

**Adel City Council**  
**January 10, 2017 – Meeting Minutes**

The Adel City Council met in regular session at Adel City Hall, 301 S. 10<sup>th</sup> St., Adel, Iowa, on Tuesday, January 10, 2017 at 6:00 p.m. Mayor Peters called the meeting to order and the following answered roll: Ockerman, Hillmer, McAvoy, Haynes, and McAdon.

Staff Present: City Attorney Reich, City Administrator Brown, City Clerk Steele, Finance Director Sandquist, Public Works Director Overton, Parks and Recreation Director Schenck, Code Compliance Officer Nichols, Police Chief Shepherd and Fire Chief Morlan.

**PUBLIC HEARING**

Amendment No. 6 to the Urban Revitalization Plan (Commercial Tax Abatement Program)

**Motion by McAvoy, seconded by Hillmer, to open the public hearing**

**Roll: Ayes-Unanimous. Motion carried.**

*No written or oral comments were received.*

**Motion by McAvoy, seconded by Hillmer, to close the public hearing**

**Roll: Ayes-Unanimous. Motion carried.**

Rezoning Request from Kendra Kasischke from R-1 to C-3 – Kasischke Event Venue

**Motion by McAvoy, seconded by McAdon, to open the public hearing**

**Roll: Ayes-Unanimous. Motion carried.**

*No written comments were received. Oral comment was received by Kendra Kasischke.*

**Motion by McAvoy, seconded by Hillmer, to close the public hearing**

**Roll: Ayes-Unanimous. Motion carried.**

**OATH OF OFFICE**

Brittany Sandquist – Finance Director

**COMMENTS FROM THE PUBLIC**

Dave Massey – Ankeny Sanitation – gave a 6-month update and presented city council with a check for recycling rebates in the amount of \$509.58.

Robert Greenway, PO Box 190, De Soto, IA 50069 – Announced he will be filing a class action lawsuit regarding the City of Adel's use of LOST funds.

**CONSENT AGENDA**

- a) Consider Approval of City Council Minutes Dated December 13, 2016
- b) Consider Approval of December Bills and December 31, 2016, Treasurer's Report
- c) Consider Approval of Class C Liquor License for Casa De Oro
- d) Consider Approval of Adel Fire Department Election Results: Fire Chief – Tim Morlan, Assistant Fire Chief – Braden Nemechek, Association President – Jamey Smyth, Association Vice President – Tim Smith, Association Secretary – Tim Knipper and Association Treasurer – Justin Kitzinger
- e) Consider Approval of Probationary Firefighter – Adam Doll (*pending drug screen*)

**Motion by Haynes, seconded by Ockerman, to approve the consent agenda**

**Roll: Ayes-Unanimous. Motion carried.**

**DEPARTMENT HEAD REPORT**

1/23 Joint Budget Committee / Council Meeting

1/30 Special Council Work Session – PFM and McClure Engineering on Water, Sewer, and Storm Water Projects

