The Adel City Council met in regular session at Adel City Hall, 301 S. 10th St., Adel, Iowa, on Tuesday, August 14, 2018 at 6:02 p.m. Mayor Peters called the meeting to order and the following answered roll: Ockerman, Christensen, McAdon, Miller, and Selby.

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

PUBLIC HEARING

1. Loan Agreement and the Issuance of Not to Exceed $16,603,000 Water Revenue Capital Loan Notes
   Motion by Christensen, seconded by Ockerman, to open the public hearing
   Roll: Ayes-Unanimous. Motion carried.
   No written or oral comments were received.
   Motion by Christensen, seconded by McAdon, to close the public hearing
   Roll: Ayes-Unanimous. Motion carried.

2. Rezoning Request by Peak Development for Brickyard Summit from R-3 to R-1
   Motion by Miller, seconded by McAdon, to open the public hearing
   Roll: Ayes-Unanimous. Motion carried.
   Written comments were received by Kent McAdon - Chair of P&Z Commission; Connie Hefner - 2 Sunset Pl, Adel; Carson Whitlow, 2291 280th St, Adel; Kenny Davenport, 27944 Sportsmen Club Rd, Adel.
   Oral comments were received by Travis Sisson (Peak Development) - 5700 University Ave, Ste 220, West Des Moines; Erin Ollendike (Civil Design Advantage) - 1855 Kimball Ln, Waukee; Leland Belding, III (Veenstra & Kinna) - 860 22nd Avenue, Coralville; Connie Hefner - 2 Sunset Pl, Adel; Chuck Leyendecker - 701 N. 15th St, Adel; Carson Whitlow - 2291 280th St, Adel; Doug Nichols - 24013 288th Trl, Adel; Tom Aeschliman - 2305 N. 15th St, Adel; Linda Chapman - 1800 Grove St, Adel; Adam George - 4 Sunset Cir, Adel; Bob Hall - 2 Sunset Cir, Adel; Terry Hills - 600 N. 15th St, Adel; Dan Heefner - 511 N. 15th St, Adel; and Shawn Smith - 723 N. 15th St, Adel.
   Motion by Ockerman, seconded by Selby, to close the public hearing
   Roll: Ayes-Unanimous. Motion carried.

3. Storm Water Rate Appeal for 24741 Quail Avenue
   Motion by Christensen, seconded by Ockerman, to open the public hearing
   Roll: Ayes-Unanimous. Motion carried.
   No written comments were received. Oral comments were received from Nick Miller - 24741 Quail Ave, Adel and Jeff Schug (McClure Engineering) - 1360 NW 121st St, Clive.
   Motion by Ockerman, seconded by Selby, to close the public hearing
   Roll: Ayes-Unanimous. Motion carried.

COMMENTS FROM THE PUBLIC

1. Doug Nichols, 24013 280th TRL, Adel - would like to gain title to road that used to go to old wagon bridge but was denied by Dallas County Board of Supervisors.
2. Sami Keuck, 1109 Hunter Ct, Adel - looking for update on Highway 169 Project.
3. Deb Bengston, Adel Partners Chamber - Wanted to thank the City of Adel Staff for all the help with the 2018 Sweet Corn Festival and noted the staff is wonderful to work with.

CONSENT AGENDA

a) Consider Approval of City Council Minutes Dated July 23, 2018
b) Consider Approval of July Bills and July 31, 2018, Treasurer's Report
c) Consider Approval of Ahlers & Cooney, P.C. Invoice Dated 7/24/2018 to be Applied to Retainer
d) Consider Approval of Funds Spent on Flower Arrangement for Former Council Member Haynes’s Mother’s Visitation

In accordance with the City’s Flowers and Sustenance Supplies Policy (#3.05.01), which was passed in May of 2001 and reapproved as amended on November 12, 2013, the Adel City Council believes that it is in the best interest of the residents to establish a public purpose for the expenditure of funds for flowers and sustenance supplies. According to the policy, the City may send flowers to the employees or family members of employees who experience a death in their immediate family. The City sent flowers for Council Member Haynes’ mother, who passed away on June 29, 2018. This item on the consent agenda documents the public purpose of these disbursements and will be reflected in the council minutes.

e) Consider Approval of Class E Liquor License (LE), Class B Native Wine Permit, Class C Beer Permit (Carryout Beer) with Sunday Sales for Casey’s General Store #1680

f) Consider Approval Granting Permission to ADM Community School District to Discharge Fireworks at Home Football Games during the 2018 Season

g) Consider Approval of ADM Community School District 2018 Homecoming Parade Route – 9/13/18

Motion by Ockerman, seconded by Selby, to approve the consent agenda
Roll: Ayes-Unanimous. Motion carried.

