, Grooters, Gause, Cooper. NAYS: None. Motion carried 5-0.
- b. **Resolution #020921-03** – Approval of Animal Protection and Control Fee Schedule
Konrad/Murray moved to approve **Resolution #020921-03** – Approval of Animal Protection and Control Fee Schedule. Assistant Public Works Director Russ Paul explained that following the third reading of Chapter 55, staff recommends council move forward with approving a fee schedule that will outline the impoundment and disposal fees as outlined in Chapter 55. After a review of the surrounding metro cities impoundment fees, staff recommend council approve setting the impoundment fee at \$75.00 and keep the disposal fee at \$50.00. The impoundment fee would be a per animal flat fee that could be revisited after one year. This fee will not totally offset the expenses incurred by the city for animal control but will help to recoup a portion of the expense. Once a resident has paid the impoundment fee with the City, they will be issued a voucher that they will need to take with them to the ARL. The resident will then show the city issued voucher to the ARL and pay the boarding costs by the ARL to release the animal. ROLL CALL: AYES: Murray, Grooters, Gause, Cooper, Konrad. NAYS: None. Motion carried 5-0.
- c. **Resolution #020921-04** – Set the date for the General Fund Tax and Special Revenue Max Levies Public Hearing
Gause/Cooper moved to approve **Resolution #020921-04** – Set the date for the General Fund Tax and Special Revenue Max Levies Public Hearing. City Manager Ben Champ explained that changes to the budget process adopted by the State of Iowa now require cities with growth of more than 2% to hold two hearings, with the first hearing dedicated to the General Fund Tax and Special Revenue Levies only. With this change, the date to certify City budgets has been moved to March 31st to allow time for two public hearings to occur. This resolution sets the 1st public hearing for the proposed FY22 maximum levy for the General Fund Tax and Special Revenue Levies to be held at the February 23, 2021 Council meeting. A 2nd public hearing must be scheduled following the 1st hearing which will also include the City's Debt Service Levy for a full proposed Total Property Tax Levy of \$11.50 as explained in the public hearing notice's explanation paragraph. ROLL CALL: AYES: Grooters, Gause, Cooper, Konrad, Murray. NAYS: None. Motion carried 5-0.
- d. **Resolution #020921-05** – Approval of Preliminary Plat for Warren Subdivision
Murray/Cooper moved to approve **Resolution #020921-05** – Approval of Preliminary Plat for Warren Subdivision. Assistant Associate Planner Chris Widmer explained that the City has received a proposed preliminary plat for a property at 1377 NE 104th Street located west of NE 108th Street, east of NE 104nd Street, and north of NE University Avenue in unincorporated Polk County. The 150-acre parcel referred to as the Warren Subdivision is currently owned by Warren Family Farms Inc. Pleasant Hill has received the plat for review because it is within vicinity of the City's two-mile extraterritorial boundary. The property owners wish to plat the parcel in order to subdivide and make buildable a total of three, 3-acre lots for the construction of single family residential dwellings. The proposed uses on the property meet the current County zoning of AG Agricultural District. Staff has reviewed the document, finding it to be in conformance with the requirements of a preliminary plat. The plat is being reviewed administratively by Polk County staff as a minor subdivision. Staff is not recommending a future voluntary annexation agreement be considered as part of a subsequent final plat approval as the majority of the parcel is outside of the City's two-mile extraterritorial boundary. Planning and Zoning Commission recommended approval of the preliminary plat at their February 1, 2021 meeting. ROLL CALL: AYES: Gause, Cooper, Konrad, Murray, Grooters. NAYS: None. Motion carried 5-0.

