

CITY OF WEST DES MOINES

COUNCIL AGENDA

date: Tuesday, January 26, 2016

time: 5:30 P.M.

MAYOR	STEVEN K. GAER	CITY MANAGER.....	TOM HADDEN
COUNCILMEMBER AT LARGE	RICK MESSERSCHMIDT	CITY ATTORNEY.....	RICHARD SCIESZINSKI
COUNCILMEMBER AT LARGE	JIM SANDAGER	CITY CLERK.....	RYAN JACOBSON
COUNCILMEMBER 1 ST WARD	KEVIN L. TREVILLYAN		
COUNCILMEMBER 2 ND WARD	JOHN MICKELSON		
COUNCILMEMBER 3 RD WARD.....	RUSS TRIMBLE		

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

2. Citizen Forum (Pursuant to City Council Procedural Rules citizen remarks are limited to five minutes under this agenda category - if additional time is desired the Mayor/Council may allow continuation as part of the Other Matters portion of the agenda)

3. Mayor/Council/Manager Report/Other Entities Update

4. Consent Agenda

- a. Motion - Approval of Minutes of January 11, 2016 Meeting
- b. Motion - Approval of Bill Lists
- c. Motion - Approval of Liquor Licenses:
 - 1. Hy-Vee, Inc., d/b/a Hy-Vee Food & Drugstore #3, 1725 Jordan Creek Parkway - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
 - 2. HOA Hotels, LLC d/b/a Johnny's Italian Steakhouse, 6075 Mills Civic Parkway - Class LB Liquor License with Carryout Wine, Sunday Sales, Outdoor Service, and Catering Privileges - Renewal
 - 3. Miranda Family Corporation d/b/a Mi Patria, 1410 22nd Street - Class BW Permit with Sunday Sales - Renewal
 - 4. Clouse House Originals, LLC d/b/a PerKup Cafe, 2700 University Avenue, Suite 324 - 5 Day Class BW Permit - Effective February 11, 2016 - February 15, 2016
 - 5. Scissors & Scotch Iowa, LLC d/b/a Scissors & Scotch, 460 South 68th Street, Suite 107 - Class LC Liquor License with Sunday Sales - New
 - 6. Good Stuff, LLC, d/b/a Shotgun Betty's, 5535 Mills Civic Parkway, Suite 100 - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
 - 7. Boggs Properties, LLC d/b/a Sully's Irish Pub, 110 Grand Avenue - 5-Day Class LC Liquor License with Outdoor Service and Sunday Sales - Effective March 17, 2016 - March 21, 2016

Council Agenda

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- d. Motion - Approval of Consent - Allow Ahlers & Cooney, P.C. to Represent West Des Moines Community School District
- e. Motion - Approval of Application - Polk County Community Betterment Grant - Human Services
- f. Motion - Approval of Amendment to Grant Agreement - HUD Transitional Housing Grant - Human Services
- g. Motion - Approval to Sell Surplus City Equipment
- h. Motion - Approval to Issue RFP for Class "A" Pumper - Fire Department
- i. Motion - Approval of Change Order #1 - Fox Creek Trunk Sewer, Phase 1
- j. Motion - Approval of Contract - Supply and Service of Portable Toilets
- k. Resolution - Approval of Grant Application - Iowa Department of Agriculture and Land Stewardship Water Quality Initiative - Woodland Hills Park Water Quality Improvements
- l. Resolution - Order Construction:
 - 1. Valley View Aquatic Center and Holiday Park Aquatic Center Heater Replacement Project
 - 2. 2016 HMA Resurfacing Program
 - 3. 2016 Street and Pavement Repair Supplemental Retainer Contract
 - 4. South Grand Prairie Parkway Tree Cutting
- m. Resolution - Accept Work:
 - 1. 2015 PCC Reconstruction Program
 - 2. Alluvion Blue Fiber Route
- n. Resolution - Approval of Modification of Condition of Approval - 1st Street Redevelopment
- o. Resolution - Approval and Acceptance of Stormwater Management Facility Maintenance Covenant and Permanent Easement Agreement - Michael's Landing Plat 3

5. Old Business

- a. Amendment to City Code - Title 9 (Zoning), Various Chapters - Define and Establish Regulations Pertaining to Short-Term Rentals - City Initiated
 - 1. Ordinance - Approval of Second, Third Readings and Final Adoption
- b. Amendment to City Code - Title 9 (Zoning), Chapter 1 (Entitlements - Process and Procedures), Section 8 (Entitlements) - Amendment to Minor Modification Ordinance - City Initiated
 - 1. Ordinance - Approval of Second, Third Readings and Final Adoption

6. Public Hearings (5:35 p.m.)

- a. Amendment to City Code - Title 9 (Zoning), Chapter 2 (Zoning Rules and Definitions), Chapter 6 (Commercial, Office, and Industrial Zoning District), Chapter 10 (Performance Standards), and Chapter 15 (Off-Street Parking and Loading) - Establish Standards and Regulations Related to Indoor Self-Storage or Mini-Warehousing Facilities - City Initiated
 - 1. Motion - Continue Public Hearing to February 8, 2016

- b. Amendment to City Code - Title 9 (Zoning), Chapter 6 (Commercial, Office and Industrial Zoning Districts), Section 6 (Commercial, Office and Industrial Use Regulations) - Revise the Regulations of Breweries and Tap Rooms that are Between 5,000 sq. ft. and 10,000 sq. ft. in Size and Amend the Approval Process for Breweries and Tap Rooms - City Initiated
 - 1. Ordinance - Approval of First Reading
 - c. South Grand Prairie Parkway - Raccoon River Drive to Madison Avenue - City Initiated
 - 1. Resolution - Approval of Acquisition of Agricultural Property
 - d. Grand Avenue West Segment 6F Sewer Extension - City Initiated
 - 1. Resolution - Approval of Acquisition of Agricultural Property
 - e. South Service Area Segment II - Brown's Woods Sewer - City Initiated
 - 1. Resolution - Approval of Acquisition of Agricultural Property
 - f. Maple Grove Lift Station - City Initiated
 - 1. Resolution - Approval of Acquisition of Agricultural Property
 - g. South Area Trunk Sewer Western Extension - City Initiated
 - 1. Resolution - Approval of Acquisition of Agricultural Property
 - h. Maffitt Lake Road Improvements - South 8th Street to Veterans Parkway - City Initiated
 - 1. Resolution - Approval of Plans and Specifications
 - 2. Motion - Receive and File Report of Bids
 - 3. Resolution - Award Contract
- 7. New Business**
- a. Guide One Insurance, 1200 12th Street - Allow Two Temporary Trailers for Employees During Remodel of Building - Guide One Mutual Insurance
 - 1. Resolution - Approval of Site Plan
- 8. Receive, File and/or Refer**
- a. Village of Ponderosa, east of South 60th Street at Village View Drive - Amend Specific Plan Ordinance to Modify Commercial Wall Signage Regulations - W West Investments, LLC (Refer to Plan and Zoning Commission)
 - b. Glen Oaks Drainage Study - Receive and File
- 9. Other Matters**

CITY COUNCIL WORKSHOP

(immediately follows Council meeting)

1. Walnut Creek Watershed Management Preliminary Plan
2. Other Matters

The City of West Des Moines is pleased to provide accommodations to disabled individuals or groups and encourages their participation in city government. Should special accommodations be required please contact the Clerk's office at least 48 hours in advance, at 222-3600 to have accommodations provided.

January 11, 2016

West Des Moines City Council Proceedings
Monday, January 11, 2016

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, January 11, 2016 at 5:30 PM. Council members present were: R. Messerschmidt, J. Mickelson, J. Sandager, K. Trevillyan, and R. Trimble.

The members of Boy Scout Troop 242 led the reciting of the Pledge of Allegiance.

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

Vote 16-001: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

Mayor Gaer swore in Park Board Commissioners Joe Hrdlicka, Forrest Ridgway, and Aaron Sewell for four year terms beginning January 1, 2016.

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

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

Council member Messerschmidt reported he attended a meeting of the West Des Moines Chamber Board of Directors, where discussion was held on upcoming projects in 2016 and the planned relocation of their offices to the West Glen development.

On Item 4. Consent Agenda.

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

- a. Approval of Minutes of December 28, 2015 Meeting
- b. Approval of Bill Lists
- c. Approval of Liquor Licenses:
 1. Hy-Vee, Inc. d/b/a Hy-Vee Meeting Room, 1725 Jordan Creek Parkway - Transfer Location Temporarily to 1236 Jordan Creek Parkway (SpringHill Suites) - January 28, 2016
 2. F & K Hagar, L.L.C. d/b/a Manhattan Grill, 1960 Grand Avenue, Suites 29-31 - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
 3. Waterfront Seafood Market, Inc. d/b/a Waterfront Seafood Market, 2900 University Avenue - Class LC Liquor License with Sunday Sales and Catering Privileges - Renewal

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- 4. Wok in Motion Corp. d/b/a Wok in Motion, 5515 Mills Civic Parkway - Class BW Permit with Carryout Wine and Sunday Sales - Renewal
- d. Approval of Orders for Violations of Alcohol Laws
- e. Approval of Appointments - Revised 2016-17 Committee and Other Assignments
- f. Order Construction - Maffitt Lake Road Improvements
- g. Approval of Addendum to IDOT Agreement - Relocated and Reconstructed Iowa Highway 5
- h. Approval of First Amendment to Declaration of Residential Covenants, Conditions and Restrictions - Whisper Ridge Plat 2 and 3
- i. Acceptance of Public Improvements:
 - 1. Etzel Properties Plat 1
 - 2. West Lakes Office Park Plat 3, Lot 16
- k. Acceptance of Property Interests - South 8th Street Improvements, Army Post Road to Pine Avenue

Vote 16-002: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 4(j) Approval of Addressing - Various Locations within City Limits

Council members Trevillyan and Sandager each stated they support a majority of the address changes listed for this item, however they are opposed to the renaming of all addresses south of the Raccoon River to add a SE or SW prefix.

It was moved by Messerschmidt, second by Trimble to approve Item 4(j) Approval of Addressing - Various Locations within City Limits.

Vote 16-003: Messerschmidt, Mickelson, Trimble..... 3 yes
Sandager, Trevillyan..... 2 no
Motion carried.

On Item 5(a) 1st Street Redevelopment, southwest corner of 1st Street and Grand Avenue - Amend the Planned Unit Development (PUD) to Add a 10,000 sq. ft. Property and Amend Setback Requirements, initiated by the City of West Des Moines

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

Vote 16-004: 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 Sandager, second by Messerschmidt to approve the second reading of the ordinance.

Vote 16-005: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

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

Vote 16-006: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(a) Mayor Gaer indicated this was the time and place for a public hearing to consider Amendment to City Code - Title 9 (Zoning), Various Chapters - Define and Establish Regulations Pertaining to Short-Term Rentals, initiated by the City of West Des Moines (Continued from December 14, 2015 and December 28, 2015). He asked for the date the notice was published and the City Clerk indicated the notice was published on November 27, 2015 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated on a vote of 4-2, with one member absent, the Plan and Zoning Commission recommended City Council approval of the ordinance amendment.

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 consider the first reading of the ordinance.

Vote 16-007: 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 first reading of the ordinance.

Vote 16-008: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(b) Amendment to City Code - Title 4 (Health and Safety Regulations, Chapter 4 (Nuisances) and Title 9 (Zoning), Chapter 10 (Performance Standards) and Chapter 14 (Accessory Structures) - Establish Regulations Pertaining to Solar Energy Systems, initiated by the City of West Des Moines (Continued from December 14, 2015)

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It was moved by Messerschmidt, second by Trimble to adopt Motion - Continue Public Hearing to February 8, 2016.

Council member Sandager stated this proposed ordinance amendment has been discussed by the Development and Planning Subcommittee, and it was determined it would be best for the full Council to review it in a workshop setting before formal consideration.

Vote 16-009: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(c) Mayor Gaer indicated this was the time and place for a public hearing to consider Amendment to City Code - Title 9 (Zoning), Chapter 1 (Entitlements - Process and Procedures), Section 8 (Entitlements) - Amendment to Minor Modification Ordinance, 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 December 25, 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 ordinance amendment.

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

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

Vote 16-010: 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 first reading of the ordinance.

Vote 16-011: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 7(a) Michaels Landing Plat 3, 9175 Booneville Road - Subdivide Property into 49 Lots, One Outlot, and Five Street Lots, initiated by KH Development, LC

It was moved by Trevillyan, second by Sandager to adopt Resolution - Acceptance of Public Improvements and Approval and Release of Final Plat, subject to the applicant complying with all applicable City Code requirements and the following conditions of approval:

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1. The applicant providing the following corrected legal documents prior to recordation of the Final Plat with the County:
 - a. Storm Water Management Facility Maintenance Agreement
 - b. Home Owner Association Covenants
 - c. Agreement and Waiver for future improvements to Booneville Road

Council member Trimble inquired how confident staff is that the proposed amount of surety to be held in escrow will sufficiently cover the costs of any repairs needed to the pavement of South Arrowleaf Lane.

Duane Wittstock, City Engineer, responded staff calculated the replacement cost and believes the proposed amount will be sufficient for any potential repairs needed.

Vote 16-012: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

Mayor Gaer stated, due to a potential conflict of interest related to Item 7(b), Mayor Pro tem Sandager will preside over this portion of the meeting.

On Item 7(b) Newport Office Building, 1075 Jordan Creek Parkway - Construction of Footings and Foundations, initiated by R&R Realty Group

It was moved by Trevillyan, second by Messerschmidt to adopt Resolution - Acceptance of Public Improvements and Approval and Release of Final Plat, subject to the applicant complying with all applicable City Code requirements and the following conditions of approval:

1. The applicant acknowledges that the approval to allow the applicant to proceed with grading the site is at their own risk as the grading plan is subject to the risk of change stemming from the continued review of the Major Modification for the construction of the office building and development of the site.
2. The applicant install and maintain all necessary soil erosion measures.
3. The applicant agrees that any site infrastructure work and installation of building footings and foundations done to the site prior to the full approval of the site plan which contains all site development details is at their own risk, and that the final site development will need to comply with any changes that are deemed necessary as part of those subsequent approvals. The applicant further acknowledges and agrees that should the continued review, development and finalization of the site's details warrant changes to the utilities or building design or locations resulting in changes to the grades, utilities or footings or foundation, that the applicant will need to make the necessary changes at their own cost with no compensation from the City.

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4. The applicant acknowledges that approval of this site plan does not allow for any above ground construction of any type and that subsequent site plan approval and submittal of final plans to the City is required before any above ground work can be started.
5. The applicant agrees to obtain all appropriate building permits prior to initiation of any site work.

Vote 16-013: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

Mayor Gaer resumed presiding over the meeting.

On Item 8(a) Amendment to City Code - Title 9 (Zoning), Chapter 2 (Zoning Rules and Definitions), Chapter 6 (Commercial, Office, and Industrial Zoning District), Chapter 10 (Performance Standards), and Chapter 15 (Off-Street Parking and Loading) - Establish Standards and Regulations Related to Indoor Self-Storage or Mini-Warehousing Facilities in Non-Residential Zoning Districts - City Initiated - Referred to Plan and Zoning

On Item 8(b) Amendment to City Code - Title 9 (Zoning), Chapter 6 (Commercial, Office and Industrial Zoning Districts), Section 6 (Commercial, Office and Industrial Use Regulations) - Revise the Regulations of Breweries and Tap Rooms that are between 5,000 sq. ft. and 10,000 sq. ft. in Size and Amend the Approval Process for Breweries and Tap Rooms in the General Industrial Zoning District - City Initiated - Referred to Plan and Zoning

On Item 9 - Other Matters: none

The meeting was adjourned at 5:47 p.m.

Respectfully submitted,

Ryan T. Jacobson, CMC
City Clerk

ATTEST:

Steven K. Gaer, Mayor

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4(b)

CITY OF WEST DES MOINES
CITY COUNCIL ACTION ITEM

The following list(s) of municipal expenditures, all of which have been reviewed and authorized by the respective departments as being justified and properly due and the listing of which have been prepared by Finance departmental staff are being submitted to the City Council for approval:

Regular Bi-Weekly Claims	01/22/2016		\$ 1,388,824.64
			Total \$ Amount
EFT Claims	01/22/2016		\$ 96,826.53
			Total \$ Amount
Control Pay	01/22/2016		\$365,349.60
			Total \$ Amount
End of Month	12/30/2015		\$40,357.20
Manual Check	01/22/2016		\$72,366.12
	Claim Listing Date		Total \$ Amount

Approved by the West Des Moines City Council this 26th day of January
2016

Tim Stiles, Finance Director

Tom Hadden, City Manager

Steven K. Gaer, Mayor

ATTEST:

Ryan Jacobson, City Clerk

Finance and Administration Committee acknowledgement of disbursement of expenditures:

Russ Trimble, Councilmember

Jim Sandager, Councilmember

John Mickelson (alternate)

FINANCIAL SYSTEM
01/22/2016 09:33:52

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT
1NAT FIRST NATIONALBANK				
29059	ABDULLAH/MUHAMMAD	204572	01/26/16	150.00
28479	ACME TOOLS-DES MOINES	204573	01/26/16	471.96
24061	ADP SCREENING & SELECTIO	204574	01/26/16	661.15
28835	AGNEW/JOSALYNN	204575	01/26/16	2,792.80
00700	AHLERS & COONEY	204576	01/26/16	6,432.62
27794	ALADTEC, INC.	204577	01/26/16	2,336.00
28014	ALL AUTO GLASS	204578	01/26/16	220.00
01000	AMERICA'S BEST APPAREL I	204579	01/26/16	506.50
26849	AMERICAN PUBLIC WORKS AS	204580	01/26/16	35.00
.10996	AMERICAN REPUBLIC INS	204581	01/26/16	85.93
.11046	AMERICAN SURPLUS INC	204582	01/26/16	1,075.00
29768	ARROW INTERNATIONAL INC	204583	01/26/16	1,120.00
27857	ATE T MOBILITY	204584	01/26/16	66.40
29716	BALDWIN/RYAN	204585	01/26/16	275.00
29954	BALL TEAM LLC	204586	01/26/16	57,165.00
25207	BEGLEY/JOHN	204587	01/26/16	132.00
29340	BENJAMIN DESIGN COLLABOR	204588	01/26/16	1,042.00
29340	BENJAMIN DESIGN COLLABOR	204589	01/26/16	1,100.00
29342	BENJAMIN DESIGN COLLABOR	204590	01/26/16	1,935.00
29508	BOHNSACK & FROMMELT, LLP	204591	01/26/16	210.00
29508	BOLTON & MENK INC	204592	01/26/16	21,782.74
29508	BOLTON & MENK INC	204593	01/26/16	150.00
29508	BOLTON & MENK INC	204594	01/26/16	762.00
29508	BOLTON & MENK INC	204595	01/26/16	180.00
29508	BOLTON & MENK INC	204596	01/26/16	7,227.50
29508	BOLTON & MENK INC	204597	01/26/16	8,269.00
29508	BOLTON & MENK INC	204598	01/26/16	2,827.46
28011	BOUND TREE MEDICAL, LLC.	204599	01/26/16	755.29
27429	BROCKWAY MECHANICAL & RO	204600	01/26/16	1,047.16
28400	BULLSEYE TRUCKING	204601	01/26/16	695.00
29365	C.H. MCGUINNESS CO, INC	204602	01/26/16	84.43
27750	CARPEL'S ACE HARDWARE	204603	01/26/16	1,449.58
04250	CARPENTER UNIFORM CO	204604	01/26/16	40.57
26219	CARPENTER/CLINT	204605	01/26/16	1,398.84
29959	CARY COMPANY/THE	204606	01/26/16	6,360.70
24447	CDW GOVERNMENT, INC.	204607	01/26/16	5,703.98
19700	CENTURYLINK	204608	01/26/16	508,740.00
04950	CITY OF DES MOINES TREAS	204609	01/26/16	7,376.83
28649	CIVIL DESIGN ADVANTAGE L	204610	01/26/16	330.00
.11045	COMMAND CONCEPTS	204611	01/26/16	27,509.63
27262	COMMUNICATIONS TECHNOLOG	204612	01/26/16	42,147.33
25206	CONCRETE TECHNOLOGIES	204613	01/26/16	252.20
05766	CONSTRUCTION & AGGREGATE	204614	01/26/16	401.63
27403	CONTRACTOR SALES & SERVI	204615	01/26/16	275.00
27442	CORY/TARRY	204616	01/26/16	39,918.15
29916	COVENANT CONSTRUCTION SV	204617	01/26/16	29.32
27845	COX/RANDY	204618	01/26/16	6,000.00
29363	CURTIS COMMUNICATIONS, I	204619	01/26/16	9,099.50
29935	DAVIS BROWN LAW FIRM			

BANK	VENDOR	CHECK#	DATE	AMOUNT
1NAT FIRST NATIONALBANK				
25380	DAVIS/SCOTT	204620	01/26/16	50.00
27867	DE LAGE LANDEN	204621	01/26/16	4,362.60
28079	DES MOINES BICYCLE CLUB	204622	01/26/16	500.00
29827	DES MOINES EMBASSY CLUB/	204623	01/26/16	176.40
24037	DES MOINES GOLF & COUNTR	204624	01/26/16	1,653.80
07450	DES MOINES STAMP MFG CO	204625	01/26/16	63.50
29148	DMA&C FOUNDATION	204626	01/26/16	10,000.00
28901	DURALEX INTERNATIONAL	204627	01/26/16	1,678.00
24746	ELDER CORPORATION	204628	01/26/16	6,640.00
24746	ELDER CORPORATION	204629	01/26/16	29,256.20
08530	ELECTRICAL ENGINEERING &	204630	01/26/16	12.16
27039	EMARKIT, INC.	204631	01/26/16	11,250.00
26083	EMSIRC	204632	01/26/16	14.00
08920	EVANS/CLYDE	204633	01/26/16	1,045.50
29821	F&H ASSOCIATES INC	204634	01/26/16	29.49
28912	FERGUSON ENTERPRISES, IN	204635	01/26/16	30,988.50
28405	FLAGHL/DAVID	204636	01/26/16	17,500.00
10993	FULTON MEDICAL CENTER	204637	01/26/16	61.00
28746	GBA SYSTEMS INTEGRATORS,	204638	01/26/16	2,405.91
28746	GBA SYSTEMS INTEGRATORS,	204639	01/26/16	2,600.00
28921	GOLDEN VALLEY SUPPLY OF	204640	01/26/16	486.22
26570	GORDON/CHRISTINE	204641	01/26/16	35.86
10800	GRAYBAR ELECTRIC CO INC	204642	01/26/16	201.60
10950	GRIMES ASPHALT & PAVING	204643	01/26/16	469.00
10997	GRIMES/LORI	204644	01/26/16	457.97
25728	HAHN/JENNIFER	204645	01/26/16	86.92
26100	HASCO TAG COMPANY	204646	01/26/16	496.70
11200	HAWK METAL PRODUCTS INC	204647	01/26/16	60.00
11300	HAWKEYE TRUCK EQUIPMENT	204648	01/26/16	3,998.65
29260	HDR ENGINEERING INC.	204649	01/26/16	30,154.04
10994	HIGH SIERRA ELECTRONICS	204650	01/26/16	1,256.00
11048	HIGH SIERRA ELECTRONICS	204651	01/26/16	1,256.00
27719	HHSABECK/JESSE	204652	01/26/16	63.58
24065	HOME DEPOT CREDIT SERVIC	204653	01/26/16	160.54
29965	HHS PIPE CONSULTANTS INC	204654	01/26/16	1,150.00
23611	HY VEE, INC.	204655	01/26/16	721.39
11047	IECA	204656	01/26/16	170.00
12552	IOWA ASSN OF BLDG OFFICI	204657	01/26/16	1,680.00
29514	IOWA CUBS SPORTS TURF MN	204658	01/26/16	14,048.40
12760	IOWA DEPT OF TRANSPORTAT	204659	01/26/16	150.00
23544	IOWA INTERSTATE RAILROAD	204660	01/26/16	400.95
24097	IOWA MUNICIPAL ATTORNEYS	204661	01/26/16	105.00
13100	IOWA PRISON INDUSTRIES	204662	01/26/16	668.80
13110	IOWA SIGNAL INC.	204663	01/26/16	3,357.00
22239	IOWA TURFGRASS INSTITUTE	204664	01/26/16	3,260.00
13415	IOWA WORKFORCE DEVELOPME	204665	01/26/16	12,700.27
28627	ISCP	204666	01/26/16	35.00
29741	ITERIS INC	204667	01/26/16	625.00

BANK	VENDOR	CHECK#	DATE	AMOUNT
1NAT	FIRST NATIONALBANK			
28066	JOHN HEMRY LLC	204668	01/26/16	4,700.00
29826	JORDAN CREEK CAR WASH	204669	01/26/16	19.50
29529	KABEL BUSINESS SERVICES	204670	01/26/16	889.00
29498	KALDENBERG'S PBS LANDSCA	204671	01/26/16	365.00
28301	KLAHN/RICHARD	204672	01/26/16	110.00
29890	KOCH/LARRY	204673	01/26/16	132.00
23769	LACINA/WENDY	204674	01/26/16	462.00
26120	LEE'S STANDARD	204675	01/26/16	40.00
28610	LT LEON ASSOCIATES, INC	204676	01/26/16	5,180.00
22275	MANKIE/BRUCE	204677	01/26/16	5,225.39
28412	MARTIN/JOSEPH	204678	01/26/16	130.00
29966	MCCARGAR WORKS LLC	204679	01/26/16	780.00
29829	MCGIVERN/LEIGH	204680	01/26/16	3,307.50
25386	MEMORIAL SERVICES OF IOW	204681	01/26/16	550.00
01600	METRO ARTS ALLIANCE	204682	01/26/16	600.00
13030	MIDAMERICAN ENERGY	204683	01/26/16	20.18
13029	MIDAMERICAN-WDM-WAUKEE T	204684	01/26/16	18.96
27748	MITCHELL/RANDY	204685	01/26/16	132.00
28543	MPS ENGINEERS	204686	01/26/16	132.49
10995	MUNOZ/RUTH	204687	01/26/16	203,561.49
25307	MURPHY TRACTOR & EQUIPME	204688	01/26/16	100.00
26572	NATIONAL ALLIANCE YOUTH	204689	01/26/16	1,108.27
28907	NEHRING CONSTRUCTION, IN	204690	01/26/16	1,772.23
29171	NINTH BRAIN SUITE LLC	204691	01/26/16	7,979.00
26539	NORTHERN TOOL & EQUIPMEN	204692	01/26/16	1,086.00
24229	OAKLEY/BRICE	204693	01/26/16	186.98
28438	OWENS & MINOR	204694	01/26/16	17,660.00
28970	PALMER GROUP	204695	01/26/16	887.89
29733	PARKER/SATONITUS	204696	01/26/16	3,128.16
29335	PATTON/CHRIS	204697	01/26/16	225.00
28548	PER MAR SECURITY	204698	01/26/16	75.00
25005	PERRY/MELANIE	204699	01/26/16	469.08
29705	DEIHEALTH SERVICES (USA)	204700	01/26/16	382.38
09650	PETTY CASH	204701	01/26/16	1,620.00
23062	PG CONSTRUCTION, INC	204702	01/26/16	609.11
23062	PG CONSTRUCTION, INC	204703	01/26/16	11,495.74
23062	PG CONSTRUCTION, INC	204704	01/26/16	1,370.67
23932	POLK COUNTY FIRE CHIEF'S	204705	01/26/16	6,211.39
27065	POLK COUNTY HOUSING TRUS	204706	01/26/16	25.00
03300	POLK COUNTY RECORDER	204707	01/26/16	150.00
27661	PROVANTAGE LLC	204708	01/26/16	218.00
29540	RAHE/ALAN	204709	01/26/16	145.31
28463	REILLY CONSTRUCTION CO.,	204710	01/26/16	187.50
29269	RHINE GROUP FIRMARMS	204711	01/26/16	70,333.25
17600	ROTO-ROOTER CORP	204712	01/26/16	517.00
17625	ROY'S TOWING AND RECOVER	204713	01/26/16	400.00
29522	SADBORIS/BRETT	204714	01/26/16	350.00
29855	SABAKI ASSOCIATES INC	204715	01/26/16	75.00
				1,035.24

BANK	VENDOR	CHECK#	DATE	AMOUNT
INAT FIRST NATIONALBANK				
18085	SECRETARY OF STATE	204716	01/26/16	60.00
29968	SIXTA/ANDREW	204717	01/26/16	132.00
24711	SKOLD DOOR & FLOOR CO.	204718	01/26/16	1,028.80
26180	SMITH FERTILIZER AND GRA	204719	01/26/16	5,557.06
23881	SOLID WASTE ASS'N OF N.A	204720	01/26/16	212.00
29643	SPECIALTY GRAPHICS INC	204721	01/26/16	685.00
29901	SPONSORED PROGRAMS ACCOU	204722	01/26/16	5,192.62
27422	SPRINT	204723	01/26/16	177.15
22345	STATE OF IOWA	204724	01/26/16	850.00
25913	STATE OF IOWA-ELEVATOR S	204725	01/26/16	525.00
23248	STATE STEEL SUPPLY CO.	204726	01/26/16	307.20
29657	STEIMEL/MICHAEL	204727	01/26/16	198.00
29866	SUN LIFE FINANCIAL	204728	01/26/16	26,711.52
28433	SWINTON/ASHLEE	204729	01/26/16	1,659.00
29929	TESKA ASSOCIATES INC	204730	01/26/16	13,205.17
29967	TIMMINS, KROLL & JACOBSE	204731	01/26/16	600.00
19600	TRUE VALUE & V&S VARIETY	204732	01/26/16	312.32
25814	ULTRAMAX	204733	01/26/16	2,764.80
25213	UNION PACIFIC RAILROAD C	204734	01/26/16	2,752.07
12950	UNITYPOINT HEALTH	204735	01/26/16	10.00
29279	UPS STORE/THE	204736	01/26/16	60.36
28148	USPS-HASLER	204737	01/26/16	975.00
20250	VEENSTRA & KIMM INC	204738	01/26/16	2,161.00
29220	VISION SERVICE PLAN	204739	01/26/16	548.00
27198	WALDINGER CORPORATION/TH	204740	01/26/16	50.00
26337	WARREN COUNTY RECORDER	204741	01/26/16	22.00
28646	WASTE MANAGEMENT OF IOWA	204742	01/26/16	60.00
28355	WEGLARZ/NEIL	204743	01/26/16	5.29
24822	WELLMARK BLUE CROSS	204744	01/26/16	31.77
20825	WEST DES MOINES HISTORIC	204745	01/26/16	162.12
.10998	WIESE/RON	204746	01/26/16	22.52
24521	WOODS/DOUGLAS	204747	01/26/16	47.00
29969	ZOSS/BEN	204748	01/26/16	75.00
29948	ZOSS/TREVER	204749	01/26/16	250.00

FIRST NATIONALBANK
1,388,824.64

FINANCIAL SYSTEM
01/20/2016 15:27:13

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT
1NAT FIRST NATIONALBANK				
90023	ARNOLD MOTOR SUPPLY,LLP	9019	01/26/16	1,374.74
90068	BAUER BUILT	9020	01/26/16	225.00
90172	BAYLESS/RON	9021	01/26/16	216.00
90067	DESIGN ALLIANCE, INC.	9022	01/26/16	5,082.95
90161	FARRAND/GLENN	9023	01/26/16	150.00
90044	FBG SERVICE CORPORATION	9024	01/26/16	2,798.00
90158	FINESTEAD/MIKE	9025	01/26/16	9,521.60
90100	LAIDLAW JR./WILLIAM L	9026	01/26/16	260.58
90013	MCAINCH CORP & AFFILIAT	9027	01/26/16	913.89
90006	MCCUIRE ENGINEERING COMP	9028	01/26/16	7,336.50
90164	MCCUIRE ENGINEERING COMP	9029	01/26/16	3,708.00
90087	MCCUBBIN/COURTNEY	9030	01/26/16	407.00
90123	MIDWEST WHEEL	9031	01/26/16	39.48
90089	ONENECK IT SOLUTIONS LLC	9032	01/26/16	34,342.18
90014	OUTDOOR RECREATION PRODU	9033	01/26/16	414.00
90150	PREFERRED PEST CONTROL	9034	01/26/16	529.00
90117	RELIABLE MAINTENANCE	9035	01/26/16	9,700.40
90118	ROUNDS/MATES	9036	01/26/16	9,150.00
90117	SHIELDS/CHARLES	9037	01/26/16	216.00
90175	SPINDUSTRY SYSTEMS, INC.	9038	01/26/16	9,500.00
90002	TYLER TECHNOLOGIES, INC	9039	01/26/16	5,136.32
90174	WEST BANK, HUMAN SVCS	9040	01/26/16	2,501.79
90128	WILKINS/CHRIS	9041	01/26/16	250.00
	WITTRAP/TASON	9042	01/26/16	62.10
	YEAGER/LEWAR	9043	01/26/16	1,991.00
FIRST NATIONALBANK				96,826.53

FINANCIAL SYSTEM
01/22/2016 10:04:10

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT
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70018	ABC ELECTRICAL CONTRACTO	204519	01/26/16	644.73
70018	ABC ELECTRICAL CONTRACTO	204520	01/26/16	3,025.52
70018	ABC ELECTRICAL CONTRACTO	204521	01/26/16	574.43
70216	ADVENTURE LIGHTING	204522	01/26/16	175.94
70127	ALL MAKES OFFICE INTERIO	204523	01/26/16	1,010.00
70158	ARAMARK UNIFORM SERVICES	204524	01/26/16	1,396.94
70017	CAPITAL SANITARY SUPPLY	204525	01/26/16	2,401.69
70008	COMPETITIVE EDGE	204526	01/26/16	71.85
70117	DES MOINES ASPHALT & PAV	204527	01/26/16	31,974.71
70083	DES MOINES REGISTERS MEDI	204528	01/26/16	1,845.00
70288	EIDE BAILLY LLP	204529	01/26/16	13,500.00
70009	ELECTRONIC ENGINEERING	204530	01/26/16	899.97
70235	EMERGENCY APPARATUS MAIN	204531	01/26/16	3,065.10
70067	EXCEL MECHANICAL, INC.	204532	01/26/16	16,533.26
70289	EXPRESS DIAGNOSTIC INTL	204533	01/26/16	46.71
70020	FIELD FIRE	204534	01/26/16	65.00
70039	G&I CLOTHING	204535	01/26/16	876.26
70226	GALETON GLOVES	204536	01/26/16	162.84
70161	GALLS LLC	204537	01/26/16	498.90
70122	HD SUPPLY WATERWORKS	204538	01/26/16	565.00
70062	HOWARD R. GREEN CO.	204539	01/26/16	120,371.52
70194	INTERLEBT INC	204540	01/26/16	407.90
70239	INTERSTATE ALL BATTERY C	204541	01/26/16	109.72
70034	INTERSTATE POWER SYSTEMS	204542	01/26/16	295.66
70077	IOWA FIRE EQUIPMENT	204543	01/26/16	114.10
70244	JOHNSTONE SUPPLY	204544	01/26/16	238.67
70168	KONE INC	204545	01/26/16	290.70
70178	LANGUAGE LINE SERVICES	204546	01/26/16	144.40
70006	LOGAN CONTRACTORS SUPPLY	204547	01/26/16	111.31
70291	MENARDS	204548	01/26/16	72.64
70291	METHODIST OCCUPATIONAL H	204549	01/26/16	2,270.46
70028	METRO WASTE AUTHORITY	204550	01/26/16	119,249.25
70107	O'REILLY AUTOMOTIVE, INC	204551	01/26/16	179.46
70025	PAY-LESS OFFICE PRODUCTS	204552	01/26/16	5,901.01
70296	PEAK SOFTWARE SYSTEMS	204553	01/26/16	3,876.00
70076	PRAXAIR	204554	01/26/16	2,980.31
70299	RED WING STORE	204555	01/26/16	182.75
70189	ROCKMOUNT RESEARCH ALLOY	204556	01/26/16	511.44
70069	SHOTTEKIRK CHEVROLET	204557	01/26/16	675.11
70057	SNYDER & ASSOCIATES	204558	01/26/16	450.00
70057	SNYDER & ASSOCIATES	204559	01/26/16	268.00
70057	SNYDER & ASSOCIATES	204560	01/26/16	17,621.14
70234	SPRAYER SPECIALTIES INC	204561	01/26/16	6.98
70026	STIVERS FORD	204562	01/26/16	2,312.05
70174	STREITCHERS	204563	01/26/16	791.99
70156	THOMSON REUTERS-WEST PAY	204564	01/26/16	201.53
70080	TOMPKINS INDUSTRIES	204565	01/26/16	655.69
70181	TOTAL TOOL	204566	01/26/16	48.70

FINANCIAL SYSTEM
01/22/2016 10:04:10

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BANK VENDOR

INAT FIRST NATIONALBANK

70013 TRANS IOWA EQUIPMENT CO
70221 VAISALA INC
70051 WORLDPOINT HCC INC
70188 ZEE MEDICAL SERVICE INC
70002 ZOLL MEDICAL

FIRST NATIONALBANK

CHECK#	DATE	AMOUNT
204567	01/26/16	133.70
204568	01/26/16	990.00
204569	01/26/16	175.15
204570	01/26/16	240.15
204571	01/26/16	4,140.26

365,349.60

FINANCIAL SYSTEM
01/14/2016 11:48:25

Check Register

CITY OF WEST DES MOINES IOWA
GL540R-V07.27 PAGE 1

BANK	VENDOR	CHECK#	DATE	AMOUNT
1NAT FIRST NATIONALBANK				
25595	COMMERCE BANK	900055	12/31/15	40,357.20
FIRST NATIONALBANK				40,357.20

FINANCIAL SYSTEM
01/18/2016 09:31:12

Check Register

CITY OF WEST DES MOINES IOWA
GL540R-V07.27 PAGE 1

BANK	VENDOR	CHECK#	DATE	AMOUNT
INAT FIRST NATIONALBANK				
12755	IOWA DEPT OF REVENUE & F	800727	01/28/16	1,131.00
FIRST NATIONALBANK				1,131.00

FINANCIAL SYSTEM
01/12/2016 13:59:52

Check Register

BANK	VENDOR	CHECK#	DATE	AMOUNT
INAT FIRST NATIONALBANK				
24822	WELLMARK BLUE CROSS	800726	12/03/15	71,235.12
FIRST NATIONALBANK				71,235.12

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

ITEM: Approval of Liquor Licenses

DATE: January 26, 2016

FINANCIAL IMPACT: None

BACKGROUND: In accordance with the Iowa Code Section 123.1 and the West Des Moines City Code Title 3, Business and Licensing, Chapter 2, Beer and Liquor Control, the following licenses have been investigated and reviewed by the WDM Police Department and, when necessary, by Building Inspection and/or Fire Department staff, and are presented to the City Council for approval. Copies of license applications are available, for your review, in the Office of the City Clerk.

1. Hy-Vee, Inc., d/b/a Hy-Vee Food & Drugstore #3, 1725 Jordan Creek Parkway - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
2. HOA Hotels, LLC d/b/a Johnny's Italian Steakhouse, 6075 Mills Civic Parkway - Class LB Liquor License with Carryout Wine, Sunday Sales, Outdoor Service, and Catering Privileges - Renewal
3. Miranda Family Corporation d/b/a Mi Patria, 1410 22nd Street - Class BW Permit with Sunday Sales - Renewal
4. Clouse House Originals, LLC d/b/a PerKup Cafe, 2700 University Avenue, Suite 324 - 5 Day Class BW Permit - Effective February 11, 2016 - February 15, 2016
5. Scissors & Scotch Iowa, LLC d/b/a Scissors & Scotch, 460 South 68th Street, Suite 107 - Class LC Liquor License with Sunday Sales - New
6. Good Stuff, LLC, d/b/a Shotgun Betty's, 5535 Mills Civic Parkway, Suite 100 - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
7. Boggs Properties, LLC d/b/a Sully's Irish Pub, 110 Grand Avenue - 5-Day Class LC Liquor License with Outdoor Service and Sunday Sales - Effective March 17, 2016 - March 21, 2016

OUTSTANDING ISSUES (if any): None

RECOMMENDATION: Motion to approve the issuance of liquor licenses in the City of West Des Moines.

Lead Staff Member: Ryan T. Jacobson, City Clerk *RTJ*

STAFF REVIEWS

Department Director	Ryan T. Jacobson, City Clerk
Appropriations/Finance	
Legal	
Agenda Acceptance	<i>RTJ</i>

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: January 26, 2016

ITEM: Motion - Consent of the City of West Des Moines to allow Ahlers & Cooney, P.C. to represent the West Des Moines Community School District

FINANCIAL IMPACT: None

SYNOPSIS: The City of West Des Moines has had an agreement with the law firm of Ahlers & Cooney, P.C. to provide legal services for several years. Ahlers & Cooney, P.C. has requested that consent be given by the City to allow it to represent the West Des Moines Community School District in the review of documents related to the construction of improvements at the Walnut Creek Campus at 815 8th Street (property is being purchased by the Imani Family Church). The documents involve an Ingress/Egress Roadway Easement required to be provided to the City by the School District as a condition of approval for construction of the improvements. The ethical rules of the state of Iowa allow a firm to represent two adverse parties if each affected party gives informed consent in writing of the representation.

As indicated in the request for consent submitted to the City by Ahlers & Cooney, P.C., the representation does not appear to present a conflict among the parties, nor will the representation of the School District be adverse to the City.

RECOMMENDATION:

Approve the motion providing consent to Ahlers & Cooney, P.C. to represent the West Des Moines Community School District regarding the review of documents related to the conditions of approval for reconstruction of Walnut Creek Campus Property.

Lead Staff Member: Richard J. Scieszinski, City Attorney *RJS*

STAFF REVIEWS

Department Director	Richard J. Scieszinski, City Attorney
Appropriations/Finance	
Legal	
Agenda Acceptance	<i>RTC</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	None		
Date Reviewed			
Recommendation			



Ahlers & Cooney, P.C.
Attorneys at Law
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Des Moines, Iowa 50309-2231
Phone: 515-243-7611
Fax: 515-243-2149
www.ahlerslaw.com
Conner L. Wasson
515.248.0341
cwasson@ahlerslaw.com

January 14, 2016

Mayor and Council Members
City of West Des Moines, Iowa

Dear Mayor and Council Members:

Our firm concurrently represents the City of West Des Moines ("City") and the West Des Moines Community School District ("District"). Recently, we have been asked to represent the District with regard to the review of an easement document prepared by the City concerning the Walnut Creek Church Property ("Easement").

We do not believe such representation presents a direct conflict of interest, but it is our duty to inform you of the nature of the concurrent representation. For the District we provide legal services regarding employment, construction, education, labor relations, litigation, real estate and finance. The matters for which our firm is currently representing the City include urban renewal, public works, labor relations, and finance ("City Transactions"). This firm is not representing the City related to the Easement, described above.

While the Easement and the City Transactions are not related to each other, such representation could be perceived as a concurrent conflict of interest under the ethical standards governing the practice of law in Iowa. From a strict legal perspective, a concurrent conflict of interest exists under Iowa rules if (1) *the representation of one client will be directly adverse to another client*; or (2) there is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client, or a third person or by a personal interest of the lawyer. We know that the second condition stated above does not apply to this situation, as noted above, but our firm's representation of the District in reviewing the Easement will technically be directly adverse to the City because they are concurrent representations.

