



NOTICE OF PUBLIC MEETING MINUTES

The Adel City Council met in regular session at Adel City Hall, 301 S. 10th St., Adel, Iowa, on Tuesday, February 12th, 2008 at 6:30 PM. Mayor Pro Tem Jon McAvoy called the meeting to order and the following answered roll: Haynes, Price, Swanson, and Kirk.

Absent: Mayor Peters, City Attorney Reich.

Staff present: City Administrator Bird, City Clerk Gilliland, Police Chief McNeill, Librarian James, Park and Recreation Director Schenck, and Public Works Supervisor Overton.

PUBLIC HEARING

- a) Public Hearing on private redevelopment agreement with Double Vision Development, Inc.
Motion by Swanson, seconded by Haynes, to go into public hearing.
Roll: Ayes-Swanson, Haynes, Kirk, McAvoy. Absent - Price Motion carried.
No comments written or oral.
Motion by Swanson, seconded by Haynes to go out of public hearing.
Roll: Ayes-Swanson, Haynes, Kirk, McAvoy. Absent - Price Motion carried.

- b) Consider approval of **Resolution No. 08 – 04**, a resolution approving and authorizing execution of an agreement for private redevelopment by and between the City of Adel and Double Vision Development, LLC.
Motion by Haynes, seconded by Kirk, to approve Resolution No. 08 – 04, a resolution approving entering into a private redevelopment agreement with Double Vision Development for the development of real property in the City of Adel per the terms of the agreement as presented.
Roll: Ayes-Haynes, Kirk, McAvoy, Price. Abstain - Swanson Motion carried.

- c) Public Hearing on **Ordinance No. 243** adding and adopting the International Existing Building Code 2006 and the International Property Maintenance Code 2006, An Ordinance Amending the Code o Ordinances of the City of Adel, Iowa 2008, Chapter 156 by Adding and Adopting the International Existing Building Code 2006 and the International Property Maintenance Code 2006 as Published by the International Code Council.
Motion by Swanson, seconded by Haynes, to go into public hearing.
Roll: Ayes-Unanimous Motion carried.
No comments written or oral.
Motion by Swanson, seconded by Haynes, to go out of public hearing.
Roll: Ayes-Unanimous Motion carried.

- d) Introduction and First Reading of **Ordinance No. 243**, adding and adopting the International Existing Building Code 2006 and the International Property Maintenance Code 2006
Motion by Swanson, seconded by Haynes, to approve the first reading of Ordinance No. 243 and amending the Code of Ordinances of the City of Adel.
Roll: Ayes-Swanson, Haynes, McAvoy, Price, Kirk. Motion carried.
Motion by Swanson, seconded by Haynes, to waive second and third readings and adopt Ordinance No. 243.
Roll: Ayes-Swanson, Haynes, McAvoy, Price, Kirk. Motion carried.

- e) Public Hearing on **Ordinance No. 244** Amending Provisions Pertaining to Disorderly Conduct
Motion by Swanson, seconded by Kirk, to go into public hearing.
Roll: Ayes-Unanimous Motion carried.
No comments written or oral.
Motion by Swanson, seconded by Kirk, to go out of public hearing.
Roll: Ayes-Unanimous Motion carried.
- f) Introduction and First Reading of **Ordinance No. 244**, by Amending the Code of Ordinances of the City of Adel, Iowa, 2007, Provisions Pertaining to Disorderly Conduct
Motion by Haynes, seconded by Swanson, to approve the first reading of Ordinance No. 244 and amending the Code of Ordinances of the City of Adel.
Roll: Ayes-Haynes, Swanson, McAvoy, Price, Kirk. Motion carried.
Motion by Haynes, seconded by Kirk, to waive second and third readings and adopt Ordinance No. 244.
Roll: Ayes-Haynes, Kirk, Swanson, McAvoy, Price. Motion carried.
- g) Public Hearing on **Ordinance No. 245** Amending Provisions Pertaining To All-Terrain Vehicles
Motion by Swanson, seconded by Haynes, to go into public hearing.
Roll: Ayes-Unanimous Motion carried.
Bird said he had received a phone call at City Hall regarding the ordinance. The citizen wanted to know the nature of the change and if the City had received any complaints. Bird said he informed the citizen this was an administrative action to bring City code into compliance with State code. No other comments were received.
Motion by Swanson, seconded by Haynes, to go out of public hearing.
Roll: Ayes-Unanimous Motion carried.
- h) Introduction and First Reading of **Ordinance No. 245**, by Amending the Code of Ordinances of the City of Adel, Iowa, 2007, Provisions Pertaining To All-Terrain Vehicles
Motion by Haynes, seconded by Kirk, to approve the first reading of Ordinance No. 245 and amending the Code of Ordinances of the City of Adel.
Roll: Ayes-Haynes, Kirk, McAvoy, Price, Swanson. Motion carried.
Motion by Swanson, seconded by Haynes, to waive second and third readings and adopt Ordinance No. 245.,
Roll: Ayes-Swanson, Haynes, Price, Kirk, McAvoy. Motion carried.
- i) Public Hearing on **Ordinance No. 246** Amending Provisions Pertaining To Cigarettes And Tobacco Products
Motion by Haynes, seconded by Kirk, to go into public hearing.
Roll: Ayes-Unanimous Motion carried.
No comments written or oral.
Motion by Swanson, seconded by Haynes to go out of public hearing.
Roll: Ayes-Unanimous Motion carried.
- j) Introduction and First Reading of **Ordinance No. 246**, by Amending the Code of Ordinances of the City of Adel, Iowa, 2007, Provisions Pertaining To Cigarettes And Tobacco Products
Motion by Swanson, seconded by Haynes, to approve the first reading of Ordinance No. 246 and amending the Code of Ordinances of the City of Adel.
Roll: Ayes-Swanson, Haynes, McAvoy, Kirk, Price. Motion carried.
Motion by Swanson, seconded by Haynes, to waive second and third readings and adopt Ordinance No. 246.
Roll: Ayes-Swanson, Haynes, McAvoy, Price, Kirk. Motion carried.

