

November 30, 2015

West Des Moines City Council Proceedings  
Monday, November 30, 2015

Mayor Steven K. Gaer opened the regularly scheduled meeting of the City Council of West Des Moines, Iowa, in the Council Chambers of the West Des Moines City Hall on Monday, November 30, 2015 at 5:30 PM. Council members present were: R. Messerschmidt, J. Mickelson, J. Sandager, K. Trevillyan, and R. Trimble.

On Item 1. Agenda. It was moved by Messerschmidt, second by Trevillyan approve the agenda as presented.

Vote 15-519: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 2. Public Forum: No one came forward.

On Item 3. Council/Manager/Other Entities Reports:

Sally Dix, Executive Director of Bravo Greater Des Moines, thanked the City for its support and presented an update of the organization's activities.

Dr. Rob Denson, representing the Greater Dallas County Development Alliance, gave a report on the Alliance's recent activities and thanked the City for its continuing membership and support.

Council member Trevillyan reported the Metro Waste Authority is studying the possibility of having residents include their yard waste with their garbage for collection, and further information on the subject will be shared during a presentation at a future Council meeting.

Council member Trimble reported the Finance and Administration Subcommittee met and reviewed the proposed fleet management software contract, the proposed certification of costs for South 93<sup>rd</sup> Street, and a \$125,000 grant awarded to the City by the Iowa DNR towards the purchase of a new fire truck. He also reported WDM Human Services has served a total of 1,518 households since the start of this fiscal year, including 447 households receiving a Thanksgiving meal, and in partnership with Lutheran Services of Iowa they will begin providing ESL classes in January. WDM Human Services has also established a the Friends of WDM Human Services, a 501(c)(3) organization intended to raise money towards WDM Human Services.

Council member Mickelson reported there will be a ribbon cutting ceremony tomorrow for the opening of the Grand Prairie Parkway interchange at I-80.

Council member Messerschmidt reported the Public Works Subcommittee met and discussed snow removal operations, the status of construction projects with the end of construction season approaching, and the recently released updated FEMA flood maps.

Council member Trimble also reported the Parks and Recreation Advisory Board met and approved the Friend of the West Des Moines Public Library to install a “Tale Trail” which is made up of stations, each telling a portion of a story, posted along a public trail.

On Item 4. Consent Agenda.

Council members pulled Item 4(e) for discussion. It was moved by Trimble, second by Trevillyan to approve the consent agenda as amended.

- a. Approval of Minutes of November 16, 2015 Meeting
- b. Approval of Bill Lists
- c. Approval of Liquor Licenses:
  - 1. Bonefish Grill, LLC d/b/a Bonefish Grill, 650 South Prairie View Drive, Suite 100 - Class LC Liquor License with Sunday Sales and Outdoor Service Privileges - Renewal
  - 2. Bravo Brio Restaurant Group, Inc. d/b/a Bravo Cucina Italiana, 120 South Jordan Creek Parkway - Class LC Liquor License with Sunday Sales and Outdoor Service Privileges - Renewal
  - 3. Hy-Vee, Inc. d/b/a Hy-Vee Meeting Room, 1725 Jordan Creek Parkway - Transfer Location Temporarily to 1236 Jordan Creek Parkway (SpringHill Suites) - December 16-17, 2015
  - 4. Kum & Go, L.C., d/b/a Kum & Go #2035, 7265 Vista Drive - Class LE Liquor License with Carryout Wine, Carryout Beer and Sunday Sales - Renewal
- d. Approval of 2014-15 FY Tax Increment Financing Report
- f. Approval of Purchase of Fleet Management Software
- g. Approval of Memorandum of Agreement - DMARC Food Pantry
- h. Approval of Change Orders:
  - 1. Raccoon River Park Entrance Trail and Soccer Trail, #1
  - 2. 2014 Concrete Trail Renovation Project, #2
  - 3. Pine Avenue Improvements - South 8th Street to End of Paving, #2
- i. Approval of Contract - Computer Aided Dispatch Software and Law Enforcement Records Management Software
- j. Approval of Contract Agreement Renewal - Park Security Services
- k. Approval of Grant Agreement - Iowa Department of Natural Resources Clean Diesel Grant
- l. Approval of Electrical Service Upgrade - 318 5th Street Building Renovation
- m. Order Preparation of Plans and Specifications - 39th Street and EP True Parkway Park Design and Engineering
- n. Accept Work:
  - 1. 2014 Concrete Trail Renovation Project
  - 2. Grand Avenue Trail - Raccoon River Park to Fuller Road
  - 3. Raccoon River Park Entrance Trail and Soccer Trail
  - 4. Library and Law Enforcement Center HVAC Improvements