The state's ethical rules allow a law firm to concurrently represent two adverse parties if (1) the lawyer reasonably believes that the lawyer will be able to provide competent and diligent representation to each affected client; (2) the representation is not prohibited by law; (3) the

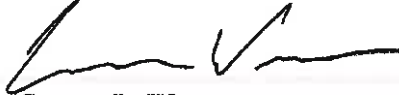
Page 2

representation does not involve the assertion of a claim by one client against another represented by the lawyer in the same litigation or other proceeding before a tribunal; and (4) each affected client gives informed consent, confirmed in writing. We believe confidently that our attorneys will be able to provide competent and diligent representation to each of their affected clients as the matters being addressed are totally unrelated, the representation is not prohibited by law, and there will not be an assertion of a claim as described. The purpose of this letter is to seek the written consent of the City in order to proceed. We are requesting the same from the District.

Please feel free to contact me with any questions or concerns. If you consent to the concurrent representation, please so indicate below and return a copy of this fully executed letter to my attention. Thank you.

Very truly yours,

AHLERS & COONEY, P.C.

A handwritten signature in black ink, appearing to read "Conner L. Wasson", written over a horizontal line.

Conner L. Wasson

CLW/sp

01202877-IV11332-164

The City Council of the City of West Des Moines, Iowa hereby waives and consents to any actual, potential, or perceived conflict of interest associated with Ahlers & Cooney, P.C.'s representation of the City of West Des Moines and the West Des Moines Community School District with respect to the above referenced transactions.

Dated this ____ day of _____, 2016.

CITY OF WEST DES MOINES, IOWA

By: _____
Mayor

By: _____
City Clerk

CITY OF WEST DES MOINES CITY COUNCIL MEETING COMMUNICATION

ITEM: Approval of Funding Application for Prairie Meadows
Community Betterment Grant – Human Services

DATE: January 26, 2016

FINANCIAL IMPACT: None

BACKGROUND:

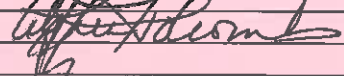

Human Services is suggesting submittal of a \$10,000 grant request to Prairie Meadows to support the department's Emergency Assistance Program.

OUTSTANDING ISSUES (if any): The purpose of this funding request is to provide financial assistance to clients through the Emergency Assistance Program for rent or utilities to prevent evictions and disconnection of utility services.

RECOMMENDATION: City Council approval of a resolution supporting Human Services application for funding through a Prairie Meadows grant.

Lead Staff Member: Althea Holcomb, Human Services Director

STAFF REVIEWS

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

ITEM: Amendment to 2014 HUD CoC Grant Contract

DATE: 1/26/2016

FINANCIAL IMPACT: None – Grant amount remains the same.

BACKGROUND: The original grant contract has been approved by Council. This amendment changes budget line items reducing the support services amount and increasing the leased units amount. These changes have been authorized by HUD.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION: Approve the grant as amended.

Lead Staff Member: Carole Bodin

STAFF REVIEWS

Department Director	<i>[Signature]</i>
Appropriations/Finance	
Legal	
Agenda Acceptance	<i>RTG</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

CITY OF DES MOINES

2014

**HOMELESS EMERGENCY
ASSISTANCE AND RAPID
TRANSITION TO HOUSING
(HEARTH) CONTINUUM OF CARE
CONTRACT
(IA0043L7D021406)**

**AGENCY: CITY OF WEST DES MOINES-
HUMAN SERVICES**

**PROJECT: TRANSITIONAL HOUSING
PROGRAM**

CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NO.: 14.267

FIRST AMENDMENT TO HEARTH CONTINUUM OF CARE CONTRACT AGREEMENT

THIS FIRST AMENDMENT TO HEARTH CONTINUUM OF CARE CONTRACT AGREEMENT is made this _____ day of _____, 2016, by and between the City of Des Moines, Iowa ("City") and City of West Des Moines - Human Services ("Operating Agency").

WHEREAS, on September 10, 2015, the City and Operating Agency entered into a HEARTH Continuum of Care Contract Agreement ("HEARTH Agreement") for the City of West Des Moines - Human Services Transitional Living Program; and

WHEREAS, the budget has been amended to reduce the Supportive Housing budget and increase the Leasing budget within the Continuum of Care guidelines; and

WHEREAS, on November 5, 2015, the City and the United States Department of Housing and Urban Development (HUD) entered into a Grant Agreement Amendment to address the changes in the project budgets; and

WHEREAS, the City and Operating Agency desire to amend the HEARTH Agreement to revise the project budgets, in accordance with said Grant Agreement Amendment.

NOW, THEREFORE, in consideration of the mutual promises and obligations contained herein, the City of Des Moines and the Operating Agency mutually agree to amend the HEARTH Agreement as follows:

1. The HEARTH Agreement is hereby amended by decreasing the Supportive Housing budget by \$13,745 and increasing the Leasing Budget by \$13,745
2. The effective date of this amendment is November 5, 2015.
3. All other provisions of the HEARTH Agreement remain in effect as originally stated therein.

Amendment 1

CITY OF DES MOINES, IOWA

Operating Agency

BY: _____
Scott Sanders, City Manager

Date: _____

BY: _____
Name

Title

APPROVED AS TO FORM:

Glenna Frank
Assistant City Attorney

BY: _____
Name

Title

On this ____ day of _____, 2016, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared _____, and _____, to me personally known, who, being by me duly sworn, did say that they are the _____ and

_____, respectively, of _____, that the foregoing instrument was signed (and sealed) on behalf of the corporation by authority of its Board of Directors; and that _____ and _____ acknowledge the execution of the instrument to be the voluntary act and deed of the corporation, by it and by them voluntarily executed.

Notary Public in and for the State of Iowa

On this ____ day of _____, 2016, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Scott Sanders, City Manager of the City of Des Moines, to me personally known, who, being by me duly sworn, did affirm that this instrument was signed on behalf of the City of Des Moines, by authority of its City Council, as contained in the Resolution adopted by the City Council on October 20, 2014, under Roll Call No. 14-1638, and that Scott Sanders, City Manager, acknowledged the execution of this instrument to be the voluntary act and deed of the municipal corporation, by it voluntarily executed.

Notary Public in and for the State of Iowa

GRANT AGREEMENT AMENDMENT

This Agreement is made this 5th day of November, 2015, by and between the United States Department of Housing and Urban Development (HUD) and The City of Des Moines (the Recipient).

RECITALS

1. HUD and Recipient entered into the Grant Agreement dated June 10, 2015, for project number IA0043L7D021406 located in Des Moines, Iowa (the Grant Agreement).
2. Under the terms of the Grant Agreement, Recipient received a grant from HUD in the amount of \$52,805.00, to be used to carry out the project described in the Grant Agreement over a 1 year period. The term of that Grant Agreement will end July 30, 2016.
3. Recipient desires to make a change in the project to be in compliance with the HUD interim rule.
4. HUD has reviewed the initial application and the proposed change and has determined that, with the change, the application ranking would have been high enough to have been competitively selected in the year the application was initially selected.
5. The need for assistance for homeless persons continues within the jurisdiction within which the project is located and the need for the project continues.
6. HUD has reviewed the project and the performance of the Recipient and has determined that the project is worthy of continuation.
7. HUD and the Recipient have agreed to amend the Grant Agreement to move \$13,745 from the Supportive Housing Budget to the Leasing Budget.

AGREEMENTS

1. The Grant Agreement is hereby changed by reducing the Supportive Housing budget by \$13,745 and increasing the Leasing Budget by \$13,745.
2. The effective date of this change is November 5, 2015.
3. All other provisions of the Grant Agreement remain un-amended.

This agreement is hereby executed on behalf of the parties as follows:

THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OF THE
UNITED STATES OF AMERICA,
by the Secretary of Housing and Urban Development

BY:  (Signature)
Tim Severin

(Title) Director, Community Planning and Development Division

(Date) November 5, 2015

RECIPIENT

City of Des Moines

BY: 
(Signature of Authorized Official)

Title: City Manager

Date: 11-20-15

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

4(g)

DATE: January 26, 2016

ITEM:

Motion - Approval to Sell Surplus City Equipment

FINANCIAL IMPACT:

Approximate revenue to the General Fund of \$200.00.

BACKGROUND:

On April 30, 2012, City Council approved a Disposal of Surplus Property Policy and retention of GovDeals.com for disposal of excess City property.

Public Works has accumulated and inventoried a list of surplus items to be sold by auction on GovDeals.com.

RECOMMENDATION:

City Council Approve:

- Motion authorizing the Department of Public Works to proceed with the on-line sale of accumulated surplus City equipment.

Lead Staff Member: Rian Rasmussen, Fleet Manager

Department Director	Bret Hodne, Public Works Director <i>JAL</i>
Appropriations/Finance	Tim Stiles, Finance Director <i>TS</i>
Legal	
Agenda Acceptance	<i>RTG</i>

PUBLICATION(S) (if applicable)		SUBCOMMITTEE REVIEW (if applicable)		
Published In		Committee	Public Works Council	
Dates(s) Published		Date Reviewed	January 18, 2016	
		Recommendation	Yes	No
				Split

Items to Sell on GovDeals.com:

APPROXIMATE VALUE \$200.00

1	Plotter Printer Lainer LW110
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**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: January 26, 2016

ITEM: Issuance of Request for Proposals on a multi-mission capable Fire Department Class "A" pumper.

FINANCIAL IMPACT: This engine will replace an engine that was scheduled to be replaced in 2017. This engine will be paid for out vehicle replacement funds and coupled with a grant from the Iowa Department of Natural Resources (DNR). The grant funding will not exceed \$125,000.00. Purchase of this vehicle will require a budget amendment to accommodate spending. This project was presented at the Finance & Administration Committee on November 18th, 2015 and the City Council gave full approval to proceed at their regularly scheduled meeting on November 30th, 2015

BACKGROUND: The fire engine this will be replacing is a 1995 model and currently used as a reserve. The new engine will be moved to a front line apparatus and allow the department to move a 2000 model that is currently serving on the front line into reserve status. The availability of grant money has allowed this project to move forward and puts the project on a very tight timeline. Delivery of the new fire engine must be by August 1st to meet the grant conditions.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION: Approval of a resolution authorizing the City to distribute a Request for Proposal for a replacement Fire Engine.

Lead Staff Member: Craig Leu, Fire Chief *CL*

STAFF REVIEWS

Department Director	Craig Leu, Fire Chief
Appropriations/Finance	Tim Stiles, Finance <i>TS</i>
Legal	
Agenda Acceptance	<i>ATG</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Finance & Administration
Date Reviewed	November 18, 2015
Recommendation	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Split

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

ITEM:

DATE: January 26, 2016

Motion – Approving Change Order #1
Fox Creek Trunk Sewer – Phase 1
MPS Engineers, P.C.

FINANCIAL IMPACT:

Contract Summary:

Description	Amount	Date Approved	Remarks
Construction Contract	\$1,974,614.00	February 23, 2015	
Change Order 1	\$20,780.30	Pending	
Total	\$1,995,394.30		

Cost for this change order items will be paid from budgeted account no. 5061.80.820.6.7910 with the ultimate funding intended to come from Sewer Fee Revenues.

BACKGROUND:

During construction of an adjacent water main project along Mills Civic Parkway a layer of rock was discovered. Analysis indicated the proposed sewer boring under Mills Civic Parkway would be partially in the rock layer, complicating the boring process and impeding the ability to control the bore. In order to alleviate this condition the crossing under Mills Civic Parkway was raised above the level of the rock. This required a drop connection at the downstream end. This change order includes the work necessary to construct the drop connection. The Contractor has provided a deduction of \$10,050 in consideration of reducing the depth of bore pit excavation and a deduction of \$4,209.99 in compensation for the final bore exceeding the specified horizontal tolerance.

OUTSTANDING ISSUES: None

RECOMMENDATION:

City Council Adopt:

- Motion Approving Change Order #1 for the Fox Creek Sanitary Sewer project.

Lead Staff Member: Duane Wittstock, P.E., L.S., City Engineer

STAFF REVIEWS

Department Director	Duane Wittstock, City Engineer <i>DCW</i>
Appropriations/Finance	Tim Stiles, Finance Director <i>[Signature]</i>
Legal	Richard Scieszinski, City Attorney <i>[Signature]</i>
Agenda Acceptance	<i>RTG</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	January 18, 2016		
Recommendation	Yes	No	Split



CITY OF WEST DES MOINES

ENGINEERING SERVICES
 4200 Mills Civic Parkway
 West Des Moines, IA 50265-0320
 (515) 222-3620 Fax (515) 273-0602

CHANGE ORDER

Distribution:
 Owner _____
 Engineer _____
 Contractor _____
 Other _____

Contractor: MPS Engineers, P.C.
 1444 Illinois Street
 Des Moines, Iowa 50314

Project Title	Fox Creek Trunk Sewer - Phase 1	
WDM Project File Number	0510-010-2012	
Purchase Order Number	5061-03	
Orig. Contract Amount & Date	\$1,974,614.00	February 23, 2015
Change Order Number	1	
Date	January 14, 2016	

THE CONTRACT IS CHANGED AS FOLLOWS: As part of the water main extension on Mills Civic Parkway the West Des Moines Water Works completed soil borings to determine the elevation and depth of rock in the vicinity of the Fox Creek crossing along Mills Civic Parkway. Based on the buried rock elevation the sanitary sewer bore under Mills Civic Parkway would be partially in the rock layer complicating the bore installation due to inability to control the casing pipe alignment. Therefore, the bore alignment was raised by 3' on the north end and approximately 9' on the south end requiring the installation of a 30" drop connection at MH-1 on the south side of Mills Civic Parkway where the new Fox Creek sanitary sewer ties into the existing 42" sanitary sewer. This change order covers the cost for materials required for the 30" ductile iron pipe drop connection, the minor connection modifications to Manhole 1 (MH-1), and replacing a manhole riser section in MH-2. All additional labor, material, and equipment cost and any other costs associated with installation of the bore under Mills Civic Parkway and sanitary sewer pipe construction between MH-1 and MH-2 is incidental to this change order.

Included in the cost of this change order the contractor provided a \$10,050.00 deduct for shallowing the bore pit and avoiding boring in rock material. The contractor also provided an additional deduct of \$4,209.99 for exceeding the allowable horizontal tolerance on the installation of the casing pipe.


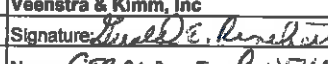

Additional days to complete this work will be addressed in negotiations related to completion of the overall project.

Item	Description	Unit	Unit Price	Quantity Adjustment	Value Adjustment
CO 1.1	30" Drop Connection	LS	\$20,780.30	1.000	\$20,780.30
					\$0.00
					\$0.00
TOTAL					\$20,780.30


CHANGE ORDER SUMMARY

The Original Contract Sum was	\$1,974,614.00
Net Change by previously authorized Change Orders	\$0.00
The Contract Sum prior to This Change Order was	\$1,974,614.00
The Contract Sum will be increased by this Change Order in the amount of	\$20,780.30
The new Contract Sum including this Change Order will be	\$1,995,394.30
Aggregate Change Order as a percent of Original Contract (if the aggregate is \$10,000, or greater than 5% of the original contract, whichever is greater, all signatures through the full Council are required)	1.05%
The Contract Time will be changed by	0 Days
The date of Final Completion as of the date of this Change Order therefore is	October 30, 2015

NOT VALID UNTIL SIGNED BY THE CONTRACTOR, OWNER'S REPRESENTATIVE (if applicable) AND OWNER

Contractor: MPS Engineers, P.C. Signature:  Name: <u>Judy D. McJoan</u> Title: <u>Office Mgr</u> Date: <u>1/21/2016</u>	Recommended By: Veenstra & Kimm, Inc Signature:  Name: <u>GERALD E. RINSHARDT</u> Title: <u>PROJECT MANAGER</u> Date: <u>1/15/16</u>	Checked By: <u>DOM</u> City of West Des Moines Signature:  Name: <u>Duane C. Wittstock, P.E., L.S.</u> Title: <u>City Engineer</u> Date: _____
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Owner: City of West Des Moines

<input type="checkbox"/> ≤ \$2,500 Department Director	X 	Date <u>1-21-16</u>
<input type="checkbox"/> \$2,501 to 5,000 City Manager	X _____	Date _____
<input type="checkbox"/> \$5001 to 10,000 PW Council Committee scheduled for agenda on _____	scheduled for agenda on _____	Date <u>1/18/16</u>
<input type="checkbox"/> > \$10,000 City Council approved or ratified at Council meeting on _____		Date <u>1/26/16</u>

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: January 26, 2016

ITEM: Motion – Approval of Contract Agreement – Supply and Service of Portable Toilets

FINANCIAL IMPACT: Approximately \$8,000 annually.

BACKGROUND: The Council is asked to approve an agreement with Jim’s Johns for the Supply and Service of Portable Toilets. Three bids were received with Jim’s Johns submitting the low bid on all bid items. The agreement is a three year agreement with the City reserving the right to renew the contract at the same terms and conditions.

A copy of the bid tabulation is attached for your information.

OUTSTANDING ISSUES: None

RECOMMENDATION: That the Council approve the Agreement.

Lead Staff Member: Sally Ortgies 

STAFF REVIEWS

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Dates(s) Published	January 1, 2016

SUBCOMMITTEE REVIEW (if applicable)

Committee	N/A		
Date Reviewed			
Recommendation	Yes	No	Split



CITY OF WEST DES MOINES
4200 Mills Civic Parkway
PO Box 65320
West Des Moines, Iowa 50265-0320

CONTRACT NO. -
BUDGET CODE 0100.40.344.3.3625

DATE: 3/1/16

CONTRACT AGREEMENT

Contractor Jim's Johns 1005 SW Boulder Des Moines, IA 50315	Department Department of Parks & Recreation P.O. Box 65320 West Des Moines, Iowa 50265
Contract Period – Effective: March 1, 2016 Annual Cost: See Below	Terminates: February 28, 2019 Payable: 30 Days
<u>DESCRIPTION OF ITEMS CONTRACTED</u> See Attached	
Contractor Jim's Johns / Jim McCaughy	_____ Approved _____ Not Approved
Authorized Signature	
Company Name (Print) Jim's Johns	City Manager
Address 1005 SW Boulder, Des Moines, IA 50315 515-288-0924	Department Director

WHITE – Department PINK – Finance YELLOW - Vendor

REQUEST FOR BID
SUPPLY AND SERVICE OF
PORTABLE TOILETS
CITY OF WEST DES MOINES

The City of West Des Moines, Iowa, solicits interested parties to submit bids for the supply and service of portable toilets to be used in City parks and at City-sponsored events.

Submittals marked "Supply and Service of Portable Toilets Bid" will be received no later than **2:00 p.m. on Wednesday, January 6, 2016**. Submit bid on attached Bid Form to:

Office of the City Clerk
City of West Des Moines
4200 Mills Civic Parkway
P.O. Box 65320
West Des Moines, IA 50265

Bid Procedure

Mark outside of envelope with proposal subject, "Supply and Service of Portable Toilets Bid".

Bids received after the announced time and date of receipt, by mail or otherwise, will be returned unopened. Nothing herein is intended to exclude any responsible firm or in any way restrain or restrict competition. The City of West Des Moines reserves the right to award in part or in whole or to reject any or all bids.

Any bid submitted **MUST** be signed by an individual authorized to bind the bidder. All bids submitted without such signature will be deemed non-responsive, and will not be acceptable.

If you desire not to quote on this bid, please forward your acknowledgement of **NO BID SUBMITTED** to the above address.

I. Description

- A. The intent and purpose of this Request for Bid is to establish a contract to supply and service portable toilets for use in City parks and at City-sponsored events.
- B. The Contractor shall furnish all labor, equipment, and materials needed to supply portable toilets on both a seasonal basis and on an “as needed” basis. Servicing of the portable toilets shall be included in the bid.

II. Performance Requirements

- A. Personnel. The Contractor shall provide the City with the name, address, telephone number(s), and e-mail addresses for at least two designated contact personnel responsible for insuring response to the City request for contract services. The Contractor shall ensure that at least one of the contact persons is available and accessible 24 hours per day, during the period that the Agreement is in force including Saturdays, Sundays, and holidays.
- B. Response Time. The Contractor shall respond and supply portable toilets within 24 hours after a request is made by the City. Service requests shall be responded to within 4 hours.
- C. Servicing. The Contractor shall be responsible for providing a minimum of regular service visits per week. Regular days for service visits shall be set by the City for each location. Occasional additional service visits will be requested by the City due to heavy use or vandalism. There shall be no additional charge for these extra service visits. Units shall be maintained and serviced per manufacturer’s recommendations and industry standards.
- D. Service Records. A record of service shall be maintained for each portable toilet utilizing a sticker or some similar record-keeping device to be supplied by the City. The service record must be readily visible and available for City staff performing inspections of portable toilets.
- E. Handicapped Accessible Portable Toilets. The Contractor shall provide written certification that all handicapped accessible portable toilets are ADA compliant.
- F. Condition of Portable Toilets. Portable toilets supplied by the Contractor shall be in excellent condition and shall have a consistent appearance (shape, color, etc.) in all locations. The City reserves the right to reject any portable toilet based on its condition or appearance and request a replacement.

- G. Authority/Direction. The Contractor and his designated personnel shall respond to supply or service orders given by the City in a positive, courteous and timely manner. The City reserves the right to reject any equipment or personnel from continued or further engagement of services due to incompetence or insubordination or inability of equipment to function properly for the requested services.
- H. Property Damage. The Contractor shall be responsible for any and all damage to public property (including public utilities) due to its own or its employees' negligence in supplying or servicing portable toilets. The City shall not be responsible for any damage to portable toilet units or theft of portable toilet units.
- I. Invoices. All invoices shall be submitted to the City on or around the same day of each month. Billing shall be done on a calendar month basis with monthly charges pro-rated based on the date of portable toilet delivery. Invoices shall include detail on each portable toilet's location.

III. Length of Agreement

- A. This Agreement shall be a three year Agreement commencing on March 1, 2016, and ending on February 28, 2019, inclusive. The City reserves the right as its sole option to renew this contract per the same terms and conditions as set forth in the resulting contract. Any renewal contract shall be signed by the City prior to the expiration of the initial term and any subsequent term. This will require mutual consent by both the City and the Contractor.
- B. This Agreement may be terminated for good cause, including failure to perform in accordance with Section II of this Agreement, by the City during the Agreement period, subject to written notice being delivered by registered mail to the Contractor at the address referenced on the bid form.

IV. Payment

Contractor will be paid on a monthly basis in arrears. Invoices must contain details on the locations where services were provided. Invoices shall be sent to:

City of West Des Moines
Parks and Recreation Department
P.O. Box 65320
West Des Moines, IA 50265

V. Insurance

Contractor, performing as an independent Contractor hereunder, shall be fully responsible for providing Worker's Compensation, Commercial General Liability, and Automobile Liability coverage as follows:

Type of Insurance	Limits of Liability (Minimum)
Worker's Compensation	Statutory
Employer's Liability	\$500,000 (each accident)
Commercial General Liability	\$1,000,000 combined single limit

Policy must cover the following risks:

- Comprehensive Form
- Premises Operations
- Explosion and Collapse Hazard
- Underground Hazard
- Products/Completed Operations Hazard
- Contractual Insurance
- Broad Form Property Damage
- Independent Contractors

Automobile Liability \$1,000,000 combined single limit

Policy must cover the following risks:

- Owned
- Hired
- Non-owned

The City shall have no responsibility of liability for such insurance coverage.

VI. Further Information


- Questions regarding the Request for Bid can be addressed by contacting the Parks and Recreation Department, Sally Ortgies, Superintendent of Parks, (515) 222-3447.
- Mandatory Drug and Alcohol Testing Programs. The Contractor certifies that all of their employees who may perform safety sensitive functions for the City are included in a substance abuse program that meets the requirements of Federal Department of Transportation Drug and Alcohol Testing regulations (Code of Federal Regulations, 49CFR, Part 382 and Part 40).
- Right-To-Know Statement. The bidder certifies that, in accordance with the "Hazard Communication Rule", 29 CFR 1910.120 (the "Right-To-Know" Law) and the State of Iowa "Hazardous Chemicals Risk Right-to-Know Rule", employees exposed to materials on the worksite will be trained for the materials in use by the successful Contractor as part of the

contract. Material Safety Data Sheets (MSDS) for City materials will be supplied to the successful Contractor upon request.

D. ADA Statement. The City does not discriminate on the basis of disability. If you believe you have been discriminated against in any program or facility, you may file a complaint alleging the discrimination with the ADA Coordinator through the City Manager's office. The TDD line for the City of West Des Moines is 222-3334.

E. FLSA Statement.

"We hereby certify that these goods were produced in compliance with all applicable requirements of Sections 6, 7, and 12 of the Fair Labor Standards Act, as amended, and of regulations and orders of the United States Department of Labor issued under Section 14 thereof."


Authorized Signature

1-6-16
Date

BID FORM

**SUPPLY AND SERVICE OF
PORTABLE TOILETS**

CITY OF WEST DES MOINES

We, the undersigned, hereby propose to provide the following:

Two (2) Services Per Week Regular Portable Toilets	\$ <u>39.00</u> per unit per MONTH
Handicap Accessible Portable Toilets	\$ <u>45.00</u> per unit per MONTH
Regular Portable Toilets	\$ <u>39.00</u> per unit per WEEK
Handicap Accessible Portable Toilets	\$ <u>48.00</u> per unit per WEEK
Three (3) Services Per Week Regular Portable Toilets	\$ <u>50.00</u> per unit per MONTH
Handicap Accessible Portable Toilets	\$ <u>50.00</u> per unit per MONTH

Note: Supply, delivery and service of toilets shall be included in the unit cost. All units will be delivered to locations within the West Des Moines city limits.

Authorized Signature:

JPM Clary

Firm Name:

Jim

Address:

1005 SW Boulder

Phone:

288-0924

Fax:

288-4494

E-mail:

Jim John @ AOL

Contact Persons:

Name & Phone

JM Clary 288-0924

Name & Phone

Submittals marked "Supply and Service of Portable Toilets Bid" will be received no later than 2:00 p.m. on Wednesday, January 6, 2016. Submit bid on this Bid Form to:

Office of the City Clerk
City of West Des Moines
4200 Mills Civic Parkway
P.O. Box 65320
West Des Moines, IA 50265

JIM'S JOHNS
1005 SW BOULDER
DES MOINES, IA 50315
288 0924

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: January 26, 2016

ITEM: Resolution – Approval of Grant Application – Iowa Department of Agriculture and Land Stewardship Water Quality Initiative – Woodland Hills Park Water Quality Improvements

FINANCIAL IMPACT: Possible grant revenue of \$65,500. The total project cost is estimated at \$219,000 with a City match of \$153,500. The City's match will be covered by \$88,000 in CIP funds already budgeted in FY15/16 for the parking lot in Woodland Hills Park and \$65,500 from the stormwater enterprise fund.

BACKGROUND: The Iowa Department of Agriculture and Land Stewardship (IDALS) has funding available for urban conservation projects that reduce nutrient loading to waters of Iowa. With the approval of City Manager Hadden, the Parks and Recreation Department submitted a pre-application for water quality improvements in Woodland Hills Park located at 1230 South 95th Street. The project was chosen as one of 15 out of 32 pre-applications to proceed to the next step of a full application.

The proposed project involves four components as follows:

1. **Bioretention Cells** – Three of the four existing stormwater detention basins on the park site will be converted into bioretention cells (biocells). Benefits of biocells include increased infiltration of rainwater and improved quality of water flowing through the biocells and outletting into a tributary to Sugar Creek. Native plantings in the biocells also have benefits, including increased aesthetics, improved wildlife habitat, less frequent mowing, lower fertilizer and herbicide use, and educational opportunities for the general public and the students at the adjacent Woodland Hills Elementary School. The estimated cost of this component is \$81,000 with 50% being part of the grant request.
2. **Soil Quality Restoration & Native Seeding** – Soil quality restoration (SQR) is planned to be done on approximately 4 acres of the 7.8 acre park site. Two of the four acres will be seeded in a native short-grass prairie mix. Benefits of these practices include all those listed above for native plantings along with improved water infiltration which will decrease runoff and erosion. The addition of organic matter to the soil will also benefit the establishment of the fairly new turf and native plantings, increase turf quality, and may reduce fertilizer and pesticide applications. The estimated cost of this component is \$17,000 with 50% potentially covered by grant funds.
3. **Permeable Pavement** – A new parking lot is budgeted in FY 15/16 for Woodland Hills Park. The grant application includes funding for permeable pavement to be installed in a portion of the parking lot. Permeable pavement allows rainwater to flow through it and the drainage system below it rather than running off directly into storm sewers. Benefits of doing this include additional stormwater storage, increased infiltration, and cleaning of water that falls on the parking lot. The estimated total cost of the parking lot is \$118,000 with approximately \$30,000 of this being costs associated with the permeable pavement

component. Grant funds will potentially cover 50% of the permeable pavement portion of the project. The remaining amount not related to the permeable pavement will be covered by budgeted CIP funds.

4. Education & Outreach – The Parks and Recreation Department Green Team made up of staff from all areas of the department will lead educational efforts related to the above projects and watershed improvements in general. Planned efforts include mailings to property owners within the watershed, promotion of best management practices on the City's website and social media, neighborhood events, signage, and children's programming. The cost of educational efforts is estimated to be \$3,000 with 50% potentially covered by grant funds.

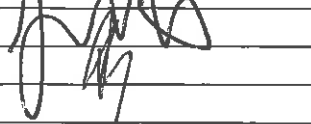
A draft full application is attached for review.

OUTSTANDING ISSUES: None

RECOMMENDATION: That the Council approve the Resolution.

Lead Staff Member: Sally Orgies 

STAFF REVIEWS

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

KTJ

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	N/A		
Date Reviewed			
Recommendation	Yes	No	Split

**RESOLUTION OF THE WEST DES MOINES CITY COUNCIL
APPROVING THE APPLICATION FOR THE PURPOSE OF RECEIVING
AN IOWA DEPARTMENT OF AGRICULTURE & LAND STEWARDSHIP
WATER QUALITY INITIATIVE
TARGETED DEMONSTRATION WATERSHED PROJECTS
GRANT**

WHEREAS, the Iowa Department of Agriculture and Land Stewardship has grant funds available for water quality improvement projects; and

WHEREAS, the City of West Des Moines City Council is supportive of this application; and

WHEREAS, the application from the City of West Des Moines will be submitted to the the Iowa Department of Agriculture and Land Stewardship by the February 2, 2016 deadline;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of West Des Moines that the following grant application be submitted to the Iowa Department of Agriculture and Land Stewardship by the February 2, 2016 application deadline:

PROJECT NAME	REQUEST AMOUNT
Woodland Hills Park Water Quality Improvements	\$65,500

Passed and adopted this 26th day of January, 2016.

Steven K. Gaer, Mayor

Ryan Jacobson, City Clerk

Iowa Department of Agriculture & Land Stewardship
WATER QUALITY INITIATIVE
TARGETED DEMONSTRATION WATERSHED PROJECTS
APPLICATION FOR FUNDING ASSISTANCE

Project Title: Woodland Hills Park Water Quality Improvements
Applicant Entity: City of West Des Moines
Contact Person: Sally Ortgies, Superintendent of Parks
Address: P.O. Box 65320, West Des Moines, IA 50265
Phone: 515-222-3447
E-mail: sally.ortgies@wdm.iowa.gov

**Authorizing
Signature:**

_____ **Date:** _____
Tom Hadden, City Manager

Surface Water: Primary – Sugar Creek Tributary 2 (West Des Moines) / Secondary – Sugar Creek (West Des Moines) / Tertiary - Raccoon River (West Des Moines)

Woodland Hills Park is a new neighborhood park owned by the City of West Des Moines and located at 1230 South 95th Street in a rapidly growing area of West Des Moines. The park is 7.8 acres in size and is currently in the very beginning stages of development. The proposed grant project focuses on practices within the park to improve water quality. A map showing the park location and the Sugar Creek Tributary 2 watershed is attached. Directly north of the park, but just outside the watershed, is Woodland Hills Elementary School in the Waukee Community School District. Adjacent to the park on the south is the City-owned Woodland Hills Greenway encompassing a total of 22 acres. The greenway contains several tributaries to Sugar Creek which is located west of the project site. Other land use is primarily residential with some proposed office and commercial land use planned along Mills Civic Parkway in the northwest corner of the watershed. Approximately 143 acres of the 330 acre watershed are still undeveloped at this time. A land use map is attached.

- Project Partners:** City of West Des Moines (property owner/manager/user)
- City Manager’s Office
 - Parks & Recreation Department
 - Public Works Department
 - Engineering Department
 - Waukee Community School District (adjacent property owner/user)
 - Watershed Property Owners (single-family residents/Edgewater Senior Living residents/owners of undeveloped property)

Budget Summary:

	IDALS Request	Partner Contributions	Landowner Contributions	Total Budget
4/15/16-6/30/16	\$6,000 ⁽¹⁾	\$18,000 ⁽¹⁾	\$0	\$24,000
7/1/16-6/30/17	\$58,000 ⁽²⁾ \$1,500 ⁽³⁾	\$134,000 ⁽²⁾ \$1,500 ⁽³⁾	\$0	\$192,000 \$3,000
Overall	\$65,500	\$153,500	\$0	\$219,000

(1) Engineering costs related to biocells and parking lot components
(2) Construction costs related to biocells, soil restoration, native seeding, and parking lot components
(3) Costs related to education efforts

Narrative

Primary Components/Practices & Benefits

The proposed project includes improvements to Woodland Hills Park with the goals of enhancing water quality within the Sugar Creek Tributary 2 watershed and providing an example of best management practices. A plan showing the park and the locations of each component is attached.

1. **Bioretention Cells** – The park site was graded in 2014-15 and includes several basins for stormwater detention. Three of the four basins are proposed to be converted into bioretention cells (biocells) utilizing best practices as identified in the Iowa Stormwater Manual. This will include the excavation of existing soil in each basin with installation of 18 to 24 inches of amended soil, a rock layer, subdrains, erosion control structures, and native plant plugs. The estimated cost of this component is \$81,000 (\$72,000 construction + \$9,000 engineering). The estimated cost of \$4,000 associated with erosion control plans, SWPPP, and submittal of the NPDES permit is included in the cost of this component.

Benefits of the biocells include increased infiltration of rainwater and improved quality of water flowing through the three biocells and outletting into the Sugar Creek Tributary. There will also be benefits from the native plantings in each biocell, including increased aesthetics, improved wildlife habitat, less frequent mowing, lower fertilizer and herbicide use, and educational opportunities for the general public and the students at the adjacent Woodland Hills Elementary School.

Status

City staff has discussed this component with the original engineer for the park site plan, Civil Design Advantage, and they are prepared to provide engineering services. The City plans to contract with Civil Design Advantage to prepare preliminary plans for the bioretention cells and update the existing stormwater management plan for the park. Since it is anticipated that this planning work will be completed prior to the April 1 start date for grant projects, the cost to prepare the preliminary plans and to update the existing stormwater management plan will be funded entirely by the City.

Anticipated Timeline

As mentioned above, preliminary plans and an update to the stormwater management plan will be completed by April. Final construction plans, erosion control plans, and SWPPP will be completed in early summer, a NPDES General Permit No. 2 will be submitted, bidding will occur in July, and a contract will be awarded in early August 2016. Construction will begin in August, and the project will be completed in the spring of 2017.

2. **Soil Quality Restoration (SQR) & Native Seeding** – The soil in Woodland Hills Park is fairly compacted following grading operations and the main soil type is Ladoga silty clay loam that has a slow infiltration rate when wet. The proposed project involves restoring the soil over an area approximately 4 acres in size. About 2 acres was seeded in turfgrass last spring and, once established, will serve as an open space for sports practices and general use. The remaining 2 acres of the SQR area was seeded in native grasses and forbs which unfortunately were poorly established due to weather conditions following seeding. The proposed project will involve aerating the site with a plug or deep-tine aerator to a depth of approximately 4 inches and then applying ¾ inch of compost (according to Method 8 as outlined in Section 2E-6 of the Iowa Stormwater Management Manual). The native areas will be re-seeded by City staff with a short-grass mix. The estimated cost of this component is \$17,000.

The main benefit of the soil quality restoration component is improved water infiltration which will decrease runoff. The addition of organic matter will also benefit the establishment of the fairly new turf and native plantings, increase turf quality, and may reduce fertilizer and pesticide applications.

Status

This component will be included in the updated stormwater management plan being prepared by Civil Design Advantage in March.

Anticipated Timeline

Plans and specifications will be prepared by City staff. No costs related to these plans are included in the grant request. The work related to this component will be bid and contracted during the summer of 2016 and would occur in the fall of 2016 with native seeding taking place in the winter of 2016 or late spring of 2017.

- 3. Permeable Pavement** – This component involves the installation of areas of permeable pavement in the new parking lot to be installed in the park. Plans are to utilize the PaveDrain system on one side of the lot and across the driveway off S. 95th Street to collect as much rainwater as possible before it enters the intake located in the driveway. The cost of the entire parking lot project is estimated to be \$118,000 with approximately \$30,000 (\$27,000 construction + \$3,000 engineering) of this being costs associated with the permeable pavement component.

Benefits of the permeable pavement component will include stormwater storage, increased infiltration, and cleaning of water that falls on the parking lot prior to it entering the rest of the stormwater system in the park.

Status

City staff has discussed this component with the original engineer for the park site plan, Civil Design Advantage, and they are prepared to provide engineering services. Along with the bioretention cells, the City will be contracting with Civil Design Advantage to prepare preliminary plans for the parking lot and permeable pavement. Since it is anticipated that this planning work will be completed prior to the April 1 start date for grant projects, the cost to prepare the preliminary plans and to update the existing stormwater management plan will be funded entirely by the City.

Timeline

As mentioned above, preliminary plans and an update to the stormwater management plan will be completed by April. Final construction plans, erosion control plans, and SWPPP will be completed in early summer, a NPDES General Permit No. 2 will be submitted, bidding will occur in July, and a contract will be awarded in early August 2016. Construction will begin in August, and the project will be completed in the spring of 2017.

Permits

Prior to implementation of any of the above components, an erosion control plan and SWPPP will be completed. A NPDES General Permit No. 2 will be submitted for approval. All required erosion control measures will also be put in place and monitoring will occur as required.

Partners/Funding

Since the proposed project is taking place entirely on City property, the City will contribute all non-grant funds. Funds for the parking lot portion of the project are mostly coming from budgeted funds in the City's Capital Improvement Program. The City's 50% match for the permeable pavement portion of the parking lot will be funded out of the City's stormwater enterprise fund. All matching funds for the bioretention cells and soil quality restoration are from the stormwater enterprise fund. The native seeding, education, and outreach will include some City in-kind contributions for staff time, printing, and mailing.

Other / Future Phases

The first phase of the Woodland Hills Park & Greenway project was completed in 2015 and included planting approximately 4.5 acres of native grasses and forbs. The Parks and Recreation Department includes native seeding in nearly every new park project because of the many benefits natives provide including increased infiltration, improved soil, decreased runoff, increased aesthetics, improved wildlife habitat, less frequent mowing, lower fertilizer and herbicide use, and educational opportunities. In addition, a master plan for the 22 acre Woodland Hills Greenway is currently being prepared by the City and LT Leon Associates Inc. to guide future efforts throughout the entire watershed. The first steps of the master plan have been completed, including a preliminary study of the watershed hydrology and hydraulics, a field assessment by the project engineer and an ecologist, and analysis of trail alignments. A technical memorandum was submitted to the City on November 25, 2015 and presented to City staff and Jennifer Welch, Urban Conservationist on November 30, 2015. A copy of the technical memorandum can be made available upon request. Many sections of the streams that run through the greenway are highly unstable due to excessive runoff over recent years. Following the completion of the proposed projects within the park, the City will continue water quality improvements by implementing best management practices throughout the greenway.

Project Evaluation

Several evaluation methods will be utilized including tests of water quality at the discharge point into the Sugar Creek Tributary before and after the project is completed, soil permeability tests, and surveys of the watershed property owners to gauge increased awareness. In addition, the stormwater management plan previously prepared for the park will be updated and any changes due to the proposed practices will be noted.

Education / Information Program

Although the above practices are all taking place on public park property, an important part of the project is providing education to private property owners within the watershed. City staff along with our partnering agencies will provide educational programs and materials to the various property owners. The Parks and Recreation Department Green Team made up of staff from all areas of the department will lead the educational efforts. In other efforts over the past year, West Des Moines residents have shown great interest in watersheds, and this will likely be the case in the Woodland Hills neighborhood. The cost of educational efforts is estimated to be \$3,000. The City will match 50% of this through its stormwater enterprise fund.