COMMENTS FROM THE PUBLIC

Shon Zimmer from Waste Management, Inc. was on hand to introduce himself and his company to new council members. He outlined some of the services his company performs for the City and asked Council if there were any problems or complaints. There were no comments. Staff said they have a great relationship with Waste Management and the contract is working very well.

CONSENT AGENDA

- a) Consider approval of City Council Minutes dated January 8th, 2008
- b) Consider approval of bills
- c) Consider approval of Treasurer's Report for January 2008
- d) Consider approval of Class B Beer Permit with Sunday Sales for Fuller's Standard Service
- e) Consider approval of Class C Liquor License for Hanney's of Adel, Inc., 820 Prairie St.

**Motion by Haynes, seconded by Kirk, to approve the consent agenda as presented.
Roll: Ayes-unanimous. Motion carried.**

COMMITTEE REPORTS

- a) South Dallas County Landfill Association
Shirley McAdon was on hand to discuss the South Dallas County Landfill as Adel's representative on the Board of the Landfill Association. Mrs. McAdon covered the original 28E agreement that created the Landfill Association. She also covered the agreement between the Landfill and Metro Waste Authority. She reviewed the subtitle D requirements from the DNR and reviewed overall operations of the facility. There were no questions afterwards and Council thanked her for her time and the information presented.
- b) Budget Committee
Chair Kirk updated the Council on the Budget Committee meeting held on Tuesday, January 29th. He said the staff did a nice job holding the line on spending. Bird chimed in and said it looked as if Adel's levy rate may decrease by about 9% or about \$1.54. Kirk said the public hearing on the budget is scheduled for Monday, February 25th at 6:30pm.
- c) Personal Committee
Chair Swanson said the union negotiations are complete for both the Police and the Public Works unions. He said the Police Union Collective Bargaining Agreement has been ratified by the employees. Swanson said it appears the Public Works union employees will not ratify theirs. Swanson said the City settled on a COLA raise of 3.2% for the Police Union among some other stipulations and a 3.3% COLA and 4% market adjustment to be paid in 1% quarterly increases for the Public Works Union. Swanson recommended Council approve both agreements at this time.
 - i) Consider approval of union bargaining agreement with Operating Engineers Local 234 (Public Works)
**Motion by Haynes, seconded by Kirk, to approve the union bargaining agreement with Operating Engineers Local 234 (Public Works).
Roll: Ayes-unanimous. Motion carried.**
 - ii) Consider approval of union bargaining agreement with Teamsters Local 238 (Police)
**Motion by Haynes, seconded by Kirk, to approve the union bargaining agreement with Teamsters Local 238 (Police).
Roll: Ayes-unanimous. Motion carried.**

DEPARTMENT REPORTS

- a) Children's Librarian Salary
The Library Board submitted a recommendation to increase the Children's Librarian Salary by \$2,000 per year.
Motion by Price, seconded by Swanson, to approve a base wage increase of \$2,000 for the Children's Librarian position effect with the next full pay period.
Roll: Ayes-unanimous. Motion carried.