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- o. Establish Consultation Meeting and Public Hearing - Amendment #1 to 4125 Westtown Parkway Urban Renewal Area
- p. Approval of Agreement - Fox Creek Benefited Water District
- q. Acceptance of Certification of Costs for South 93rd Street, Acknowledgement of Development Agreement Compliance, and Certification of Tax Increment to Dallas County
- r. Proclamation - Human Rights Day - December 10, 2015

Vote 15-520: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 4(e) Approval of 2016-17 FY Tax Increment Financing Indebtedness and Certification Report

Council member Sandager requested clarification on the \$452,069 set aside for low and medium income housing.

Tim Stiles, Finance Director, explained that 38 percent of the revenue generated by the Woodland Hills Urban Renewal Area is obligated towards low and medium income housing, and the \$452,069, which makes up the 38 percent, is going towards the purchase of Phenix Elementary School and the housing project associated with it.

It was moved by Sandager, second by Trevillyan to approve Item 4(e) Approval of 2016-17 FY Tax Increment Financing Indebtedness and Certification Report.

Vote 15-521: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

Mayor Gaer recognized the members of the Human Rights Commission: Justine Morton, Frank Harty, Ila Plasencia, Bernell Edwards, and Sanjita Pradhan. He then read Proclamation - Human Rights Day.

On Item 5(a) Delavan Townhomes, 2101 Delavan Drive - Amend BEH II Planned Unit Development (PUD) to Allow Development of 16 Attached Townhome Units, initiated by Capital Homes of Iowa

It was moved by Trevillyan, second by Messerschmidt to consider the second reading of the ordinance.

Vote 15-522: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

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It was moved by Trevillyan, second by Messerschmidt to approve the second reading of the ordinance.

Vote 15-523: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

It was moved by Trevillyan, second by Messerschmidt to waive the third reading and adopt the ordinance in final form.

Vote 15-524: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 5(b) Paradise Pointe, northeast corner of Mills Civic Parkway and South 68th Street - Amend the Specific Plan Ordinance to Increase the Number of Restaurant Uses and Square Footage Allowed within the Development, initiated by Jordan Creek Investments

It was moved by Trimble, second by Trevillyan to consider the second reading of the ordinance.

Vote 15-525: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Trimble, second by Trevillyan to approve the second reading of the ordinance.

Vote 15-526: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

It was moved by Trimble, second by Trevillyan to waive the third reading and adopt the ordinance in final form.

Vote 15-527: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 5(c) Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 1 (Official Traffic Controls) - 88th Street and Ashworth Road (west intersection), initiated by the City of West Des Moines

It was moved by Trevillyan, second by Messerschmidt to consider the second reading of the ordinance.

Vote 15-528: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Trevillyan, second by Messerschmidt to approve the second reading of the ordinance.

Vote 15-529: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

It was moved by Trevillyan, second by Messerschmidt to waive the third reading and adopt the ordinance in final form.

Vote 15-530: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 5(d) Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 10 (Special Speed Zones) - Prairie View Drive from EP True Parkway to Blue Stem Circle, initiated by the City of West Des Moines

It was moved by Trevillyan, second by Messerschmidt to consider the second reading of the ordinance.

Vote 15-531: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Trimble ..... 1 no

Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Trevillyan, second by Messerschmidt to approve the second reading of the ordinance.

Vote 15-532: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Trimble ..... 1 no

Motion carried.

It was moved by Trevillyan, second by Messerschmidt to waive the third reading and adopt the ordinance in final form.