<u>Timeline</u>	<u>Educational Effort</u>	<u>Potential Reach</u>
May 2016	Introductory mailing to residents of the watershed to inform them of the project and to provide them with simple ideas to implement on their own	161 property owners
June 2016	Distribute information about the project at Parks & Recreation Night at the Valley Junction Farmers Market	200 to 300 participants

June 2016	Place project information on the Environmental Efforts page of the City's website & post on social media	4,000 followers
August 2016	Place signs on the park site with information about the project	50 - 100 visitors per month
August 2016	Include article on the project in the WDM Magazine	31,000 homes & businesses
September 2016	Mail information packet to residents in the watershed including flyers about rainscaping, native turf, and soil quality restoration	161 property owners
October 2016	Hold neighborhood informational event "Meet Your Watershed"	50 participants
October 2016	Place project update on the City's website & post on social media	4,000 followers
February 2017	Include article with project update in the WDM Magazine	31,000 homes & businesses
May 2017	Place a sign or signs with QR code linking to information on each practice	50 – 100 visitors per month
June 2017	Hold a "Watershed Fun" day camp for children living in the watershed	20 – 30 participants

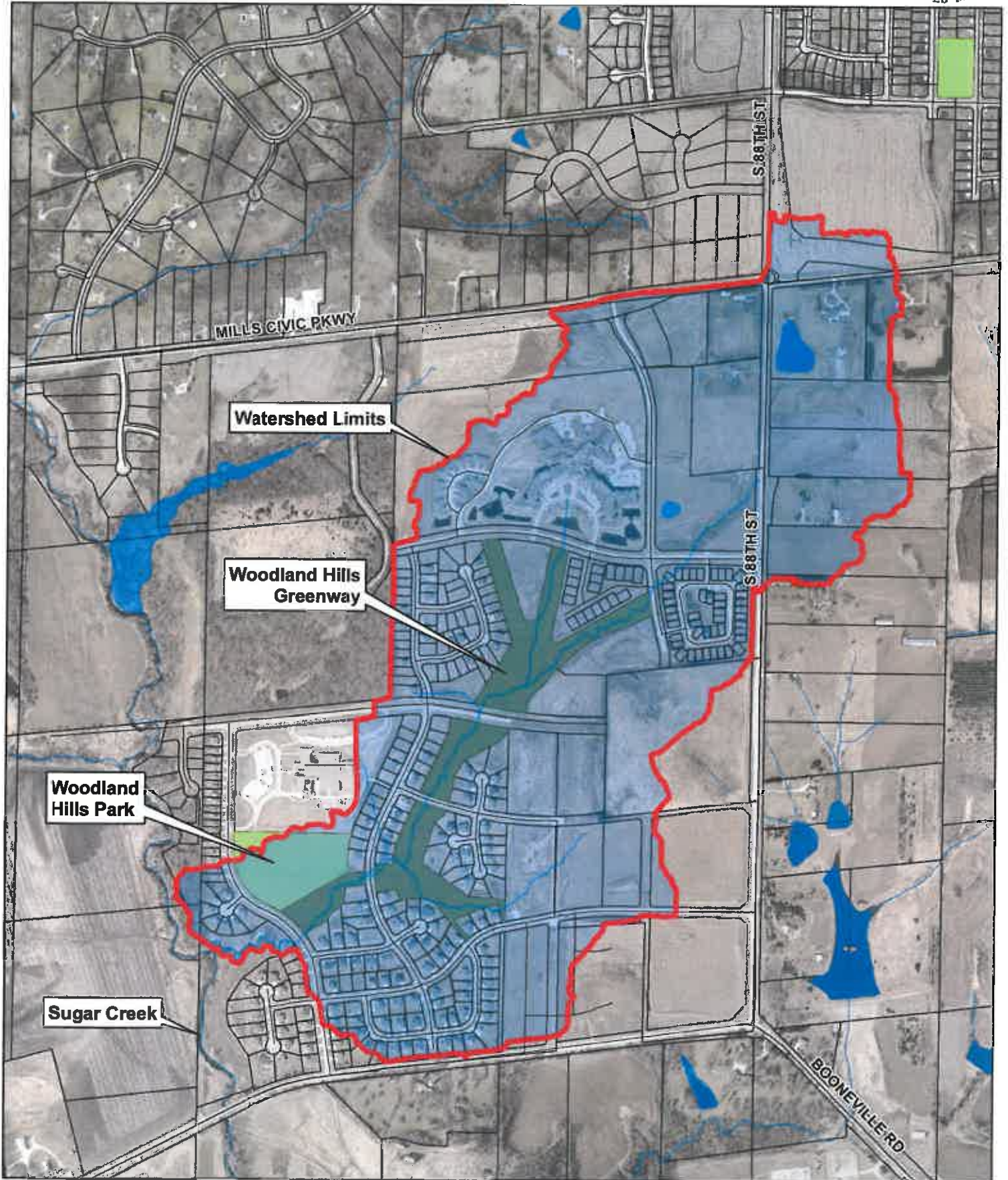
Practice Description / Budget

<p>Practice #1: Bioretention Cells Three existing detention basins will be converted into bioretention cells (biocells)</p>	<p>IDALS: \$40,500 TOTAL: \$81,000</p>
<p>Practice Details: Biocells are proposed in three locations within the park where standard detention basins currently exist. Each basin has its own drainage area, but all are connected by pipes with water draining through the basins from the west to the east. The easternmost basin drains directly into the Sugar Creek Tributary. Since the basins already exist, the stormwater management plan will simply need to be updated and the biocells will need to be designed. City staff has already discussed this work with the original engineer for the project, Civil Design Advantage, and they are prepared to assist. This practice will involve excavating the existing soil in the three basins as shown on the attached plans. However, due to the additional stormwater capacity created with the projects being proposed, excavation may not be necessary in all of the basins. A rock layer and subdrains will be installed and native plugs will be planted. An erosion control plan, SWPPP, and permit submittal for the entire site are included in this practice.</p>	
<p>Practice #2: Soil Quality Restoration / Native Seeding Soil restoration will take place on approximately 2 acres of area currently planted in turfgrass and 2 acres previously planted in native grasses and forbs. Native area will be re-seeded.</p>	<p>IDALS: \$8,500 TOTAL: \$17,000</p>
<p>Practice Details: This will involve deep aerating to a depth of approximately 4 inches and applying ¾" of compost to the area. Native areas will be seeded with a short-grass mix. City staff will manage this portion of the project. There will be no additional permits required for this practice.</p>	
<p>Practice #3: Permeable Pavement The PaveDrain system or equal will be installed for stormwater storage and to improve quality of water draining off the parking lot and driveway.</p>	<p>IDALS: \$15,000 TOTAL: \$118,000</p>
<p>Practice Details: Approximately 1,800 SF of the 10,000 SF parking lot and driveway will be installed using the PaveDrain system of permeable pavers or equal. The remainder of the parking lot and driveway will be concrete with concrete curb and gutter. Preliminary plans have been developed for the parking lot by City staff in consultation with the Specifications Engineer for PaveDrain. Construction documents will be prepared by Civil Design Advantage (CDA) in conjunction with the biocells. The stormwater management plan for the park site will also be updated by CDA. There will be no additional permits required for this practice.</p>	
<p>Education / Outreach</p>	<p>IDALS: \$1,500 TOTAL: \$3,000</p>



0 250 500 1,000
Feet

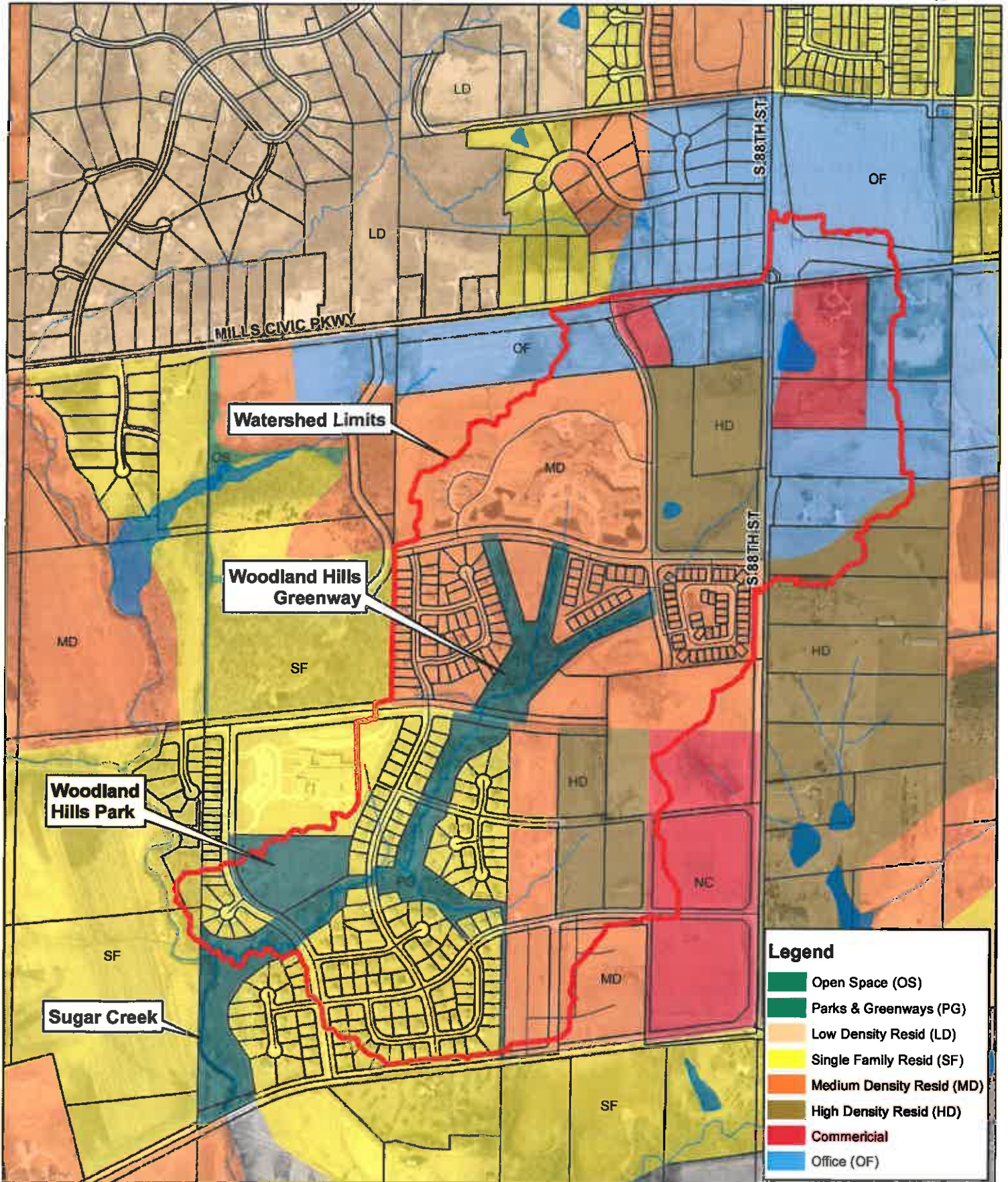
SUGAR CREEK TRIBUTARY 2 WATERSHED



SUGAR CREEK TRIBUTARY 2 WATERSHED LAND USE MAP



0 250 500 1,000
Feet

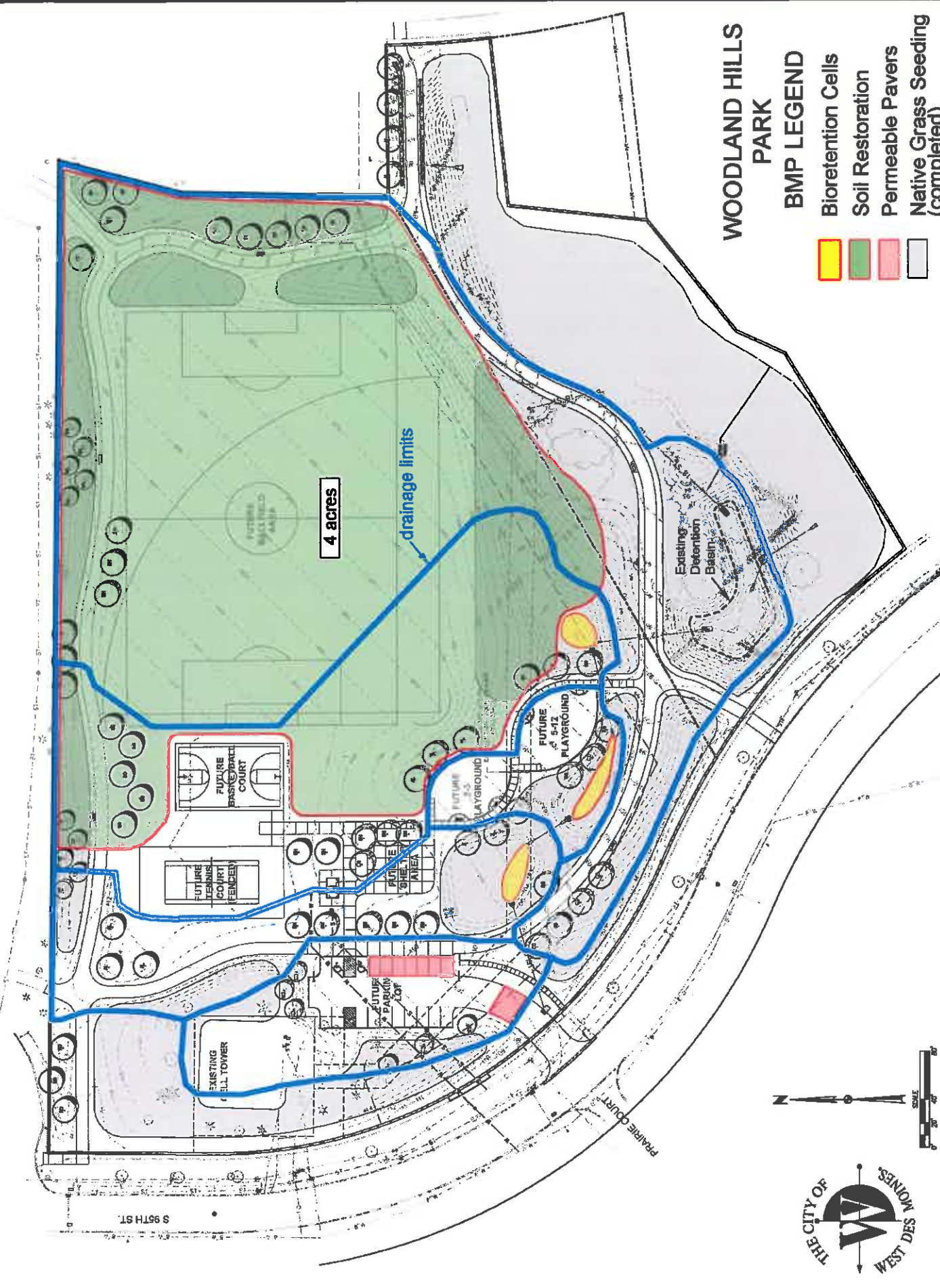


Legend	
	Open Space (OS)
	Parks & Greenways (PG)
	Low Density Resid (LD)
	Single Family Resid (SF)
	Medium Density Resid (MD)
	High Density Resid (HD)
	Commercial
	Office (OF)

WOODLAND HILLS PARK

BMP LEGEND

- Bioretention Cells
- Soil Restoration
- Permeable Pavers
- Native Grass Seeding (completed)



4 acres

drainage limits

PRAIRIE COURT

S 95TH ST

EXISTING DETENTION BASIN

FUTURE 5-12 PLAYGROUND

FUTURE 3-5 PLAYGROUND

FUTURE PARKING LOT

FUTURE SHELTER AREA

EXISTING CELL TOWER

FUTURE TENNIS COURT

FUTURE BASKETBALL COURT

FUTURE SOFTBALL FIELD

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: January 26, 2016

ITEM: Resolution - Order Construction and Notice of Public Hearing on Plans, Specifications, Form of Contract, Estimate of Cost, and Direct Advertisement of Bids – Valley View Aquatic Center and Holiday Park Aquatic Center heater replacement.

FINANCIAL IMPACT: None at this time. The preliminary estimated cost of the project is \$145,000. Project expenses will be paid with funds budgeted in FY 15/16 Valley View Aquatic Center building maintenance account (0100.40.353.3.3851) and Holiday Aquatic Center building maintenance account (0100.40.352.3.3851). The amount available for this project is \$147,500.

BACKGROUND: This Resolution is for the replacement of the pool heaters which have reached the end of their life expectancy and are beyond repair. The project involves removing and replacing the heaters and other related piping and materials in order to heat the pool water to provide a quality experience.

OUTSTANDING ISSUES: None.

RECOMMENDATION: That the Council approve the Resolution.

Lead Staff Member: Greg Hansen *GH*

STAFF REVIEWS

Department Director	<i>[Signature]</i>
Appropriations/Finance	<i>[Signature]</i>
Legal	
Agenda Acceptance	<i>RTJ</i>

PUBLICATION(S) (if applicable)

Published In	N/A
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	N/A		
Date Reviewed	October 22, 2014		
Recommendation	X Yes	No	Split

**Resolution Ordering Construction and
Notice of Public Hearing on Plans, Specifications,
Form of Contract, Estimate of Cost and
Directing Advertisement for Bids**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, that the following described public improvement:

Valley View Aquatic Center and Holiday Park Aquatic Center heater replacement

is hereby ordered constructed according to the Plans and Specifications prepared by Waters Edge Aquatics Design and now on file in the office of City Clerk.

BE IT FURTHER RESOLVED, that the detailed Plans and Specifications, Form of Contract, Bid Security and Notice to Bidders are hereby approved, subject to hearing thereon, and that the same are now on file in the office of City Clerk for public inspection.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to publish notice of hearing on the Plans and Specifications, Form of Contract, Bid Security and Estimate of Costs for said project to be held at 5:35 p.m. on **February 22, 2016** with said notice published not less than four (4) days nor more than twenty (20) days prior to the date heretofore fixed.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to publish Notice to Bidders for said project with publication not less than four (4) days nor more than forty-five (45) days prior to the date for receiving bids. Said bids are to be filed prior to 2:00 o'clock p.m. on **Wednesday, February 17, 2016.**

BE IT FURTHER RESOLVED, that bids received for construction of said improvements will be opened, publicly read and tabulated by the City Clerk or Deputy City Clerk at 2:00 o'clock p.m. on **Wednesday, February 17, 2016** and the results of said bids shall be considered at a meeting of this Council on **February 22, 2016** at 5:35 p.m. and acted upon at said time, or such time as may then be fixed.

PASSED AND APPROVED this 26th day of January, 2016.

Steven K. Gaer, Mayor

ATTEST:

Ryan Jacobson, City Clerk

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: January 26, 2016

ITEM:

Resolution - Ordering Construction
2016 HMA Resurfacing Program

FINANCIAL IMPACT:

The engineering estimate of construction cost for the 2016 HMA Resurfacing Program is \$1,560,602.05. Payments will be made from budgeted account number 4026.75.820.6.7910.

BACKGROUND:

A Bid Letting should be scheduled for 2:00 p.m. on Wednesday, February 3, 2016, and a Public Hearing on the project should be scheduled for 5:35 p.m. on Monday, February 8, 2016. The contract would be awarded on Monday, February 8, 2016, and work will begin shortly thereafter.

This project will resurface various locations in the City of West Des Moines. Types of work including approximately 4,698 tons of 1 million ESAL ½” Hot Mix Asphalt (HMA) surface course, 118 tons of 1 million ESAL ½” HMA leveling course 1,091 tons of 3 million ESAL ½” Hot Mix Asphalt (HMA) surface course, 1,092 tons of 3 million ESAL ½” Hot Mix Asphalt (HMA) intermediate course, 3,433 square yards of grinding butt joints, 43,119 square yards of asphalt surface milling, surface cleaning/tack coat, 2,523 square yards of PCC full depth patching, HMA full depth patching, HMA partial depth patching, fixture adjustments, pavement markings, traffic control, and miscellaneous items. This project is scheduled to be completed by October 1, 2016.

RECOMMENDATION:

City Council Adopt:

- Resolution Ordering Construction of the 2016 HMA Resurfacing Program.
- Fixing 2:00 p.m. on Wednesday, February 3, 2016, as time and date for project Bid Letting.
- Ordering the City Clerk to publish notice of Letting and Public Hearing.

Lead Staff Member: Jeff Nash, P.E. *ALN*

STAFF REVIEWS

Department Director	Bret Hodne, Public Works Director <i>RBH</i>
Appropriations/Finance	Tim Stiles, Finance Director <i>MS</i>
Legal	
Agenda Acceptance	<i>RTJ</i>

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	January 18, 2016		
Recommendation	Yes	No	Split

**Resolution Ordering Construction and
Notice of Public Hearing on Plans, Specifications,
Form of Contract, Estimate of Cost, and
Directing Advertisement for Bids**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, that the following described public improvement:

**2016 HMA Resurfacing Program
Project No. 0510-005-2016**

is hereby ordered constructed according to the Plans and Specifications prepared by the City of West Des Moines and now on file in the office of City Clerk.

BE IT FURTHER RESOLVED, that the detailed Plans and Specifications, Form of Contract, Bid Security, and Notice to Bidders are hereby approved, subject to hearing thereon, and that the same are now on file in the office of City Clerk for public inspection.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to publish notice of hearing on the Plans and Specifications, Form of Contract, Bid Security and Estimate of Costs for said project to be held at 5:35 p.m. on Monday, February 8, 2016, with said notice published not less than four (4) days nor more than twenty (20) days prior to the date heretofore fixed.

BE IT FURTHER RESOLVED, that prospective actions by the City Clerk in publishing a Notice to Bidders for said project (publication to be not less than four (4) days nor more than forty-five (45) days prior to the date for receiving bids) are hereby approved. Said bids are to be filed prior to 2:00 p.m. on Wednesday, February 3, 2016.

BE IT FURTHER RESOLVED, that the bids received for construction of said improvements will be opened, publicly read and tabulated by the City Clerk or Deputy City Clerk at 2:00 p.m. on Wednesday, February 3, 2016, and the results of said bids shall be considered at a meeting of this Council on Monday, February 8, 2016, at 5:35 p.m. and acted upon at said time, or such time as may then be fixed.

PASSED AND APPROVED this 26th day of January, 2016

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson
City Clerk



**ENGINEER'S ESTIMATE
2016 HMA RESURFACING PROGRAM
WEST DES MOINES, IOWA**

PROJECT NO. 0510-005-2016

	<u>Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Extended Price</u>
Fixture Adjustments					
110	Sewer Manholes (Re-use Casting & Adjust W/ Concrete Rings)	EA.	2	\$1,000.00	\$2,000.00
120	Sewer Manholes (Replace Casting & Adjust W/ Concrete Rings)	EA.	25	\$2,500.00	\$62,500.00
130	Water Manholes (Re-Use Casting & Adjust W/ Concrete Rings)	EA.	2	\$750.00	\$1,500.00
140	PCC 5 'x 5' Manhole Boxouts	EA.	29	\$1,500.00	\$43,500.00
150	Water Valve Box Adjustment	EA.	4	\$325.00	\$1,300.00
160	Retro to Slide Type Water Valve Top Replacement	EA.	1	\$1,500.00	\$1,500.00
170	Intake Castings, M-A & M-C (1-1/2" Risers)	EA.	6	\$400.00	\$2,400.00
180	Intake Castings, M-D & M-E (1-1/2" Risers)	EA.	8	\$700.00	\$5,600.00
Excavation, Backfill, Grading and Shoulders					
210	Granular Shoulders	Ton	71	\$75.00	\$5,325.00
Street Patching and Pavement Repair					
310	PCC Full Depth Patches (M-4)	SY	1,923	\$125.00	\$240,375.00
320	PCC Full Depth Patches (IA DOT 5 Hr. PCC Mix)	SY	600	\$185.00	\$111,000.00
330	HMA Full Depth Patches	SY	25	\$100.00	\$2,500.00
340	HMA Partial Depth Patches	SY	138	\$60.00	\$8,280.00
350	4" Sidewalk Replacement and Removal	SY	25	\$65.00	\$1,625.00
360	6" Sidewalk Replacement and Removal	SY	25	\$75.00	\$1,875.00
370	2' x 4' Truncated Dome Panels	EA.	4	\$350.00	\$1,400.00
380	Replace Top Beams and Castings Only (M-D & M-I)	EA.	1	\$3,500.00	\$3,500.00
390	Replace Top Beams and Castings Only (M-A & M-C)	EA.	1	\$2,500.00	\$2,500.00
395	18" PCC Curb Replacement	LF	545	\$55.00	\$29,975.00
Surface Preparation For HMA Resurfacing					
410	Surface Cleaning/Tack Coat	SY	52,146	\$0.65	\$33,894.90
420	Tack Coat	SY	12,486	\$0.20	\$2,497.20
430	Surface Milling	SY	43,119	\$4.25	\$183,255.75
440	Grinding-Butt Joints	SY	3,433	\$10.00	\$34,330.00
Hot Mix Asphalt (HMA)					
510	1/2" HMA Surface Course (1 million ESAL) (65% Crushed)	TON	4,698	\$97.00	\$455,706.00
520	1/2" HMA Leveling Course (1 million ESAL) (65% Crushed)	TON	118	\$97.00	\$11,446.00
530	1/2" HMA Surface Course (3 million ESAL) (75% Crushed)	TON	1,091	\$97.00	\$105,827.00
540	1/2" HMA Intermediate Course (3 million ESAL) (75% Crushed)	TON	1,092	\$97.00	\$105,924.00
Traffic Control					
610	Traffic Control	LS	1	\$35,000.00	\$35,000.00

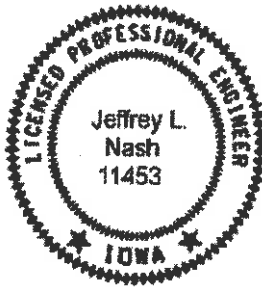


**ENGINEER'S ESTIMATE
2016 HMA RESURFACING PROGRAM
WEST DES MOINES, IOWA**

PROJECT NO. 0510-005-2016

	<u>Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Extended Price</u>
620	Flagger	Day	24	\$400.00	\$9,600.00
	Painted Pavement Markings				
710	Broken White Line 4" (Equivalent)	Sta.	1.18	\$60.00	\$70.65
720	Double Yellow Lines 4"-8"-4" (Equivalent)	Sta.	27.04	\$60.00	\$1,622.40
730	Solid White Line 4" (Equivalent)	Sta.	22.77	\$60.00	\$1,366.20
740	Solid Yellow Line 4" (Equivalent)	Sta.	2.12	\$60.00	\$127.20
750	Broken Yellow Line 4" (Equivalent)	Sta.	2.16	\$60.00	\$129.75
760	Left Turn Arrow	EA.	11	\$125.00	\$1,375.00
770	Right Turn Arrow	EA.	3	\$125.00	\$375.00
780	White Stop Bar	EA.	4	\$400.00	\$1,600.00
790	White Pedestrian Crossing	EA.	1	\$400.00	\$400.00
791	School Crossing Symbol	EA.	4	\$400.00	\$1,600.00
792	Railroad Crossing Symbol	EA.	2	\$400.00	\$800.00
	Traffic Signal Items				
810	Traffic Detection Loops	EA.	15	\$1,000.00	\$15,000.00
	Mobilization				
910	Mobilization	LS	1	\$30,000.00	\$30,000.00

Total Project Cost: \$1,560,602.05



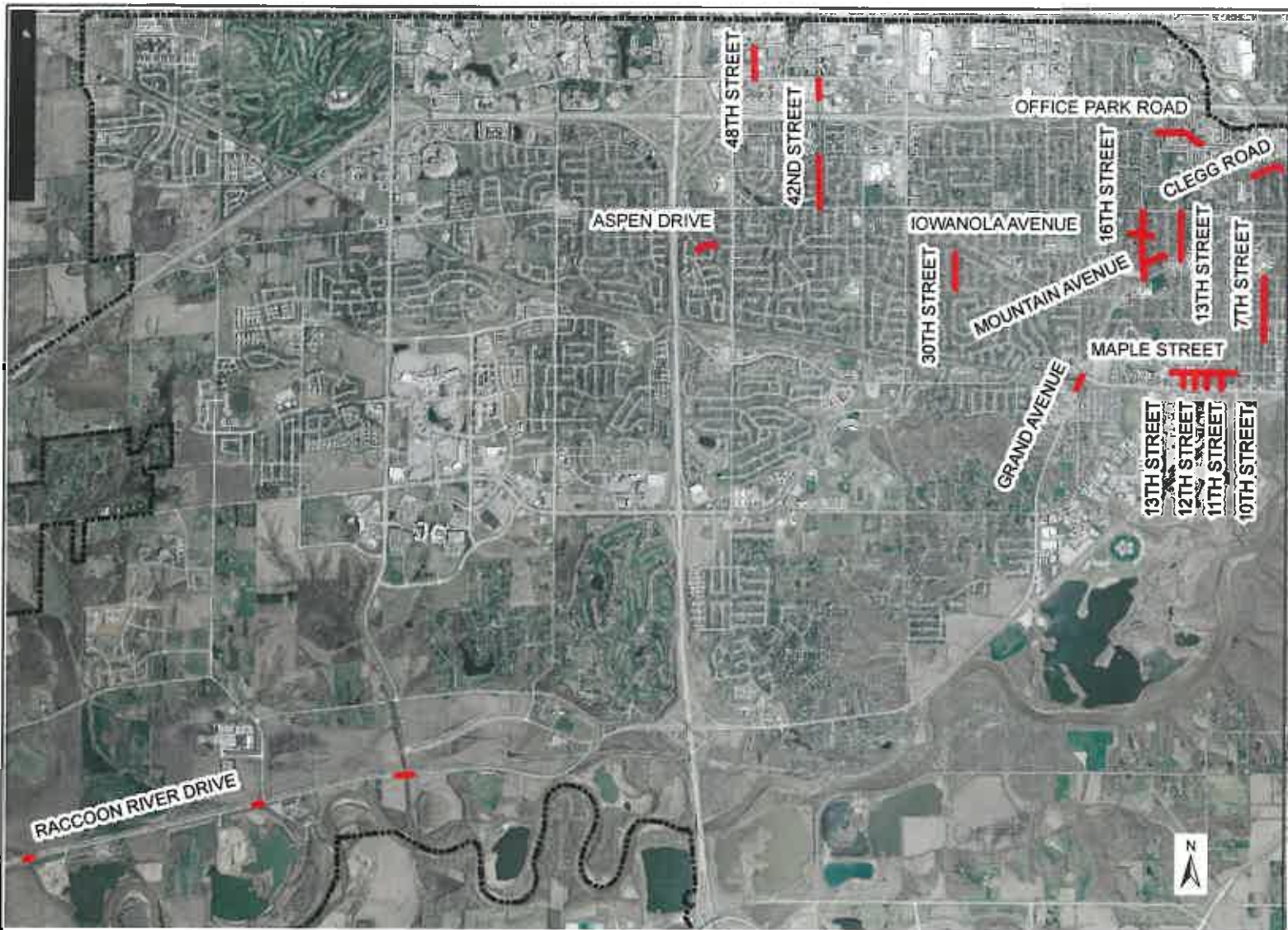
I HEREBY CERTIFY THAT THIS ENGINEER'S ESTIMATE OF CONSTRUCTION COSTS WERE PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF IOWA.

Jeffrey L. Nash

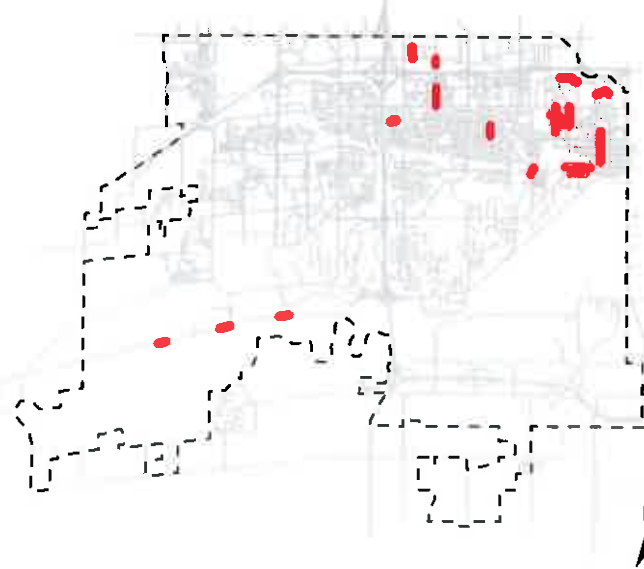
 Jeffrey L. Nash, P.E.
 Registration Expires December 31, 2016

1-20-2016

 Date



VICINITY MAP



LEGEND

PROJECT LOCATIONS 



**DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION**

560 S. 16TH STREET (515)222-3475
WEST DES MOINES, IOWA 50265
FAX NO. (515)222-3478

PROJECT: **2016 HMA RESURFACING PROGRAM
0510-005-2016**

LOCATION: **VARIOUS**

DRAWN BY: REF

DATE: 1/12/2016

SHT. 1 OF 1

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: January 26, 2016

ITEM:

Resolution - Ordering Construction
2016 Street and Pavement Repair Supplemental Retainer Contract

FINANCIAL IMPACT:

The FY 2015-2016 budget for the 2016 Street and Pavement Repair Supplemental Retainer Contract is \$190,000.00 and the FY 2016-2017 budget is \$200,000. Payments will be made from budgeted account number 4026.75.820.6.7910.

BACKGROUND:

A Bid Letting should be scheduled for 2:00 p.m. on Wednesday, February 3, 2016, and a Public Hearing on the contract should be scheduled for 5:35 p.m. on Monday, February 8, 2016. The contract would be awarded on Monday, February 8, 2016.

The 2016 Street and Pavement Repair Supplemental Retainer Contract is being let to obtain unit prices for a contractor to perform various types of street and pavement repair services on an on-call basis. Due to growth in the City's street network, the intent of this contract is to supplement and assist City staff operations with urgent unexpected street and pavement repairs on City ROW, easements, and property. This on-call retainer contract is scheduled to start March 1, 2016, and to end February 28, 2017, with the City having the option to renew the contract if determined feasible.

RECOMMENDATION:

City Council Adopt:

- Resolution Ordering Construction of the 2016 Street and Pavement Repair Supplemental Retainer Contract.
- Fixing 2:00 p.m. on Wednesday, February 3, 2016, as time and date for project Bid Letting.
- Ordering the City Clerk to publish notice of Letting.

Lead Staff Member: Jeffrey L Nash, P.E.

ALN

STAFF REVIEWS

Department Director	Bret Hodne, Public Works Director <i>RBN</i>
Appropriations/Finance	Tim Stiles, Finance Director <i>[Signature]</i>
Legal	
Agenda Acceptance	<i>RTJ</i>

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	January 18, 2016		
Recommendation	Yes	No	Split

**Resolution Ordering Construction and
Notice of Public Hearing on Plans, Specifications,
Form of Contract, Estimate of Cost, and
Directing Advertisement for Bids**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, that the following described public improvement:

**2016 Street and Pavement Repair Supplemental Retainer Contract
Project No. 0510-009-2016**

is hereby ordered constructed according to the Plans and Specifications prepared by the City of West Des Moines and now on file in the office of City Clerk.

BE IT FURTHER RESOLVED, that the detailed Plans and Specifications, Form of Contract, and Notice to Bidders are hereby approved, subject to hearing thereon, and that the same are now on file in the office of City Clerk for public inspection.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to publish notice of hearing on the Plans and Specifications, Form of Contract, and Estimate of Costs for said project to be held at 5:35 p.m. on Wednesday, February 3, 2016, with said notice published not less than four (4) days nor more than twenty (20) days prior to the date heretofore fixed.

BE IT FURTHER RESOLVED, that prospective actions by the City Clerk in publishing a Notice to Bidders for said project (publication to be not less than four (4) days nor more than forty-five (45) days prior to the date for receiving bids) are hereby approved. Said bids are to be filed prior to 2:00 p.m. on Wednesday, February 3, 2016.

BE IT FURTHER RESOLVED, that the bids received for construction of said improvements will be opened, publicly read and tabulated by the City Clerk or Deputy City Clerk at 2:00 p.m. on Wednesday, February 3, 2016, and the results of said bids shall be considered at a meeting of this Council on Monday, February 8, 2016, at 5:35 p.m. and acted upon at said time, or such time as may then be fixed.

PASSED AND APPROVED this 26th day of January, 2016

Steven K. Gaer, Mayor

ATTEST:

Ryan Jacobson
City Clerk



ENGINEER'S ESTIMATE
2015 STREET AND PAVEMENT REPAIR SUPPLEMENTAL RETAINER CONTRACT
WEST DES MOINES, IOWA
PROJECT NO. 0510-009-2016

<u>Description</u>	<u>Unit</u>	<u>Estimated Quantity</u>	<u>Unit Price</u>	<u>Extended Price</u>
1 Pavement/Median Removal/Disposal	SY		\$ 40.00	\$
2 Sidewalk/Trail/Driveway Removal/Disposal	SY		\$ 20.00	\$
3 Curb Removal/Disposal	SY		\$ 15.00	\$
4 Class 10 Excavation	CY		\$ 40.00	\$
5 Class A Granular Backfill	Ton		\$ 40.00	\$
6 Controlled Low Strength Material or Flowable Fill	CY		\$ 300.00	\$
7 Manhole Adjustment, Minor	EA		\$ 2,000.00	\$
8 Adjust Valve Box to Grade, Minor	EA		\$ 500.00	\$
9 7" Min. Reinforced PCC Full Depth Patch (<= 20 SY)	SY		\$ 130.00	\$
10 7" Min. Reinforced PCC Full Depth Patch (> 20 SY)	SY		\$ 110.00	\$
11 9" Min. Reinforced PCC Full Depth Patch (<= 20 SY)	SY		\$ 140.00	\$
12 9" Min. Reinforced PCC Full Depth Patch (> 20 SY)	SY		\$ 120.00	\$
13 11" Min. Reinforced PCC Full Depth Patch (<= 20 SY)	SY		\$ 160.00	\$
14 11" Min. Reinforced PCC Full Depth Patch (> 20 SY)	SY		\$ 140.00	\$
15 Composite HMA/PCC Patch (< 8" PCC & 2" HMA)	SY		\$ 175.00	\$
16 Composite HMA/PCC Patch (=> 8" PCC & 3" HMA)	SY		\$ 200.00	\$
17 9" PCC Median Patch (Non-Integral)	SY		\$ 175.00	\$
18 4" Sidewalk Replacement	SY		\$ 70.00	\$
19 6" Sidewalk Replacement	SY		\$ 90.00	\$
20 6" Driveway Replacement	SY		\$ 90.00	\$
21 PCC Curb and Gutter Replacement (18" to 36" Wide)	LF		\$ 100.00	\$
22 32% Calcium Chloride Solution PCC Accelerator	Gal.		\$ 20.00	\$
23 Remove/Relay Brick Pavers	SF		\$ 50.00	\$
24 Traffic Detection Loops Replacement	EA		\$ 2,000.00	\$
25 Sodding	SQ		\$ 200.00	\$
26 Pre-Manufactured Detectable Warning Panels (2'x 4')	EA		\$ 400.00	\$
27 Replace Intake Top Beams and Castings Only (M-A & M-C)	EA		\$ 3,000.00	\$
28 Replace Intake Top Beams and Castings Only (M-D & M-E)	EA		\$ 4,000.00	\$



I HEREBY CERTIFY THAT THIS ENGINEER'S ESTIMATE OF CONSTRUCTION COSTS WERE PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF IOWA.

Jeffrey L. Nash

 Jeffrey L. Nash, P.E.
 Registration Expires December 31, 2016

1-21-2016

 Date

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

4(I)4

ITEM:

DATE: January 26, 2016

Resolution - Ordering Construction
South Grand Prairie Parkway Tree Cutting.
Raccoon River Drive to Madison Avenue

FINANCIAL IMPACT:

The Engineering Estimate of Construction Cost for the South Grand Prairie Parkway Tree Cutting Project is \$426,000.00. All costs will be paid from City funds. Payments will be made from budgeted account no. 4290.75.820.6.7910 with the ultimate funding intended to come from General Obligation bonds.

BACKGROUND:

This project will cut and remove the trees in the proposed Grand Prairie Parkway roadway corridor between Raccoon River Drive and Madison Avenue. The tree removal limits are outlined in the Corps 404 permit and identified on the plans. The trees will need to all be cut before April 1, 2016 in order to protect nesting and roosting endangered bats. On-site burning of the debris probably will occur. The burning, if utilized, will meet specific parameters outlined by the Fire Marshal.

A Bid Letting should be scheduled for 2:00 p.m. on Wednesday, February 3, 2016, and a Public Hearing on the project should be scheduled for 5:35 p.m. on Monday, February 8, 2016. The contract would be awarded on Monday, February 8, 2016, and work will begin shortly thereafter.

The trees are to be cut by March 31, 2016 and the project is scheduled to be completed by May 13, 2016.

OUTSTANDING ISSUES:

None.

RECOMMENDATION:

City Council Adopt:

- Resolution Ordering Construction of the Grand Avenue Tree Cutting Project.
- Fixing 2:00 p.m. on Wednesday, February 3, 2016, as the time and date for project Bid Letting.
- Ordering the City Clerk to publish notice of Letting and Public Hearing.

Lead Staff Member: Duane C. Wittstock, P.E., L.S., City Engineer

STAFF REVIEWS

Department Director	Duane C. Wittstock, P.E., L.S., City Engineer
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	January 18, 2016		
Recommendation	Yes	No	Split

**Resolution Ordering Construction and
Notice of Public Hearing on Plans, Specifications, Form of Contract, Estimate of Cost, and Directing
Advertisement for Bids**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, that the following described public improvement:

**South Grand Prairie Parkway Tree Cutting
Project No. 0510-078-2015**

is hereby ordered to be constructed according to the Plans and Specifications prepared by the Engineering Division of the City of West Des Moines and now on file in the office of the City Clerk.

BE IT FURTHER RESOLVED, that the detailed Plans and Specifications, Form of Contract, Bid Security, and Notice to Bidders are hereby approved, subject to hearing thereon, and that the same are now on file in the office of the City Clerk for public inspection.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to publish notice of hearing on the Plans and Specifications, Form of Contract, Bid Security and Estimate of Costs for said project to be held at 5:35 p.m. on Monday, February 8, 2016, with said notice published not less than four (4) days nor more than twenty (20) days prior to the date heretofore fixed.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to publish Notice to Bidders for said project with publication not less than four (4) days nor more than forty-five (45) days prior to the date for receiving bids. Said bids are to be filed prior to 2:00 p.m. on Wednesday, February 3, 2016.

BE IT FURTHER RESOLVED, that the bids received for construction of said improvements will be opened, publicly read and tabulated by the City Clerk, Deputy City Clerk, or City Clerk designee at 2:00 p.m. on Wednesday, February 3, 2016, and the results of said bids shall be considered at a meeting of this Council on Monday, February 8, 2016, at 5:35 p.m. and acted upon at said time, or such time as may then be fixed.

PASSED AND APPROVED 26th day of January, 2016.

Steven K. Gaer, Mayor

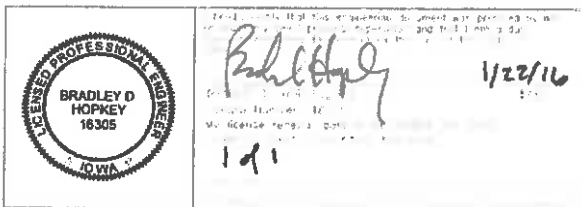
ATTEST:

Ryan T. Jacobson, City Clerk

OPINION OF PROBABLE PROJECT COST

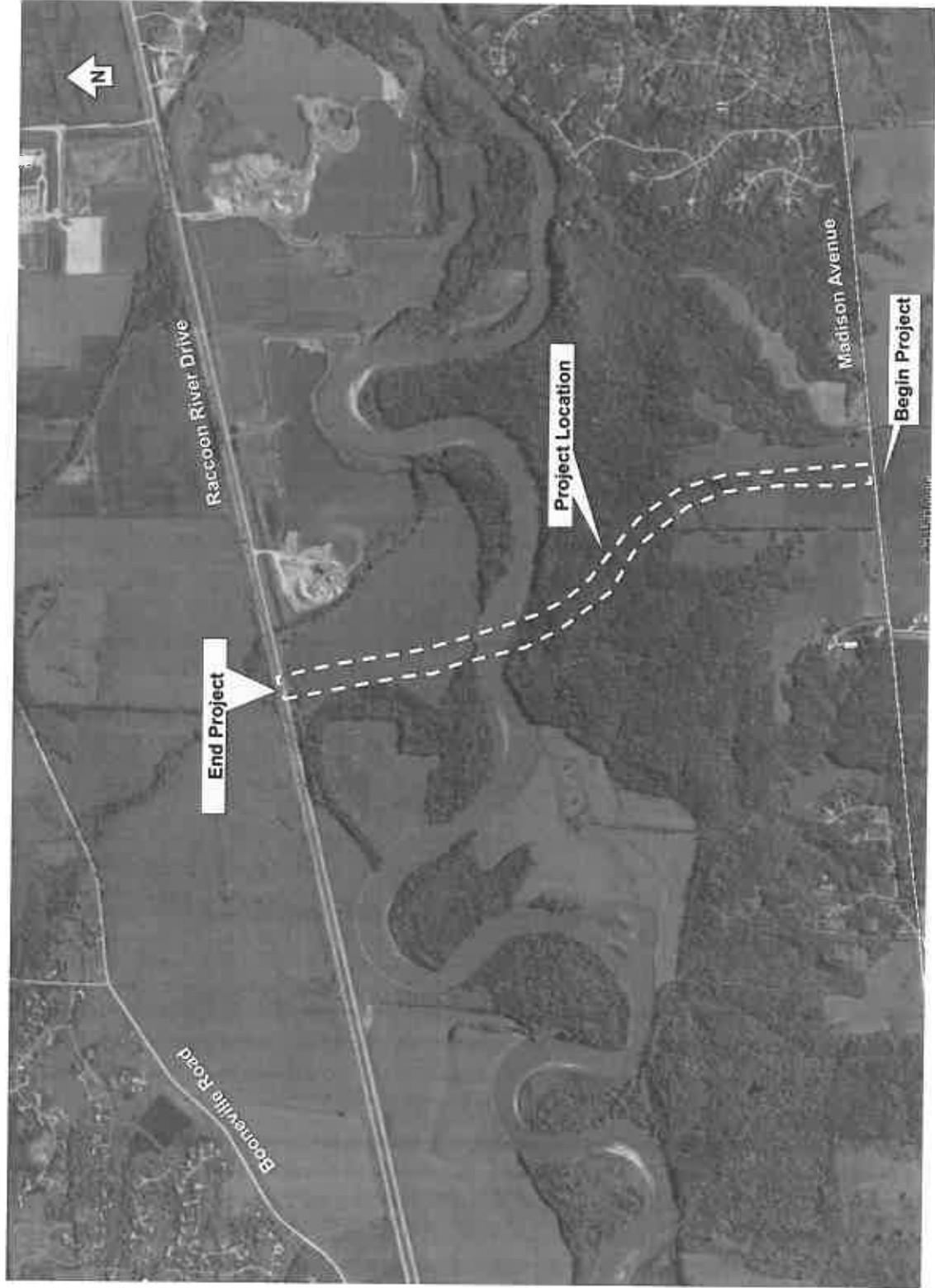
**South Grand Prairie Parkway - Madison Avenue to Raccoon River Drive
Tree Cutting
Sta 100+50 to 187+50 - Approximate Length 8,170 LF**

ITEM NO.	ITEM	UNIT	QUANTITY	UNIT PRICE	TOTAL
Division 1 - General Provisions and Covenants (Not Used)					
Division 2 - Earthwork					
2.1	Clearing	ACRE	28.0	\$ 10,000.00	\$ 280,000.00
Division 3 - Trench Excavation and Backfill (Not Used)					
Division 4 - Sewers and Drains (Not Used)					
Division 5 - Water Main and Appurtenances (Not Used)					
Division 6 - Structures for Sanitary and Storm Sewers (Not Used)					
Division 7 - Streets and Related Work					
7.1	Granular Surfacing	TON	1000.0	\$ 35.00	\$ 35,000.00
Division 8 - Traffic Control (Not Used)					
Division 9 - Site Work and Landscaping					
9.1	SWPPP, Management	LS	1	\$ 4,000.00	\$ 4,000.00
9.2	Silt Fence	LF	3000	\$ 2.00	\$ 6,000.00
9.3	Hydraulic Seeding, Fert. & Mulch., Type 2 (Perm. Cool Season Mix)	ACRE	28.0	\$ 2,250.00	\$ 63,000.00
9.4	Stabilized Construction Entrance	SY	240	\$ 50.00	\$ 12,000.00
9.5	Erosion Control Mulching, Hydromulching	ACRE	28.0	\$ 500.00	\$ 14,000.00
9.6	Temporary Construction Fence	LF	740	\$ 5.00	\$ 3,700.00
Division 10 - Demolition (Not Used)					
Division 11 - Miscellaneous					
11.1	Construction Survey	LS	1	\$ 7,500.00	\$ 7,500.00
Opinion of Probable Costs					\$ 426,000.00





S. Grand Prairie Parkway - West Des Moines, Iowa



**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

4(m)1

DATE: January 26, 2016

ITEM:

Resolution - Accepting Work
2015 PCC Reconstruction Program
Alliance Construction Group, LLC

FINANCIAL IMPACT:

The total construction cost for the 2015 PCC Reconstruction Program was \$623,920.95 which was paid from budgeted Account No. 4284.75.820.6.7910. The original cost of the project was \$670,126.00. There were (2) Change Orders on the project that totaled **(\$46,205.05)**.