## NEW BUSINESS

- a) Consider Approval of Park Board Recommendation on the Parks and Trails Master Plan by Snyder & Associates - Diane Goering  
Diane informed city council they received over 400 responses from the survey they sent out and they also held two public input meetings to be able to prepare the plan that is being proposed.  
Motion by Hillmer, seconded by Ockerman, to approve Park Board's recommendation to accept the Plan  
Roll: Ayes-Unanimous. Motion carried.
- b) Consider Approval of Authorization to Initiate the Procedural Steps set out in Iowa Code Section 368.7 which Allows the City to Consider the Voluntary Annexation of Certain Property that lies South of Meadow Road and West of Highway 169 in Dallas County, Iowa  
Dan Manning, Sr. informed the city council there is approximately 880 acres in this voluntary annexation but could possibly get to be over 1,000 acres if any non-voluntary areas are included. He noted he is not suggesting to council they should go through with this annexation but is just showing them the next steps to see if the City is interested in accepting this voluntary annexation. Council Member McAdon asked if there are any costs/expenses with these next steps to consider the annexation. Manning replied yes and noted that the developer was supposed to be taking care of these costs/expenses per a written agreement. Council Member Hillmer asked if we still needed Manning's services to do the next steps of this procedure or is this something City Staff could handle. City Administrator Brown noted the City Staff has not handled an annexation of this size before and Manning was hired to help if any issues arise and for his expertise. Manning noted he did not foresee any issues with the City of De Soto at this time. Council Member Ockerman informed the rest of the council he has a strong concern regarding public safety and boundary issues with Xenia Rural Water. Motion by McAvoy, seconded by McAdon, to approve Resolution No. 17-09 initiating the procedural steps to consider the voluntary annexation  
Roll: Ayes-Hillmer, McAvoy, McAdon. Nays-Haynes, Ockerman. Motion carried.
- c) Consider Approval of Ordinance No. 312, Amending the Zoning Code to Add Regulations for a P.U.D. District in Chapter 165 Section 53 – Third Reading  
Motion by Hillmer, seconded by Haynes, to approve the third reading and adopt Ordinance No. 312  
Roll: Ayes-Unanimous. Motion carried.
- d) Consider Approval of Ordinance No. 313, Amending the Zoning Classification of Certain Real Property Located at 29456 Old Portland Road – Bloomfield Acres from A-1 to P.U.D. – First Reading  
Council Member Ockerman stated the Xenia rural water boundaries are still an issue and asked why these developments are still trying to be approved without having the Xenia boundary issues resolved. Council Member Haynes asked City Administrator Brown why Xenia has not responded and Brown replied he was not sure but he keeps following up with them hoping to get a response soon.  
Motion by Hillmer, seconded by McAvoy, to approve first reading of Ordinance No. 313  
Roll: Ayes-Hillmer, McAvoy. Nays-Haynes, McAdon, Ockerman. Motion failed.
- e) Consider Approval of Bloomfield Acres P.U.D. Developer's Agreement  
Mark Lee, Lee Engineers & Surveyors, commented he didn't think Bloomfield Acres was located within Xenia's territory. Gary Brons, McClure Engineering, responded they are currently waiting on a request to Xenia to get clarification. Part of the agreement with Xenia states either party must notify the other of their intent to serve an area. Dan Novelli, Kading Properties, reviewed the process of how they structured the developer's agreement. He stated they want to work with the City and be partners with them. He would like to have this move forward but feels there isn't much more room in the agreement for negotiating, especially after agreeing to put in the 16" water main per the City's request. He requested to have this item back on the agenda at the January 23, 2017 city council meeting.  
Motion by Ockerman, seconded by Haynes to postpone item indefinitely  
Motion to amend by McAvoy, seconded by Hillmer, to amend postponement to January 23, 2017 at 6:00 p.m.  
Roll: Ayes-McAdon, Hillmer, McAvoy. Nays-Ockerman, Haynes. Motion to amend carried.  
Roll: Ayes-McAdon, Hillmer, McAvoy. Nays-Ockerman, Haynes. Main motion carried.

- f) Consider Approval of Ordinance No. 315, Amending the Zoning Classification of Certain Real Property Located in City of Adel, Iowa – Kasischke Event Venue by Kendra Kasischke  
**Council Member Ockerman expressed his concerns with needing Xenia to provide enough water pressure for a sprinkler system and the City’s noise ordinance. Kendra Kasischke responded to Ockerman’s concerns, noting they are working out the final details with Xenia regarding the sprinkler system. They will take the noise ordinance seriously, since the event venue is in a residential area. There will be no outside music or outside bands allowed. The only amplified music will be inside the event venue.**

**Motion by Hillmer, seconded by McAvoy, to approve first reading of Ordinance No. 315**

**Roll: Ayes-Hillmer, McAvoy, Haynes, McAdon. Nays-Ockerman. Motion carried.**

**Motion by Hillmer, seconded by McAvoy, to waive the second and third readings and adopt Ordinance No. 315**

**Roll: Ayes-Hillmer, McAvoy, Haynes, McAdon. Nays-Ockerman. Motion carried.**

- g) Consider Approval of McClure Engineering Contracts for Water and Storm Water  
**Motion by McAvoy, seconded by Haynes, to approve contracts for water and storm water**  
**Roll: Ayes-Unanimous. Motion carried.**

- h) Consider Approval of Resolution No. 17-01, Ratifying Change in Date for Public Hearing on Proposed Resolution of Necessity on the Adel Brick Streets 2017  
**Motion by Hillmer, seconded by Haynes, to approve Resolution No. 17-01 and Set Public Hearing Date for January 23, 2017 at 6:00 p.m.**  
**Roll: Ayes-Unanimous. Motion carried.**