- e. **Resolution #020921-06** – Approval of PUD Amendment to SE Polk High School Master Plan
Konrad/Grooters moved to approve **Resolution #020921-06** – Approval of PUD Amendment to SE Polk High School Master Plan. City Manager Ben Champ explained that the City has received a proposed amendment to the SE Polk High School Master Plan for property at 7755 Martha L Miller Drive, located south of Martha L Miller Drive and west of NE 80th Street. The property is a vacant 52.89-acre parcel owned by SE Polk Community School District and is currently used as a dedicated cross country course. The amendment is intended to provide additional design elements required of a PUD Master Plan for the construction of a new onsite stadium. The proposed new school stadium will be designed to accommodate for football, soccer, track and field, and other sport related uses, including a plan to amend route of the existing cross country course. ROLL CALL: AYES: Cooper, Konrad, Murray, Grooters, Gause. NAYS: None. Motion carried 5-0.
- f. **Resolution #020921-07** – Approval of Polk County Community Betterment Grant Applications
Grooters/Gause moved to approve **Resolution #020921-07** – Approval of Polk County Community Betterment Grant Applications. Communications Specialist Candace Bell explained that the Polk County Betterment Grant program is designed to provide financial support to organizations that provide cultural, recreational, educational, and human needs. Four grant requests are proposed to be submitted by the city – Parks and Recreation, Police, Library, and Fire. The Parks and Recreation department is requesting \$5,000 to replace park equipment at Sunrise Park. The Police Department is requesting \$5,000 for gym equipment for their new on-site gym facility. The Library is requesting \$4,500 to establish “Homework Station Facts and Fun for Learners.” The Fire Department is requesting \$5,000 to help fund the Fire Prevention Program. The Polk County Betterment Grants are 100% so no local matching funds are required. ROLL CALL: AYES: Konrad, Murray, Grooters, Gause, Cooper. NAYS: None. Motion carried 5-0.
- g. **Resolution #020921-08** – Approval of FEMA SAFER Grant Application for Fire Department
Murray/Konrad moved to approve **Resolution #020921-08** – Approval of FEMA SAFER Grant Application for Fire Department. Fire Chief Jamie Xayavong explained that the Department of Homeland Security (DHS) Federal Emergency Management Agency’s (FEMA) Grant Programs Directorate implements and administers the Staffing for Adequate Fire and Emergency Response (SAFER) Grants. SAFER grants provide financial assistance to help fire departments increase or maintain the number of trained, “front line” firefighters available in their communities. The goal of the SAFER program is to enhance the local fire departments’ abilities to comply with staffing, response and operational standards established by the NFPA. The Grant Application ends March 12th, 2021. The award date for the grant will be in September, 2021. The grant will pay for salaries and benefits for 9 full-time firefighters. The grant will allow us to hire within as well as outside the department. The City is required to accept or reject the grant within 30-days of notification. When the grant is accepted, the 180-day recruitment period will start. After the recruitment, the Period of Performance will start and last for 36-month. The SAFER grant will help fund the required firefighters needed to have a fire apparatus in the station 24 hours a day 7 days a week. Council may choose to not adopt a resolution accepting the SAFER grant funds. This would result in grant funding not being available to support future staffing in the Fire Department. The Grant will save the City \$3,000,000.00 over a three-year period if awarded. There is no cost share or match or position cost limit for the FY 2021 SAFER Program. ROLL CALL: AYES: Murray, Grooters, Gause, Cooper, Konrad. NAYS: None. Motion carried 5-0.

7. CLOSING COMMENT

Councilmember Grooters said the Dart meeting took two big steps forward. They approved the funding formula for Dart, which will decrease the rates for Pleasant Hill, and they designed a building as a regional maintenance/operating facility.

Councilmember Murray said the Polk County Emergency Commission next week will look at the budget. He anticipates the rate for Pleasant Hill will not change.

Mayor Kurovski said the WRA will begin their path forward analyzing an operating agreement with Des Moines. A special committee will consider proposals whether or not to continue or separate with Des Moines, or a combination thereof, all of which will require an 18-month notice for any changes. The Mayor also said the MPO has been busy working on two building grants, one for this spring, and one for \$25M to the water trails and dams along the Des Moines River. She also attended the County Assessors Board Meeting, who pointed out that 2021 is a re-assessment year. They expect all hospitality properties to drop 35% due to the pandemic.

City Manager Ben Champ announced there will be a work session next week on Tuesday, February 16, 2021 at 5:30pm, to discuss the rest of the budget.

8. ADJOURNMENT

Cooper/Konrad moved to adjourn the Council meeting. ROLL CALL: AYES: Murray, Grooters, Gause, Cooper, Konrad. NAYS: None. Motion carried 5-0. The meeting was adjourned at 6:46 p.m.

Sara Kurovski, Mayor

ATTEST:

Dena Spooner, City Clerk/Finance Director