BACKGROUND:

Alliance Construction Group, LLC was working under an agreement dated May 4, 2015, for construction services for the 2015 PCC Reconstruction Program.

The 2015 PCC Reconstruction Program includes approximately 3,772 square yards of street pavement removal, 3,905 square yards of 6" reinforced P.C.C. pavement with integral curb, 4,492 square yards of subgrade preparation, 4,492 square yards of granular subbase, 908 square yards of driveway pavement, 382 linear feet of storm sewer, sewer and drainage structures, fixture adjustments, sidewalk pavement, miscellaneous grading, restoration, survey, traffic control, and other associated work.

RECOMMENDATION:

City Council Adopt:
- Resolution Accepting Work

Lead Staff Member: Jeffrey L. Nash, P.E.

PLN

STAFF REVIEWS

Department Director	Bret Hodne, Public Works Director <i>RBN</i>
Appropriations/Finance	Tim Stiles, Finance Director <i>TS</i>
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	<i>RJA</i>

PUBLICATION(S) (if applicable)		SUBCOMMITTEE REVIEW (if applicable)		
Published In		Committee	Public Works	
Dates(s) Published		Date Reviewed	January 18, 2016	
		Recommendation	Yes	No Split

Resolution Accepting Work

WHEREAS, on May 4, 2015, the City Council entered into a contract with Alliance Construction Group, LLC of Grimes, Iowa, for the following described public improvement:

2015 PCC Reconstruction Program 0510-001-2015

And,

WHEREAS, said contractor has substantially completed the construction of said improvement in accordance with plans and specifications as shown by the report of the City Engineer filed with the City Clerk on January 26, 2016.

Therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, that said report of the City Engineer is hereby approved and said public improvement is accepted as having been substantially completed in accordance with plans and specifications and the total final construction cost of said improvement is \$623,920.95 as shown in said report.

PASSED AND APPROVED this 26th day of January, 2016.

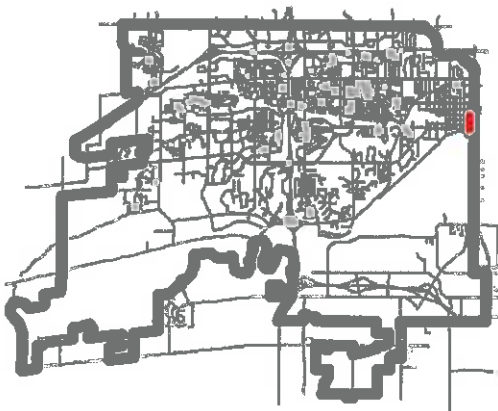
Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson
City Clerk



VICINITY MAP



LEGEND

PROJECT LOCATION



**DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION**
960 S. 16TH STREET (515)222-3475
WEST DES MOINES, IOWA 50265
FAX NO. (515)222-3478

PROJECT:	2015 RECONSTRUCTION PROGRAM	
	Project No. 0510-001-2015	
LOCATION:	2ND STREET - FROM RAILROAD AVE TO WALNUT ST	
DRAWN BY:	MJA	DATE: 4/13/2015
		SHT. 1 OF 1

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

4(m)2

DATE: January 26, 2016

ITEM:

Resolution - Accepting Work
Alluvion Blue Fiber Route
TD&I Cable Maintenance, Inc.

FINANCIAL IMPACT:

The total construction cost for the Alluvion Blue Fiber Route was \$640,429.50 which was paid from budgeted Account No. 4267.77.820.6.7910 with all costs being reimbursed by Microsoft. The original cost of the project was \$697,026.75. There were (2) Change Orders on the project that totaled (\$56,597.25).

BACKGROUND:

TD&I Cable Maintenance, Inc. was working under an agreement dated May 4, 2015, for construction services for the Alluvion Blue Fiber Route. Work on this project is substantially complete.

This action accepts the public improvements and authorizes staff to pay the retainage no sooner than 30 days.

The ownership of the conduit and all on-going responsibilities will be transferred to Microsoft in the near future.

OUTSTANDING ISSUES:

None.

RECOMMENDATION:

City Council Adopt:

- Resolution Accepting Work

Lead Staff Member: Duane Wittstock, P.E., L.S., City Engineer.

DLW

STAFF REVIEWS

Department Director	Duane Wittstock, City Engineer
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	<i>RTG</i>

PUBLICATION(S) (if applicable)		SUBCOMMITTEE REVIEW (if applicable)		
Published In		Committee		
Dates(s) Published		Date Reviewed		
		Recommendation	Yes	No
				Split

Resolution Accepting Work

WHEREAS, on May 4, 2015, the City Council entered into a contract with TD&I Cable Maintenance, Inc. of Lakeland, Minnesota, for the following described public improvement:

**Alluvion Blue Fiber Route
0510-074-2014**

And,

WHEREAS, said contractor has substantially completed the construction of said improvement in accordance with plans and specifications as shown by the report of the City Engineer filed with the City Clerk on January 26, 2016.

Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, that said report of the City Engineer is hereby approved and said public improvement is accepted as having been substantially completed in accordance with plans and specifications and the total final construction cost of said improvement is \$640,429.50 as shown in said report.

PASSED AND APPROVED this 26th day of **January, 2016**.

Steven K. Gaer, Mayor

ATTEST:

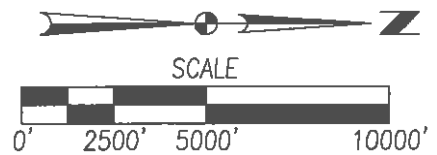
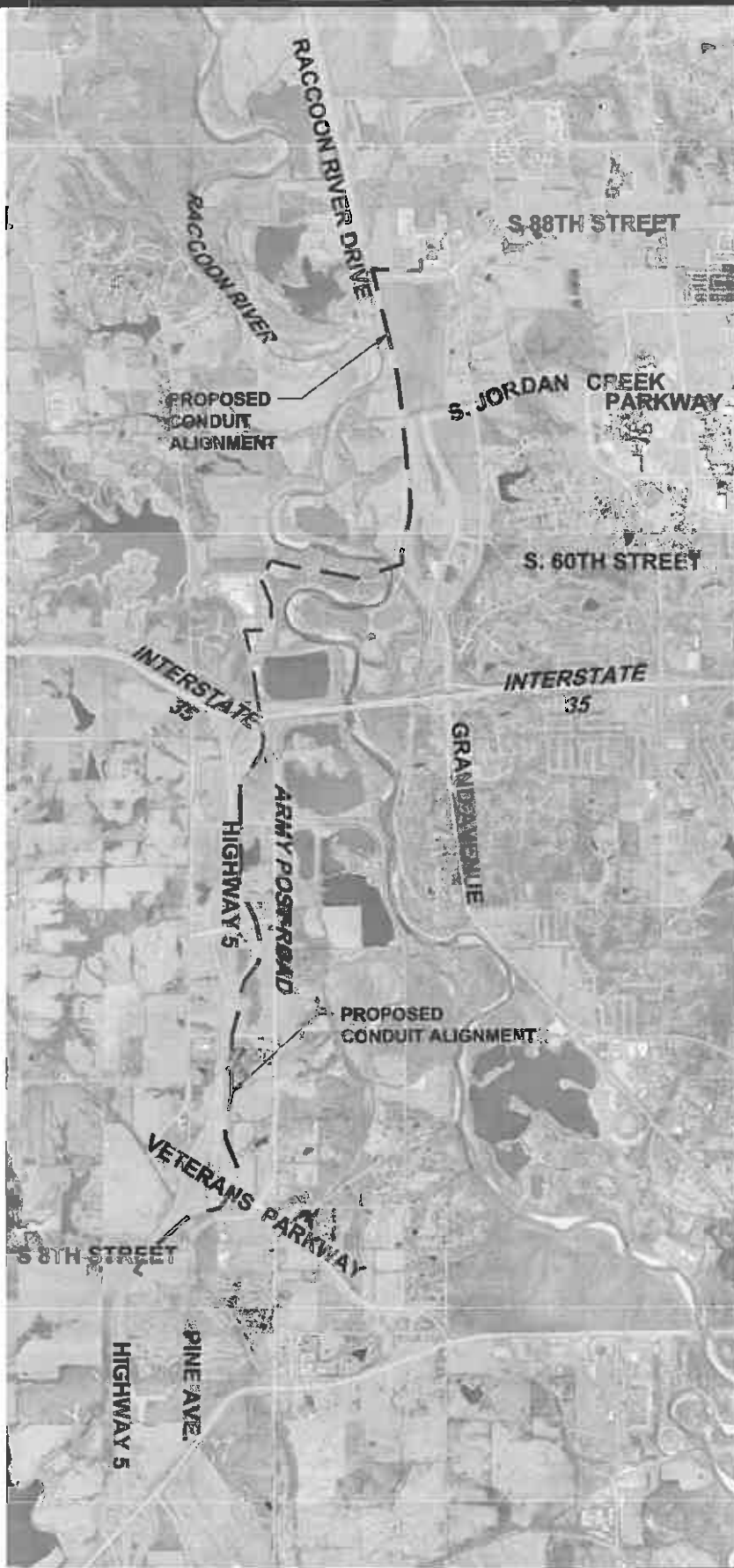
Ryan T. Jacobson, City Clerk

MATERIALS STORED SUMMARY			
Description	# of Units	Unit Price	Extended Cost
			\$0.00
			\$0.00
TOTAL			\$0.00

PAY REQUEST SUMMARY			
		Total Approved	Total Completed
Contract Price		\$697,026.75	\$640,429.50
Change Order No. 1		\$8,888.50	
Change Order No. 2		(\$85,460.75)	
Revised Contract Price		\$840,429.50	\$640,429.50
Materials Stored			\$0.00
Retainage (5%)			\$32,021.48
Total Earned Less Retainage			\$608,408.03
Total Previously Approved (list each)	Pay Request 1	\$307,699.78	
	Pay Request 2	\$259,868.88	
	Pay Request 3	\$49,621.62	
	Pay Request 4		
	Pay Request 5		
	Pay Request 6		
Total Previously Approved			\$805,190.28
Amount Due This Request			\$3,217.75
Percent Complete			100%
Percent of Contract Period Utilized			122%

The amount **\$3,217.75** is recommended for approval for payment in accordance with the terms of the Contract

Contractor: TD&I Cable Maintenance, Inc.	Recommended By: Civil Design Advantage	Checked By: <i>RM</i> City of West Des Moines
Signature: <i>[Signature]</i>	Signature: <i>[Signature]</i>	Signature: <i>[Signature]</i>
Name: TIM STANICE	Name: GARY L. REED, P.E.	Name: Duane C. Whitstock, P.E., L.S.
Title: Pres.	Title: Project Manager	Title: City Engineer
Date: 12-2-15	Date: 12-2-2015	Date:



1
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1406.232

**WEST DES MOINES
FIBER INTER-CONNECT
BLUE ROUTE**
WEST DES MOINES, IOWA

GA
CIVIL DESIGN ADVANTAGE

3405 SE CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PH: (515) 369-4400 FAX: (515) 369-4410
ENGINEER: TECH:

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: January 26, 2016

ITEM: Modification of Condition of Approval – 1st Street Redevelopment PUD – 1st Street, LP – Southwest corner of 1st Street and Grand Avenue – Amend previously established condition of approval – (ZC-002834-2015)

RESOLUTION: Approval of Modification of Condition of Approval

FINANCIAL IMPACT: Undetermined.

BACKGROUND: On November 2, 2015, a rezoning was approved by the City Council to rezone the property from Community Commercial (CMC) to Planned Unit Development (PUD) and establish the 1st Street Redevelopment PUD. That approval included the following condition of approval:

4. *An agreement shall be executed and recorded for the future installation of a traffic signal at the intersection of the south entrance driveway and 1st Street. City Council adoption of this agreement shall occur on or before the January 28, 2016 Council meeting. In the event that the agreement is not executed on or before this date, no future building permits, including footing and foundation permits shall be issued for construction within the 1st Street Redevelopment project until such time that resolution of responsibilities for the future traffic signal is reached.*

At the time of the original approval for the PUD, the applicant requested the condition requiring execution of an agreement and waiver for a future traffic signal at the southern entrance to the development from 1st Street to be deferred until he had the opportunity to discuss possible redevelopment incentives with the City Council. Staff modified the condition to allow deferral to January 28, 2016 to allow the applicant time to prepare cost information and meet with the Development and Planning Subcommittee. The Applicant did meet with the Subcommittee on January 11, 2016 to discuss this and other financial costs of the proposed development. As noted at the meeting, depending on how the surrounding area redevelops, the traffic levels needed to trigger the signal installation may not occur or the desire for a signal may be driven by the businesses adjacent to the signal. With this in mind, the Subcommittee determined and staff agreed that the condition could be removed from the PUD approval and allow the cost obligation for the traffic signal to be addressed at the time the developer requests it or traffic levels warrant a signal in the future.

OUTSTANDING ISSUES: There are no outstanding issues. The applicant has stated that they are in agreement with all of staff's recommendations and conditions.

CITY COUNCIL SUBCOMMITTEE: This request was discussed at the Development and Planning City Council Subcommittee on January 11, 2016.

COMPREHENSIVE PLAN CONSISTENCY: The project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan and the land use map of the Comprehensive Plan.

RECOMMENDATION: Staff recommends the City Council remove original condition of approval #4 placed with the November 2, 2015, Zoning Change approval for the 1st Street Redevelopment PUD, subject to the applicant meeting all City Code requirements and all other originally placed conditions of approval as follows:

1. City Council approval of the Rezoning Request (PUD) is required prior to any construction as proposed by the approved Master Plan, however, footing and foundation permits may be issued prior to City Council 2nd and 3rd Readings and adoption of the PUD to keep individual projects moving forward.

2. The Applicant continues to work with City Staff on the building design for Parcel 3 to incorporate the changes requested by the potential future tenant in a manner that is consistent with the redevelopment guidelines and the PUD. Said modifications shall be finalized prior to the issuance of any occupancy permit, including temporary occupancy permits for any building within the PUD area or approval of a Site Plan for Parcel 3, whichever occurs first.
3. Sign images included in the precedent images are for illustrative purposes only. Signage design and construction details will be reviewed and approved as part of the Sign Permit process.
4. An irrevocable offer of right of way for Grand Avenue shall be required prior to final approval of the PUD.
5. Streetscape easements along Grand Avenue and 1st Street shall be executed and recorded at the time of site plan development for each site within the PUD that has frontage along Grand Avenue or 1st Street.
6. Additional public easements (utility, ingress/egress, etc.) within the PUD shall be executed and recorded at the time of platting of the property.

Lead Staff Member: Brian Portz, Planner *BP*

STAFF REVIEWS

Department Director	<i>[Signature]</i>
Appropriations/Finance	<i>[Signature]</i>
Legal	<i>[Signature]</i>
Agenda Acceptance	<i>[Signature]</i>

PUBLICATION(S) (if applicable)

Published In	Des Moines Register Community Section
Date(s) Published	n/a
Letter sent to surrounding property owners	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development and Planning		
Date Reviewed	January 11, 2016		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

ATTACHMENTS:

- Attachment A City Council Resolution
- Exhibit A Conditions of Approval

Prepared by: B. Portz, Development Services, P.O. Box 65320, West Des Moines, IA 50265-0320, 515-222-3620
When Recorded, Return to: City Clerk, City of West Des Moines, P. O. Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, APPROVING THE REMOVAL OF A CONDITION OF APPROVAL PLACED WITH THE ORIGINAL 1ST STREET REDEVELOPMENT PUD (ZC-002834-2015) APPROVAL

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, First Street, LP, has requested approval of the removal of a condition of approval for the 5.37 acre site relating to an Agreement & Waiver for the future installation of a traffic signal at the southern entrance along 1st Street which was established with the approval of the 1st Street Redevelopment PUD (ZC-002834-2015) on November 2, 2015, of the development located at the southwest corner of Grand Avenue and 1st Street.

Legal Description of Property

LOTS 95 AND 96 OF LINNWILL, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, POLK COUNTY, IA, EXCEPT FOR THE EAST 60' FEET;

AND

LOT 1 OF LINNWILL PLAT 2, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA,

AND

LOT 1 OF LINNWILL PLAT, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA.

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

WHEREAS, on November 2, 2015, this City Council approved the 1st Street Redevelopment PUD (ZC-002834-2015);

WHEREAS, The 1st Street Redevelopment PUD approval contained a condition of approval which required the execution of an Agreement & Waiver for the future installation of a traffic signal at the southern driveway access to 1st Street with City Council adoption of the agreement occurring on or before the January 28, 2016 Council meeting;

WHEREAS, Per the original condition of approval, in the event that the agreement is not executed on or before the January 28, 2016 Council meeting, no future building permits, including footing and foundation permits shall be issued for construction within the 1st Street Redevelopment project until such time that resolution of responsibilities for the future traffic signal is reached;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings, for approval, in the staff report, dated January 26, 2016, or as amended orally at the City Council hearing of January 26, 2016, are adopted.

SECTION 2. Application of ZONING CHANGE (ZC-002834-2015) original condition of approval #4 as established with the November 2, 2015 City Council approval as indicated in the staff report dated January 26, 2016 is hereby removed from the 1st Street Redevelopment PUD approval subject to compliance with all the conditions of approval indicated in the staff report dated January 26, 2016, including conditions added at the Hearing, and attached hereto as Exhibit 'A'. Violation of any other conditions shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on January 26, 2016.

Steven K. Gaer
Mayor

ATTEST:

Ryan T. Jacobson
City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on January 26, 2016, by the following vote:

ATTEST:

Ryan T. Jacobson
City Clerk

EXHIBIT A
CONDITIONS OF APPROVAL

1. City Council approval of the Rezoning Request (PUD) is required prior to any construction as proposed by the approved Master Plan, however, footing and foundation permits may be issued prior to City Council 2nd and 3rd Readings and adoption of the PUD to keep individual projects moving forward.
2. The Applicant continues to work with City Staff on the building design for Parcel 3 to incorporate the changes requested by the potential future tenant in a manner that is consistent with the redevelopment guidelines and the PUD. Said modifications shall be finalized prior to the issuance of any occupancy permit, including temporary occupancy permits for any building within the PUD area or approval of a Site Plan for Parcel 3, whichever occurs first.
3. Sign images included in the precedent images are for illustrative purposes only. Signage design and construction details will be reviewed and approved as part of the Sign Permit process.
4. An irrevocable offer of right of way for Grand Avenue shall be required prior to final approval of the PUD.
5. Streetscape easements along Grand Avenue and 1st Street shall be executed and recorded at the time of site plan development for each site within the PUD that has frontage along Grand Avenue or 1st Street.
6. Additional public easements (utility, ingress/egress, etc.) within the PUD shall be executed and recorded at the time of platting of the property.

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: January 26, 2016

ITEM: Michael's Landing Plat 3, 9175 Booneville Road – Approval and acceptance of a Storm Water Management Facility Maintenance Agreement – FP-002738-2015

RESOLUTION: Approval and Acceptance of a Storm Water Management Facility Maintenance Agreement


FINANCIAL IMPACT: Undetermined.

BACKGROUND: Attached as Exhibit B, is a Storm Water Management Facility Maintenance Agreement for the storm water detention facilities required as part of the development of Michael's Landing Plat 3 (Case # FP-002738-2015). This agreement is for a storm water detention facility that serves the lots within Michael's Landing Plat 3. Michael's Landing Plat 3 is served by two separate detention ponds: one in the southwest corner of the development with a second off-site pond on property immediately to the east of the development. Community Business Lenders (CBL) owns the adjoining parcel and has agreed to the placement of the pond on their property. In the future, this pond will also serve as a detention facility for the CBL ground. CBL is indicating upon development of their ground that they will take over maintenance responsibilities for the facility. Until development, Michael's Landing Plat 3 property owners will be responsible for maintenance of the pond. Because maintenance responsibilities will be transferred in the future, it was determined a separate agreement that could be transferred would be a cleaner approach than attempting to remove this one pond from an agreement containing both ponds.

CITY COUNCIL SUBCOMMITTEE: Due to the fact that the City Council previously approved a Storm Water Management Facility Maintenance Agreement for this development, this item was not presented to the Development and Planning City Council Subcommittee.

OUTSTANDING ISSUES: There are no outstanding issues.

RECOMMENDATION: Adopt resolution approving and accepting a Storm Water Management Facility Maintenance Agreement for Michael's Landing Plat 3.

Lead Staff Member: J. Bradley Munford 

STAFF REVIEWS

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	Noticing not required
Date(s) Published	
Letter sent to surrounding property owners	

SUBCOMMITTEE REVIEW (if applicable)

Committee	N/A		
Date Reviewed	N/A		
Recommendation	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

ATTACHMENTS:

- Exhibit A - Resolution
- Exhibit B - Storm Water Management Facility Maintenance Agreement

Prepared by: J.B. Munford, Development Services, City of WDM, PO Box 65320, WDM, IA 50265-0320, 515-222-3620
When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

A RESOLUTION APPROVING AND ACCEPTING A STORM WATER MANAGEMENT FACILITY MAINTENANCE AGREEMENT.

WHEREAS, it is the policy of the City of West Des Moines, Iowa to approve the conveyance of all property interests to the City; and

WHEREAS, the following documents conveying property interests to the City have been presented to the City for approval; and

**A STORM WATER MANAGEMENT FACILITY MAINTENANCE AGREEMENT
FOR STORM WATER DETENTION FACILITIES ASSOCIATED WITH MICHAEL'S
LANDING PLAT 3, GENERALLY LOCATED AT 9175 BOONEVILLE ROAD.**

WHEREAS, it is in the best interest of the citizens of the City to approve and accept the above-described documents.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA THAT the document(s) described above conveying property interests to and from the City of West Des Moines, Iowa, are hereby approved and accepted and shall be filed with the county recorder as appropriate.

PASSED AND ADOPTED this 26th day of January, 2016.

Steven K Gaer, Mayor

ATTEST:

Ryan T. Jacobson
City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on January 26, 2016 by the following vote:

ATTEST:

Ryan T. Jacobson
City Clerk

Prepared by: Richard J. Scieszinski, City Attorney for the City of West Des Moines, (515) 222-3614
Return to: City Clerk, City of West Des Moines, 4200 Mills Civic Parkway, West Des Moines, IA 50265

Project Name: Michael's Landing Plat 3
Project File #: FP-002738-2015

**MICHAEL'S LANDING PLAT 3 STORM WATER MANAGEMENT FACILITY
MAINTENANCE COVENANT AND PERMANENT EASEMENT AGREEMENT
FOR MULTIPLE OWNERSHIP PARCELS**

THIS STORM WATER MANAGEMENT FACILITY MAINTENANCE COVENANT AND PERMANENT EASEMENT AGREEMENT is entered into between **Community Business Lenders Service Company, LLC** and **City of West Des Moines, Iowa and KH Development, LC**, (hereinafter referred to as "Grantor") and the **City of West Des Moines, Iowa** (hereinafter referred to as "City"), in consideration for the approval by the City of West Des Moines, Iowa of the Final Plat of Michael's Landing Plat 3. (Whenever the term "Grantor" is used herein, it shall mean "Grantor and Grantor's successors and assigns" unless otherwise specifically denoted).

Grantor is obligated by the Municipal Code of the City of West Des Moines to control storm water runoff for the proposed development as a part of the Final Plat approval process. In consideration for the City's approval of the Grantor's Final Plat, the parties enter into this Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement to control and address storm water runoff for the following described property:

Michael's Landing Plat 3, an official plat, in the City of West Des Moines, Dallas County, Iowa

(hereinafter referred to as the "Benefited Property").

PART I – COVENANTS ON THE BENEFITED PROPERTY

The following provisions are covenants running with the land to the City of West Des Moines, binding on all successors and assigns of the Benefited Property and shall only be amended or released with the written permission of the City.

1. Grantor hereby agrees that the storm water runoff for the subdivision/site shall be controlled through installation, construction and maintenance of a Storm Water Management Facility as detailed in the documents submitted for the Final Plat for Michael's Landing Plat 3 upon, over, under, through and across the following described property:

A PRIVATE STORM WATER DETENTION, STORM SEWER, & OVERLAND FLOWAGE EASEMENT IN STREET LOT 'J' & OUTLOT 'S', CORRECTED MICHAEL'S LANDING PLAT 1, AN OFFICIAL PLAT RECORDED IN BOOK 2007, PAGE 3042 AT THE DALLAS COUNTY RECORDER'S OFFICE, CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SW CORNER OF SAID STREET LOT 'J'; THENCE N00°37'41"E 205.29 FEET ALONG THE WEST LINE OF SAID STREET LOT 'J', SAID WEST LINE ALSO BEING THE EAST LINE OF MICHAEL'S LANDING PLAT 3, AN OFFICIAL PLAT, IN THE CITY OF WEST DES MOINES TO A POINT; THENCE S67°53'01"E, 46.74 FEET TO A POINT; THENCE N82°23'35"E,

360.76 FEET TO A POINT; THENCE S00°31'04"E, 181.82 FEET TO A POINT ON THE SOUTH LINE OF SAID OUTLOT 'S', SAID SOUTH LINE ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF BOONEVILLE ROAD AS IT IS PRESENTLY ESTABLISHED; THENCE S82°23'35"W, 405.06 FEET ALONG SAID SOUTH LINE AND SAID NORTH RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING AND CONTAINING 1.68 ACRES.
(hereinafter referred to as the "Easement Area").

2. Grantor covenants and agrees that the design, construction and maintenance of the Storm Water Management Facility shall be in compliance with the Storm Water Management Plan now on file with the City of West Des Moines and which is available for public inspection. The design, construction and maintenance of the Storm Water Management Facility shall meet the storm water runoff control requirements of the Municipal Code of the City of West Des Moines, Iowa.
3. It is hereby agreed and covenanted that the above described Benefited Property receives benefit from the Storm Water Management Facility by controlling runoff from the Benefited Property to meet the requirements of the Post-Construction Storm Water Management Ordinance of the Municipal Code of the City of West Des Moines, Iowa and the Subdivision Design requirements of Section 10-3-1 or succeeding legislation of the Municipal Code of the City of West Des Moines, Iowa. In recognition of such benefit and to meet the maintenance, repair and replacement obligations of the Municipal Code of the City of West Des Moines, Iowa, Grantor has created the **Lots 11-49 in Michael's Landing Plat 3 Homeowner's Association** (hereinafter referred to as "Association") organized pursuant to Chapter 504 of the Code of Iowa. Every owner of a Benefited Property hereby consents and agrees to be a member of the Association pursuant to the covenants and obligations of this Agreement and by virtue of their ownership of a portion of the Benefited Property.
4. It is hereby agreed that Grantor is solely responsible for constructing, installing and ensuring that the Storm Water Management Facility meets the standard set forth in the Post-Construction Storm Water Ordinance and Section 10-3-1 of the Municipal Code of the City of West Des Moines, Iowa. Grantor's obligations under this Agreement may not and shall not be transferred to the Association until the City provides written consent to Grantor acknowledging that construction of the Storm Water Management Facility has been completed and receiving documentation that the Storm Water Maintenance Association has been created, including the name and mailing address of the officers of said association.
5. Grantor hereby designates, appoints and agrees on behalf of Grantor and all successors and assigns that the Association is designated as the responsible party for replacement, reconstruction, repair, grading and maintenance of the Storm Water Management Facility. It is further covenanted and agreed that the Association shall not be dissolved, discontinued or any obligations transferred or assigned without the written consent of the City of West Des Moines.
6. Grantor hereby covenants and agrees that the Association is hereby designated and authorized by Grantor and all successors and assigns to accept notices and service of process for the Association and all Benefited Property owners as it relates to the inspection, replacement, reconstruction, repair, grading and maintenance of the Storm Water Management Facility or permanent easement or notice of assessment for replacement, reconstruction, repair, grading and maintenance of the Storm Water Management Facility. If at any time the Association fails to comply with the Agreement or is for any reason not in existence in violation of this Agreement, the owners of the Benefited Property are responsible for complying with this Agreement.
7. The Association shall be responsible for all maintenance, repair and replacement of the Storm Water Management Facility, including obligations set forth in Part II, paragraph 12, subsections (a) and (b) herein that are the obligation of the property owner of the Easement Area, should any property owner of the Easement Area not perform or fail to perform such obligations. The Association is responsible for performing all other items listed in Part II, paragraph 12, subsections (c) through (i). Should any property owner do anything in conflict with paragraphs 12 through 17 herein, the Association shall have the responsibility to remove such conflict to assure effectiveness of the Storm Water Management Facility. Grantor and all successors and assignees of the Benefited Property shall comply with all terms of the Easement set forth in Part II herein.
8. The Association shall inspect the Storm Water Management Facility on an annual basis, including but not limited to all pipes, inlets and outlets for defects, obstructions or changes in the Storm Water Management

Facility from the original design of the Facility. The inspection shall be documented with date stamped photographs of the Storm Water Management Facility. The Association shall document such inspection by completing the Inspection Report Form available from the City of West Des Moines Public Works Department. Any deficiencies or defects noted by the inspection shall be corrected by the Association. The Inspection photographs and Inspection Report Form shall be made available to the City for review upon request and shall be kept and maintained for a period of 5 years from the date of inspection.

9. Grantor hereby agrees and consents on behalf of itself and all successors and assigns of the Benefited Property to assessment of the costs of maintaining, reconstructing, repairing, grading or dredging the Easement Area and Storm Water Management Facility on all Benefited Property established by the Grantor pursuant to the formula set forth in paragraph 10, below. Grantor, on behalf of itself and all successors and assigns of the Benefited Property, shall execute a Petition and Waiver in favor of the City to allow the City to recover any costs expended for action taken as set forth in paragraph 10, below, to address the maintenance, reconstruction, repair, grading or dredging of the Storm Water Management Facility or Easement Area.
10. Should the Association fail to maintain, reconstruct, repair, grade or dredge the Storm Water Management Facility or the Easement Area upon notice from the City, the City may cause such action to be done and assessed to each Benefited Property pursuant to the formula set forth below:

Refer to the Bylaws of Lots 11-49 in Michael's Landing Plat 3 Homeowner's Association

The assessments on each Benefited Property shall be immediately due and payable to the City pursuant to the terms of the Agreement and Waiver (see Exhibit A, attached hereto and made a part hereof).

PART II – Easement for Storm Water Management Facility and Surface Water Flowage

The following provisions in Part II herein are for a permanent easement over the Easement Area running with the land to the City of West Des Moines and the Association.

11. Grantor hereby grants the Association and the City a Permanent Surface Water Flowage Easement and Storm Water Management Facility under, over, through and across the Easement Area described above for the purpose of constructing, reconstructing, repairing, grading and maintaining the Storm Water Management Facility and the surface of the Easement Area in a manner that will permit the free and unobstructed flow of surface water over the Easement Area described above.
12. It is the obligation of the Grantor and all subsequent owners of the above described easement area to maintain the Easement Area and the Storm Water Management Facility as set forth below. The Grantor and all subsequent owners of the Easement Area shall perform the maintenance obligations set forth below in items (a) and (b). The Association shall perform all maintenance obligations set forth below in items c through i. The Grantor and all subsequent property owners of the Easement Area shall maintain the Easement Area so not to conflict with the maintenance requirements of the Association or the Association's right to perform those maintenance obligations. The maintenance obligations for the Storm Water Management Facility are as follows:

Storm water detention and retention ponds or basins:

- a. Mow on a regular basis to maintain the vegetation at the height designated on the original design to prevent erosion.
- b. Remove all trash, litter, debris or obstructions in the basin in the Easement Area and any inlets or outlets located within the Easement Area.
- c. Plant, maintain and replant as necessary permitted vegetation.
- d. Inspect for any defects, obstructions, or any changes in the original design.
- e. Inspect and determine the depth of the pond or basin on an annual basis.
- f. Remove any accumulated sediment from the outlet structures and remove any sediment which may accumulate greater than 12 inches in ponds or basins and greater than 6 inches in an underground detention basin.

- g. Till the soil at the bottom of the riparian buffer if it does not drain out within the time established in the design plan and replant vegetation as designated on the original design.
- h. All repairs shall conform to the original design.
- i. Maintaining the storm water and retention pond or basin to assure the effectiveness for storm water runoff for the subdivision/site.

Grass and Bioretention Swales:

- a. Mow on a regular basis to maintain the vegetation at the height designated on the original design to prevent erosion.
- b. Remove all trash, litter, debris or obstructions in the grass or bioretention swale and Easement Area.
- c. No chemicals or substances shall be applied to the Easement Area that shall harm or impair the effectiveness of the swale as a storm water runoff control measure.
- d. Replant vegetation as soon as practical when any vegetation dies.
- e. Inspect and determine the depth of the swale on an annual basis.
- f. Remove any sediment accumulated greater than 6 inches which may accumulate in the swale.
- g. Till the soil at the bottom of the swale if the grass swale does not drain out within the time established in the design plan and replant vegetation as designated on the original design.
- h. All repairs shall conform to the original design.
- i. Maintain the grass and/or bioretention swale to assure the effectiveness for storm water runoff for the subdivision/site.

Riparian Buffer:

- a. Mow on a regular basis to maintain the vegetation at the height designated on the original design to prevent erosion.
 - b. Replant the vegetation in the Easement Area as soon as practical when any vegetation dies.
 - c. Remove all trash, litter, debris or obstructions in the Easement Area.
 - d. Inspect for erosion in the riparian buffer on an annual basis.
 - e. Inspect and determine the depth of the riparian buffer on an annual basis.
 - f. Remove any sediment accumulated greater than 25% of the original design depth.
 - g. Till the soil at the bottom of the riparian buffer if it does not drain out within the time established in the design plan and replant vegetation as designated on the original design.
 - h. All repairs shall conform to the original design.
 - i. Maintain the riparian buffer to assure the effectiveness for storm water runoff for the subdivision/site.
13. No chemicals or any substance shall be applied to the storm water maintenance facility that shall harm or impair the effectiveness of the storm water maintenance facility as a storm water runoff control measure.
 14. No structure shall be erected over or within the Easement Area without obtaining the prior written approval of the City Engineer.
 15. No structure, material, device, thing or matter which could possibly obstruct or impede the normal flow of surface water over the Easement Area shall be erected or caused to be placed on the Easement Area without obtaining the prior written approval of the City Engineer.
 16. No planting of trees and shrubs is allowed within the easement area (other than planting allowed and required pursuant to the original Storm Water Management Control Plan on file with the City of West Des Moines).
 17. No change shall be made to the grade, elevation or contour of any part of the Easement Area without obtaining the prior written consent of the City Engineer.
 18. The Association, the City and their agents, contractors, employees and assigns shall have the right of access to the Easement Area and have all rights of ingress and egress reasonably necessary for the use and enjoyment of the Easement Area as herein described, including, but not limited to, the right to remove any unauthorized plantings or structures placed or erected on the Easement Area and the right to do maintenance, repair, reconstruction, grading and dredging.

19. Grantor covenants on behalf of the Benefited Properties and the Association that the Easement Area or any other area appurtenant to or necessary for the operation of the Storm Water Management Facility shall not be sold, transferred, donated or in any other manner conveyed in order to relieve the Grantor, the Benefited Properties or the Association from complying with the requirements of this Agreement.
20. This Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement and Petition and Waiver shall be deemed to run with the land and shall be binding on Grantor and on Grantor's successors and assigns.

Grantor does hereby covenant with the City that Grantor holds said real estate described in this Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement by Title In Fee Simple; that Grantor has good and lawful authority to convey the same; and said Grantor covenants to warrant and defend the said premises against the lawful claims of all persons whomsoever.

Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share, if any, in and to the interests conveyed by this Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement.

Words and phrases herein including acknowledgment hereof shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

Signed this day of January, 2016

Grantor: KH Development, LC

By: _____

Name: Jacob Happe

Title: Manager

STATE OF IOWA)
)SS
COUNTY OF Dallas)

On this ____ day of _____, 2016, before me, the undersigned, a Notary Public in and for said County and State personally appeared Jacob Happe, to me personally known, who being by me duly sworn, did say that he is Manager, executing the within and foregoing instrument and acknowledged that he executed the same as his voluntary act and deed of the Limited Liability Company, by it and by him voluntarily executed.

Notary Public in and for the State of Iowa

Grantor: Community Business Lenders Service Company, LLC

By: _____

Name: _____
Title: _____

STATE OF IOWA)
)SS
COUNTY OF Dallas)

On this ____ day of _____, 2016, before me, the undersigned, a Notary Public in and for said County and State personally appeared _____, to me personally known, who being by me duly sworn, did say that he/she is the _____, executing the within and foregoing instrument and acknowledged that he/she executed the same as his voluntary act and deed of the Limited Liability Company, by it and by him/her voluntarily executed.

Notary Public in and for the State of Iowa

Lots 11-49 in Michael’s Landing Plat 3 Homeowner’s Association

By: _____
Name: Jacob Happe
Title: Manager

STATE OF IOWA)
)SS
COUNTY OF Dallas)

On this ____ day of _____, 2016, before me, the undersigned, a Notary Public in and for said County and State personally appeared Jacob Happe, to me personally known, who being by me duly sworn, did say that he is the Manager, executing the within and foregoing instrument and acknowledged that he executed the same as his voluntary act and deed of Lots 11-49 in Michael’s Landing Plat 3 Homeowner’s Association, by it and by him voluntarily executed.

Notary Public in and for the State of Iowa

CITY OF WEST DES MOINES, IOWA

I, Ryan T. Jacobson, City Clerk of the City of West Des Moines, Iowa, do hereby certify that the within and foregoing Easement was duly approved and accepted by the City Council of said City of West Des Moines by Resolution and Roll Call No. _____, passed on the _____ day of _____, 2016, and this certificate is made pursuant to authority contained in said Resolution.

Signed this ____ day of _____, 2016.

Ryan T. Jacobson, CMC, MPA
City Clerk of the City of West Des Moines, Iowa

EXHIBIT A

**AGREEMENT AND WAIVER
POST CONSTRUCTION STORM WATER MANAGEMENT**

THIS AGREEMENT made and entered into by and between the City of West Des Moines, Iowa, hereinafter referenced the CITY, and KH Development, LLC, hereinafter referenced the PROPERTY OWNERS.

WITNESSETH:

WHEREAS, the City desires to encourage orderly community development and provide for the regulation and control of the extension of public improvements, public services, and utilities, consistent with its Comprehensive Plan, adopted in September 2010, as amended, and in accordance with Iowa Code Chapter 354, Platting, Division and Subdivision of Land; and

WHEREAS, pursuant to U.S. EPA's National Pollutant Discharge Elimination System ("NPDES") permit program ("Program") administered by the Iowa Department of Natural Resources ("IDNR"), the City is required to obtain from the IDNR an NPDES permit for the discharge of storm water from a Municipal Separate Storm Sewer System (MS4); and

WHEREAS, as a condition of the City's MS4 Permit, the City is obliged to develop, implement, and enforce a program to address storm water runoff from new construction and reconstruction projects for which State NPDES General Permit #2 storm water permit coverage is required; and

WHEREAS, the Property Owner, as the developer and/or owner of a construction or reconstruction project in the City of West Des Moines, is subject to the program implemented by the City to address storm water runoff from the project; and

WHEREAS, in order to comply with the program implemented by the City, the Property Owner has executed an Offsite Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement (hereinafter "Agreement") with the City to address the rights and obligations of the parties regarding control of post-construction storm water runoff from the project; and

WHEREAS, a provision of the Agreement requires the Property Owner to execute this Agreement and Waiver in favor of the City to allow the City to recover any costs expended for action taken by the City, its consultants, contractors and assigns to address the maintenance, reconstruction, repair, grading or dredging of the Storm Water Management Facility or Easement Area if the Property Owner or the Property Owner's successors and assigns fail to do so; and

WHEREAS, this Agreement and Waiver is made in conjunction with the Offsite Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement located on:

A PRIVATE STORM WATER DETENTION, STORM SEWER, & OVERLAND FLOWAGE EASEMENT IN STREET LOT 'J' & OUTLOT 'S', CORRECTED MICHAEL'S LANDING PLAT 1, AN OFFICIAL PLAT RECORDED IN BOOK 2007, PAGE 3042 AT THE DALLAS COUNTY RECORDER'S OFFICE, CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SW CORNER OF SAID STREET LOT 'J'; THENCE N00°37'41"E 205.29 FEET ALONG THE WEST LINE OF SAID STREET LOT 'J', SAID WEST LINE ALSO BEING THE EAST LINE OF MICHAEL'S LANDING PLAT 3, AN OFFICIAL PLAT, IN THE CITY OF WEST DES MOINES TO A POINT; THENCE S67°53'01"E, 46.74 FEET TO A POINT; THENCE N82°23'35"E, 360.76 FEET TO A POINT; THENCE S00°31'04"E, 181.82 FEET TO A POINT ON THE SOUTH LINE OF SAID OUTLOT 'S', SAID SOUTH LINE ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF BOONEVILLE ROAD AS IT IS PRESENTLY ESTABLISHED; THENCE S82°23'35"W, 405.06 FEET ALONG SAID SOUTH LINE AND SAID NORTH RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING AND CONTAINING 1.68 ACRES.

and applies to the property described as:

Michael's Landing Plat 3, an official plat, in the City of West Des Moines, Dallas County, Iowa.

