

City of Windsor Heights Regular Business Meeting Minutes
Monday, June 3, 2024 - 6:00 PM
WINDSOR HEIGHTS COUNCIL CHAMBERS - 1133 66th ST

1. Call to Order/Roll Call/Pledge of Allegiance

Mayor Mike Jones called the meeting to order at 6:00 PM. Council members present: Susan Skeries, Joseph Jones, Michael Libbie, Lauren Campbell, and Threase Harms. Staff present: City Administrator Adam Plagge, Deputy City Clerk Nate Leuthold, City Attorney Erin Clanton, Public Works Director Jason Roberts, Public Works Supervisor Andy Larson, City Engineer Justin Ernst, and City Planner Trey Rouse.

2. Approval of the Agenda

Motion by Threase Harms to APPROVE. Seconded by Joseph Jones. Motion passed 5-0.

3. Public Hearing:

A. Public Hearing on the Proposed Plans, Specifications, Form of Contract, and Estimate of Costs for the Windsor Heights CEC Solar Project

Motion by Threase Harms to open the Public Hearing at 6:01 PM. Seconded by Susan Skeries. Motion passed 5-0. Adam Plagge presented the proposal for the solar project. No public comment given. Motion by Threase Harms to close the public hearing at 6:04 PM. Seconded by Susan Skeries. Motion passed 5-0.

B. Consideration of the Proposed Plans, Specifications, Form of Contract, and Estimate of Costs for the Windsor Heights CEC Solar Project

Motion by Threase Harms to APPROVE. Seconded by Susan Skeries. Motion passed 5-0.

C. Public Hearing on Proposed Development Agreement with Windsor Millang, L.L.C., the Windsor, L.L.C. and Jensfam, LLC

Motion by Threase Harms to open the Public Hearing at 6:05 PM. Seconded by Joseph Jones. Motion passed 5-0. Trey Rouse presented the staff report of the site plan. Bob Bishop of 1128 64th Street spoke in favor of the project with conditions. Motion by Threase Harms to close the Public Hearing at 6:20 PM. Seconded by Joseph Jones. Motion passed 5-0.

4. Public Forum: This is time set aside for comments from the public on topics of City business other than those listed on the agenda. No action may be taken. Please come to the podium, state your name and address for the record and keep your comments to no more than 5 minutes.

No public comment given

5. Consent Agenda: Any item on the Consent Agenda may be removed for separate consideration.

Motion by Threase Harms to approve with an amendment to the 5/20/24 meeting minutes to change a date from 6/2/24 to 6/7/24 in the Reports section. Seconded by Michael Libbie. Motion passed 5-0.

A. Approve Minutes of the Regular Council Meeting on May 20, 2024

B. Approve Financial Reports

C. Approve 73rd St Phase 1 (TP-U-8477(615)--70-77) Change Order 1

D. Approve the Mayor to Sign Certificate Authorizing Execution of Amendment to ChildServe 2022B Bonds

- E. Approve FY 25 Tobacco Permits
- F. Refunding fees for the Community Event Center for Iowa Primary Care on Thursday, May 30th, 2024
- G. Approve Lexipol Policy Management Platform Master Service Agreement
- H. Approve Resolution No. 2024-41 - A Resolution Appointing Larry James to the Board of Adjustment