- i) Consider Approval of Resolution No. 17-02, Adopting Amendment No. 6 to the Adel Urban Revitalization Plan – *Commercial Tax Abatement Program*  
**Council Member Ockerman advised he thought this was premature and it could cause a problem with setting up an abatement instead of allowing some of the areas to be TIF’d so the City can afford to put in infrastructure. Mayor Peters asked since the proposed tax abatement is a graduated scale, could the portion of taxes that are not being abated be TIF’d. City Attorney Reich replied he would need to do some research to find out. Council Member McAvoy commented the Economic Development Commission has worked very hard the past six months to present the proposed commercial tax abatement and he would like to see it move forward and not hold up any of the business that could possibly go in the downtown or any other areas around town.**  
**Motion by McAvoy, seconded by McAdon, to approve Resolution No. 17-02**  
**Roll: Ayes-McAdon, Hillmer, McAvoy. Nays-Haynes, Ockerman. Motion carried.**

- j) Consider Approval of PFM Contract for Continuing Disclosure (EMMA) Reporting  
**City Administrator Brown summarized to council this is the same report the City has had Piper Jaffray complete in past years. Council Member McAdon added the process is very difficult to do on your own and is a very specialized area of reporting but is absolutely necessary for our bond holders.**  
**Motion by McAdon, seconded by McAvoy, to approve PFM contract, not to exceed \$2,000.00**  
**Roll: Ayes-McAdon, Ockerman, McAvoy, Haynes. Nays-Hillmer. Motion carried.**

- k) Consider Approval of Resolution No. 17-03, Accepting Public Improvements – Adel Historical Museum Kinnick Addition  
**Motion by Haynes, seconded by McAdon, to approve Resolution No. 17-03**  
**Roll: Ayes-Unanimous. Motion carried.**


- l) Consider Approval of Final Payment Application No. 8 for Adel Historic Museum Addition  
**Motion by McAvoy, seconded by McAdon, to approve Final Payment Application No. 8 to Turnkey Construction in the amount of \$6,558.91**  
**Roll: Ayes-Unanimous. Motion carried.**

- m) Consider Approval of Resolution No. 17-04, A Resolution Designating the Dallas County News as the Official Newspaper for the City of Adel, Iowa  
**Motion by McAvoy, seconded by McAdon, to approve Resolution No. 17-04**  
**Roll: Ayes-Unanimous. Motion carried.**
- n) Consider Approval of Resolution No. 17-05, A Resolution Designating the Des Moines Register, Inc. as an Official Newspaper of the City of Adel, Iowa  
**Motion by Haynes, seconded by McAdon, to approve Resolution No. 17-05**  
**Roll: Ayes-Unanimous. Motion carried.**
- o) Consider Approval of Resolution No. 17-06, A Resolution Naming Depositories for the City of Adel  
**Motion by McAvoy, seconded by Haynes, to approve Resolution No. 17-06**  
**Roll: Ayes-Unanimous. Motion carried.**
- p) Consider Approval of Resolution No. 17-07, A Resolution Approving Tax Abatement Applications for the New Construction Completed in 2016, in Adel, Iowa  
**Motion by McAvoy, seconded by McAdon, to approve Resolution No. 17-07**  
**Roll: Ayes-Hillmer, McAvoy, Haynes, McAdon. Nays-Ockerman. Motion carried.**
- q) Consider Approval of Resolution No. 17-08, Selling of a Street Sweeper to the City of De Soto, Iowa Per the Recommendation of Public Works Director  
**Motion by McAvoy, seconded by Haynes, to approve Resolution No. 17-08**  
**Roll: Ayes-Unanimous. Motion carried.**
- r) Consider Approval of Subdivision Ordinance Revision Quote from MSA Professional Services  
**Motion by Hillmer, seconded by McAdon, to approve quote from MSA Professional Services, not to exceed \$5,500.00**  
**Roll: Ayes-Unanimous. Motion carried.**

#### OTHER BUSINESS

1. Council Member McAvoy gave an update from the MAC meeting.
2. Council Member Ockerman gave an update on the new radio system purchased by Dallas County. They are currently testing 10 radios and, once they have the correct frequency selected, then they will start distributing to the cities and fire departments.
3. Council Member McAdon advised the South Dallas County Landfill will be holding its annual meeting on January 27, 2017 at 5:30 p.m. at Patrick's Restaurant meeting room.
4. Meeting adjourned 7:37 p.m.

  
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James F. Peters, Mayor

Attest:   
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Jackie Steele, City Clerk