NOW, THEREFORE, BE IT AGREED AMONG THE PARTIES AS FOLLOWS:

1. In the event the Property Owner or its successors and assigns fail to comply with the requirements of the Offsite Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement regarding any action necessary for the maintenance, reconstruction, repair, grading or dredging of the Storm Water Management Facility or Easement Area, the City shall have the right to cause the above-described actions completed in accordance with such plans and specifications as it shall deem appropriate.
2. For the purpose of this Agreement, the City may elect to enter into a contract for the completion of such actions as a part of any contract(s) and assess the cost of such actions to the Property Owner or its successors and assigns pursuant to the formula established in the Offsite Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement.
3. In consideration for the completion of such actions by the City, the undersigned Property Owners hereby WAIVE the following:
 - A. All legal formalities of whatsoever kind or character required by the laws of Iowa to be observed by cities in the completion of said actions where the expense of such Improvements is to be assessed against private property; and
 - B. Each and every question of jurisdiction, the intention of the Property Owners being to authorize and direct said City to complete such actions without requiring any of the formalities or legal proceedings required of cities by the statutes of Iowa; and
 - C. Any limitation of the amount of said assessment as a percentage of valuation as provided in the Code of Iowa; and
 - D. Any right to defer or postpone the payment for any such action.
4. It is further agreed that:
 - A. When said actions have been constructed or completed in accordance with the plans and specifications, the City may make assessments against the properties of the undersigned Property Owners, or their successors or assigns, for their pro-rata share of the entire cost of the construction and/or completion of said actions.
 - B. Said assessments shall be due immediately and will be paid to the City of West Des Moines and shall constitute a lien upon the properties hereinafter described. Further, each of the undersigned Property Owners hereby agree to accept responsibility for the assessment which is thus assessed against the Owner's property.
 - C. Said assessments shall have the same legal force and effect as if all the legal formalities provided by law in such cases had been fully and faithfully performed and observed.
5. The amount and proportion of the cost of the actions completed by the City to be paid shall be ascertained and determined by the Engineers and reported to the City Council, which shall make such changes or alterations as they may require. When said costs are determined and approved by the City Council, they shall constitute the assessments against the properties.
6. The Property Owners retain the right to request of the City a review of the mathematical calculations made to ensure their accuracy.

7. Property Owners hereby authorize the City Council to pass any Resolution requisite or necessary to order and secure said actions, to provide for the construction of the same and to make the assessments herein provided for, without further notice to said Property Owners or any of them. Any such Resolution may contain recitals that said actions are ordered or made by the Council without petition of Property Owners, without in any way qualifying this Agreement or releasing the Property Owners from their obligation to pay the assessments levied against their property for the cost of said action.

8. Each Property Owner warrants that the real estate described below is free and clear of all liens and encumbrances other than for ordinary taxes, except for such liens as are held by lienholders hereinafter listed and designated as signers of this Agreement and Waiver. Each lienholder designated below, by execution of this Agreement and Waiver, consent to the subordination of its lien to the lien of the assessment levied pursuant hereto.

9. Each Property Owner further agrees that the terms of this Agreement and Waiver shall become a covenant which runs with the land of the below-referenced property, and shall be binding upon all successors and assigns. Furthermore, each Property Owner shall give a copy of this Agreement and Waiver to all successors and assigns.

10. The signatories and the City agree this document will be recorded in the office of the appropriate county recorder to ensure that any and all future purchasers of property are put on notice of the above conditions.

Description of Property: Michael's Landing Plat 3, an official plat, in the City of West Des Moines, Dallas County, Iowa.

PROPERTY OWNER NAME: KH Development, LC

By _____
 Name _____ Title _____
 Date _____
 Witness _____
 Name _____

LIENHOLDER'S NAME: Central Bank

By _____
 Name _____ Title _____
 Date _____
 Witness _____
 Name _____

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

Date: January 26, 2016

ITEM: Short Term Rentals – Amend Title 9 (Zoning), Chapter 2 (Zoning Rules And Definitions), Section 2-2 (Definitions); Amend Title 9 (Zoning), Chapter 5 (Agricultural/Open Space And Residential Zoning District) Section 4 (Specific Use Regulations), and Section 8 (Open Space/Agricultural And Residential Use Regulations), Subsection C (Use Matrices); Amend Title 9 (Zoning), Chapter 6 (Commercial, Office, and Industrial Zoning Districts), Section 4 (Specific Use Regulations) and Section 6 (Commercial, Office, and Industrial Use Regulations), Subsection C, Table 6.1 (Use Matrix Division I); Amend Title 9 (Zoning), Chapter 15 (Off-Street Parking and Loading), Section 7: Number of Parking Spaces Required, Subsection E; Amend Title 3 (Business And Licensing), Chapter 3 (Hotel And Motel Tax), Section 2 (Definitions); and Amend Title 8 (Building Regulations), Chapter 2, Article A (Building Codes) Section 29 (Rental Housing) to amend definitions and regulation pertaining to residential rentals – City Initiated – AO-002907-2015

ORDINANCE: Approval of Second Reading, Waive Third and Adopt in Final Form

FINANCIAL IMPACT: Undetermined.

BACKGROUND: Staff is requesting an amendment to the following sections of City Code:

- Title 3: *Business And Licensing*, Chapter 3: *Hotel and Motel Tax*, Section 2: *Definitions* to add definitions for short and long-term rentals.
- Title 8: *Building Regulations*, Chapter 2, Article A: *Building Codes*, Section 29: *Rental Housing* to modify the “Family” definition stated to be consistent to that included in the Zoning Code.
- Title 9: *Zoning*, Chapter 2: *Zoning Rules and Definitions*, Section 2-2: *Definitions* to modify and /or eliminate definitions pertaining to various dwelling types currently included in code and to add necessary definitions to define short and long-term rentals, transient persons, and Campground facilities.
- Title 9: *Zoning*, Chapter 5: *Agricultural/Open Space and Residential Zoning District*, Section 4: *Specific Use Regulations* to establish regulations requiring owner occupancy during duration of stay for any rental of 31 consecutive days or less (short-term rental).
- Title 9: *Zoning*, Chapter 5: *Agricultural/Open Space and Residential Zoning District*, Section 8: *Open Space/Agricultural and Residential Use Regulations*, Subsection C: *Use Matrices* to clarify in what zoning districts residential rentals are allowed.
- Title 9: *Zoning*, Chapter 6: *Commercial, Office and Industrial Zoning District*, Section 4: *Specific Use Regulations* to add regulations defining the maximum duration of stay for campground facilities.
- Title 9: *Zoning*, Chapter 6: *Commercial, Office and Industrial Zoning District*, Section 6: *Commercial, Office, and Industrial Use Regulations*, Subsection C, Table 6.1- *Use Matrices Division I* to remove terms associated with dwelling types that are no longer applicable and defined in the Zoning Code.
- Title 9: *Zoning*, Chapter 15: *Off-Street Parking and Loading*, Section 7: *Number of Spaces Required*, Subsection E: *Individual uses not part of a Planned Commercial Center* to specify requirements for guest parking at rental properties.

Previous Council Action:

Vote: 5-0 approval

Date: January 11, 2016

Motion: Approval of the First Reading of the ordinance

OUTSTANDING ISSUES: There are no outstanding issues.

RECOMMENDATION: Based upon the preceding review and a finding of consistency with the Comprehensive Plan, the Plan and Zoning Commission recommends the City Council approve the first reading to amend City Code

to amend definitions and regulation pertaining to short term residential rentals, subject to the applicant meeting all City Code requirements.

Lead Staff Member: J. Bradley Munford

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Date(s) Published	November 27, 2015
Letter sent to surrounding property owners	N/A

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	November 5, 2015		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

ATTACHMENT:

Exhibit I - Proposed Ordinance

Prepared by: J.B. Munford, West Des Moines Development Services, PO Box 65320, West Des Moines, IA 50265, 515-222-3620
When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2015, TITLE 9 (ZONING), CHAPTER 2 (ZONING RULES AND DEFINITIONS), SECTION 2-2 (DEFINITIONS); TITLE 9 (ZONING), CHAPTER 5 (AGRICULTURAL/OPEN SPACE AND RESIDENTIAL ZONING DISTRICT), SECTION 4 (SPECIFIC USE REGULATIONS) AND SECTION 8 (OPEN SPACE/AGRICULTURAL AND RESIDENTIAL USE REGULATIONS), SUBSECTION C (USE MATRICES); TITLE 9 (ZONING), CHAPTER 6 (COMMERCIAL, OFFICE, AND INDUSTRIAL ZONING DISTRICTS), SECTION 4 (SPECIFIC USE REGULATIONS) AND SECTION 6 (COMMERCIAL, OFFICE, AND INDUSTRIAL USE REGULATIONS), SUBSECTION C, TABLE 6.1 (USE MATRIX DIVISION I); AMEND TITLE 9 (ZONING), CHAPTER 15 (OFF-STREET PARKING AND LOADING), SECTION 7: NUMBER OF PARKING SPACES REQUIRED, SUBSECTION E; TITLE 3 (BUSINESS AND LICENSING), CHAPTER 3 (HOTEL AND MOTEL TAX), SECTION 2 (DEFINITIONS); AND TITLE 8 (BUILDING REGULATIONS), CHAPTER 2, ARTICLE A (BUILDING CODES), SECTION 29 (RENTAL HOUSING) TO AMEND DEFINITIONS AND REGULATION PERTAINING TO RESIDENTIAL RENTALS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA:

Section 1. Amendment. Title 9: Zoning, Chapter 2: Zoning Rules and Definitions, Section 2-2: Definitions is hereby amended by deleting the highlighted strike-thru text and inserting the italicized and bolded text accordingly in alphabetical order:

~~Boarding House: A building other than a hotel where, for compensation, meals and lodging are provided for four (4) or more persons, but shall not include rest homes~~

Campground (Sporting and Recreational Camps): Permanent buildings, temporary buildings or vehicles including but not limited to cabins, tents, camp trailers, travel trailers, motor homes, or similar movable or temporary sleeping quarters of any kind established or maintained as a temporary living quarter for recreation, religious, education or vacation purposes.

~~Dwelling: A building or portion thereof used exclusively for residential purposes, including one-family, two-family and multiple-family dwellings, but not including hotels, motels, and nursing homes, boarding, rooming, and lodging houses~~

Hotel: Any commercial building containing six (6) or more guest rooms intended or designed to be used or which are used, rented or hired out to be occupied by *transient persons*, or which are occupied for sleeping purposes by guests. *These facilities customarily provide maid service, upkeep of furniture and bed linens and a 24 hour staffed front desk service.*

Motel or Motor Hotel: A commercial building or group of two (2) or more buildings designed to provide sleeping accommodation for transient *persons* or overnight guests, with garage attached or parking facilities conveniently located to each such unit. *These facilities customarily provide maid service, upkeep of furniture and bed linens and a 24 hour staffed front desk service*

Lodging House: Any building or portion thereof, containing not more than five (5) guest rooms which are used by not more than five (5) guests where rent is paid in money, goods, labor or otherwise. A lodging house shall comply with all the requirements of this Code for dwellings³. (Ord. 430, 8-11-1969)

Long-term Rental: *Lodging within a dwelling unit available for use or is used to accommodate guests paying a fee or other compensation for a period of more than 31 consecutive days.*

Rooming House: A residential building used, or intended to be used, as a place where sleeping accommodations are furnished or provided for pay, but which does not maintain a public dining room or cafe in the same building, nor in any building in connection therewith. (Ord. 430, 8-11-1969)

Short-term Rental: *Lodging within a dwelling unit available for use or is used to accommodate guests paying a fee or other compensation for a period of less than 31 consecutive days.*

Tourist Cottage: A single-family dwelling used as one of the units of a tourist park.

Tourist Home: A residential building in which rooms are available for rental purposes as overnight sleeping accommodations primarily for automobile travelers, said building located either singularly or as a part of a tourist park.

Tourist Park: Any lot or plot of real property upon which three (3) or more single-family camp cottages, or two (2) or more trailers, or any combination of tourist cottages or tourist homes or trailers, are located and maintained for the accommodation of transients, where a charge is or is not made. (Ord. 430, 8-11-1969)

Transient Person: *Any person or persons who, obtains lodging or the use of any lodging space for any period of less than 31 consecutive days and whose permanent address for legal purposes is not the lodging unit occupied.*

Section 2. Amendment. Title 9: Zoning, Chapter 5: Agricultural/Open Space and Residential Zoning District, Section 4: Specific Use Regulations is hereby amended by adding a Subsection 'D' and inserting the following italicized and bolded text:

D. No Dwelling Unit, Residential Unit or Detached Townhome or any portion thereof as defined in Title 8: Building Regulations, Chapter 2A and Title 9: Zoning, Chapter 2: Zoning Rules and Definitions, Section 2: Definitions shall be rented for a period of thirty one (31) days or less unless the dwelling unit, residential unit or detached townhome is owner-occupied, with the owner on-site and present at the time of and for the duration of the rental.

All dwelling units, residential units and detached townhomes rented for a period of thirty one (31) days or less shall be subject to the requirements of Title 8: Building Regulations, Chapter 2, Article A: Building Codes, Title 9: Zoning, and Iowa Code Chapter 423A. subject to the exemptions provided therein, and any requirements imposed by the Iowa Department of Inspections and Appeals.

Section 3. Amendment. Title 9: Zoning, Chapter 5: Agricultural/Open Space and Residential Zoning District, Section 8: Open Space/Agricultural and Residential Use Regulations, Subsection C: Use Matrices is hereby amended by deleting the highlighted strike-thru text and inserting the italicized and bolded text:

C. Use Matrices:

TABLE 5.1 RESIDENTIAL USES									
Land Uses	OS	RE	RS	R-1	SF-CR	SF-VJ	MH	RM	RH
Single-family dwelling:									
Attached								P	P
Detached	P	P	P	P	P	P	P		
Multi-family dwelling								P	P
Second dwelling unit	P	P	Pc	Pc					
Mobile homes	P	P	P	P	P	P	P		
651.5 Mobile home developments	P						P		

Short term rental:									
Owner occupied	P	P	P	P	P	P	P	P	P
Not owner occupied									
Long term rental:	P	P	P	P	P	P	P	P	P
7011 Bed and breakfast	Pe	Pe	Pe	Pe	Pe	Pe	-	-	-
7021 Rooming and boarding house with less than 2 rented rooms	Pe	Pe	Pe	Pe	Pe	Pe	P	P	P
7021 Rooming and boarding house with more than 2 rented rooms	Pe	-	-	-	-	-	-	-	-
7041 Organization hotels and lodging on a membership basis	Pe	Pe	Pe	Pe	Pe	Pe	P	P	P
805 Nursing and personal care	P	Pc	Pc	Pc	Pc	Pc	P	P	P
8351 Child and day care services:									
Childcare home - 5 children or less ¹	P	P	P	P	P	P	P		
Child development home maximum 6 full time children (state license category A or B) ¹	P	P	P	P	P	P	P		
7+ full time children (child development home - state license category C)									
7+ full time children (childcare center)							Pc	Pc	Pc

Note:
1. In-home daycare uses require a home occupation permit issued by the city in addition to any state requirements.

Section 6. Amendment. Title 9: Zoning, Chapter 6: Commercial, Office and Industrial Zoning District, Section 4: Specific Use Regulations is hereby amended by deleting the highlighted strike-thru text and inserting the italicized and bolded text:

A. The following regulations shall be applied to the specific uses listed below in any district where that use is allowed:

1. Day nursery schools and childcare centers shall be allowed, provided that no building, structure or accessory use for property so used, is located no closer than thirty feet (30') from any other principal building on any other lot in a residential district. In addition there must be an established and well maintained, fenced play lot of no less than one thousand (1,000) square feet in area for the first twenty (20) or less children under care, with twenty five (25) square feet added to such play lot area for each additional designated child capacity of the principal building.
2. The best practical means known for the disposal of refuse matter or water carried waste, and abatement of obnoxious or offensive odor, dust, smoke, gas, noise or similar nuisance, shall be employed for any use within this chapter.
3. Residential uses shall be prohibited within the commercial, office and industrial districts, except that a residence for a caretaker for a property and residential uses located above nonresidential uses in the Valley Junction historical ~~commercial~~ *business* district may be permitted with the review and approval by the board of adjustment through the permitted conditional use permit (Pc) process *and multi-family residential uses within the Support Commercial zoning district when incorporated and approved by the City Council as part of a mixed-use building and/or development.*
4. *The maximum number of consecutive nights tents, camp trailers, travel trailers, motor homes, or similar movable or temporary sleeping quarters may occupy a campground is 15. After 15 nights, the temporary sleeping quarters must be removed from the campground for a minimum of 3 consecutive nights.*

Section 7. Amendment. Title 9: Zoning, Chapter 6: Commercial, Office and Industrial Zoning District, Section 6: Commercial, Office and Industrial Use Regulations, Subsection C Table 6.1 – Use Matrix Division I is hereby amended by deleting the highlighted strike-thru text and inserting the italicized and bolded text:

SIC CODES	RC	CMC	NC	CVC	SC	VJC	VJEB	WR	BP	VJLI	LI	GI	OF	PCP	OS
70 Hotels, rooming houses, camps, and other lodging places															
701 Hotels and motels	P				P	P		P						P	

702 Rooming and boarding houses															
703 Camps and recreational vehicle parks															Pc
704 Organization hotels and lodging houses, on membership basis															

Section 8. Amendment. Title 9: Zoning, Chapter 15: Off-Street Parking and Loading, Section 7: Number of Parking Space Required, Subsection E: Individual uses Not Part of a Planned Commercial Center is hereby amended by deleting the highlighted strike-thru text and inserting the italicized and bolded text:

Residential	
SIC Code/Land Use	Requirement In All Districts Except VJHB (All requirements listed for each land use are the minimum that must be met)
Single-family attached and detached dwelling	<ul style="list-style-type: none"> *2 spaces per dwelling unit *Tandem parking allowed *1 space per 100 square feet of GFA for a building or portion of a building designated for multipurpose recreational uses
Multi-family dwelling	<ul style="list-style-type: none"> *Efficiency apartment - 1.5 spaces per unit 1-2 bedroom units - 2.0 spaces per unit 3+ bedroom units - 2.5 spaces per unit *A maximum of 0.67 covered spaces per unit shall be allowed to count toward meeting the required number of parking spaces *1 space per 300 square feet of GFA for lease management offices *1 space per 100 square feet of GFA for a building or portion of a building designated for multipurpose recreational uses
Manufactured housing park	<ul style="list-style-type: none"> *2 spaces per unit *1 space per 10 units required as visitor parking *Tandem parking allowed *1 space per 300 square feet of GFA for lease management offices

	*1 space per 100 square feet of GFA for a building or portion of a building designated for multipurpose recreational uses
Manufactured housing park	*2 spaces per unit *1 space per 10 units required as visitor parking *Tandem parking allowed *1 space per 300 square feet of GFA for lease management offices *1 space per 100 square feet of GFA for a building or portion of a building designated for multipurpose recreational uses
805 Congregate care facility	*1 space per 4 beds *1 space per 2 employees on the maximum shift
Residential daycare facility (7-12 children/clients)	*2 spaces in addition to those required for the primary residence
Senior housing	*1 space per unit *1 space per 100 square feet of GFA for a building or portion of a building designated for multipurpose recreational uses
7011 Bed and breakfast/ <i>Short term rental/Long term rental</i>	*2 spaces required for the dwelling unit *1 space per guestroom
704 <i>Dormitory/fraternity/sorority</i>	*1 space per 100 square feet of GFA

Section 4. Amendment. Title 3: Business and Licensing, Chapter 3: Hotel and Motel Tax, Section 2: Definitions is hereby amended by deleting the highlighted strike-thru text and inserting the italicized and bolded text:

3-3-2: DEFINITIONS:

Unless otherwise expressly stated or the context clearly indicates a different intention, the following terms shall, for the purpose of this Chapter, have the meanings in this Section:

HOTEL and MOTEL: Any hotel, motel, inn, ~~public lodging house, rooming house or tourist court~~, or any place where sleeping accommodations are furnished to transient guests for rent, whether with or without meals, except the gross receipts from the renting of sleeping rooms in dormitories and in memorial unions of all State of Iowa universities and colleges.

Long-term Rental: Lodging within a dwelling unit available for use or is used to accommodate guests paying a fee or other compensation for a period of more than 31 consecutive days.

RENTING and RENT: Any kind of direct or indirect charge for any room, apartment or sleeping quarter in a hotel or motel ~~as defined above~~ or short term or long-term rental as defined therein.

Short-term Rental: Lodging within a dwelling unit available for use or is used to accommodate guests paying a fee or other compensation for a period of less than 31 consecutive days.

Section 5. Amendment. Title 8: Building Regulations, Chapter 2 Article A: Building Codes, Section 29: Rental Housing is hereby amended by deleting the highlighted strike-thru text and inserting the italicized and bolded text:

SINGLE-FAMILY HOUSING CRITERIA: The West Des Moines zoning ordinance and official zoning map currently designate where single-family (one-family) dwelling units, two-family dwelling units, and multiple dwelling units may be located within the city. The zoning ordinance definitions are also utilized as approval criteria for determining where rental units may be located. The following zoning ordinance definitions are utilized to establish whether a dwelling unit meets current zoning and rental housing criteria:

Dwelling Unit: One or more habitable rooms *which are* occupied, or are intended *or* designed to be occupied, by one family with facilities for living, sleeping, cooking and eating.

~~**Family:** Any number of individuals living together as a single housekeeping unit and doing their cooking on the premises, as distinguished from a group occupying a boarding or rooming house or hotel.~~

Family:

A. Definition: A person living alone or any of the following groups living together as a single nonprofit housekeeping unit and sharing common living, sleeping, cooking, and eating facilities:

1. Any number of people related by blood, marriage, adoption, guardianship or other duly authorized custodial relationship;

2. No more than three (3) unrelated people and any children related to any of them;

3. Not more than eight (8) people who are:

a. Residents of a "family home" as defined in section 414.22 of the Iowa Code and this section; or

b. "Handicapped" as defined in the fair housing act, 42 USC section 3602(h). This definition does not include those persons currently illegally using or addicted to a "controlled substance" as defined in the controlled substances act, 21 USC section 802(6).

4. The definition of a "family" does not include:

a. Any society, club, fraternity, sorority, association, lodge, combine, federation, coterie, or like organization;

b. Any group of individuals whose association is temporary or seasonal in nature; and

c. Any group of individuals who are in a group living arrangement as a result of criminal offenses.

Kitchen: Any room or portion of a building used, intended or designed to be used for cooking and preparation of food, including any room having a sink and provisions for either a gas or electric stove.

~~**One-Family Dwelling Dwelling, Single-Family Detached:** A detached building, on a building site, designed for and used exclusively for residential purposes by one family and containing one dwelling unit.~~

In addition to the definitions, the following criteria shall be utilized to determine if the intent of the zoning requirements have been met for single-family (one-family) dwelling units: There shall not be more than one lease between the property owner and the tenant (tenants) for each single-family zoned property address. Subleases between tenants are a private issue and shall not be subject to city scrutiny, provided all other criteria have been met.

A. There shall not be more than one kitchen for each single-family zoned property address. Exception: Additional sinks, wet bars, or kitchen areas will not be considered an additional kitchen provided walls, floors, and locking doors, as specified below, do not separate the dwelling into multiple tenant use.

B. There shall not be more than one electric meter, gas meter, or water meter for each single-family zoned property address.

C. There shall not be any walls or floor/ceiling assemblies in any single-family zoned property address, which separate the one-family dwelling into more than one unit. Determining factors shall include locked or locking interior doors, and separate entrances which make portions of the unit inaccessible to all "family" members. (Ord. 2025, 4-7-2014)

Section 9. Repealer. All ordinances or parts of ordinances in conflict with the provision of this ordinance are hereby repealed.

Section 10. Savings Clause. If any section, provision, sentence, clause, phrase or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase or part hereof not adjudged invalid or unconstitutional.

Section 11. Violations and Penalties. Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in Section 1-4-1 of the City Code of the City of West Des Moines, Iowa.

Section 12. Other Remedies. In addition to the provisions set out in the Violations and Penalties Section herein, the City may proceed in law or equity against any person, firm or corporation for violation of any section or subsection of this Ordinance.

Section 13. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed by the City Council on the _____ day of _____, 2016, and approved this _____ day of _____, 2016.

Steven K. Gaer, Mayor

ATTEST:

Ryan T Jacobson, City Clerk

The foregoing Ordinance No. _____ was adopted by the Council for the City of West Des Moines, Iowa, on _____, 2016, and was published in the Des Moines Register on _____, 2016.

Ryan T. Jacobson, City Clerk

NO CHANGE FROM PREVIOUS READING

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

Date: January 26, 2016

ITEM: Minor Modification Ordinance Amendment – Amend Title 9, Zoning, Chapter 1, Entitlements, Processes & Procedures, Section 8-A-4 - City Initiated
AO-002928-2015

ORDINANCE: Approval of Second Reading, Waive Third Reading, Adopt in Final Form

FINANCIAL IMPACT: Undetermined.

BACKGROUND: Staff is requesting an amendment to City Code, Title 9, Zoning, Chapter 1, Section 8-A-4, Minor Modifications, to clarify when the minor modification process may be used and change the general provisions related to storm water management plans and traffic impact studies.

Previous City Council Action:

Vote: 5-0 approval

Date: January 11, 2016

Motion: Approve the first reading of the amendment to the Title 9, Zoning Code, Chapter 1, Section 8-A-4.

OUTSTANDING ISSUES: There are no outstanding issues.

RECOMMENDATION: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, Staff recommends the City Council approve the second reading of the ordinance, waive the third reading of the ordinance and pass the ordinance in final form.

Lead Staff Member: Kara Tragesser, AICP

Staff Reviews:

Department Director	LS
Appropriations/Finance	
Legal	RTS
Agenda Acceptance	RTG

PUBLICATION(S) (if applicable)

Published In	Des Moines Register Community Section
Date(s) Published	December 25, 2015
Letter sent to surrounding property owners	N/A

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	December 3, 2015		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

ATTACHMENTS:

Exhibit I Ordinance

Prepared by: K Tragesser, West Des Moines Development Services, PO Box 65320, West Des Moines, IA 50265, 515-222-3620
 When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2014, BY AMENDING TITLE 9: ZONING, CHAPTER 1: ENTITLEMENTS – PROCESS AND PROCEDURES, SECTION 8 ENTITLEMENTS, SUBSECTION A-4 MINOR MODIFICATION TO ENTITLEMENTS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA:

Section 1. Amendment. Title 9: Zoning, Chapter 1: Entitlements – Process and Procedures, Section 8, Entitlements, Subsection A-4 Minor Modification to Entitlements is hereby revised by deleting text in highlighted strikethrough lettering and adding italicized text in bold lettering:

4. Minor Modifications to Entitlements:

A. Purpose: Level ~~1~~ and Level ~~2~~ Minor Modifications are changes to an approved site plan ~~are~~ *through* a process that allows for a less formal review of projects that encompass minor changes that do not generate substantial impacts and do not warrant public input.

B. General Provisions:

(1) The Director of Development Services or designee may grant a Level ~~1~~ or a Level ~~2~~ Minor Modification to an approved site plan permit. The modification may govern only the following measurable design/site considerations, which in no case results in a reduction from any minimum standard outlined in this zoning ordinance or the previous directives of the City Council or Board of Adjustment.

(A). A Level ~~1~~ Minor Modification may be allowed for the following:

1. Modifications to on-site circulation drives, parking, and loading or service areas that do not increase the net impervious surface area more than two thousand (2,000) square *and that do not affect existing topography or drainage*;
2. Placement or changes to walls, fences, and retaining walls;
3. Modifications to landscaping that do not affect existing topography or drainage;
4. Modifications to wall facades, reconfiguration and/or addition of architectural features, colors, or finishes materials that do not compromise the established theme or otherwise makes the structure inconsistent with the architectural design, color, or materials of other structures within the same development or surrounding area;
5. Entry vestibules necessary to meet Energy Code requirements and which are no larger than necessary to accommodate accessibility standards;
6. Co-location of communication antenna on existing structures and related accessory buildings up to two thousand (2,000) square feet;
7. Installation of trash enclosures and associated screening;
8. Installation of back-up generators and associated screening; and
9. Additions of or expansions of decks and patios for permitted uses.

(B). A Level ~~II~~ 2 Minor Modification may be allowed for the following:

1. Modifications to on-site circulation drives, parking, and loading or service areas which increase the net impervious surface area more than two thousand (2,000) square feet;
2. New freestanding accessory buildings for *permitted uses* of not more than a total of two thousand (2,000) square feet;
3. *New or expansions of patios or building expansions of an existing facility for permitted uses up to fifty percent (50%) of the existing square footage and not more than a total of two thousand (2,000) square feet;*
4. ~~Modification of an approved Permitted Conditional Use Site Plan Permit that does not increase the square footage of the use (e.g.: building, deck or patio addition or expansion) and that does not otherwise meet the test for a Level I Minor Modification;~~ *Installation of water, storm sewer, and sanitary utilities on the site. Installation of public utilities may be proposed through the Minor Modification Level 2 process, but will be subject to the approval and acceptance of the City Council.*
5. Changes in residential density to either decrease the total number of units or to increase the number of units as long as:
 - a. The density does not exceed the maximum allowed per the designated zoning of the property; and
 - b. The additional density does not warrant a structural addition or new structure which exceeds two thousand (2,000) square feet of gross floor area.
6. *Changes to topography or drainage that do not affect the ground elevations of sidewalks or buildings.*

(2) Any Level ~~I~~ 1 Minor Modification request which exceeds the prescribed limitations outlined in this section shall instead file a Level ~~II~~ 2 Minor Modification request or a Major Modification Site Plan Permit request. A site may have an unlimited number of Level ~~I~~ 1 Minor Modifications.

(3) Any Level ~~II~~ 2 Minor Modification request which exceeds the prescribed limitations outlined in this section or a site which has been the subject of two (2) previous Level ~~II~~ 2 Minor Modifications shall instead file a Major Modification Site Plan Permit request.

(4) Any modification to a previously approved Permitted Conditional Use Site Plan approval that does not qualify for the Level ~~I~~ 1 or the Level ~~II~~ 2 Minor Modification process shall be subject to review by the Board of Adjustment. Any expansion of a Permitted Conditional Use of property shall require approval by the Board of Adjustment.

(5) Any Level ~~I~~ 1 or Level ~~II~~ 2 Minor Modification to a *previously approved* site plan or to a previously approved Permitted Conditional Use Site Plan that is for a site which has non-conforming attributes, e.g. setbacks, open space percentage, landscaping, parking, and which proposes to increase the scope of any non-conforming attribute shall not be granted approval, except in those cases where a variance is obtained from the Board of Adjustment.

(6) *Any Level 1 or Level 2 Minor Modification to a previously approved site plan that increases the net impervious area by 2,000 square feet or more, or changes topography that affects drainage patterns within the site, or changes existing detention facilities within or serving the site, including changes to the capacity of a detention facility within or serving the site, or properties that are identified to contribute to known down-stream flooding issues will be required to study the effects of the proposal and provide either a revised Storm Water Management Plan or letter of general conformance to an approved Storm Water Management Plan signed by an Iowa licensed Engineer.*

(7) *Any Level 1 or Level 2 Minor Modification to a previously approved site plan that increases the square footage of the useable area of the building, e.g. expansion of the building or addition or expansion of a patio, or which modifies driveways or internal circulation to the extent that the change would affect traffic on the public street system will require a Traffic Impact Study.*

(6 8) The Director of Development Services or designee shall have the discretion to refer any Level I or Level II Minor Modification request to the Plan and Zoning Commission and City Council for permitted uses or to the Board of Adjustment for Permitted Conditional Use Permits.

- C. Application: The Level I or Level II Minor Modification ~~of a previously approved site plan permit~~ shall require the approval of the Director of Development Services or designee. The Director of Development Services or designee may establish conditions of approval to further the intent of this section or other City Code regulations. An application for a Level I or a Level II Minor Modification shall be on a form prescribed by the Director and shall be filed with the Development Services Department with such other detailed elevations, plans and other information as may be required to adequately evaluate the proposed development.
- D. Required Permit Findings: Level I and Level II Minor Modifications shall only be granted if all of the following findings are made. It shall be the responsibility of the applicant to prove that the following findings can be made:
- (1) That the proposed development or use is consistent with the West Des Moines comprehensive plan and any applicable subarea plan;
 - (2) That the proposed development or use does assure compatibility of property uses within the zone and general area;
 - (3) That all applicable standards and conditions have been imposed which protect the public health, safety and welfare;
 - (4) That there is adequate on site and off site public infrastructure to support the proposed development; and
 - (5) That the proposed development or use has met all the requirements contained in this Code.

Section 2. Repealer. All ordinances or parts of ordinances in conflict with the provision of this ordinance are hereby repealed.

Section 3. Savings Clause. If any section, provision, sentence, clause, phrase or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase or part hereof not adjudged invalid or unconstitutional.

Section 4. Violations and Penalties. Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in Section 1-4-1 of the City Code of the City of West Des Moines, Iowa.

Section 5. Other Remedies. In addition to the provisions set out in the Violations and Penalties Section herein, the City may proceed in law or equity against any person, firm or corporation for violation of any section or subsection of this Ordinance.

Section 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed by the City Council on the _____ day of _____, 2016, and approved this _____ day of _____, 2016.

Steven K. Gaer, Mayor


ATTEST:

Ryan T Jacobson
City Clerk

The foregoing Ordinance No. _____ was adopted by the Council for the City of West Des Moines, Iowa, on _____, 2016, and was published in the Des Moines Register on _____, 2016.

Ryan T. Jacobson
City Clerk

**CITY OF WEST DES MOINES
MEMORANDUM**

TO: Mayor and City Council
FROM: Kara Tragesser, AICP 
DATE: January 26, 2016
RE: Item # 6a: Ordinance Amendment – Self Storage – Continue to February 8, 2016

Staff presented to the Plan & Zoning Commission a draft ordinance to establish definitions and performance standards for self-storage at their meeting on January 18, 2016. The Commission directed staff to revise the ordinance based upon discussion of the request to allow self-storage in office and professional commerce park zoning districts.

The Plan and Zoning Commission continued the item to their February 1, 2016, meeting agenda to review the revisions.

Recommendation: City Council defer the public hearing of this ordinance amendment to the City Council's February 8, 2016, meeting.

- c. Tom Hadden, City Manager
Dick Scieszinski, City Attorney
Lynne Twedt, Development Services Director

CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

Date: January 26, 2016

ITEM: Breweries - Amend Title 9 (Zoning), Chapter 6 (Commercial, Office and Industrial Zoning Districts), Section 6 (Commercial, Office and Industrial Use Regulations), Subsection C, Table 6.1 (Use Matrix) to revise the regulations of breweries and tap rooms that are between 5,000 sq. ft. and 10,000 sq. ft. in size and amend the approval process for breweries and tap rooms – City Initiated
AO-002956-2016

ORDINANCE: Approval of First Reading of the Ordinance

FINANCIAL IMPACT: Undetermined.

BACKGROUND: Staff requests an amendment to Title 9, Zoning, Chapter 6 to revise the commercial, office, and industrial zoning use matrix to address a discrepancy in brewery size for breweries between 5,000 sq. ft. and 10,000 sq. ft. and amend the approval process for breweries and tap rooms. This amendment request is necessary to respond to a clarification request by the City’s codifier.

Plan and Zoning Commission Action:

Vote: 6-0 approval, Commissioner Andersen absent

Date: January 18, 2016


Motion: Adopt a resolution recommending the City Council approve the first reading of the amendment to Title 9, Zoning

OUTSTANDING ISSUES: There are no outstanding issues.

The following items of interest are noted in the attached Plan and Zoning Commission report (see Exhibit I):

- Applicant’s Request
- City Council Subcommittee - *Development & Planning: January 11, 2016*
- Staff Review and Comment
- Noticing Information
- Staff Recommendation and Conditions of Approval

RECOMMENDATION: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, the Plan and Zoning Commission recommends the City Council approve the first reading of the ordinance amendment to Title 9 (Zoning), Chapter 6 (Commercial, Office and Industrial Zoning Districts), Section 6 (Commercial, Office and Industrial Use Regulations), Subsection C, Table 6.1 (Use Matrix) to revise the regulations of breweries and tap rooms that are between 5,000 sq. ft. and 10,000 sq. ft. in size and amend the approval process for breweries and tap rooms

Lead Staff Member: Kara Tragesser, AICP 

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	Des Moines Register Community Section
Date(s) Published	January 8, 2016
Letter sent to surrounding property owners	N/A

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	January 11, 2016		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

ATTACHMENTS:

- Exhibit I - Plan and Zoning Commission Communication
- Attachment A - Plan & Zoning Commission Resolution
- Attachment B - Proposed Ordinance (*moved to Exhibit II*)
- Exhibit II - Ordinance

**CITY OF WEST DES MOINES
PLAN AND ZONING COMMISSION**

Meeting Date: January 18, 2016

Item: Breweries - Amend Title 9 (Zoning), Chapter 6 (Commercial, Office and Industrial Zoning Districts), Section 6 (Commercial, Office and Industrial Use Regulations), Subsection C, Table 6.1 (Use Matrix) to revise the regulations of breweries and tap rooms that are between 5,000 sq. ft. and 10,000 sq. ft. in size and amend the approval process for breweries and tap rooms – City Initiated AO-002956-2016

Request Action: Recommend to the City Council approval of an amendment to the City Code

Case Advisor: Kara Tragesser, AICP *WAT*

Applicant's Request: The City of West Des Moines requests an amendment to Title 9, Zoning, Chapter 6 to revise the commercial, office, and industrial zoning use matrix to address a discrepancy in brewery size for breweries between 5,000 sq. ft. and 10,000 sq. ft. and amend the approval process for breweries and tap rooms. This amendment request is necessary to respond to a clarification request by the City's codifier.

City Council Subcommittee: This item was discussed at the January 11, 2016, Development and Planning City Council Subcommittee. The subcommittee was supportive of changes to the ordinance.

Staff Review and Comment: There are no outstanding issues.

Brewery Size between 5,000 sq. ft. and 10,000 sq. ft.: In August 2015, the City Council approved an ordinance that allowed tap rooms and beer parlors in conjunction with breweries and allowed breweries of varying sizes with a tap room in non-industrial and non-residential zoning districts. The ordinance provided for a break down in the use matrix of sizes for a brewery of less than 5,000 sq. ft., less than 10,000 sq. ft. and greater than 10,000 sq. ft.

The same ordinance allowed tap rooms and beer parlors in conjunction with a brewery of varying sizes in non-residential districts. The ordinance provided for the break down in the use matrix of sizes or less than 5,000 sq. ft., between 5,000 sq. ft. and 10,000 sq. ft., and greater than 10,000 sq. ft.

The codifier pointed out a difference in how the brewery portion and the tap room portion of the use matrix were described by size, particularly as one had a breakdown of between 5,000 sq. ft. and less than 10,000 sq. ft. and one didn't. Staff reviewed the ordinance and determined that the breakdown in size should match; therefore staff recommends a change to the brewery portion of the use matrix in the ordinance that identifies a brewery size of "greater than 5,000 sq. ft. and less than 10,000 sq. ft."

Approval Process for Breweries and Tap Rooms: In that same ordinance, the codifier noted a difference in the approval process, Permitted or Permitted Conditional, for the entry for "brewery over 10,000 sq. ft." and the entry for "tap room in conjunction with a brewery over 10,000 sq. ft."; one was designated a Permitted (P) use and the other was designated a Permitted Conditional (Pc) use. The codifier questioned if the difference was intentional or if the entries should be the same. Staff recommends that the entries be the same to allow a brewery of over 10,000 sq. ft. in size and a tap room in conjunction with a brewer over 10,000 sq. ft. in size to be Permitted in the General Industrial zoning district.

Noticing Information: On January 8, 2016, notice of the January 18, 2016, Plan and Zoning Commission public hearing for the proposed amendment was published in the *Des Moines Register*.

Staff Recommendation and Conditions of Approval: Staff recommends the Plan & Zoning Commission approve a resolution recommending to the City Council approval of the ordinance amendment.

Attachments:

Attachment A – Proposed Resolution
Exhibit A – Proposed Ordinance

S:_Development Projects\Ordinance Amendments\Micro Breweries\Brewery Ordinance Corrections 2016\AO-002956-2016_SR_Brewery and Tap Room Revisions_01-18-2016.doc

RESOLUTION NO. PZC-PAC-16-005

TO AMEND TITLE 9 (ZONING), CHAPTER 6 (COMMERCIAL, OFFICE AND INDUSTRIAL ZONING DISTRICTS), SECTION 6 (COMMERCIAL, OFFICE AND INDUSTRIAL USE REGULATIONS), SUBSECTION C, TABLE 6.1 (USE MATRIX) TO REVISE USE MATRIX TO ADDRESS BREWERY SIZE AND AMEND THE APPROVAL PROCESS FOR SIC 2082 BREWERIES AND SIC 5813 TAP ROOMS

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, and Title 10, Chapter 1 et seq, of the West Des Moines Municipal Code, staff requests an amendment to Title 9 (Zoning), Chapter 2 (Zoning Rules and Definitions) to add a definition for brewery; amend Title 9 (Zoning), Chapter 6 (Commercial, Office and Industrial Zoning Districts), Section 6 (Commercial, Office and Industrial Use Regulations), Subsection C, Table 6.1 (Use Matrix) to revise use matrix to address brewery size and to amend the approval process for SIC 2082 Breweries and SIC 5813 Tap Rooms;

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

WHEREAS, this Commission held a duly-noticed hearing to consider the application for an amendment to the ordinance;

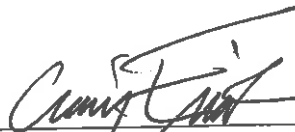
WHEREAS, this Commission did consider the application for an amendment to ordinance;

NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings for approval in the staff report or as amended orally at the Plan and Zoning Commission public hearing are adopted.

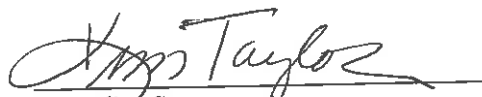
SECTION 2. The AMENDMENT TO ORDINANCE (AO-002956-2016) is recommended to the City Council for approval, as stated in the staff report or as amended in the attached Exhibit A.

PASSED AND ADOPTED on January 18, 2016.



Craig Erickson, Chair
Plan and Zoning Commission

ATTEST:



Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting held on January 18, 2016, by the following vote:

AYES: Brown, Costa, Crowley, Erickson, Hatfield, Southworth
NAYS: -0-
ABSTENTIONS: -0-
ABSENT: Andersen

ATTEST:



Recording Secretary

Prepared by: K Tragesser, West Des Moines Development Services, PO Box 65320, West Des Moines, IA 50265. 515-222-3620
When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

ORDINANCE NO.