Vote 15-533: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Trimble ..... 1 no

Motion carried.

On Item 6(a) Mayor Gaer indicated this was the time and place for a public hearing to consider Tallyn's Reach, northwest corner of South 88th Street and Sugar Creek Drive - Amend the

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Comprehensive Plan Land Use Map to Change approx. 14.6 acres from Medium Density and High Density Residential to Single Family Residential, approx. 12.6 acres from High Density to Medium Density Residential, and approx. 15.4 acres from Neighborhood Commercial to Medium Density Residential, and Reclassify Portions of Harper Lane and South 92nd Street from Minor Collector to Local Street, and Amend the Tallyn's Reach Planned Unit Development (PUD) to Modify Regulations to Accommodate Development of 250 Townhomes and Rowhouses and 60 Single Family Homes, initiated by Miller Land Partnership. He asked for the date the notice was published and the City Clerk indicated the notice was published on November 13, 2015 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated on a vote of 6-0, with one member absent, the Plan and Zoning Commission recommended City Council approval of the comprehensive plan amendment and PUD amendment.

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Trimble, second by Messerschmidt to adopt Resolution - Approval of Comprehensive Plan Amendment.

Vote 15-534: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

It was moved by Trimble, second by Messerschmidt to consider the first reading of the ordinance.

Vote 15-535: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Trimble, second by Messerschmidt to approve the first reading of the ordinance.

Vote 15-536: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 6(b) Mayor Gaer indicated this was the time and place for a public hearing to consider Public Safety Station 17 HVAC Improvements Project, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on November 11, 2015 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

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Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Trevillyan, second by Messerschmidt to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract for the base bid to Two Rivers Group, Inc. and reject Alternates #1, #2, and #3.

Vote 15-537: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 7(a) Burr Oaks Manor at Glen Oaks, 1575 and 1623 Burr Oaks Drive - Replat Lots 61 through 64 in Glen Oaks Plat 2 into Two Lots for Single Family Development, initiated by Charles and Wendy Drucker

It was moved by Trimble, second by Trevillyan to adopt Resolution - Approval and Release of Final Plat, subject to the applicant complying with all applicable City Code requirements.

Vote 15-538: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 7(b) Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 5 (No Parking Zones) - Coachlight Drive (south side), from South 84th Street to South 88th Street, initiated by the City of West Des Moines

It was moved by Trimble, second by Messerschmidt to consider the first reading of the ordinance.

Vote 15-539: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Trimble, second by Messerschmidt to approve the first reading of the ordinance.

Vote 15-540: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 7(c) Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 10 (Special Speed Zones) - Grand Avenue, from 1,268 feet south of Park Drive to South 50th Street, initiated by the City of West Des Moines

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It was moved by Trimble, second by Messerschmidt to consider the first reading of the ordinance.

Vote 15-541: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Trimble, second by Trevillyan to approve the first reading of the ordinance.

Vote 15-542: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 8(a) Amendment to City Code - Title 9 (Zoning), Chapter 10 (Performance Standards) and Chapter 14 (Accessory Structures) - Establish Regulations Pertaining to Solar Energy Systems - City Initiated - Referred to Plan and Zoning

The Council discussed the concerns they would have regarding solar energy systems, specifically the aesthetics and where they should be located. The Council noted that they are not opposed to solar energy systems, but want to make sure the potential negative elements are addressed.

Lynne Twedt, Development Services Director, explained this item is being referred to the Plan and Zoning Commission to fulfill the requirement, even though there is not yet a proposed ordinance written to present to them. A memo for the Council explaining what the potential recommendations might be for all different types/locations for solar energy systems will be prepared, and the subject will be taken back to the Development and Planning Subcommittee for discussion prior to the Plan and Zoning Commission.

On Item 9 - Other Matters

Council member Trimble complimented staff on getting the new council chambers audio-visual system and voting software installed and working smoothly.

The meeting was adjourned at 6:28 p.m.

Respectfully submitted,

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Ryan T. Jacobson, CMC  
City Clerk



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ATTEST:

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Steven K. Gaer, Mayor