6. **Action Items:**

- A. Consideration of Resolution No. 2024-40 - A Resolution Approving the Site Plan for The Windsor at 1148 63rd Street
Trey Rouse presented the staff report and recommendation. Susan Skeries cited resident concerns about pedestrians, specifically children during school time. Todd Milang, the developer of the property, spoke regarding willingness to work with the City. Jennifer McCoy, Sr. Traffic Engineer with Bolton & Menk, referenced the traffic study and stated that foot traffic should not experience any more danger than is typical. Motion by Threase Harms to approve the 1148 63rd Street Site Plan (The Windsor Apartments) with the conditions of approval laid out by City Staff, an additional condition that a roughly 50-foot section of chain-link fence be replaced with a 6-foot privacy fence on the south side of the property, and with the Traffic condition that the full access driveway be allowed on University Avenue, as long as it is aligned with 64th Street and that moving this driveway to the west isn't possible, on a temporary/review basis. This temporary full access will be allowed for 3 years after the receipt of the certificate of occupancy (received within 6 months after opening) and will be determined to be reviewed if within that 3 years there are more total accidents than what has previously happened in the last 3 years (6 total accidents), at which time City Council may require the developer to turn that access into a right-in/right-out access if deemed necessary for public safety. Seconded by Joseph Jones. Motion passed 5-0.
- B. Consideration of Resolution No. 2024-39 -A Resolution Approving Development Agreement with Windsor Millang, L.L.C., the Windsor, L.L.C. and Jensfam, LLC, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement
Motion by Michael Libbie to APPROVE. Seconded by Threase Harms. Motion passed 5-0.
- C. Consideration of Authorizing Execution of Contract With Wright Tree Service For Debris Management
Jason Roberts and Adam Plagge presented the request. Threase thanked the Public Works team, the other council members, and the mayor for their quick response and assistance during the storm. Motion by Threase Harms to APPROVE. Seconded by Michael Libbie. Motion passed 5-0.
- D. Consideration of Payment to JC Midwest Services For Storm Cleanup Services
Motion by Michael Libbie to APPROVE. Seconded by Threase Harms. Motion passed 5-0.
- E. Consideration of the 3rd Reading of Ordinance 2024-04 - An Ordinance Amending the Code of Ordinances for the City of Windsor Heights, Iowa, by Amending Chapter 185, Governing Floodplain Management; and to Adopt and Publish

Motion by Threase Harms to APPROVE. Seconded by Michael Libbie. Motion passed 5-0.

7. **Reports:**

A. Mayor, Council Reports and Committee Updates, and Administration Reports

Lauren Campbell thanked Jason Roberts and the Public Works team, Adam Plagge, the Fire Department, and the Police Department for a very successful Touch-a-Truck event. She will attend a DART meeting on 6/4 and a BRAVO meeting on 6/11.

Michael Libbie stated than many residents had expressed gratitude for the quick storm cleanup plan and action. Thanks to the Police Department, Fire Department, and Public Works for executing the plan and assisting so quickly. He will attend an ICON meeting this week. Gave a reminder to vote in the local election on 6/4

Joseph Jones gave a reminder to vote on 6/4 and that polls opened at 7 PM. Thanks to everyone for the storm cleanup. He cited residents' praise of the City newsletter.

Susan Skeries attended the AM Exchange with the Chamber and brought a group to a Metro Waste Authority tour. She stated Touch-a-Truck had a huge turnout with an estimated 687 people in attendance. She thanked the sponsors, all the companies/departments that provided trucks, and gave a shout-out to Lauren, Mike, Jason, Andy, and Brian. Movies in the Park will be Friday 6/7 featuring Elemental, and the City is still accepting volunteers for any of our Movies in the Park events. She will attend Metro Waste Authority's board meeting on 6/5 and Banker's Trust's customer appreciation day on 6/12. Finally, the City is celebrating 1 year of merging our Chamber with Urbandale's as of 6/29.

8. **Closed Session** Under Iowa Code Section 21.5(1)(c): To Discuss Strategy With Counsel In Matters That Are Presently In Litigation Or Where Litigation Is Imminent Where Its Disclosure Would Be Likely To Prejudice Or Disadvantage The Position Of The Governmental Body In That Litigation.

Motion by Threase Harms to enter Closed Session at 7:20 PM. Seconded by Michael Libbie.

Motion passed 5-0. Motion by Michael Libbie to end closed session at 7:39 PM. Seconded by Threase Harms. Motion passed 5-0.

9. **Adjourn**

Motion by Threase Harms to adjourn at 7:40 PM. Seconded by Susan Skeries. Motion passed 5-0.