TO AMEND TITLE 9 (ZONING), CHAPTER 6 (COMMERCIAL, OFFICE AND INDUSTRIAL ZONING DISTRICTS), SECTION 6 (COMMERCIAL, OFFICE AND INDUSTRIAL USE REGULATIONS), SUBSECTION C, TABLE 6.1 (USE MATRIX) TO REVISE USE MATRIX TO ADDRESS BREWERY SIZE AND TO AMEND THE APPROVAL PROCESS FOR SIC 2082 AND SIC 5813

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA:

Section 1. Amendment. Title 9 (Zoning), Chapter 6 (Commercial, Office and Industrial Zoning Districts), Section 6 (Commercial, Office and Industrial Use Regulations), Subsection C, Table 6.1 (Use Matrix) is hereby amended by adding the text in bold lettering and deleting the text in strikethrough lettering:

[continued on next page]

SIC CODES	RC	CMC	NC	CVC	SC	VJC	VJHB	WR	BP	VJLI	LI	GI	OF	PCP	OS
SIC 208 Beverages									Pc		Pc	P			
SIC 2082 Brewery less than 5,000 sq. ft. in conjunction with a tap room	Pc	Pc	Pc		Pc		Pc	Pc	Pc		Pc	Pc			
SIC 2082 Brewery greater than 5,000 sq. ft. and less than 10,000 sq. ft. in conjunction with a tap room	Pc	Pc			Pc			Pc	Pc		Pc	Pc			
SIC 2082 Brewery over 10,000 sq. ft. with or without a tap room									Pc		Pc	P			
5813 Drinking Places	Pc	Pc	Pc		Pc		Pc	Pc							
SIC 5813 Tap Room/Beer Parlor in conjunction with a brewery of less than 5,000 sq. ft.	Pc	Pc	Pc		Pc		Pc	Pc	Pc		Pc	Pc		Pc	Pc
SIC 5813 Tap Room/Beer parlor in conjunction with a brewery greater than 5,000 sq. ft. and less than 10,000 sq. ft.	Pc	Pc			Pc			Pc	Pc		Pc	Pc			
SIC 5813 Tap Room/Beer Parlor in conjunction with brewery greater than 10,000 sq. ft.									Pc		Pc	Pc P			

Section 2. Repealer. All ordinances or parts of ordinances in conflict with the provision of this ordinance are hereby repealed.

Section 3. Savings Clause. If any section, provision, sentence, clause, phrase or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase or part hereof not adjudged invalid or unconstitutional.

Section 4. Violations and Penalties. Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in Section 1-4-1 of the City Code of the City of West Des Moines, Iowa.

Section 5. Other Remedies. In addition to the provisions set out in the Violations and Penalties Section herein, the City may proceed in law or equity against any person, firm or corporation for violation of any section or subsection of this Ordinance.

Section 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed by the City Council on the ___ day of _____, 2016, and approved this _____ day of _____, 2016.

Steven K. Gaer, Mayor

ATTEST:

Ryan T Jacobson
City Clerk

The foregoing Ordinance No. _____ was adopted by the Council for the City of West Des Moines, Iowa, on _____, 2016, and was published in the Des Moines Register on _____, 2016.

Ryan T. Jacobson
City Clerk

CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: January 26, 2016

ITEM:

Resolution - Opening and Closing Public Hearing Regarding the Final Design and Site Selection and Approval of the Acquisition of Property, Including Agricultural Property South Grand Prairie Parkway – Raccoon River Drive to Madison Avenue (Project No. 0510-062-2015)

FINANCIAL IMPACT:

None at this time.

BACKGROUND:

Pursuant to state law, a municipality is required to provide notice and hold a public hearing to receive public input regarding the final design and site selection of a public improvement project when the acquisition of agricultural property for the project is necessary. The public hearing is necessary to make the final selection for the site of the project and to authorize the acquisition of property, including agricultural property, for the project.

The attached Resolution opens and closes the public hearing; approves the design and location of the project; approves the acquisition of property, including agricultural property necessary for the project, at the fair market value to be established by compensation estimate and/or appraisal; approves hiring of appraiser; and approves initiation and completion of condemnation proceedings, if necessary.

OUTSTANDING ISSUES: None.

RECOMMENDATION:

City Council Adopt:

- Resolution Opening and Closing Public Hearing Regarding the Final Design and Site Selection and Approval of the Acquisition of Property, Including Agricultural Property

Lead Staff Member: Duane C. Wittstock, P.E., L.S., City Engineer

STAFF REVIEWS

Department Director	Duane C. Wittstock, City Engineer
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard J. Scieszinski, City Attorney
Agenda Acceptance	<i>RTJ</i>

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Dates(s) Published	January 15, 2016

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works
Date Reviewed	January 18, 2016
Recommendation	Yes No Split

RESOLUTION OPENING AND CLOSING PUBLIC HEARING REGARDING THE FINAL DESIGN AND SITE SELECTION AND APPROVAL OF THE ACQUISITION OF PROPERTY, INCLUDING AGRICULTURAL PROPERTY, FOR THE CONSTRUCTION OF THE

**South Grand Prairie Parkway – Raccoon River to Madison Avenue
Project No. - 0510-062-2015**

WHEREAS, the City of West Des Moines has previously approved funding for the construction of the South Grand Prairie Parkway – Raccoon River to Madison Avenue, Project Number 0510-062-2015 (hereinafter “Project”); and

WHEREAS, the proposed project site includes agricultural property; and

WHEREAS, Code of Iowa Section 6B.2A requires a municipality to hold a public hearing to receive input regarding the final design and site selection for a public improvement project in which agricultural property will be acquired, and Code of Iowa Section 6B.2D requires a municipality to allow individuals with an interest in property that may be acquired for the Project to voice objection to the Project; and

WHEREAS, pursuant to state code the City has provided written and published notice regarding the public hearing to each owner and contract purchaser of agricultural property, and has provided written notice to each known owner, contract purchaser and tenant of property that may be acquired for the Project; and

WHEREAS, pursuant to Code of Iowa Section 6B.2A, published notice of the public hearing was made on January 15, 2016, a copy of which is on file in the Office of the City Clerk; and

WHEREAS, the City Council has received public input regarding the general nature of the Project, including objections to the Project, has determined the source of funding for the Project, has reviewed the site-specific design and location of the Project and has determined that the acquisition of property, including the acquisition of agricultural property through voluntary purchase or condemnation is for a public purpose and necessary for completion of the Project; and

WHEREAS, upon consideration of the information received by the City Council, including public input regarding the Project, the City Council has determined that it is in the best interest of the City of West Des Moines to proceed with the construction of the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA THAT:

1. Pursuant to Code of Iowa Section 6B.2A, written and published notice of the public hearing has been properly made to each owner and contract purchaser of agricultural property which may be needed for construction of the Project.
2. Pursuant to Code of Iowa Section 6B.2D, written notice of the public hearing has been properly made to each known property owner, contract purchaser and tenant of property that may be acquired for the Project in order for these owners, purchasers and tenants to voice objections to the Project.

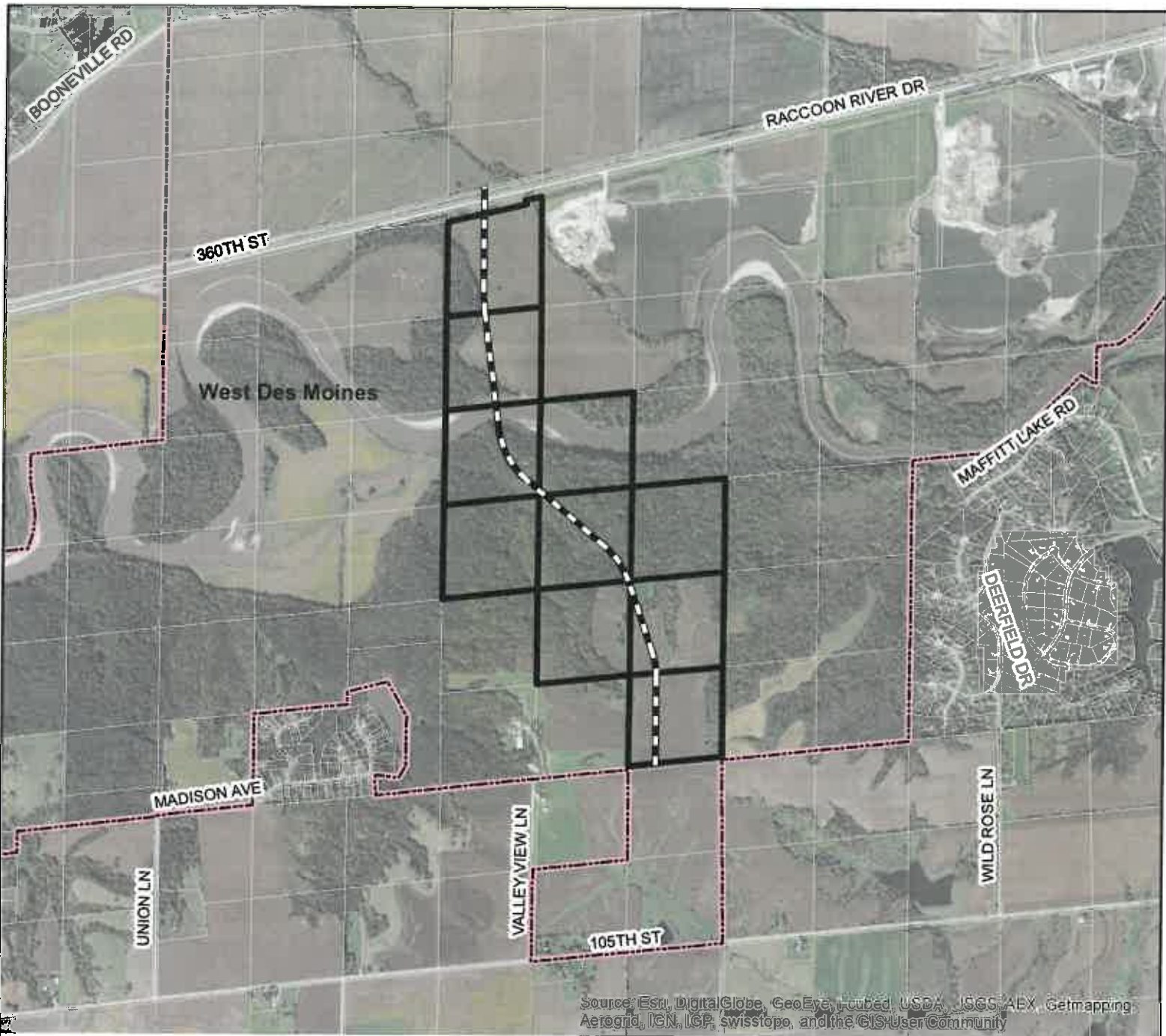
3. Input from individuals with an interest in property to be acquired for the Project, including the owners and contract purchasers of agricultural property, have been received and considered.
4. The public hearing on this matter is closed.
5. The design and location of the Project, which shall be funded with funds identified by the City of West Des Moines at the hearing, has been reviewed and is acceptable and appropriate.
6. The City shall obtain compensation estimates and/or appraisals establishing the fair market value of the property and easements required for construction of the Project, the locations and descriptions of which are shown on the attached Exhibit "A".
7. Pursuant to the property acquisition policy of the City of West Des Moines, acquisition of all property and easements necessary for the construction of the Project is hereby approved.
8. City staff is authorized to acquire M.A.I. appraisals or formulate compensation estimates establishing the fair market value of the property necessary for the Project.
9. City staff is further authorized to acquire the property and easements through voluntary acquisition or gift based upon the fair market value of each property as determined by the M.A.I. appraisal or compensation estimates, which upon the appraisals/estimates completion are hereby approved (copies of which shall be on file in the Office of the City Clerk).
10. Upon the inability of the City to acquire the property voluntarily or by gift, condemnation of such property is hereby approved. The City Legal Department is authorized to initiate and complete condemnation proceedings.
11. Acquisition of property related to the Project shall be done in accordance with all local, state and federal laws and regulations.

PASSED AND ADOPTED this 26th day of January, 2016.

Steven K. Gaer, Mayor

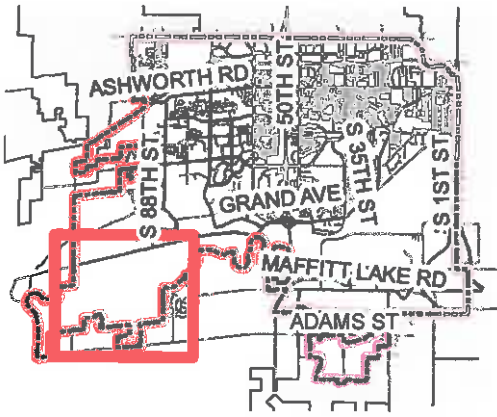
ATTEST:

Ryan T. Jacobson, City Clerk



Source: Esri, DigitalGlobe, GeoEye, iCubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

VICINITY MAP



LEGEND

PROJECT LOCATION



**CITY OF WEST DES MOINES
ENGINEERING SERVICES**
4200 MILLS CIVIC PARKWAY
WEST DES MOINES, IOWA 50265
PH: (515) 222-3620 FAX: (515) 273-0602

PROJECT: **S. GRAND PRAIRIE PARKWAY - RACCOON RIVER DRIVE TO MADISON AVENUE** 0510-062-2015
Project No. 0510-063-2015

LOCATION: **EXHIBIT "A"**

DRAWN BY: BJM DATE: 12/09/2015 SHT. 1 OF 1

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

6(d)

DATE: January 26, 2016

ITEM:

Resolution - Opening and Closing Public Hearing Regarding the Final Design and Site Selection and Approval of the Acquisition of Property, Including Agricultural Property
Grand Avenue West Segment 6F Sewer Extension (Project No. 0510-074-2015)

FINANCIAL IMPACT:

None at this time.

BACKGROUND:

Pursuant to state law, a municipality is required to provide notice and hold a public hearing to receive public input regarding the final design and site selection of a public improvement project when the acquisition of agricultural property for the project is necessary. The public hearing is necessary to make the final selection for the site of the project and to authorize the acquisition of property, including agricultural property, for the project. Subsequent to the publication of the notice the design was modified to cross V Court entering Davis Estates, Ltd., lands. Notice was not provided for this parcel. Attached is an Acknowledgement and Waiver of Notice from Mike Blaser who represents Davis Estates, Ltd.

The attached Resolution opens and closes the public hearing; approves the design and location of the project; approves the acquisition of property, including agricultural property necessary for the project, at the fair market value to be established by compensation estimate and/or appraisal; approves hiring of appraiser; and approves initiation and completion of condemnation proceedings, if necessary.

OUTSTANDING ISSUES: None.

RECOMMENDATION:

City Council Adopt:

- Resolution Opening and Closing Public Hearing Regarding the Final Design and Site Selection and Approval of the Acquisition of Property, Including Agricultural Property

Lead Staff Member: Duane C. Wittstock, P.E., L.S., City Engineer

STAFF REVIEWS

Department Director	Duane C. Wittstock, City Engineer
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard J. Scieszinski, City Attorney
Agenda Acceptance	<i>RTG</i>

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Dates(s) Published	January 15, 2016

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	January 18, 2016		
Recommendation	Yes	No	Split

RESOLUTION OPENING AND CLOSING PUBLIC HEARING REGARDING THE FINAL DESIGN AND SITE SELECTION AND APPROVAL OF THE ACQUISITION OF PROPERTY, INCLUDING AGRICULTURAL PROPERTY, FOR THE CONSTRUCTION OF THE

**Grand Avenue West Segment 6F Sewer Extension
Project No. - 0510-074-2015**

WHEREAS, the City of West Des Moines has previously approved funding for the construction of the Grand Avenue West Segment 6F Sewer Extension, Project Number 0510-074-2015 (hereinafter "Project"); and

WHEREAS, the proposed project site includes agricultural property; and

WHEREAS, Code of Iowa Section 6B.2A requires a municipality to hold a public hearing to receive input regarding the final design and site selection for a public improvement project in which agricultural property will be acquired, and Code of Iowa Section 6B.2D requires a municipality to allow individuals with an interest in property that may be acquired for the Project to voice objection to the Project; and

WHEREAS, pursuant to state code the City has provided written and published notice regarding the public hearing to each owner and contract purchaser of agricultural property, and has provided written notice to each known owner, contract purchaser and tenant of property that may be acquired for the Project; and

WHEREAS, pursuant to Code of Iowa Section 6B.2A, published notice of the public hearing was made on January 15, 2016, a copy of which is on file in the Office of the City Clerk; and

WHEREAS, the City Council has received public input regarding the general nature of the Project, including objections to the Project, has determined the source of funding for the Project, has reviewed the site-specific design and location of the Project and has determined that the acquisition of property, including the acquisition of agricultural property through voluntary purchase or condemnation is for a public purpose and necessary for completion of the Project; and

WHEREAS, upon consideration of the information received by the City Council, including public input regarding the Project, the City Council has determined that it is in the best interest of the City of West Des Moines to proceed with the construction of the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA THAT:

1. Pursuant to Code of Iowa Section 6B.2A, written and published notice of the public hearing has been properly made to each owner and contract purchaser of agricultural property which may be needed for construction of the Project.
2. Pursuant to Code of Iowa Section 6B.2D, written notice of the public hearing has been properly made to each known property owner, contract purchaser and tenant of property that may be acquired for the Project in order for these owners, purchasers and tenants to voice objections to the Project.
3. Input from individuals with an interest in property to be acquired for the Project, including the owners and contract purchasers of agricultural property, have been received and considered.

4. The public hearing on this matter is closed.
5. The design and location of the Project, which shall be funded with funds identified by the City of West Des Moines at the hearing, has been reviewed and is acceptable and appropriate.
6. The City shall obtain compensation estimates and/or appraisals establishing the fair market value of the property and easements required for construction of the Project, the locations and descriptions of which are shown on the attached Exhibit "A".
7. Pursuant to the property acquisition policy of the City of West Des Moines, acquisition of all property and easements necessary for the construction of the Project is hereby approved.
8. City staff is authorized to acquire M.A.I. appraisals or formulate compensation estimates establishing the fair market value of the property necessary for the Project.
9. City staff is further authorized to acquire the property and easements through voluntary acquisition or gift based upon the fair market value of each property as determined by the M.A.I. appraisal or compensation estimates, which upon the appraisals/estimates completion are hereby approved (copies of which shall be on file in the Office of the City Clerk).
10. Upon the inability of the City to acquire the property voluntarily or by gift, condemnation of such property is hereby approved. The City Legal Department is authorized to initiate and complete condemnation proceedings.
11. Acquisition of property related to the Project shall be done in accordance with all local, state and federal laws and regulations.

PASSED AND ADOPTED this 26th day of January, 2016.

ATTEST:

Steven K. Gaer, Mayor


Ryan T. Jacobson, City Clerk

ACKNOWLEDGEMENT AND WAIVER OF NOTICE
GRAND WEST 6F SEWER PROJECT
PROJECT NO. 0510-074-2015

The undersigned, on behalf of Davis Estates, Ltd., an Iowa corporation, owner of property identified for acquisition by the City of West Des Moines, Iowa for the Grand West 6F Sewer Project, Project No. 0510-074-2015, acknowledges the property owner's right to notice and hearing as provided by Iowa Code Section 6B.2A.

The undersigned, on behalf of and by the authority of the owner, Davis Estates, Ltd., hereby knowingly and voluntarily waives any and all statutory requirements imposed by Iowa Code Section 6B.2A regarding notice of the hearing for the proposed Grand West 6F Sewer Project and acknowledges receipt of actual notice of the hearing to be held January 26, 2016 at 5:35 p.m. in the City Council Chambers of the West Des Moines City Hall.

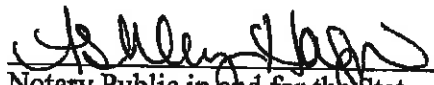
Date: this 15th day of January, 2016.



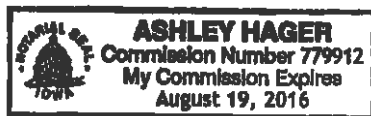
Michael Blaser
Attorney for Davis Estates, Ltd.,
an Iowa corporation

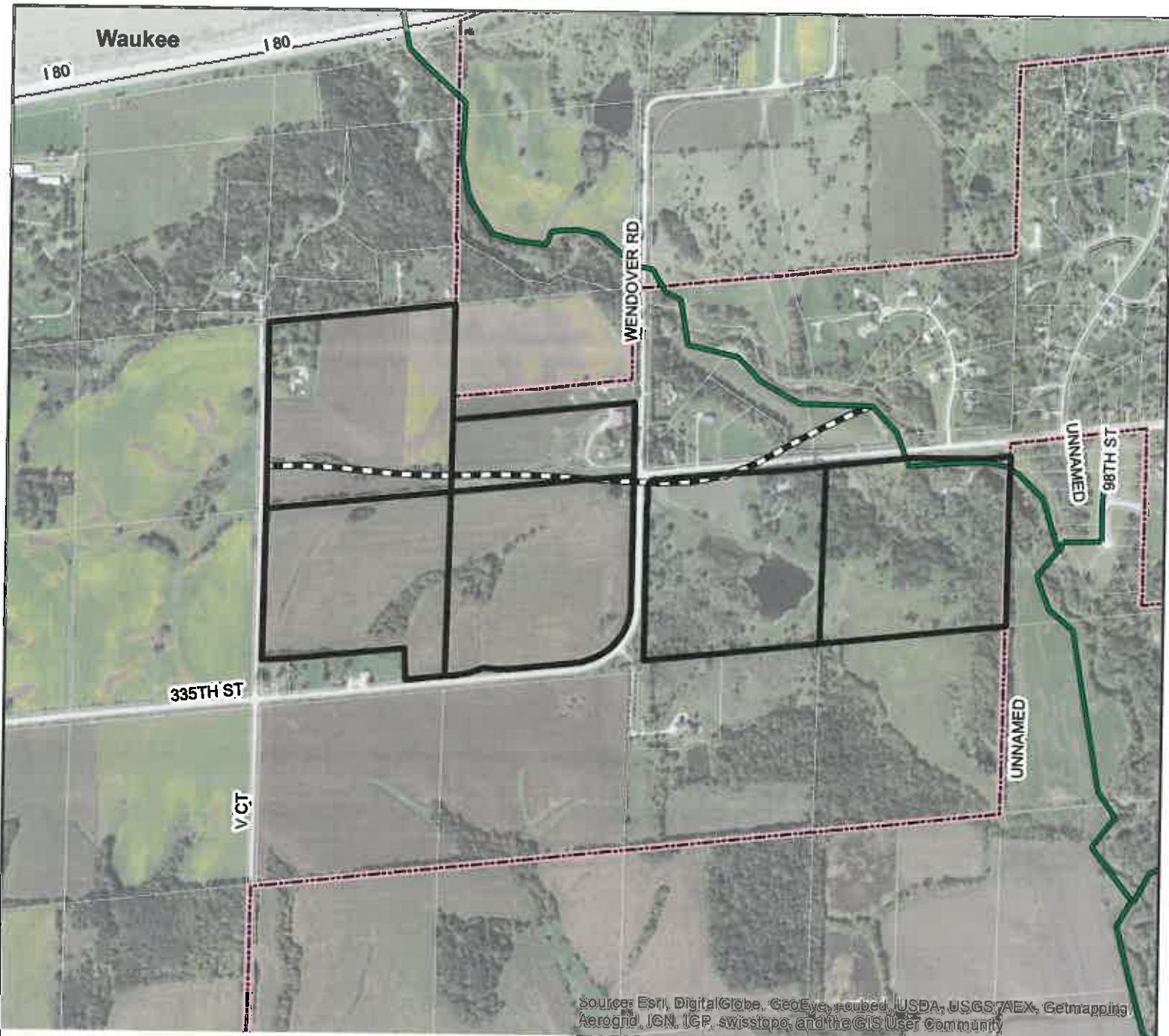
STATE OF IOWA)
) SS:
COUNTY OF POLK)

This record was acknowledged before me on this 15th day of January, 2016 by Michael Blaser, attorney for Davis Estates, Ltd., an Iowa corporation, on behalf of whom the record was executed.



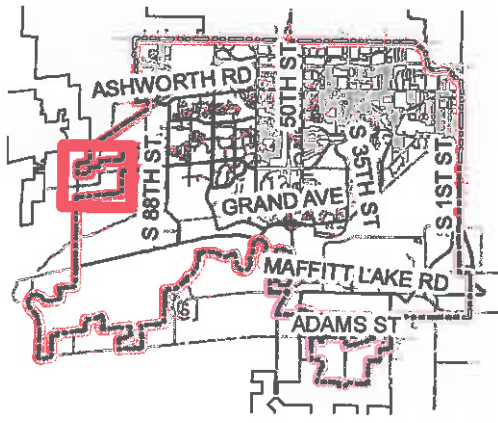
Notary Public in and for the State of Iowa





Source: Esri, DigitalGlobe, GeoEye, iacubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

VICINITY MAP



LEGEND

PROJECT LOCATION



**CITY OF WEST DES MOINES
ENGINEERING SERVICES**
4200 MILLS CIVIC PARKWAY
WEST DES MOINES, IOWA 50265
PH: (515) 222-3620 FAX: (515) 273-0802

PROJECT: **GRAND AVENUE WEST SEGMENT 6F TRUNK SEWER**
Project No. 0510-074-2015

LOCATION: **EXHIBIT "A"**

DRAWN BY: BJM

DATE: 12/08/2015

SHT. 1 OF 1

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: January 26, 2016

ITEM:

Resolution - Opening and Closing Public Hearing Regarding the Final Design and Site Selection and Approval of the Acquisition of Property, Including Agricultural Property
South Service Area Segment II – Browns Woods Sewer (Project No. 0510-064-2015)

FINANCIAL IMPACT:

None at this time.

BACKGROUND:

Pursuant to state law, a municipality is required to provide notice and hold a public hearing to receive public input regarding the final design and site selection of a public improvement project when the acquisition of agricultural property for the project is necessary. The public hearing is necessary to make the final selection for the site of the project and to authorize the acquisition of property, including agricultural property, for the project.

The attached Resolution opens and closes the public hearing; approves the design and location of the project; approves the acquisition of property, including agricultural property necessary for the project, at the fair market value to be established by compensation estimate and/or appraisal; approves hiring of appraiser; and approves initiation and completion of condemnation proceedings, if necessary.

OUTSTANDING ISSUES: None.

RECOMMENDATION:

City Council Adopt:

- Resolution Opening and Closing Public Hearing Regarding the Final Design and Site Selection and Approval of the Acquisition of Property, Including Agricultural Property

Lead Staff Member: Duane C. Wittstock, P.E., L.S., City Engineer

STAFF REVIEWS

Department Director	Duane C. Wittstock, City Engineer
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard J. Scieszinski, City Attorney
Agenda Acceptance	<i>RTJ</i>

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Dates(s) Published	January 15, 2016

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	January 18, 2016		
Recommendation	Yes	No	Split

RESOLUTION OPENING AND CLOSING PUBLIC HEARING REGARDING THE FINAL DESIGN AND SITE SELECTION AND APPROVAL OF THE ACQUISITION OF PROPERTY, INCLUDING AGRICULTURAL PROPERTY, FOR THE CONSTRUCTION OF THE

**South Service Area Segment II – Browns Woods Sewer
Project No. - 0510-064-2015**

WHEREAS, the City of West Des Moines has previously approved funding for the construction of the South Service Area Segment II – Browns Woods Sewer, Project Number 0510-064-2015 (hereinafter “Project”); and

WHEREAS, the proposed project site includes agricultural property; and

WHEREAS, Code of Iowa Section 6B.2A requires a municipality to hold a public hearing to receive input regarding the final design and site selection for a public improvement project in which agricultural property will be acquired, and Code of Iowa Section 6B.2D requires a municipality to allow individuals with an interest in property that may be acquired for the Project to voice objection to the Project; and

WHEREAS, pursuant to state code the City has provided written and published notice regarding the public hearing to each owner and contract purchaser of agricultural property, and has provided written notice to each known owner, contract purchaser and tenant of property that may be acquired for the Project; and

WHEREAS, pursuant to Code of Iowa Section 6B.2A, published notice of the public hearing was made on January 15, 2016, a copy of which is on file in the Office of the City Clerk; and

WHEREAS, the City Council has received public input regarding the general nature of the Project, including objections to the Project, has determined the source of funding for the Project, has reviewed the site-specific design and location of the Project and has determined that the acquisition of property, including the acquisition of agricultural property through voluntary purchase or condemnation is for a public purpose and necessary for completion of the Project; and

WHEREAS, upon consideration of the information received by the City Council, including public input regarding the Project, the City Council has determined that it is in the best interest of the City of West Des Moines to proceed with the construction of the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA THAT:

1. Pursuant to Code of Iowa Section 6B.2A, written and published notice of the public hearing has been properly made to each owner and contract purchaser of agricultural property which may be needed for construction of the Project.
2. Pursuant to Code of Iowa Section 6B.2D, written notice of the public hearing has been properly made to each known property owner, contract purchaser and tenant of property that may be acquired for the Project in order for these owners, purchasers and tenants to voice objections to the Project.

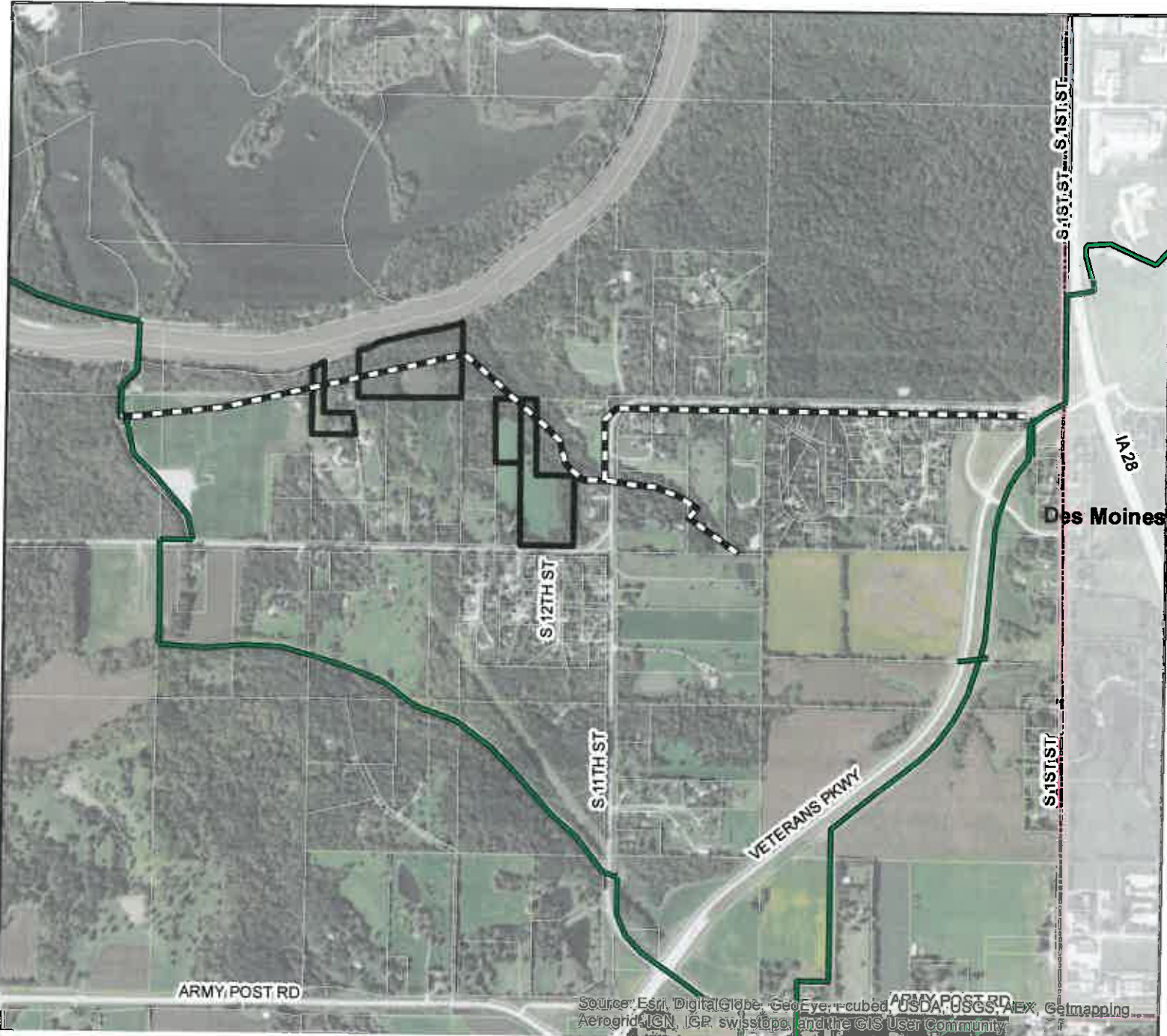
3. Input from individuals with an interest in property to be acquired for the Project, including the owners and contract purchasers of agricultural property, have been received and considered.
4. The public hearing on this matter is closed.
5. The design and location of the Project, which shall be funded with funds identified by the City of West Des Moines at the hearing, has been reviewed and is acceptable and appropriate.
6. The City shall obtain compensation estimates and/or appraisals establishing the fair market value of the property and easements required for construction of the Project, the locations and descriptions of which are shown on the attached Exhibit "A".
7. Pursuant to the property acquisition policy of the City of West Des Moines, acquisition of all property and easements necessary for the construction of the Project is hereby approved.
8. City staff is authorized to acquire M.A.I. appraisals or formulate compensation estimates establishing the fair market value of the property necessary for the Project.
9. City staff is further authorized to acquire the property and easements through voluntary acquisition or gift based upon the fair market value of each property as determined by the M.A.I. appraisal or compensation estimates, which upon the appraisals/estimates completion are hereby approved (copies of which shall be on file in the Office of the City Clerk).
10. Upon the inability of the City to acquire the property voluntarily or by gift, condemnation of such property is hereby approved. The City Legal Department is authorized to initiate and complete condemnation proceedings.
11. Acquisition of property related to the Project shall be done in accordance with all local, state and federal laws and regulations.

PASSED AND ADOPTED this 26th day of January, 2016.

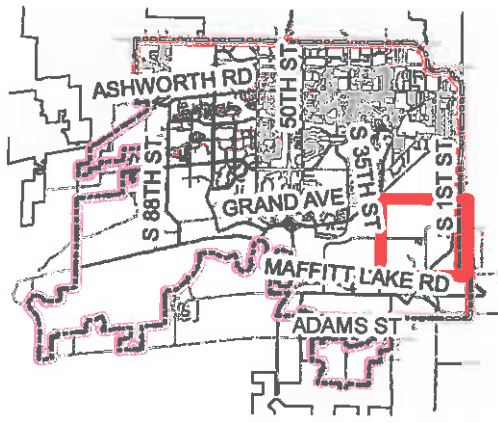
Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk



VICINITY MAP



LEGEND

PROJECT LOCATION



**CITY OF WEST DES MOINES
ENGINEERING SERVICES**
4200 MILLS CIVIC PARKWAY
WEST DES MOINES, IOWA 50265
PH: (515) 222-3820 FAX: (515) 273-0602

PROJECT: SOUTH SERVICE AREA SEGMENT II BROWNS WOODS SEWER		Project No. 0510-064-2015
LOCATION:		EXHIBIT "A"
DRAWN BY: BJM	DATE: 12/08/2015	SHT. 1 OF 1

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: January 26, 2016

ITEM:

Resolution - Opening and Closing Public Hearing Regarding the Final Design and Site Selection and Approval of the Acquisition of Property, Including Agricultural Property
Maple Grove Lift Station (Project No. 0510-055-2015)

FINANCIAL IMPACT:

None at this time.

BACKGROUND:

Pursuant to state law, a municipality is required to provide notice and hold a public hearing to receive public input regarding the final design and site selection of a public improvement project when the acquisition of agricultural property for the project is necessary. The public hearing is necessary to make the final selection for the site of the project and to authorize the acquisition of property, including agricultural property, for the project.

The attached Resolution opens and closes the public hearing; approves the design and location of the project; approves the acquisition of property, including agricultural property necessary for the project, at the fair market value to be established by compensation estimate and/or appraisal; approves hiring of appraiser; and approves initiation and completion of condemnation proceedings, if necessary.

OUTSTANDING ISSUES: None.

RECOMMENDATION:

City Council Adopt:

- Resolution Opening and Closing Public Hearing Regarding the Final Design and Site Selection and Approval of the Acquisition of Property, Including Agricultural Property

Lead Staff Member: Duane C. Wittstock, P.E., L.S., City Engineer

STAFF REVIEWS

Department Director	Duane C. Wittstock, City Engineer
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard J. Scieszinski, City Attorney
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Dates(s) Published	January 15, 2016

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	January 18, 2016		
Recommendation	Yes	No	Split

RESOLUTION OPENING AND CLOSING PUBLIC HEARING REGARDING THE FINAL DESIGN AND SITE SELECTION AND APPROVAL OF THE ACQUISITION OF PROPERTY, INCLUDING AGRICULTURAL PROPERTY, FOR THE CONSTRUCTION OF THE

**Maple Grove Lift Station
Project No. - 0510-055-2015**

WHEREAS, the City of West Des Moines has previously approved funding for the construction of the Maple Grove Lift Station, Project Number 0510-055-2015 (hereinafter "Project"); and

WHEREAS, the proposed project site includes agricultural property; and

WHEREAS, Code of Iowa Section 6B.2A requires a municipality to hold a public hearing to receive input regarding the final design and site selection for a public improvement project in which agricultural property will be acquired, and Code of Iowa Section 6B.2D requires a municipality to allow individuals with an interest in property that may be acquired for the Project to voice objection to the Project; and

WHEREAS, pursuant to state code the City has provided written and published notice regarding the public hearing to each owner and contract purchaser of agricultural property, and has provided written notice to each known owner, contract purchaser and tenant of property that may be acquired for the Project; and

WHEREAS, pursuant to Code of Iowa Section 6B.2A, published notice of the public hearing was made on January 15, 2016, a copy of which is on file in the Office of the City Clerk; and

WHEREAS, the City Council has received public input regarding the general nature of the Project, including objections to the Project, has determined the source of funding for the Project, has reviewed the site-specific design and location of the Project and has determined that the acquisition of property, including the acquisition of agricultural property through voluntary purchase or condemnation is for a public purpose and necessary for completion of the Project; and

WHEREAS, upon consideration of the information received by the City Council, including public input regarding the Project, the City Council has determined that it is in the best interest of the City of West Des Moines to proceed with the construction of the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA THAT:

1. Pursuant to Code of Iowa Section 6B.2A, written and published notice of the public hearing has been properly made to each owner and contract purchaser of agricultural property which may be needed for construction of the Project.
2. Pursuant to Code of Iowa Section 6B.2D, written notice of the public hearing has been properly made to each known property owner, contract purchaser and tenant of property that may be acquired for the Project in order for these owners, purchasers and tenants to voice objections to the Project.

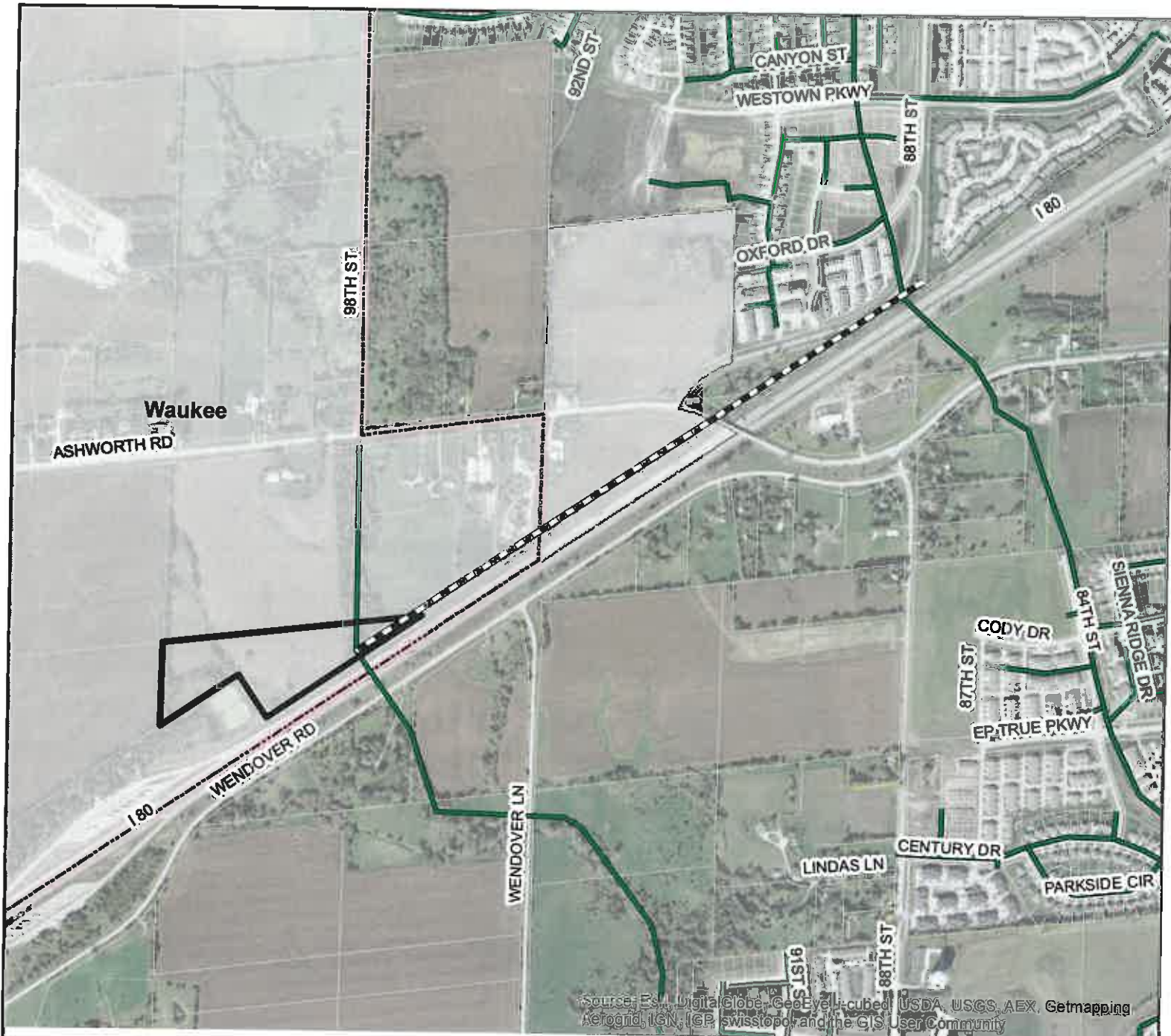
3. Input from individuals with an interest in property to be acquired for the Project, including the owners and contract purchasers of agricultural property, have been received and considered.
4. The public hearing on this matter is closed.
5. The design and location of the Project, which shall be funded with funds identified by the City of West Des Moines at the hearing, has been reviewed and is acceptable and appropriate.
6. The City shall obtain compensation estimates and/or appraisals establishing the fair market value of the property and easements required for construction of the Project, the locations and descriptions of which are shown on the attached Exhibit "A".
7. Pursuant to the property acquisition policy of the City of West Des Moines, acquisition of all property and easements necessary for the construction of the Project is hereby approved.
8. City staff is authorized to acquire M.A.I. appraisals or formulate compensation estimates establishing the fair market value of the property necessary for the Project.
9. City staff is further authorized to acquire the property and easements through voluntary acquisition or gift based upon the fair market value of each property as determined by the M.A.I. appraisal or compensation estimates, which upon the appraisals/estimates completion are hereby approved (copies of which shall be on file in the Office of the City Clerk).
10. Upon the inability of the City to acquire the property voluntarily or by gift, condemnation of such property is hereby approved. The City Legal Department is authorized to initiate and complete condemnation proceedings.
11. Acquisition of property related to the Project shall be done in accordance with all local, state and federal laws and regulations.

PASSED AND ADOPTED this 26th day of January, 2016.