DEPARTMENT HEAD REPORT

1. City Administrator Brown announced there will be a 2nd regular city council meeting to be held on Monday, August 27, 2018 at 6:00 p.m. at Adel City Hall, 301 S. 10th St, Adel. The meeting will have a presentation from Ahlers & Cooney, giving council an overview of TIF.

NEW BUSINESS

a) Consider Approval of Storm Water Rate Appeal for 24741 Quail Avenue

Motion by Ockerman, seconded by McAdoo, to approve storm water rate appeal

b) Consider Approval of Water & Sewer Committee Recommendations on Deduct Meters

Motion by Christensen, seconded by McAdoo, to approve Water & Sewer Committee’s recommendation on deduct meters, which City Attorney Stone will draft into an ordinance and policy for consideration at the September 11, 2018 meeting
Roll: Ayes-Unanimous. Motion carried.

c) Consider Approval of Ordinance No. 327, Rezoning Request for Southbridge PUD from A-1 (Agricultural District) to P.U.D. (Planned Urban Development District) – Second Reading

Motion by Ockerman, seconded by Selby, to approve the second reading of Ordinance No. 327
Roll: Ayes-Unanimous. Motion carried.

Motion by Ockerman, seconded by Selby, to waive the third reading and adopt Ordinance No. 327
Roll: Ayes-Selby, Ockerman, Miller. Nays-Christensen, McAdon. Motion failed. (Super majority needed for passage)

d) Consider Approval of Resolution No. 18-36, Approving Preliminary Plat for Southbridge 3 PUD

Out of order due to Ordinance No. 327 receiving only the second reading of three. No action was taken.

e) Consider Approval of Ordinance No. 329, Rezoning Request for Brickyard Summit from R-3 (Single Family Residential – Low Density) to R-1 (Single Family Residential – High Density) – First Reading

Motion by Selby, seconded by Christensen, to approve first reading of Ordinance No. 329
(Reason for the denial – R-1 zoning did not match the surrounding areas with a R-3 zoning so council felt the current R-3 zoning was appropriate)
f) Presentation and Approval to Set Date for Public Hearing on the Future Land Use Update from Confluence for September 11, 2018 at 6:00 p.m.

Motion by Selby, seconded by Ockerman, to approve setting a date for a presentation and public hearing on Future Land Use Update for September 11, 2018 at 6:00 p.m.

Roll: Ayes-Unanimous. Motion carried.

g) Consider Approval of Resolution No. 18-44, Approving Strategic Planning Document from Confluence

Motion by Selby, seconded by McAdon, to approve Resolution No. 18-44

Motion by Christensen, seconded by Selby to postpone main motion to a time certain of September 11, 2018

Roll: Ayes-Unanimous. Motion carried.

h) Consider Approval of Resolution No. 18-45, Approving On-Call Agreement with Confluence for Planning Services

Motion by Christensen, seconded by McAdon, to approve Resolution No. 18-45

Roll: Ayes-Unanimous. Motion carried.

i) Discussion / Possible Action Regarding Confluence’s Proposal to Update the 2009 Comprehensive Plan

Motion by Ockerman, seconded by McAdon, to approve proposal from Confluence to update the 2009 Comprehensive Plan

Roll: Ayes-Unanimous. Motion carried.

j) Discussion / Possible Action on Invitation for Bids to Sell ROW Located Just East of 412 Prairie Street

Motion by Christensen, seconded by Selby, to approve $1 bid with condition that Buyer pays all legal and administrative fees (i.e. survey with legal description, title search)

Motion by Ockerman, seconded by Christensen, to amend main motion to approve Buyer paying for an appraisal to be completed then Buyer would pay market value plus the stipulation that Buyer pays all of legal and administrative fees

Roll: Ayes-Unanimous. Motion carried.

Roll on Amended Main Motion: Ayes-Unanimous. Motion carried.

k) Consider Approval of Street Committee Recommendation of Agreement with McClure Engineering for 2018 Adel Street Resurfacing Project

Motion by Christensen, seconded by Ockerman, to approve agreement for 2018 Adel St Resurfacing Project

Roll: Ayes-Unanimous. Motion carried.

l) Consider Approval of Street Committee Recommendation on “No Parking” sign on South 9th Street Between Greene Street and the Raccoon River Valley Bike Trail

Motion by Christensen, seconded by McAdon, to approve Street Committee’s recommendation on “No Parking” sign