CITY ADMINISTRATOR'S REPORT

- a) FY07 Financial Audit
Bird gave a brief overview of the audit for the fiscal year ending June 30, 2007. He said a couple of key points include: the general government revenues decreased by 3% and property tax revenue increased by 5.8%. City valuations increased by 7.6% and the levy rate decreased by 1.9%. Total net assets fell about \$3.2 million this is mostly due to the short term bond proceeds being spent on the 2006 Street & Utility Reconstruction project. Bird said the audit is posted on the website.

NEW BUSINESS

- a) Consider Council appointment to Planning & Zoning Commission
Motion by Swanson, seconded by Kirk, to approve the appointment of Kent McAdon to the Planning & Zoning Commission to fulfill the vacant term.
Roll: Ayes-unanimous. Motion carried.
- b) Consider a request from Adel – DeSoto – Minburn After Prom Committee for a contribution to the After Prom Event.
Motion by Kirk, seconded by Haynes, to approve a donation in the amount of \$100 to the 2008 ADM After-Prom Committee.
Roll: Ayes-unanimous. Motion carried.
- c) Consider street closing for Adel Partners' Book Festival.
Motion by Kirk, seconded by Haynes, to approve closing streets for the 2008 Iowa Book Festival as outlined in the request from Adel Partners, the event's sponsor.
Roll: Ayes-unanimous. Motion carried.
- d) Discussion and Update on Brick Street Project – McClure Engineering
As McClure Engineering was unable to attend the meeting, this item was tabled until another date.
- e) Discussion - West Metro Regional Airport
Don Price opened the discussion by saying he did not see the support from the community for the airport project. He quoted from the online survey conducted by the Ban the Airport website and noted that all of the surrounding municipalities have dropped out of the discussions and do not support the project. He also felt the Authority could leave Adel the financial deficits of the Authority.

Kirk stated the Authority has not met for some time and there seems to be no support and no activity.

Mayor Pro Tem McAvoy asked for comments and questions from the audience.

Howard Geddes – Adel

Had a list of questions he submitted in November of 2004 and said he has not seen those questions answered. He asked this Council to review those questions. He asked if the City is willing to annex the airport and what that would cost. He asked the Council to stop this project.

Denny Norman – Rural Dallas Co.

He has been waiting nine months for something to happen on this project – nothing is going on. He also expressed frustration with the Authority that they do not take comments or input from the public at their meetings.

McAvoy asked the Council for further comments.

Swanson said he supports the project and discussed its potential impact on the Adel tax levy rate and described the balance between commercial and residential property in a community. He also said the net effect on his property taxes should the airport actually tax Adel residents in a worse case scenario would be \$16.00 per year. He said the largest commercial property on Main Street would be impacted by about \$123.00 per year. He also said the project will not work with just Adel on board, other municipalities need to join.

McAvoy asked everyone to read the Seigelman study. He also said he would like to see the Authority get going on the project.

Fred Luthe – Rural Dallas Co.

Said he would like to see the transparency of the Authority. He said there currently is none. He does not want to see the quality of life and the rural setting destroyed.

Tom Barrett – Rural Dallas Co.

Said the Authority has not had a meeting since October 2007 and none is currently scheduled. He lives on site G and is asking the Council to end this project.

Rod Collins – Rural Dallas Co.

Wants to hear comments from the other council members.

McAvoy stated in favor and repeated his earlier statement regarding getting the Authority to get going on the project.

Haynes had no comment.

Beverly McLinden – Rural Dallas Co.

Has been against the airport since the beginning, she also boycotts all Adel businesses and any business that she knows of that supports the airport.

Cathleen Narland – Rural Dallas Co.

It is the big corporations and the Councils that want this project, not the people.

Alan Richardson – Rural Dallas Co.

What is the overall plan and how much time will the Adel Council give the Authority to get something done?

Jerry Olson – Adel

This is a good project and will add much needed commercial tax base.

Price asked for an action item to be placed on the agenda next month regarding Adel's withdrawal from the Airport Authority.

McAvoy thanked everyone for their time.

OTHER BUSINESS

McAvoy reminded the Council of the date for public hearing on the 2008-2009 Budget – February 25th, 2008, 6:30pm.

Swanson asked about the Library balcony and directed Bird to seek legal advice on how to proceed with getting the repairs completed.

There being no further business, meeting adjourned at 7:53 PM.

Jon McAvoy, Mayor Pro Tem

Attest: _____
Chad Bird, City Administrator

2/15/2008 9:25:21 AM