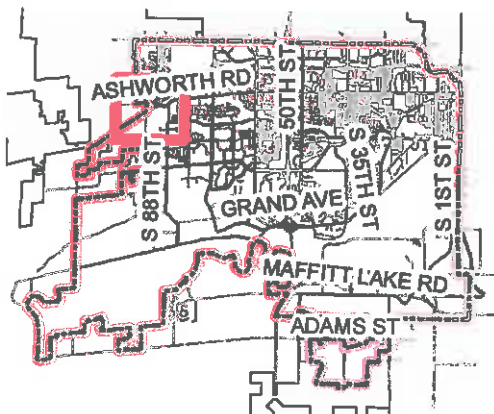
Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk



VICINITY MAP



LEGEND

PROJECT LOCATION



**CITY OF WEST DES MOINES
ENGINEERING SERVICES**
4200 MILLS CIVIC PARKWAY
WEST DES MOINES, IOWA 50265
PH: (515) 222-3620 FAX: (515) 273-0602

PROJECT:	MAPLE GROVE LIFT STATION	Project No. 0510-055-2015
LOCATION:	EXHIBIT "A"	
DRAWN BY:	BJM	DATE: 12/08/2015
		SHT. 1 OF 1

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: January 26, 2016

ITEM:

Resolution - Opening and Closing Public Hearing Regarding the Final Design and Site Selection and Approval of the Acquisition of Property, Including Agricultural Property
South Area Trunk Sewer – Western Extension (Project No. 0510-033-2015)

FINANCIAL IMPACT:

None at this time.

BACKGROUND:

Pursuant to state law, a municipality is required to provide notice and hold a public hearing to receive public input regarding the final design and site selection of a public improvement project when the acquisition of agricultural property for the project is necessary. The public hearing is necessary to make the final selection for the site of the project and to authorize the acquisition of property, including agricultural property, for the project.

The attached Resolution opens and closes the public hearing; approves the design and location of the project; approves the acquisition of property, including agricultural property necessary for the project, at the fair market value to be established by compensation estimate and/or appraisal; approves hiring of appraiser; and approves initiation and completion of condemnation proceedings, if necessary.

OUTSTANDING ISSUES: None.

RECOMMENDATION:

City Council Adopt:

- Resolution Opening and Closing Public Hearing Regarding the Final Design and Site Selection and Approval of the Acquisition of Property, Including Agricultural Property

Lead Staff Member: Duane C. Wittstock, P.E., L.S., City Engineer

DCW

STAFF REVIEWS

Department Director	Duane C. Wittstock, City Engineer
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard J. Scieszinski, City Attorney
Agenda Acceptance	<i>RTJ</i>

RJS

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Dates(s) Published	January 15, 2016

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	January 18, 2016		
Recommendation	Yes	No	Split

RESOLUTION OPENING AND CLOSING PUBLIC HEARING REGARDING THE FINAL DESIGN AND SITE SELECTION AND APPROVAL OF THE ACQUISITION OF PROPERTY, INCLUDING AGRICULTURAL PROPERTY, FOR THE CONSTRUCTION OF THE

**South Area Trunk Sewer – Western Extension
Project No. - 0510-033-2015**

WHEREAS, the City of West Des Moines has previously approved funding for the construction of the South Area Trunk Sewer – Western Extension, Project Number 0510-033-2015 (hereinafter “Project”); and

WHEREAS, the proposed project site includes agricultural property; and

WHEREAS, Code of Iowa Section 6B.2A requires a municipality to hold a public hearing to receive input regarding the final design and site selection for a public improvement project in which agricultural property will be acquired, and Code of Iowa Section 6B.2D requires a municipality to allow individuals with an interest in property that may be acquired for the Project to voice objection to the Project; and

WHEREAS, pursuant to state code the City has provided written and published notice regarding the public hearing to each owner and contract purchaser of agricultural property, and has provided written notice to each known owner, contract purchaser and tenant of property that may be acquired for the Project; and

WHEREAS, pursuant to Code of Iowa Section 6B.2A, published notice of the public hearing was made on January 15, 2016, a copy of which is on file in the Office of the City Clerk; and

WHEREAS, the City Council has received public input regarding the general nature of the Project, including objections to the Project, has determined the source of funding for the Project, has reviewed the site-specific design and location of the Project and has determined that the acquisition of property, including the acquisition of agricultural property through voluntary purchase or condemnation is for a public purpose and necessary for completion of the Project; and

WHEREAS, upon consideration of the information received by the City Council, including public input regarding the Project, the City Council has determined that it is in the best interest of the City of West Des Moines to proceed with the construction of the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA THAT:

1. Pursuant to Code of Iowa Section 6B.2A, written and published notice of the public hearing has been properly made to each owner and contract purchaser of agricultural property which may be needed for construction of the Project.
2. Pursuant to Code of Iowa Section 6B.2D, written notice of the public hearing has been properly made to each known property owner, contract purchaser and tenant of property that may be acquired for the Project in order for these owners, purchasers and tenants to voice objections to the Project.

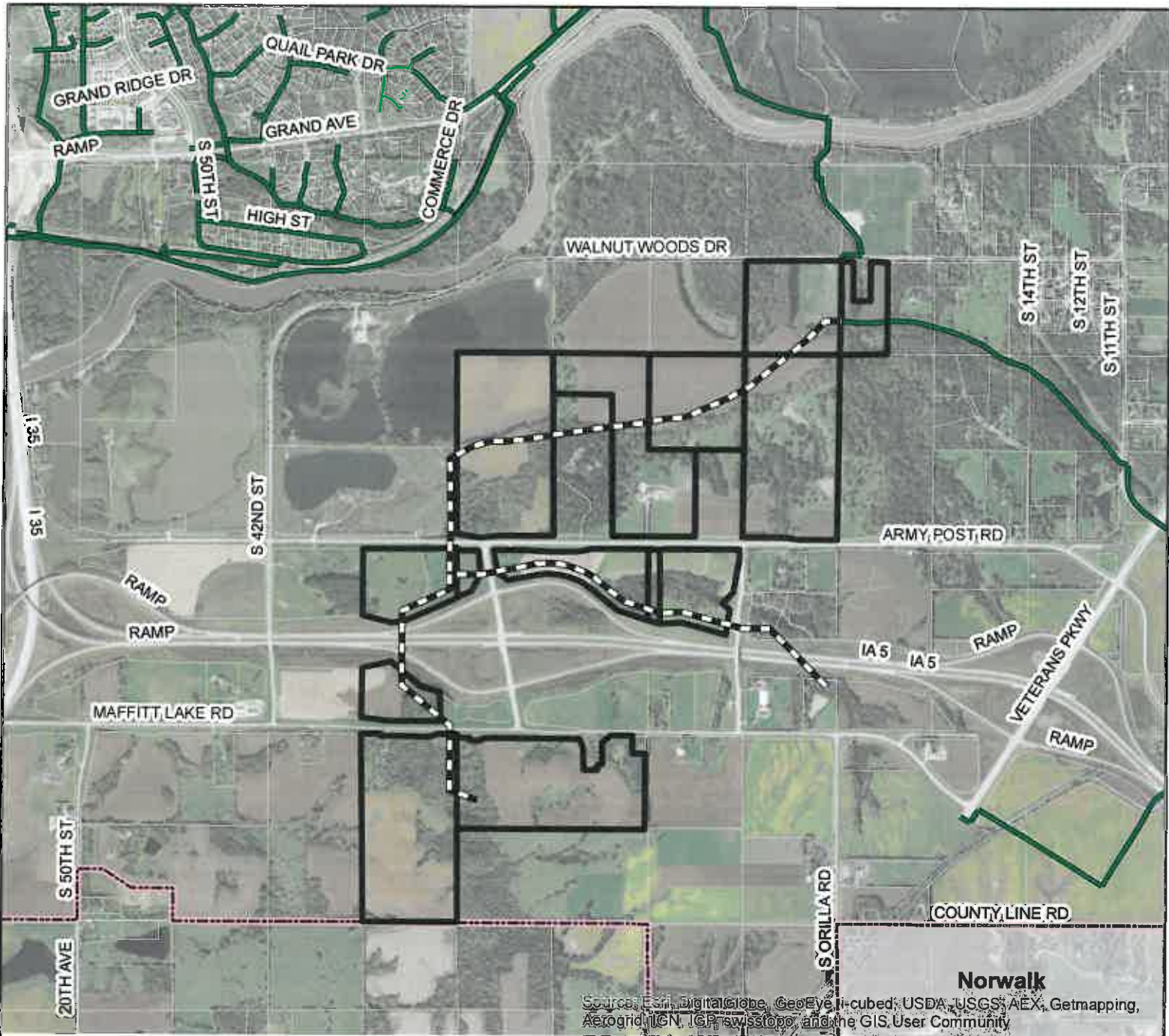
3. Input from individuals with an interest in property to be acquired for the Project, including the owners and contract purchasers of agricultural property, have been received and considered.
4. The public hearing on this matter is closed.
5. The design and location of the Project, which shall be funded with funds identified by the City of West Des Moines at the hearing, has been reviewed and is acceptable and appropriate.
6. The City shall obtain compensation estimates and/or appraisals establishing the fair market value of the property and easements required for construction of the Project, the locations and descriptions of which are shown on the attached Exhibit "A".
7. Pursuant to the property acquisition policy of the City of West Des Moines, acquisition of all property and easements necessary for the construction of the Project is hereby approved.
8. City staff is authorized to acquire M.A.I. appraisals or formulate compensation estimates establishing the fair market value of the property necessary for the Project.
9. City staff is further authorized to acquire the property and easements through voluntary acquisition or gift based upon the fair market value of each property as determined by the M.A.I. appraisal or compensation estimates, which upon the appraisals/estimates completion are hereby approved (copies of which shall be on file in the Office of the City Clerk).
10. Upon the inability of the City to acquire the property voluntarily or by gift, condemnation of such property is hereby approved. The City Legal Department is authorized to initiate and complete condemnation proceedings.
11. Acquisition of property related to the Project shall be done in accordance with all local, state and federal laws and regulations.

PASSED AND ADOPTED this 26th day of **January, 2016**.

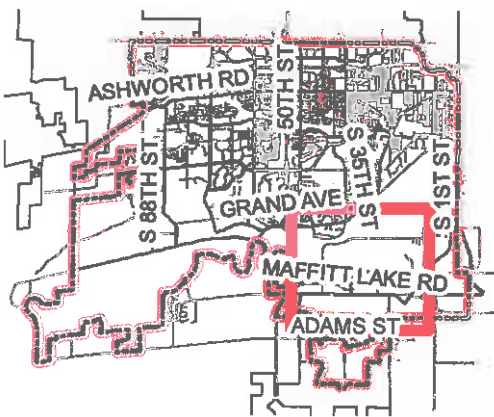
Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk



VICINITY MAP



LEGEND

PROJECT LOCATION



**CITY OF WEST DES MOINES
ENGINEERING SERVICES**
4200 MILLS CIVIC PARKWAY
WEST DES MOINES, IOWA 50265
PH: (515) 222-3820 FAX: (515) 273-0602

PROJECT: SOUTH AREA TRUNK SEWER WESTERN EXTENSION		Project No. 0510-033-2015	
LOCATION:		EXHIBIT "A"	
DRAWN BY: BJM	DATE: 12/08/2015	SHT. 1 OF 1	

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

6(h)

DATE: January 26, 2016

ITEM:

- Public Hearing (5:35 p.m.)
Maffitt Lake Road Improvement Project
South 8th Street to Veterans Parkway

FINANCIAL IMPACT:

The Engineering Estimate of construction cost was estimated to be \$4,249,353.57 for the Maffitt Lake Road – S. 8th Street to Veterans Parkway Improvements. There were five (5) bids submitted with the low bid of \$3,683,445.51 being submitted by Concrete Technologies, Inc. of Grimes, Iowa. Payments will be paid from budgeted account no. 4259.77.820.6.7920 with ultimate funding coming from a RISE grant and TIF.

BACKGROUND:

This Public Hearing is on the matter of adoption of Plans, Specifications, Form of Contract, and Estimate of Cost for the Maffitt Lake Road – S. 8th Street to Veterans Parkway Improvements. Upon completion of the Public Hearing, a Resolution should be passed adopting the Plans and Specifications, Form of Contract, Estimate of Cost, and Awarding the Contract to Concrete Technologies.

This project is scheduled to be completed by November 18, 2016.

OUTSTANDING ISSUES: None.

RECOMMENDATION:

City Council Adopt:

- Resolution Adopting Plans, Specifications, Form of Contract, and Estimate of Costs;
- Motion receiving and filing Report of Bids;
- Resolution awarding the construction contract to Elder Corporation of Des Moines, Iowa.

Lead Staff Member: Duane C. Wittstock, P.E., L.S., City Engineer

STAFF REVIEWS

Department Director	Duane C. Wittstock, City Engineer	<i>[Signature]</i>
Appropriations/Finance	Tim Stiles, Finance Director	<i>[Signature]</i>
Legal	Richard Scieszinski, City Attorney	<i>[Signature]</i>
Agenda Acceptance	<i>[Signature]</i>	<i>[Signature]</i>

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Dates(s) Published	January 8, 2016

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	January 18, 2016		
Recommendation	Yes	No	Split

RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES,
APPROVING Adopting Plans, Specifications, Form of Contract, and Estimate of Cost**

WHEREAS, on January 20, 2016 Plans, Specifications, Form of Contract, and Estimate of Cost were filed with the City Clerk for the following described public improvement:

**Maffitt Lake Road Improvement Project
South 8th Street to Veterans Parkway
Project No. 0510-046-2014**

and,

WHEREAS, notice of hearing on Plans, Specifications, Form of Contract, and Estimate of Cost for said public improvements was published as required by law;

therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, that the Plans, Specifications, Form of Contract, and Estimate of Cost for said public improvement are hereby approved.

PASSED AND ADOPTED this 26th day of **January, 2016**.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

RESOLUTION

WHEREAS, the City Council of the City of West Des Moines has heretofore directed advertisement for bids for the following described public improvement:

**Maffitt Lake Road Improvement Project
South 8th Street to Veterans Parkway
Project No. 0510-046-2014**

and,

WHEREAS, bids have been received and opened by the City Clerk and placed on file by the City Council.

and,

WHEREAS, the bid of Concrete Technologies, Inc. of Grimes, Iowa, in the amount of \$3,683,445.51 is the lowest responsive, responsible bid received for said public improvement, therefore;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, that a contract for the Maffitt Lake Road Improvement Project is hereby awarded to Concrete Technologies, Inc. in the amount of \$3,683,445.51 and the bond of said bidder for the project is hereby fixed in the same amount.

BE IT FURTHER RESOLVED that the City Engineer is authorized and directed to return bid bond(s) and/or check(s) to any unsuccessful bidder.

BE IT FURTHER RESOLVED that the work on said project may commence as soon as the final contract and bond have been approved by the City Engineer and have been signed by the City Clerk and after the contractor is given a written notice to proceed by the City Engineer.

PASSED AND ADOPTED this 26th day of **January, 2016**.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

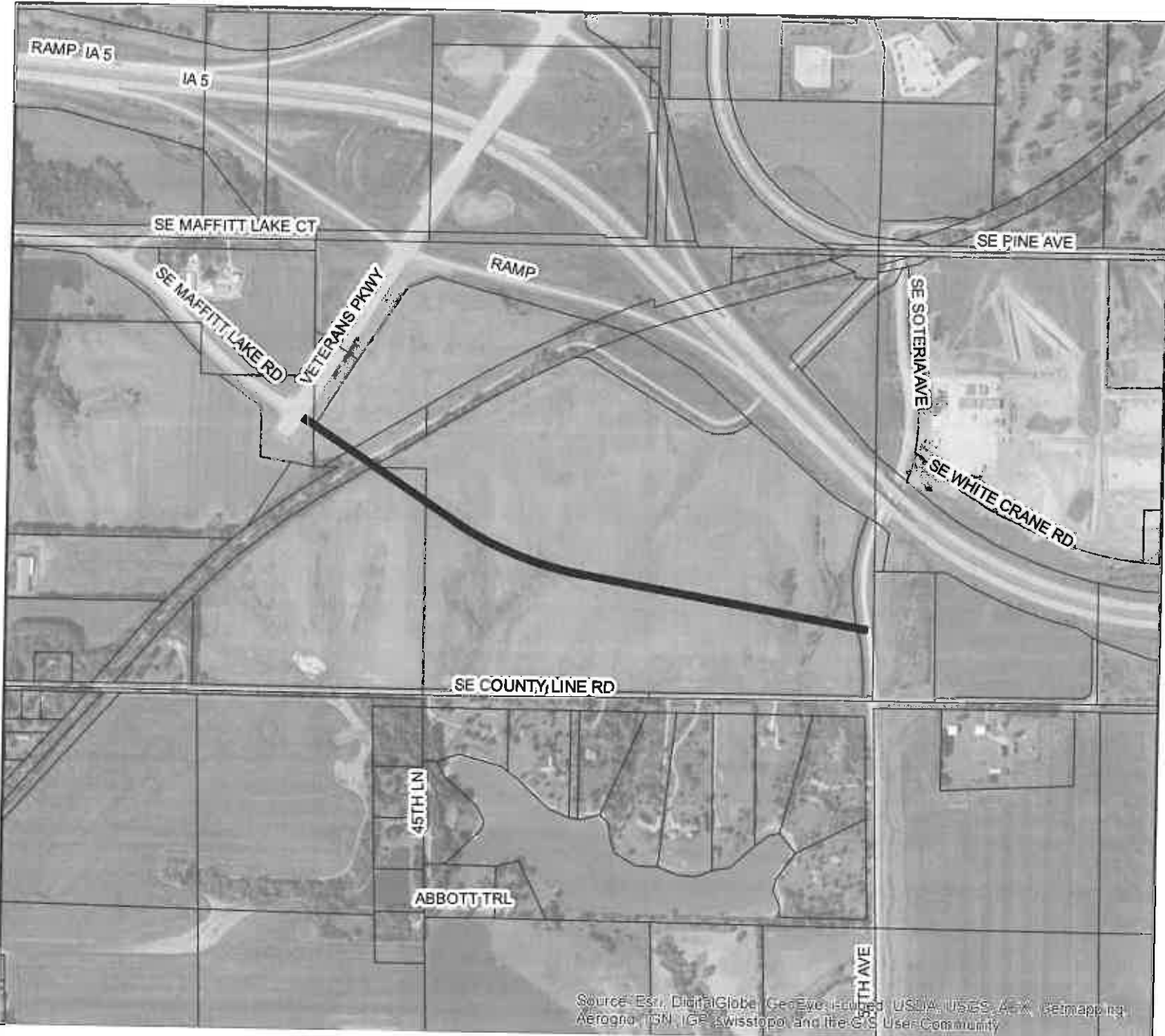
Client: City of West Des Moines
 Project Name: Maffitt Lake Road Pedestrian Underpass
 City Project #: 0510-048-2014
 RM-8260(638)-9D-77

Bid Date: January 20, 2016
 S-H Project No.: 414311-0

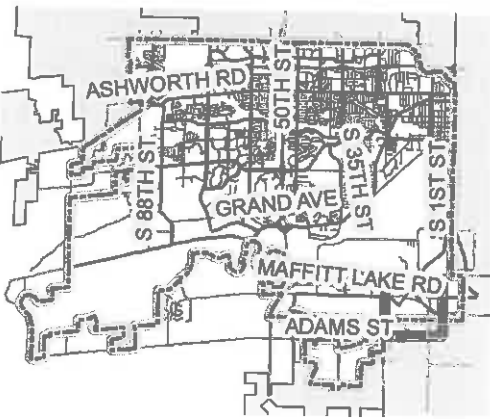


I hereby certify that this document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.
 Name: Amy L. Quartell, P.E.
 Registration #: 21626

Item Number	Item Code	Description	Estimated Quantities		Units	Concrete Technologies, Inc Grimes, IA		Vanderpool Construction, Inc Indianola, IA		CJ Moyns & Sons, Inc Elkader, IA		Kingston Services, LLC Des Moines, IA		Elder Corporation Des Moines, IA		Engineer's Estimate	
			Division 1	Division 2		Bid Security	X	Bid Security	X	Bid Security	X	Bid Security	X	Bid Security	X	Unit Price	Amount
						Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount				
1	2010-A-1000	CLEARING AND GRUBBING	1	0	LS	\$12,250.00	\$12,250.00	\$12,250.00	\$12,250.00	\$10,500.00	\$10,500.00	\$88,000.00	\$88,000.00	\$12,000.00	\$12,000.00	\$ 30,000.00	\$30,000.00
2	2010-B-1000	TOPSOIL, ON-SITE	16,797	3,500	CY	\$7.10	\$137,008.70	\$5.14	\$98,188.58	\$6.10	\$117,711.70	\$8.00	\$164,376.00	\$8.90	\$135,149.30	\$ 8.00	\$154,378.00
3	2010-E-1000	EXCAVATION, CL 10, RDWY+BORROW	54802		CY	\$4.46	\$243,868.90	\$3.75	\$205,507.50	\$7.30	\$400,054.60	\$10.00	\$548,020.00	\$4.30	\$235,846.60	\$ 10.00	\$548,020.00
4	2010-G-1000	SUBGRADE PREPARATION	20548		BY	\$2.75	\$56,508.75	\$6.60	\$136,215.60	\$2.70	\$55,882.30	\$4.00	\$82,198.00	\$2.65	\$54,454.85	\$ 3.00	\$61,847.00
5	2010-H-1000	SUBGRADE TREATMENT, CRUSHED ROCK	150		CY	\$90.25	\$13,537.50	\$57.15	\$8,572.60	\$52.80	\$7,920.00	\$54.00	\$8,100.00	\$58.50	\$8,775.00	\$ 20.00	\$3,000.00
6	2010-H-2000	SUBGRADE TREATMENT, POLYMER GRID	200		SY	\$6.15	\$1,230.00	\$2.29	\$452.00	\$8.00	\$1,600.00	\$4.00	\$8,000.00	\$5.00	\$1,000.00	\$ 20.00	\$4,000.00
7	2010-I-1000	MODIFIED SUBBASE	20548		SY	\$6.15	\$1,230.00	\$2.29	\$452.00	\$8.00	\$1,600.00	\$4.00	\$8,000.00	\$5.00	\$1,000.00	\$ 20.00	\$4,000.00
8	2811-0310100	SPECIAL COMPACTION OF SUBGRADE FOR RECREATIONAL TRAIL	6.8	11.1	STA	\$432.50	\$2,943.50	\$605.00	\$6,685.00	\$680.00	\$4,656.00	\$900.00	\$6,300.00	\$420.00	\$7,434.00	\$ 750.00	\$13,275.00
9	4020-A-1315	STORM SWR G-MAIN, TRENCHED, RCP 2000, 16"	2021		LF	\$48.00	\$97,440.00	\$54.00	\$108,180.00	\$80.00	\$161,600.00	\$38.00	\$77,360.00	\$97.00	\$194,010.00	\$ 75.00	\$151,875.00
10	4020-A-1318	STORM SWR G-MAIN, TRENCHED, RCP 2000, 16"	873		LF	\$77.75	\$67,803.75	\$93.80	\$81,807.40	\$90.00	\$78,070.00	\$44.00	\$42,612.00	\$78.50	\$73,461.50	\$ 90.00	\$77,840.00
11	4020-A-1324	STORM SWR G-MAIN, TRENCHED, RCP 2000, 24"	309		LF	\$88.50	\$27,346.50	\$81.25	\$25,106.25	\$100.00	\$30,900.00	\$58.00	\$17,934.00	\$98.00	\$28,574.00	\$ 85.00	\$28,285.00
12	4020-A-1330	STORM SWR G-MAIN, TRENCHED, RCP 2000, 30"	173		LF	\$116.00	\$20,068.00	\$123.60	\$21,382.80	\$105.00	\$18,165.00	\$72.00	\$12,456.00	\$112.50	\$19,462.50	\$ 90.00	\$16,970.00
13	4020-A-1336	STORM SWR G-MAIN, TRENCHED, RCP 2000, 36"	412		LF	\$141.50	\$58,208.00	\$136.80	\$56,265.60	\$150.00	\$61,800.00	\$102.00	\$42,024.00	\$137.50	\$56,662.50	\$ 120.00	\$48,440.00
14	4020-A-1342	STORM SWR G-MAIN, TRENCHED, RCP 2000, 42"	212		LF	\$185.00	\$39,220.00	\$168.41	\$35,702.82	\$185.00	\$39,220.00	\$134.00	\$28,288.00	\$179.50	\$38,054.00	\$ 140.00	\$28,980.00
15	4020-A-1348	STORM SWR G-MAIN, TRENCHED, RCP 2000, 48"	154		LF	\$198.00	\$30,492.00	\$180.00	\$27,720.00	\$195.00	\$30,030.00	\$126.00	\$25,056.00	\$164.00	\$25,256.00	\$ 175.00	\$28,950.00
16	4020-A-1380	STORM SWR G-MAIN, TRENCHED, RCP 2000, 60"	65		LF	\$309.00	\$20,085.00	\$1,305.00	\$84,925.00	\$280.00	\$18,850.00	\$216.00	\$14,040.00	\$300.00	\$19,500.00	\$ 225.00	\$14,625.00
17	4020-A-1386	STORM SWR G-MAIN, TRENCHED, RCP 2000, 66"	187		LF	\$371.00	\$70,377.00	\$343.00	\$64,141.00	\$325.00	\$63,775.00	\$248.00	\$61,584.00	\$380.00	\$70,820.00	\$ 250.00	\$49,250.00
18	4020-A-1424	STORM SWR G-MAIN, TRENCHED, RCP 2000, 24"	1	312	LF	\$126.75	\$126.75	\$105.50	\$105.50	\$125.00	\$125.00	\$84.00	\$84.00	\$90.00	\$90.00	\$ 225.00	\$225.00
19	4030-A-2000	PIPE CULVERT, 60 IN., TRENCHLESS, TEMPORARY	1		LS	\$11,330.00	\$11,330.00	\$9,315.00	\$9,315.00	\$10,000.00	\$10,000.00	\$18,000.00	\$18,000.00	\$11,000.00	\$11,000.00	\$ 25,000.00	\$25,000.00
20	4030-B-1024	APRON, CONCRETE, 15IN.	1	4	EACH	\$1,855.00	\$1,855.00	\$1,780.00	\$1,780.00	\$2,300.00	\$2,300.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$ 2,100.00	\$2,100.00
21	4030-B-1024	APRON, CONCRETE, 24IN.	1	2	EACH	\$2,370.00	\$2,370.00	\$2,280.00	\$2,280.00	\$2,700.00	\$2,700.00	\$2,300.00	\$2,300.00	\$2,300.00	\$2,300.00	\$ 2,500.00	\$2,500.00
22	4030-B-1038	APRON, CONCRETE, 36IN.	2		EACH	\$3,285.00	\$6,570.00	\$3,150.00	\$6,300.00	\$4,200.00	\$8,400.00	\$2,900.00	\$5,800.00	\$3,200.00	\$6,400.00	\$ 2,700.00	\$5,400.00
23	4030-B-1042	APRON, CONCRETE, 42IN.	1		EACH	\$3,810.00	\$3,810.00	\$2,475.00	\$2,475.00	\$3,800.00	\$3,800.00	\$2,800.00	\$2,800.00	\$3,700.00	\$3,700.00	\$ 3,500.00	\$3,500.00
24	4030-B-1048	APRON, CONCRETE, 48 IN.	1		EACH	\$4,530.00	\$4,530.00	\$2,810.00	\$2,810.00	\$3,800.00	\$3,800.00	\$3,400.00	\$3,400.00	\$4,400.00	\$4,400.00	\$ 4,000.00	\$4,000.00
25	4030-B-1060	APRON, CONCRETE, 60 IN.	1		EACH	\$5,870.00	\$5,870.00	\$3,830.00	\$3,830.00	\$5,000.00	\$5,000.00	\$4,500.00	\$4,500.00	\$5,700.00	\$5,700.00	\$ 4,500.00	\$4,500.00
26	4030-B-1066	APRON, CONCRETE, 66 IN.	1		EACH	\$6,895.00	\$6,895.00	\$4,370.00	\$4,370.00	\$5,300.00	\$5,300.00	\$5,500.00	\$5,500.00	\$6,500.00	\$6,500.00	\$ 4,500.00	\$4,500.00
27	4040-A-1008	SUBDRAIN, LONGITUDINAL, (SHLD.) 6"	3324.5		LF	\$20.50	\$68,152.25	\$12.00	\$39,894.00	\$12.00	\$39,894.00	\$12.00	\$39,894.00	\$20.00	\$66,490.00	\$ 15.00	\$49,857.50
28	4040-A-1112	SUBDRAIN, TILE, 12"	750		LF	\$45.30	\$33,975.00	\$16.80	\$12,576.00	\$18.00	\$13,500.00	\$32.00	\$24,000.00	\$44.00	\$33,000.00	\$ 35.00	\$26,250.00
29	4040-A-2004	SUBDRAIN, PERFORATED PLASTIC PIPE, 4IN., UNDERPASS	1		LS	\$15,450.00	\$15,450.00	\$4,775.00	\$4,775.00	\$13,000.00	\$13,000.00	\$4,500.00	\$4,500.00	\$15,000.00	\$15,000.00	\$ 20,000.00	\$20,000.00
30	4040-C-1008	SUBDRAIN CLEANOUT	10		EACH	\$494.50	\$4,945.00	\$300.00	\$3,000.00	\$600.00	\$6,000.00	\$480.00	\$4,800.00	\$480.00	\$4,800.00	\$ 750.00	\$7,500.00
31	4040-D-1008	SUBDRAIN OUTLET, PIPE CONNECTION	2		EACH	\$193.50	\$387.00	\$1,200.00	\$2,400.00	\$1,200.00	\$2,400.00	\$2,000.00	\$4,000.00	\$1,800.00	\$3,600.00	\$ 700.00	\$1,400.00
32	4040-D-1008	SUBDRAIN OUTLET	37		EACH	\$195.00	\$7,215.00	\$240.00	\$8,880.00	\$500.00	\$18,500.00	\$450.00	\$16,050.00	\$185.00	\$6,845.00	\$ 400.00	\$16,400.00
33		WATERMAIN, TRENCHED, 12" PVC C900	251		LF	\$82.50	\$20,707.50	\$41.25	\$10,362.75	\$65.00	\$16,312.50	\$84.00	\$21,084.00	\$88.00	\$22,088.00	\$ 65.00	\$16,312.50
34		CONNECT TO EXISTING SYSTEM	2		EACH	\$3,810.00	\$7,620.00	\$1,650.00	\$3,300.00	\$2,000.00	\$4,000.00	\$5,500.00	\$11,000.00	\$3,700.00	\$7,400.00	\$ 1,000.00	\$2,000.00
35		FLUSHING DEVICE, BLOWOFF	2		EACH	\$2,575.00	\$5,150.00	\$2,015.00	\$4,030.00	\$1,700.00	\$3,400.00	\$2,000.00	\$4,000.00	\$2,500.00	\$5,000.00	\$ 1,500.00	\$3,000.00
36	5010-C-2000	FITTING, WATERMAIN, BY WEIGHT	640		LB	\$6.50	\$4,160.00	\$11.30	\$7,232.00	\$8.00	\$5,120.00	\$12.00	\$7,680.00	\$8.30	\$5,324.00	\$ 12.00	\$7,680.00
37	5020-F-1000	VALVE BOX ADJUSTMENT	5		EACH	\$464.00	\$2,320.00	\$850.00	\$4,250.00	\$300.00	\$1,500.00	\$500.00	\$2,500.00	\$470.00	\$2,350.00	\$ 750.00	\$3,750.00
38	5020-H-1000	FIRE HYDRANT ADJUSTMENT	3		EACH	\$1,545.00	\$4,635.00	\$725.00	\$2,175.00	\$1,200.00	\$3,600.00	\$2,000.00	\$6,000.00	\$1,500.00	\$4,500.00	\$ 1,500.00	\$4,500.00
39		RELOCATE EXISTING VALVE	5		EACH	\$1,854.00	\$9,270.00	\$820.00	\$4,100.00	\$2,500.00	\$12,500.00	\$1,000.00	\$5,000.00	\$1,800.00	\$9,000.00	\$ 1,000.00	\$5,000.00
40		RELOCATE EXISTING FITTING	2		EACH	\$1,235.00	\$2,470.00	\$1,770.00	\$3,540.00	\$1,800.00	\$3,600.00	\$1,000.00	\$2,000.00	\$1,200.00	\$2,400.00	\$ 1,000.00	\$2,000.00
41		RELOCATE EXISTING FIRE HYDRANT	2		EACH	\$2,183.00	\$4,366.00	\$1,125.00	\$2,250.00	\$3,300.00	\$6,600.00	\$3,000.00	\$6,000.00	\$2,100.00	\$4,200.00	\$ 700.00	\$1,400.00
42		WATERMAIN REPAIR	3		EACH	\$2,370.00	\$7,110.00	\$4,500.00	\$13,500.00	\$4,600.00	\$13,800.00	\$2,400.00	\$7,200.00	\$2,300.00	\$6,900.00	\$ 1,250.00	\$3,750.00
43	8010-A-1048	MANHOLE, STORM SEWER, 48 IN.	1	2	EACH	\$4,225.00	\$8,450.00	\$5,490.00	\$10,980.00	\$6,400.00	\$12,800.00	\$8,000.00	\$16,000.00	\$4,100.00	\$8,200.00	\$ 6,000.00	\$12,000.00
44	8010-A-1072	MANHOLE, STORM SWR, 72 IN.	1		EACH	\$6,180.00	\$6,180.00	\$7,175.00	\$7,175.00	\$6,000.00	\$6,000.00	\$24,000.00	\$24,000.00	\$6,000.00	\$6,000.00	\$ 7,000.00	\$7,000.00
45	8010-B-1505	INTAKE, SW-605	11		EACH	\$4,430.00	\$48,730.00	\$4,075.00	\$44,825.00	\$4,100.00	\$44,100.00	\$5,000.00	\$55,000.00	\$4,300.00	\$47,300.00	\$ 6,000.00	\$66,000.00
46	8010-B-1508	INTAKE, SW-608	3		EACH	\$7,210.00	\$21,630.00	\$7,000.00	\$21,000.00	\$5,700.00	\$17,100.00	\$6,500.00	\$19,500.00	\$7,000.00	\$21,000.00	\$ 8,000.00	\$24,000.00
47	8010-B-1513	INTAKE, SW-613	1		EACH	\$4,635.00	\$4,635.00	\$4,110.00	\$4,110.00	\$4,300.00	\$4,300.00	\$4,500.00	\$4,500.00	\$4,500.00	\$4,500.00	\$ 6,000.00	\$6,000.00
48	8010-B-1518	INTAKE, MODIFIED SW-606, TYPE A	8		EACH	\$8,755.00	\$70,040.00	\$12,830.00	\$102,640.00	\$16,300.00	\$130,400.00	\$10,000.00	\$80,000.00	\$8,500.00	\$68,000.00	\$ 10,000.00	\$80,000.00
49	8010-B-1517	INTAKE, MODIFIED SW-606, TYPE B	2		EACH	\$16,450.00	\$32,900.00	\$29,300.00	\$58,600.00	\$21,500.00	\$43,000.00	\$11,000.00	\$22,000.00	\$18,000.00	\$36,000.00	\$ 12,000.00	\$24,000.00
50	8010-B-1518	INTAKE, MODIFIED SW-606, TYPE C	14		EACH	\$7,000.00	\$98,000.00	\$7,420.00	\$103,880.00	\$5,300.00	\$74,200.00	\$7,500.00	\$105,000.00	\$9,800.00	\$137,200.00	\$ 7,500.00	\$105,000.00
51	8																



VICINITY MAP



LEGEND

PROJECT LOCATION



**CITY OF WEST DES MOINES
ENGINEERING SERVICES**
4200 MILLS CIVIC PARKWAY
WEST DES MOINES, IOWA 50265
PH: (515) 222-3620 FAX: (515) 273-0602

PROJECT: MAFFITT LAKE ROAD - S. 8TH STREET TO VETERANS PARKWAY		
Project No. 0510-046-2014		
LOCATION: EXHIBIT "A"		
DRAWN BY: BJM	DATE: 1/07/2016	SHT. 1 OF 1

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

Date: January 26, 2016

ITEM: Guide One Mutual Insurance, 1200 12th Street – Approval to allow two temporary trailers for housing of employees during building remodel – GC3, LLC – SP-002964-2016

ORDINANCE: Approval of Site Plan

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, Tom Stockdale with GC3, Inc., is requesting approval to allow the installation of two trailers (12'x 60' and 24'x 60') for the housing of displaced employees while the building is remodeled. The trailers will be connected by an approximately 100 square foot wood deck and will have a handicap ramp leading up to the deck. The trailers are a standard type used at construction sites and schools for overflow of students. The trailers will have running water; however sanitary waste will be through a tank system. The trailers will be located in a grass area north of a private loop drive within the site so as to not impact parking within the site. The applicant has indicated that the trailers will be skirted both for aesthetics and to aid in insulation. As can be seen in the attached illustrations, the property is interior to several other buildings making for very limited visibility of the proposed trailers. The trailers are anticipated to be needed until late spring. Staff recommends a condition of approval requiring the removal of the trailers no later than May 31, 2016, and the applicant abide by all Building and Fire Codes and West Des Moines Water Works regulations related to the trailers.

Plan and Zoning Commission Action:

Vote: 6-0 approval, with Commissioner Anderson absent.

Date: January 18, 2016

Motion: Adopt a resolution recommending the City Council approve the Site Plan

OUTSTANDING ISSUES: There are no outstanding issues.

The following items of interest are noted in the attached Plan and Zoning Commission report (see Exhibit I):

- Applicant's Request
- City Council Subcommittee - Development & Planning: 01-11-2016
- Staff Review and Comments
- Comprehensive Plan Consistency
- Findings
- Staff Recommendations and Conditions of Approval
- Owner/Applicant/Applicant Representative Information

RECOMMENDATION: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, the Plan and Zoning Commission recommends the City Council approve the Site Plan to allow the implementation of two temporary trailers to that site located at 1200 12th Street, subject to the applicant meeting all City Code requirements and the following:

1. Removal of the trailers, decking, and ramps no later than May 31, 2016; and,
2. Applicant abiding by all Building and Fire Codes and West Des Moines Water Works regulations as they relate to the temporary trailers.

Lead Staff Member: Lynne Tvedt 

Staff Reviews:

Department Director
Appropriations/Finance
Legal
Agenda Acceptance

Handwritten initials and signature:
LH
RIS
RTJ

PUBLICATION(S) (if applicable)

Published In	n/a
Date(s) Published	n/a
Letter sent to surrounding property owners	n/a

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	01-11-2016		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

ATTACHMENTS:

- Exhibit I - Plan and Zoning Commission Communication
- Attachment A - Commission Resolution
- Exhibit A - Conditions of Approval
- Attachment B - Location Map
- Exhibit II - City Council Resolution
- Exhibit A - Conditions of Approval

**CITY OF WEST DES MOINES
PLAN AND ZONING COMMISSION COMMUNICATION**

Meeting Date: January 18, 2016

Item: Guide One Mutual Insurance, 1200 12st Street – Approval to allow two temporary trailers for housing of employees during building remodel – GC3, LLC – SP-002964-2016

Requested Action: Approval of Site Plan

Case Advisor: Lynne Twedt

Applicant's Request: The applicant, Tom Stockdale with GC3, Inc., is requesting approval to allow the installation of two trailers (12'x 60' and 24'x 60') for the housing of displaced employees while the building is remodeled. The trailers will be connected by an approximately 100 square foot wood deck and will have a handicap ramp leading up to the deck. The trailers are a standard type used at construction sites and schools for overflow of students. The trailers will have running water; however sanitary waste will be through a tank system. The trailers will be located in a grass area north of a private loop drive within the site so as to not impact parking within the site. The applicant has indicated that the trailers will be skirted both for aesthetics and to aid in insulation. As can be seen in the attached illustrations, the property is interior to several other buildings making for very limited visibility of the proposed trailers. The trailers are anticipated to be needed until late spring. Staff recommends a condition of approval requiring the removal of the trailers no later than May 31, 2016, and the applicant abide by all Building and Fire Codes and West Des Moines Water Works regulations related to the trailers.

City Council Subcommittee: This item was presented to the Development and Planning City Council Subcommittee on January 11, 2016, as an informational item only. No disagreement with the proposal to utilize temporary trailers within the site was expressed.

Staff Review and Comment: This request was distributed to other City departments and other agencies for their review and comment. There are no outstanding issues. Staff would note the following:

Comprehensive Plan Consistency: The project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan and the land use map of the Comprehensive Plan.

Findings: This proposed project was distributed to various city departments for review and comment. Based upon that review, the following findings have been made on the proposed project:

1. The proposed development and use is consistent with the West Des Moines Comprehensive Plan in that the project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan.
2. The proposed development and use does assure compatibility of property uses within the zone and general area in that this project was reviewed by various City Departments for compliance with the Zoning Ordinance.
3. All applicable standards and conditions have been imposed which protects the public health, safety and welfare in that this project was reviewed by various City Departments and public agencies for compliance with the various state and local regulations. Based upon that review a finding is made that the project has been adequately conditioned to protect the health, welfare and safety of the community.
4. There is adequate on-site and off-site public infrastructure to support the proposed development in that this project was reviewed by various public agencies and City Departments and public utilities to ensure that either the petitioner will construct or the project has been conditioned to construct adequate public infrastructure to serve the development.

5. The proposed development and use has met the requirements contained in the City Code in that this project was reviewed by various City Departments and the project has complied with or has been conditioned to comply with all City Code requirements.
6. The proposed development and use is in keeping with the scale and nature of the surrounding neighborhood in that the proposed project is consistent with the Comprehensive Plan which designates this site as suitable for development such as that proposed by this project.

Staff Recommendation And Conditions Of Approval: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, staff recommends the Plan and Zoning Commission adopt a resolution recommending the City Council approve the Site Plan to allow the implementation of two temporary trailers to that site located at 1200 12th Street, subject to the applicant meeting all City Code requirements and the following:

1. Removal of the trailers, decking, and ramps no later than May 31, 2016; and,
2. Applicant abiding by all Building and Fire Codes and West Des Moines Water Works regulations as they relate to the temporary trailers.

Property Owner & Applicant: Guide One Mutual Insurance
1111 Ashworth Rd
West Des Moines, IA 50265

Applicant Representative: GC3
1025 Ashworth Rd, Suite 201
West Des Moines, IA 50265
Attn: Tom Stockdale
tomstockdale@GC3builders.com

ATTACHMENTS:

Attachment A	-	Plan and Zoning Commission Resolution
Exhibit A	-	Conditions of Approval
Attachment B	-	Location Map

RESOLUTION NO. PZC-16-006

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE A SITE PLAN TO ALLOW THE INSTALLATION OF TWO TEMPORARY TRAILERS

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant Guide One Mutual Insurance has requested approval for a Site Plan (SP-002964-2016) for 1200 12th Street to allow the implementation of two (2) temporary trailers to house displaced employees during building remodel;

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

WHEREAS, on January 18, 2016, this Commission held a duly-noticed public meeting to consider the applications for Guide One Site Plan (SP-002964-2016);

NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings, for approval, in the staff report, dated January 18, 2016, or as amended orally at the Plan and Zoning Commission meeting of January 18, 2016, are adopted.

SECTION 2. SITE PLAN (SP-002964-2016) to implement two temporary trailers is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, dated January 18, 2016, including conditions added at the meeting, and attached hereto as Exhibit "A". Violation of any such conditions shall be grounds for revocation of the permit, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on January 18, 2016.