Roll: Ayes-Unanimous. Motion carried.
m) Consider Approval of Mayoral Board, Committee and Commission Appointments
   a. Economic Development Commission – Seth Stone and Chris Cundiff – two applications for one
      opening to fill vacant seat until 6/30/2020
      *(Per Iowa Code 69.16A – Gender Balance, requires the appointment of one man OR one woman)*
      Mayor Peters selected Chris Cundiff.
      Motion by Ockerman, seconded by McAdon, to approve mayoral selection for vacant seat on
      Economic Development Commission
      Roll: Ayes-Ockerman, Christensen, McAdon, Miller. Nays-Selby. Motion carried.

   b. Parks & Recreation Board – Heith Hockenberry and Rich Miller – two applications for two
      openings to fill vacant seats until 6/30/2019
      *(Per Iowa Code 69.16A – Gender Balance, requires the appointment of two men OR one man and one woman)*
      Mayor Peters selected Heith Hockenberry and Rich Miller.
      Motion by Christensen, seconded by McAdon, to approve mayoral selections for vacant seats
      on Park Board
      Roll: Ayes-Unanimous. Motion carried.

n) Consider Approval of Legal Services Agreement with Ahlers & Cooney for Upcoming Water
   Projects (USDA-RD #3)
   Motion by Christensen, seconded by Ockerman, to approve agreement with Ahlers & Cooney on USDA-
   RD #3 water projects
   Roll: Ayes-Unanimous. Motion carried.

o) Consider Approval of Resolution No. 18-46, Instituting Proceedings to Take Additional Action for
   the Authorization of a Loan Agreement and the Issuance of Not to Exceed $16,603,000 Water
   Revenue Capital Loan Notes
   Motion by Ockerman, seconded by Miller, to approve Resolution No. 18-46
   Roll: Ayes-Unanimous. Motion carried.

p) Consider Approval of Water & Sewer Committee Recommendation of Amendment No. 2 of
   Agreement with McClure Engineering for East Annex Sanitary Utility Extension
   Motion by Ockerman, seconded by Selby, to approve Amendment No. 2
   Roll: Ayes-Unanimous. Motion carried.

q) Consider Approval of Resolution No. 18-47, Approving and Accepting Easements Related to the East
   Annex Sewer Extension Project
   Motion by Ockerman, seconded by Christensen, to approve Resolution No. 18-47
   Roll: Ayes-Unanimous. Motion carried.

r) Consider Approval of Resolution No. 18-48, Approving Budget Transfers for City Attorney Services
   Retainer
   Motion by Selby, seconded by Miller, to approve Resolution No. 18-48
   Roll: Ayes-Unanimous. Motion carried.

s) Consider Approval of Revised Job Description – Water Operator
   Motion by Selby, seconded by Miller, to approve revised job description
   Roll: Ayes-Unanimous. Motion carried.

t) Consider Approval of Change Order No. 2 for Storm Water Utility Improvements – Phase 1, Section
   1
   Motion by McAdon, seconded by Christensen, to approve Change Order No. 2
   Roll: Ayes-Unanimous. Motion carried.
u) Consider Approval of Change Order No. 3 for Storm Water Utility Improvements – Phase 1, Section 2
   Motion by Selby, seconded by Ockerman, to approve Change Order No. 3
   Roll: Ayes-Unanimous. Motion carried.

v) Consider Approval of Payment No. 3 for Storm Water Utility Improvements – Phase 1, Section 1
   Motion by Selby, seconded by McAdon, to approve Payment No. 3
   Roll: Ayes-Unanimous. Motion carried.

w) Consider Approval of Payment No. 4 for Storm Water Utility Improvements – Phase 1, Section 2
   Motion by Christensen, seconded by McAdon, to approve Payment No. 4
   Roll: Ayes-Unanimous. Motion carried.

OTHER BUSINESS
1. Council Member Ockerman informed Mayor and council members the Emergency Management Coordinator position has been offered to a candidate and Dallas County is awaiting a response.
2. Sami Keuck, 1109 Hunter Court – Requested for an update on the Southbridge P.U.D.

NEW BUSINESS
x) Closed Session. The Council Will Enter into Closed Session in Accord with Iowa Code Section 21.5(1)(j), To discuss the purchase or sale of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property. The minutes and the audio recording of a session closed under this paragraph shall be available for public examination when the transaction discussed is completed.
   Motion by Selby, seconded by Ockerman, to enter into closed session at 9:19 p.m.
   Roll: Ayes-Unanimous. Motion carried.

   Motion by Ockerman, seconded by McAdon, to return to open session at 9:28 p.m.
   Roll: Ayes-Unanimous. Motion carried.

   Motion by Christensen, seconded by Ockerman, to direct City Attorney to proceed as discussed in closed session
   Roll: Ayes-Unanimous. Motion carried.

OTHER BUSINESS
3. Meeting adjourned 9:31 p.m.

James Peters, Mayor

Attest: Jackie Steele, City Clerk