Craig Erickson, Chairperson
Plan and Zoning Commission

ATTEST:

Hann Taylor
Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting held on January 11, 2016, by the following vote:

AYES: Brown, Costa, Crowley, Erickson, Hatfield, Southworth
NAYS: -0-
ABSTENTIONS: -0-
ABSENT: Andersen

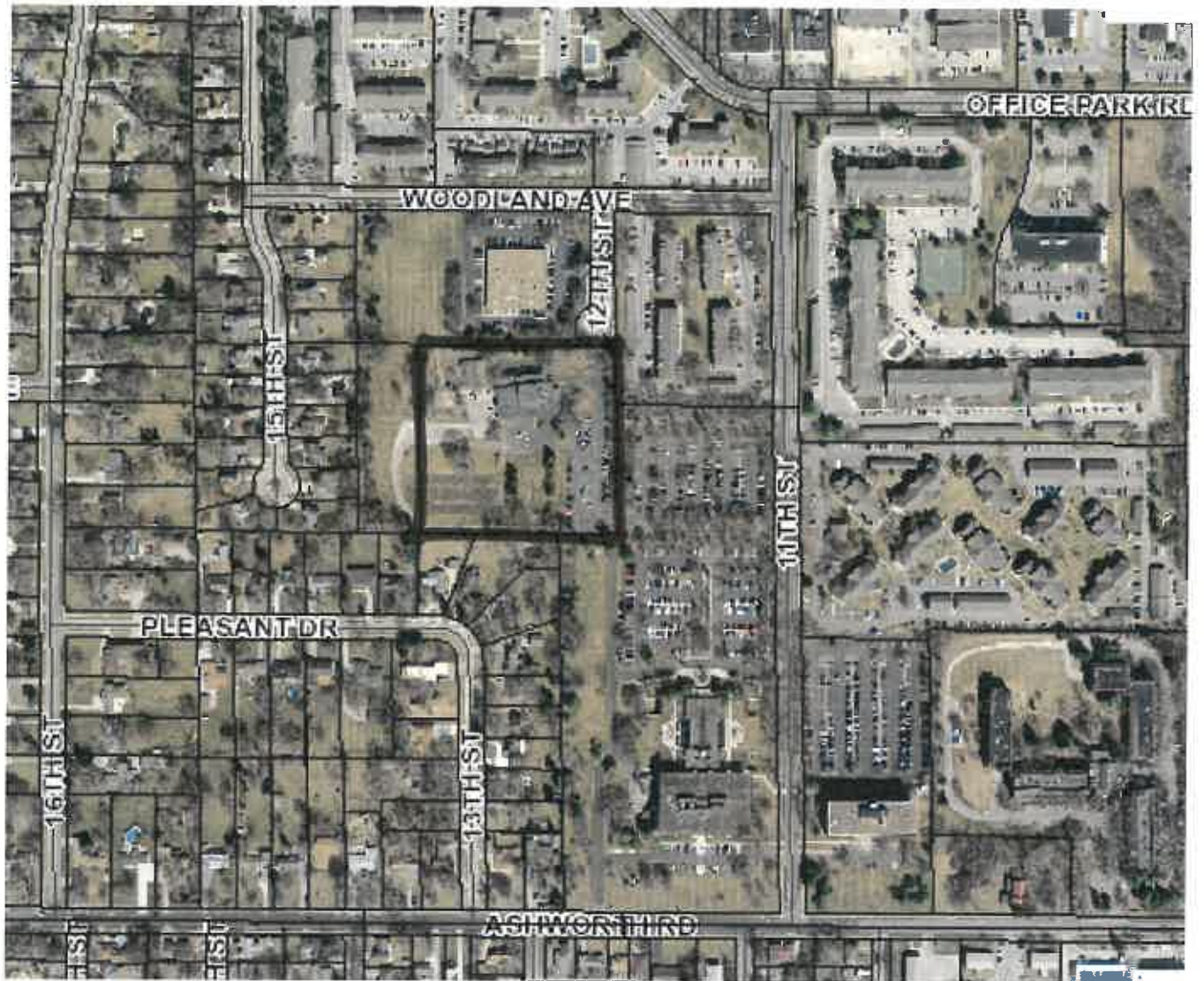
ATTEST:

Hann Taylor
Recording Secretary

EXHIBIT A
CONDITIONS OF APPROVAL

1. Removal of the trailers, decking, and ramps no later than May 31, 2016; and,
2. Applicant abiding by all Building and Fire Code and West Des Moines Water Works regulations as they relate to the temporary trailers.

Location Map
1200 12th Street





L. Twedt, City of West Des Moines Development Services, P.O. Box 65320, West Des Moines, IA 50265-0320, 515-222-3620
When Recorded, Return to: City Clerk, City of West Des Moines, P. O. Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, APPROVING THE SITE PLAN (SP-002964-2016) TO ALLOW THE INSTALLATION OF TWO TEMPORARY TRAILERS

WHEREAS, pursuant to the provisions of Title 9, Zoning, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant Guide One Mutual Insurance has requested approval for a Site Plan (SP-002964-2016) for 1200 12th Street to allow the implementation of two (2) temporary trailers to house displaced employees during building remodel;

Legal Description of Property

GOLF AND COUNTRY CLUB PLAT 10, LOT 2, AN OFFICIAL PLAT
NOW IN AND FORMING A PART OF THE CITY OF WEST DES MOINES,
POLK COUNTY, IOWA.

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

WHEREAS, on January 18, 2016, the Plan and Zoning Commission did recommend to the City Council approval of the Site Plan (SP-002964-2016);

WHEREAS, on, January 26, 2016, this City Council held a duly-noticed meeting to consider the application for Site Plan (SP-002964-2016);

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings, for approval, stated in the staff report, dated January 26, 2016, or as amended orally at the City Council meeting of January 26, 2016, are adopted.

SECTION 2. Site Plan (SP-002964-2016) to allow implementation of two temporary trailers is approved, subject to compliance with all the conditions in the staff report, dated January 26, 2016, including conditions added at the meeting, and attached hereto as Exhibit "A". Violation of any such conditions shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on January 26, 2016.

Steve Gaer
Mayor

ATTEST:

Ryan T. Jacobson
City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on January 26, 2016, by the following vote:

ATTEST:

Ryan T. Jacobson
City Clerk

Exhibit A
Conditions of Approval

1. Removal of the trailers, decking, and ramps no later than May 31, 2016; and,
2. Applicant abiding by all Building and Fire Codes and West Des Moines Water Works regulations as they relate to the temporary trailers.

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: January 26, 2016

ITEM: Village of Ponderosa, East of South 60th Street at Village View Drive - Amend the Village of Ponderosa Specific Plan Ordinance to modify commercial wall sign regulations – ZCSP-002958-2016

MOTION: Refer to Plan and Zoning Commission

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, W. West Investments, LLC, have submitted an application for approval of an amendment to the existing Village of Ponderosa Specific Plan Ordinance to modify the language that regulates the calculation of allowed wall signage for commercial uses within the Village of Ponderosa development. Per the original developer's wishes, the PUD restricts the amount of wall signage to less than that otherwise allowed per City Code. This amendment proposal changes the calculation for wall signage to be consistent with how it is calculated for other businesses across the City.

At this time the applicant is requesting that the City Council initiate the rezoning request and refer it to the Plan and Zoning Commission for their review and recommendation. The initiation of the rezoning request by the City Council does not indicate support or opposition to the rezoning request or the project pending on this site. The initiation of the request merely responds to the due process rights of the petitioner.

RECOMMENDATION: Staff recommends initiation of the rezoning request and forwarding it to the Plan and Zoning Commission for their review and recommendation.

Lead Staff Member: Kevin Wilde, Sign and Zoning Administrator *(w)*

STAFF REVIEWS:

Department Director	<i>[Signature]</i>
Appropriations/Finance	<i>[Signature]</i>
Legal	<i>[Signature]</i>
Agenda Acceptance	<i>[Signature]</i>

PUBLICATION(S) (if applicable)

Published In	n/a	
Date(s) Published	n/a	
Letter sent to surrounding property owners	Date to be scheduled	to be

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development and Planning		
Date Reviewed	To be discussed 1-25-2016		
Recommendation	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

ATTACHMENTS:

Exhibit I - Location Map



Village of Ponderosa



1:6,500



1,083.3 0 541.67 1,083.3 Feet

NAD_1983_StatePlane_Iowa_South_FIPS_1402_Feet
 © City of West Des Moines, Iowa

Disclaimer: The City of West Des Moines makes no warranties regarding the accuracy or completeness of the data provided herein.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

ITEM:

DATE: January 26, 2016

Receive and File
Glen Oaks Drainage Study
LT Leon Associates, Inc.

FINANCIAL IMPACT:

All costs for these services were paid from budgeted account no. 8300.80.440.5.4500 with the ultimate funding intended to come from Stormwater Utility Fees.

BACKGROUND:

LT Leon Associates, Inc. was contracted to prepare a drainage study for the Glen Oaks area. The study is now complete and will be shared with Glen Oaks Country Club and the Glen Oaks Homeowners Association. Staff anticipates each group will request to meet with the City to discuss the results.

OUTSTANDING ISSUES:

None

RECOMMENDATION:

The City Council receive and file the Glen Oaks Drainage Study dated January 8, 2016.

Lead Staff Member: Duane C. Wittstock, P.E., L.S., City Engineer

STAFF REVIEWS

Department Director	Duane C. Wittstock, City Engineer <i>DCW</i>
Appropriations/Finance	Tim Stiles, Finance Director <i>MS</i>
Legal	Richard Scieszinski, City Attorney <i>RS</i>
Agenda Acceptance	<i>RTG</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	January 18, 2016		
Recommendation	Yes	No	Split



Letter of Transmittal

Date Sent: January 11, 2016

Project: Glen Oaks Drainage Study

City PN #: 0430-025-2015
LT Leon Project #: 011.006

To: Brian Hemesath
City of West Des Moines

From: Luis Leon
LT Leon Associates
500 E Locust St., Suite 400
Des Moines, IA 50309


Subject: Final Report – 3 copies

Via: Hand Delivery

Comments:

Brian,
Included are three signed copies of the final Glen Oaks Drainage Study.

Thank you,


Luis T. Leon, P.E.
Principal

Glen Oaks Drainage Study

Glen Oaks
West Des Moines, Iowa

January 2016

City of West Des Moines Project Number: 0430-025-2015
LT Leon Project Number: 011.006

Prepared by:



500 East Locust Street, Suite 400
Des Moines, IA 50309
515-422-7016
www.ltleon.com

FINAL COPY

	<p>I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.</p>
	<p>Signature: <u>Luis T. Leon</u> Date: <u>1/9/2016</u></p> <p>Luis T. Leon, P.E. Iowa License Number 18685 My license renewal date is December 31, 2017.</p>
<p>Pages or sheets covered by this seal: <u>ALL</u></p>	

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A. Introduction

1. Background

The purpose of this analysis was to evaluate the compliance of the Glen Oaks neighborhood development with the current City of West Des Moines stormwater management standards. This report does not contain design information and is not an approved stormwater management plan. Glen Oaks is located in West Des Moines between S. 60th Street, Mills Civic Parkway, Interstate 35, and Grand Avenue. Glen Oaks is a large gated residential community that began to be developed in the early 1990's. Prior to development the property was farmed for row crop. However, for the purposes of the stormwater calculations, the pre-development condition will be evaluated as the land use prior to the row crop, which is assumed to be prairie grass.

The site has been fully developed into multiple family living units, single family homes, and Glen Oaks Country Club. The impervious surfaces consist of roads, driveways, and roofs. There are a number of ponds on the property that provide some detention during rainfall events. Four main drainage basins collect and discharge stormwater from the site – NW, NE, East and South. The NW and NE areas drain to City storm sewer at Mills Civic Parkway. The East area drains to a large culvert at I-35. The South area drains to a large culvert at Grand Avenue. These areas all eventually drain to the Raccoon River.

B. Analysis

1. City Stormwater Standards

The current City stormwater management detention standards are described in the City's Design Standards Manual Chapter 2 Section 8.4. This section states that post-development peak runoff for rainfall events with an expected return frequency of two and five years shall not exceed the pre-developed peak runoff for those same storms. The section also states that peak runoff for a rainfall event with a 100-year return frequency in the post-developed scenario must not exceed the pre-development peak runoff for the five-year return frequency rainfall event.

2. Pre-Development Condition

The pre-development condition in this study is the assumed condition before the property was developed and before any farming activities. A historical USGS quadrangle topographic map (revised 1976) was used to delineate pre-development drainage basins for calculating runoff. There are three primary drainage basins (North, East, South) comprising the Glen Oaks development area for the pre-development scenario. Times of concentration were calculated for each drainage basin. Assumptions for the pre-development condition include a CN value of 74 and no impervious area. The soils within the site were determined to be primarily hydrologic soil group C based on web soil survey. See **Map 1 - Pre-Development Condition**.

Table 1 - Pre-Development Hydrology

	North	East	South	TOTAL
Area (ac)	36.8	62.5	359.4	458.7
Impervious %	0	0	0	0
T _c (min)	40	48	64	-
Cumulative CN	74	74	74	74

Win-TR-55 was used to calculate the peak runoff for the pre-development condition. SUDAS 2015 rainfall data and SCS Type II rainfall distribution (The NRCS Urban Hydrology for Small Watersheds method) were used for the design storms. The mean rainfall depths for each rainfall event are based on Region 5 of the SUDAS Climatic Sectional Codes of Iowa. The 2-year, 5-year and 100-year, 24-hour rainfall events were used for the analysis.

Table 2 - Pre-Development Peak Flow Results

	North	East	South
2-year (cfs)	24	36	170
5-year (cfs)	38	57	271
100-year (cfs)	112	168	811

3. Post-Development Condition

The post-development condition for this study is also the existing (current) condition. Any potential future development within the Glen Oaks development area would necessitate further analysis to ensure the compliance with City stormwater requirements. LIDAR data was used to delineate post-development drainage basins. There are four drainage basins (NW, NE, East, and South) for the post-development condition. The post-development drainage basins contain storm sewer systems and have a culvert or storm sewer as the final outlet. The drainage basins were sub-divided into drainage areas generally at low points in streets, ponds, and culverts. Times of concentration were calculated for each sub-divided drainage area. Impervious areas were calculated and the pervious area CN value was assumed to be 74. The soils were determined to be primarily hydrologic soil group C based on web soil survey. See **Map 2 - Post-Development Condition**.

Table 3 - Post-Development Hydrology

	North (NW+NE)	East	South	TOTAL
Area (ac)	46.3	53.8	358.7	458.8
Impervious %	36	18	36	34
T _c (min)	-	-	-	-
Cumulative CN	83	78	83	82

An XPSWMM 1D was used to calculate peak runoff for the post-development condition. SUDAS 2015 rainfall data and SCS Type II rainfall distribution were used for the design storms. The mean rainfall depths for each rainfall event are based on Region 5 of the SUDAS Climatic Sectional Codes of Iowa. The model used the 2-year, 5-year and 100-year, 24-hour rainfall events as the design storms.

GIS data available through the West Des Moines Digital Maps website was used to create the existing storm sewer network in XPSWMM. Physical characteristics include structure type, rim/grate elevations, flowline elevations, pipe diameters, and pipe material. Any missing or questionable data was verified with field survey, the City, engineering drawings provided by the City, or Google Earth. In certain cases where data was missing, flowline elevations were interpolated based on existing upstream and downstream flowline elevations. Topographic survey was completed for strategic areas within the Glen Oaks area to add detail to LIDAR contour data and West Des Moines GIS utility information.

Intakes were modeled as having no inlet capacity restrictions, thereby allowing all runoff from the associated catchment to be captured into the storm sewer system, unless the storm sewer was surcharging onto the surface. An overflow route was modeled to route overland flows downstream for storm sewer systems that surcharge during the 100-year rainfall event. The model includes storage in depression areas to show detention.

Preliminary design of the S. 60th Street reconstruction project (by others) has been incorporated into the post-development model. The City provided stormwater reports and as-built drawings for development upstream of S. 60th Street. This information was reviewed and incorporated into the model to account for detention. The soils in this upstream offsite area were hydrologic soil group B, based on web soil survey, and a CN value of 61 was assumed. The following design flows at the existing 84-inch S. 60th Street culvert were used for this study:

- 2-year = 176 cfs
- 5-year = 229 cfs
- 100-year = 445 cfs

Most of the land for the upstream offsite area is currently developed. A model was prepared for the scenario that assumes all upstream offsite area land is developed according to the City of West Des Moines Comprehensive Land Use Map and is constructed with required detention. The model revealed that future development with required detention has minimal impact on the offsite peak flows. Therefore the potential of future offsite development does not impact the recommendations or improvements within this report.

4. Modeling Results

The following Modeling Results tables show the peak flow results for the pre-development and post-development conditions for each basin. For the post-development condition, flows are reported as 'Outflow', 'Onsite Runoff', 'Offsite Pass Thru', and 'Glen Oaks Site Release'. See below for definitions of these flows.

- **Outflow** – This is the peak flow that leaves each basin from the outlet culvert or storm sewer. This outflow includes all drainage area that drains to the outflow pipe, including both onsite and offsite areas.
- **Onsite Runoff** – This is Glen Oaks development area within each respective basin that drains directly offsite and does not drain to the outflow pipe. These areas would likely not be able to be captured and managed for stormwater detention in the future.
- **Offsite Pass Thru** – This is offsite area that drains into the Glen Oaks development area. These areas would typically be allowed to pass thru the site or detention facilities unrestricted. The NW and NE Basins are similar in that each basin has no off-site drainage area that passes

thru the basin. The East Basin has a minor amount of offsite area that passes thru. The South Basin has a significant amount of off-site area that passes thru the basin via the main creek and tributaries.

- Glen Oaks Site Release – This is the total peak flow from the Glen Oaks development area that leaves each basin, including onsite runoff and excluding offsite pass thru runoff.
 - Glen Oaks Site Release = Outflow + Onsite Runoff – Offsite Pass Thru

Table 4 - North Basin Post-Development Model Results

	Outflow	Onsite Runoff	Offsite Pass Thru	Glen Oaks Site Release	Site Release TOTAL	Site Release Requirement
NW						
2-year (cfs)	17	1	-	18		
5-year (cfs)	18	1	-	19		
100-year (cfs)	47	3	-	50		
NE					NW+NE	North
2-year (cfs)	44	1	13	32	50	24
5-year (cfs)	57	2	18	41	60	38
100-year (cfs)	111	5	36	80	130	38

Table 5 - East Basin Post-Development Model Results

	Outflow	Onsite Runoff	Offsite Pass Thru	Glen Oaks Site Release	Site Release Requirement
2-year (cfs)	75	4	1	78	36
5-year (cfs)	106	6	2	110	57
100-year (cfs)	254	16	7	263	57

Table 6 - South Basin Post-Development Model Results

	Outflow	Onsite Runoff	Offsite Pass Thru	Glen Oaks Site Release	Site Release Requirement
2-year (cfs)	467	26	331	162	170
5-year (cfs)	638	40	467	211	271
100-year (cfs)	1104	108	1126	86	271

Conclusions

The North (NW + NE) and East Basins fail to satisfy the standards, stated in **B. Analysis 1. City Stormwater Standards**, for all three rainfall events. The South Basin satisfies the standards for all three rainfall events. Based on the modeling results and the methodology used to determine peak flow rates leaving the Glen Oaks development, it is concluded that the site is not in compliance with current City of West Des Moines stormwater management standards.

C. Deficiencies

Based on the modeling results for 100-year rainfall event, **Map 4 – Deficiencies** was developed to show the potential inundation and overtopping areas within the site. These areas include street low points, storage areas, detention ponds and culvert crossings. The following City stormwater

management standards were used to evaluate the performance of roadway low points, culverts and detention ponds within the site.

- Storm Sewers should convey 5-year storm within pipe. 100-year storm should overflow without damaging private property. Storm/surface water flowage easements should be provided to Jurisdiction. (WDM Design Standards Manual chapter 2, section 3.9, #1)
- Culverts should convey 10-year storm with headwater depth less than diameter of culvert, 50-year storm with headwater depth less than one foot over top of culvert, and 100-year headwater depth with headwater depth less than one foot below roadway elevation. (WDM Design Standards Manual chapter 2, section 3.9, #2)
- Detention basins should have capacity to retain 100-year storm. Top of basin should be minimum of one foot above the 100-year storage elevation. (WDM Design Standards Manual chapter 2, section 3.9, #4)

Multiple stormwater management concerns have been identified based on modeling results. These deficiencies include:

- Storm Sewer Capacity at Low Point – The following road low points may see potential road overtopping due to storm sewer capacity during the 100-year rainfall event:
 - D-E1 – Glen Oaks Drive Low Point just south east of the Clubhouse entrance
 - D-S2 – Tulip Tree Lane open-sided intake
 - D-S4 – Burr Oaks Drive Low Point near Red Bud Way intersection
 - D-S5 – Burr Oaks Drive Low Point near Beechwood Terrace intersection
- Road Culvert Capacity – The following culverts fail to provide one foot of freeboard below the road elevation for the 100-year rainfall event:
 - D-N1 – NW Basin storm intake south of Mills Civic Parkway
 - D-N2 – NE Basin culvert southwest of entrance road and Glen Oaks Drive intersection
 - D-S1 – Plum Thicket Lane at wet pond/creek (Twin 6.5-foot diameter culverts)
 - D-S3 – Burr Oaks Drive at creek (Twin 6-foot diameter culverts)
- Detention Basin Outlet/Storage Capacity – The following detention pond fails to provide one foot of freeboard during the 100-year rainfall event.
 - D-N3 – NE Basin wet pond

1. Northwest Basin

- **D-N1** – Road Culvert Capacity – 100-year flow elevation overtops R.O.W. onto Mills Civic Parkway.

2. Northeast Basin

- **D-N2** – Road Culvert Capacity – 100-year flow elevation overflows onto Glen Oaks Drive. 100-year flow elevation impacts two structures.
- **D-N3** – Detention Basin Outlet/Storage Capacity – 100-year water surface elevation is less than one foot below the overtopping elevation. One structure sits below the 100-year water surface elevation and overtopping elevation.

3. East Basin

- **D-E1** – Storm Sewer Capacity at Low Point – 100-year flow elevation overtops Glen Oaks Drive into the golf course driving range. Drainage collects in the street and overtops the curb at a depth of approximately 8 inches. Field observation revealed gully erosion is present at the existing storm sewer outlet.

4. South Basin

- **D-S1** – Road Culvert Capacity – 100-year flow elevation is within one foot of overtopping Plum Thicket Lane. The existing raised median prevents overtopping and roadway on the west side of the median is submerged.
- **DS2** – Storm Sewer Capacity at Open-Sided Intake – 5-year flow elevation overtops open-sided intake and runoff flows into Tulip Tree Lane roadway.
- **D-S3** – Road Culvert Capacity – 100-year flow elevation overtops Burr Oaks Drive.
- **D-S4** – Storm Sewer Capacity at Low Point – 100-year flow elevation overtops at the low point on Burr Oaks Drive and runoff flows through the side yard between two houses onto the golf course. Drainage collects in the street and overtops the right-of-way. The approximate depth of water at the low point is 3 feet.
- **D-S5** – Storm Sewer Capacity at Low Point – 100-year flow elevation overtops Burr Oaks Drive near the intersection with Beechwood Terrace and runoff flows through the side yard between two houses and onto the golf course. Drainage collects in the street and overtops the right-of-way. The approximate depth of water at the low point is 2 feet.

D. Proposed Improvements

A number of projects have been identified as potential solutions to bring Glen Oaks into compliance with current City stormwater management standards and to eliminate potential deficiencies. Projects have been identified for all four basins (NW, NE, East, and South). Each improvement was modeled in XPSWMM to evaluate its impact. See **Map 5 - Future Improvements**.

1. Northwest Basin

- **I-N1** – Remove orifice or increase orifice size and detention capacity. The existing outlet pipe is a 24-inch RCP with an orifice plate. One option to prevent overtopping is to remove the orifice plate. An alternative improvement is to perform minor earthwork to provide more storage and increase the orifice diameter.
 - **Impact** – Both improvements provide one foot of freeboard at the detention pond and eliminate overtopping onto Mills Civic Parkway. Each improvement, in combination with the NE improvements, allows the North Basin to achieve compliance with City requirements.

2. Northeast Basin

- **I-N2** – Excavate a new low point at north side of the drainage swale located west of the townhomes. The low point will be lower than the existing low point. Construct a storm sewer from the new low point to the existing storm sewer in Glen Oaks Drive.

- **Impact** – Provides at least one foot of freeboard for the townhomes adjacent to this ditch.
- **I-N3** – Replace the existing storm sewer pipes from wet pond to NE dry detention pond with larger storm sewer pipes. Modify wet pond overflow path to be lower than adjacent townhomes. Replace outlet structure at wet pond.
 - **Impact** – Increased pipe capacity reduces 100-year elevation in wet pond to provide one foot freeboard for adjacent townhomes.
- **I-N4** – Expand existing storage area located at the northeast corner of the site. Reduce the outlet size to increase attenuation of peak flows.
 - **Impact** – The proposed dry detention pond meets the requirements to provide minimum one foot of freeboard at the 100-year elevation. Extra storage and smaller outlet pipe allows site release from North Basin to achieve compliance with City requirements.

3. East Basin

- **I-E1** – Construct a dry pond and outlet pipe.
 - **Impact** – The proposed improvement reduces the total 100-year peak flow for the East Basin enough to comply with the City site release requirements and provide one foot of freeboard.
- **I-E2** – Construct a storm sewer pipe that drains the low point intake at Glen Oaks Drive to the proposed dry pond.
 - **Impact** – The proposed pipe provides capacity to eliminate overtopping from Glen Oaks Drive. Routing the drainage to the proposed dry pond allows the East Basin to comply with City site release requirements.

4. South Basin

- **I-S1** – Install a supplemental RCP culvert.
 - **Impact** – The proposed improvement provides additional capacity for the road culvert with one foot of freeboard below the road.
- **I-S2** – Replace existing storm sewer pipes with larger storm sewer pipes to increase capacity.
 - **Impact** – The proposed improvement eliminates overtopping onto Tulip Tree Lane and provides additional capacity for the storm sewer system during minor rainfall events.
- **I-S3** – Install a supplemental RCP culvert.
 - **Impact** – The proposed improvement eliminates overtopping onto Burr Oaks Drive and provides additional capacity for the road culvert with minimum one foot of freeboard below the road.
- **I-S4** – Replace the existing storm sewer pipes with larger storm sewer pipes to increase capacity. Another option is to acquire appropriate easements that would include an overland flow route between private homes.
 - **Impact** – The proposed improvement eliminates overtopping from Burr Oaks Drive.
- **I-S5** – Replace the existing storm sewer pipes with larger storm sewer pipes to increase capacity. Another option is to acquire appropriate easements that would include an overland flow route between private homes.
 - **Impact** – The proposed improvement provides increased storm sewer capacity and eliminates overtopping from Burr Oaks Drive.

Table 7 - North Basin Improvements Model Results

	Outflow	Onsite Runoff	Offsite Pass Thru	Glen Oaks Site Release	TOTAL	Requirement
NW						
2-year (cfs)	17	1	-	18		
5-year (cfs)	23	1	-	24		
100-year (cfs)	38	3	-	41		
NE						
2-year (cfs)	12	1	13	0	18	24
5-year (cfs)	14	2	17	-1	23	38
100-year (cfs)	20	5	36	-11	30	38

Table 8 - East Basin Improvements Model Results

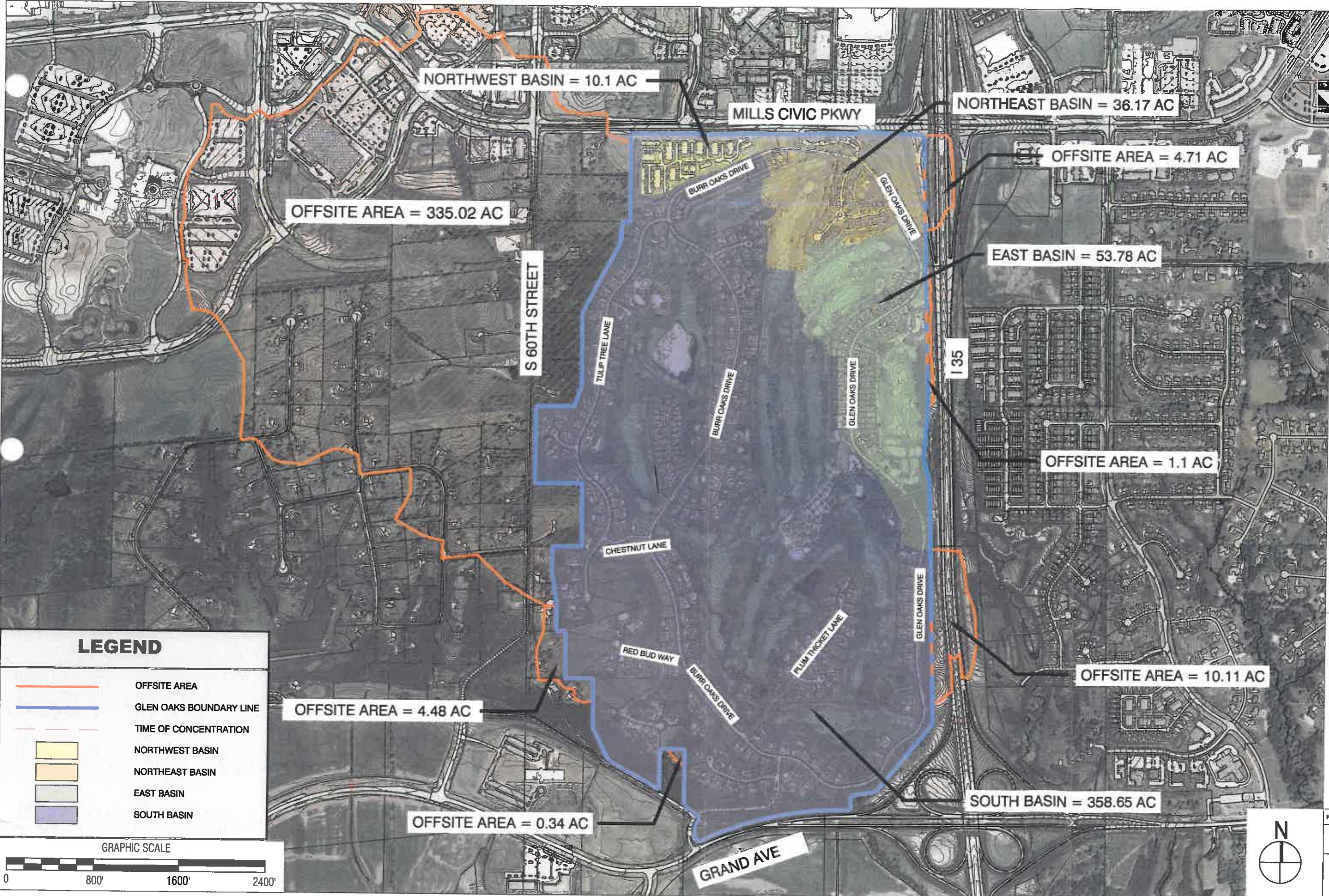
	Outflow	Onsite Runoff	Offsite Pass Thru	Glen Oaks Site Release	Requirement
2-year (cfs)	26	4	1	29	36
5-year (cfs)	30	6	2	34	57
100-year (cfs)	39	16	7	48	57

Table 9 - South Basin Improvements Model Results

	Outflow	Onsite Runoff	Offsite Pass Thru	Glen Oaks Site Release	Requirement
2-year (cfs)	470	26	331	165	170
5-year (cfs)	644	40	467	217	271
100-year (cfs)	1207	108	1126	189	271

E. References

- Comprehensive Plan - City of West Des Moines, September 20, 2010
- The City of West Des Moines Comprehensive Land Use Map, Revised July 1, 2013
- Des Moines Metropolitan Design Standards Manual, July 1993
- Iowa Statewide Urban Design and Specifications (SUDAS), 2015
- Web Soil Survey, USDA Natural Resources Conservation Service (NRCS)
- Iowa Department of Transportation (DOT) Culvert guidelines, April 2000
- Applebee's Storm Water Management Plan – Civil Design Advantage, LLC., February 13, 2006
- Galleria at Jordan Creek Plat 3 Storm Water Management Plan – Civil Design Advantage, LLC., Revised December 2, 2004
- Galleria at Jordan Creek Plat 5 Storm Water Management Plan – Civil Design Advantage, LLC., Revised April 7, 2005
- Galleria at Jordan Creek Plat 6 Storm Water Management Plan – Civil Design Advantage, LLC., Revised April 14, 2006
- Galleria at Jordan Creek Plat 8 Revised Storm Water Management Plan – Civil Design Advantage, LLC., June 7, 2006
- Galleria at Jordan Creek Plat 9 Revised Storm Water Management Plan – Civil Design Advantage, LLC., February 22, 2008
- Galleria at Jordan Creek Plat 13 Storm Water Management Plan – Civil Design Advantage, LLC., Revised June 23, 2011
- Preliminary Design Report for South 60th Street Culvert Replacement – City of West Des Moines, February 3, 2012
- Stormwater Management Plan for Homewood Suites/Hampton Inn – Snyder & Associates, Inc., January 23, 2014
- Stormwater Management Plan for Summit at Glen Oaks – Civil Engineering Consultants, Inc., October 8, 2007
- Watermark Residential Storm Water Management Plan – Civil Design Advantage, LLC., Revised March 28, 2013
- Water Resources Management Study: Glen Oaks Country Club – Snyder & Associates, Inc., June 7, 1999



NORTHWEST BASIN = 10.1 AC

NORTHEAST BASIN = 36.17 AC

OFFSITE AREA = 335.02 AC

OFFSITE AREA = 4.71 AC

EAST BASIN = 53.78 AC

OFFSITE AREA = 1.1 AC






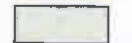

OFFSITE AREA = 10.11 AC

OFFSITE AREA = 4.48 AC

SOUTH BASIN = 358.65 AC

OFFSITE AREA = 0.34 AC

LEGEND

-  OFFSITE AREA
-  GLEN OAKS BOUNDARY LINE
-  TIME OF CONCENTRATION
-  NORTHWEST BASIN
-  NORTHEAST BASIN
-  EAST BASIN
-  SOUTH BASIN

GRAPHIC SCALE



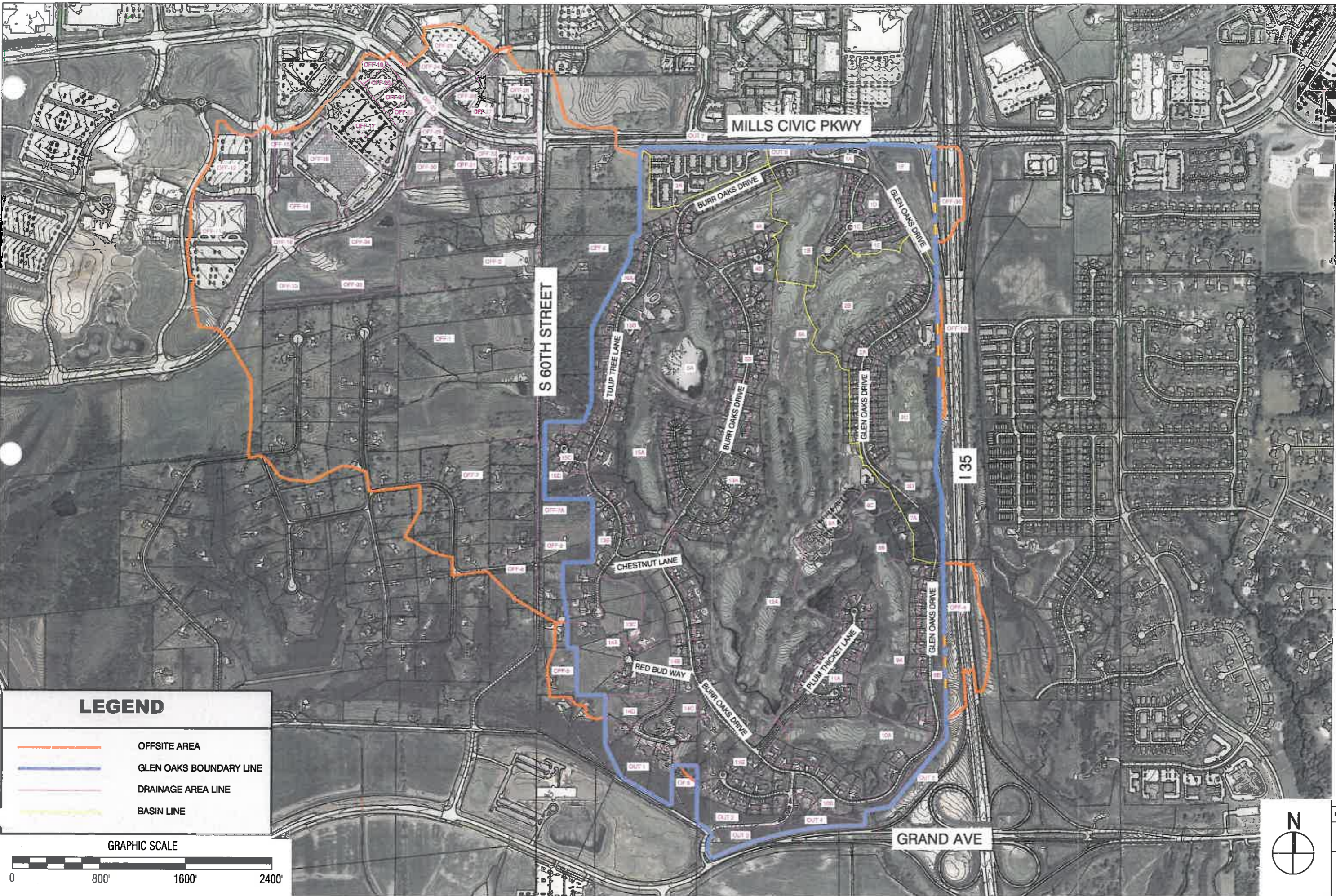
NO.	REVISION	BY	DATE

GLEN OAKS DRAINAGE STUDY
 WEST DES MOINES, IOWA
 MAP 2
 POST-DEVELOPMENT CONDITION

LT LEON
 ASSOCIATES INC
 510 EAST LOCUST STREET SUITE 400
 DES MOINES IOWA 50319
 OFFICE 515-422-7008
 WWW.LTLEON.COM

PROJECT NO. D11.006
 POST DEVELOPMENT
 SHEET NO.
 MAP 2





LEGEND

-  OFFSITE AREA
-  GLEN OAKS BOUNDARY LINE
-  DRAINAGE AREA LINE
-  BASIN LINE

GRAPHIC SCALE



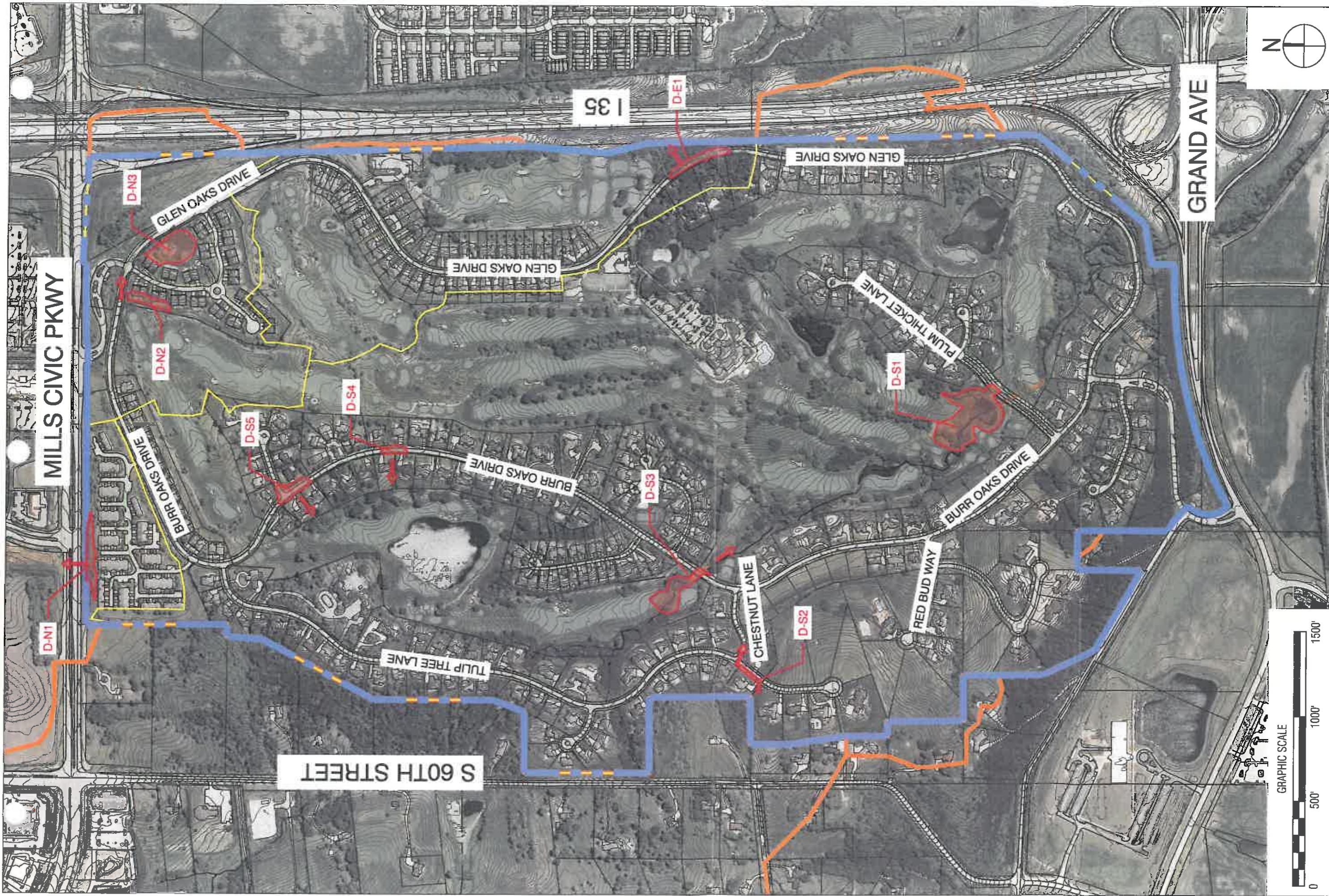
NO.	REVISION	DATE

GLEN OAKS DRAINAGE STUDY
 WEST DES MOINES, IOWA
 MAP 3
 POST-DEVELOPMENT CONDITION - SUB AREAS

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PROJECT NO.	011.006
POST- SUB AREAS	
SHEET NO.	MAP 3

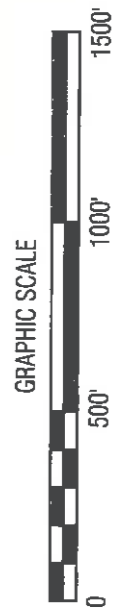
DESIGNED: LTL	PROJECT NO.: 011.006
DRAWN: ZD	FILE NUMBER: 011.006
CHECKED: LTL	SHEET NO.: MAP 3
SCALE: 1"=80'	DATE: JANUARY 2018



NO.	REVISION	DATE

DESIGNED: LTL	PROJECT NO.: 011.006
DRAFTED: 2D	FILE NUMBER: 011.006
CHECKED: LTL	SHEET NO.: MAP 4
SCALE: 1"=50'	DATE: JANUARY 2018

GLEN OAKS DRAINAGE STUDY
 WEST DES MOINES, IOWA
 MAP 4
 DEFICIENCIES



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DEFICIENCIES
SHEET NO. MAP 4

