

July 11, 2016

West Des Moines City Council Proceedings
Monday, July 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, July 11, 2016 at 5:31 PM. Council members present were: J. Mickelson, J. Sandager, and R. Trimble.

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

Vote 16-245: Mickelson, Sandager, Trimble...3 yes
Motion carried.

On Item 2. Public Forum

Ed Ames, 304 6th Street, reiterated the concerns about noise disturbance during events in Valley Junction that he had previously raised at the May 31, 2016 City Council meeting. He stated that he did not receive notification of the Valley Junction Events Advisory Committee meeting that was scheduled to discuss his concerns, however he did learn of the meeting from a friend. He attended the meeting, but he was not satisfied with the committee members' response to his concerns.

Clyde Evans, Community and Economic Development Director, reported that the Valley Junction Events Advisory Committee did take Mr. Ames' concerns into consideration, but their recommendation was to not limit the number of events and not require the stage to be relocated.

Mayor Gaer requested that staff place the matter on the agenda for the next City Council meeting for consideration.

Wendy Lacina, 537 2nd Street, stated her street is currently being reconstructed, and she complimented the contractor's work on that project; however, she noted the contractor damaged the water main stop box on her property, and she requested that the City ensure it gets repaired. She also reported she recently made a call to the Police Department, and she commended them for their professionalism.

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

Council member Sandager reported he attended a meeting of the Development and Planning Subcommittee, where discussion was held on the proposed Brown's Woods Estates development and a proposed redevelopment project for the former Dahl's store property at 50th Street and EP True Parkway, which would include both retail and mini-storage components.

July 11, 2016

Council member Trimble reported the Finance and Administration Subcommittee met and discussed proposed redevelopment incentive policies that will be discussed at the Council workshop later tonight.

Council member Mickelson expressed appreciation to the Parks and Recreation Department for successfully organizing this year's Independence Day parade.

On Item 4. Consent Agenda.

It was moved by Trimble, second by Sandager to approve the consent agenda as presented.

- a. Approval of Minutes of June 27, 2016 Meeting
- b. Approval of Bill Lists
- c. Approval of Liquor Licenses:
 - 1. 34's Sports Grill Valley West, LLC, d/b/a 34's Sports Grill, 1551 Valley West Drive, Suite 253 - Class LC Liquor License with Sunday Sales - Renewal
 - 2. MLC Holdings, LLC, d/b/a Blue Moon Dueling Piano Bar & Restaurant, 5485 Mills Civic Parkway - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
 - 3. Cabaret West Des Moines, LLC d/b/a Cabaret, 560 Prairie View Drive, Suite 105 - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
 - 4. Café Su, Inc. d/b/a Café Su, 225 5th Street - Class BW Permit with Sunday Sales - New
 - 5. The Cheesecake Factory Restaurants, Inc., d/b/a The Cheesecake Factory, 101 Jordan Creek Parkway #12550 - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
 - 6. Christiani's Events, LLC d/b/a Christiani's Events, 8950 University Avenue - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
 - 7. Frank's Divine Pie 8950, d/b/a Gusto Pizza Company, 8950 University Avenue - Class BW Permit with Sunday Sales and Outdoor Service - Renewal
 - 8. Stu's Petroleum, d/b/a Valley West Corner Store, 1400 Valley West Drive - Class BC Beer Permit with Carryout Wine and Sunday Sales - Renewal
 - 9. Fast Mart 2, LLC, d/b/a Vine Stop, 2704 Vine Street - Class LE Liquor License with Native Wine and Sunday Sales - Renewal
- d. Approval of Order for Violation of Alcohol Laws
- e. Approval to Sell Surplus City Equipment
- f. Approval of Change Order #5 - Community Center Interior Renovations
- g. Approval of High Quality Jobs Program Applications:
 - 1. ePATHUSA
 - 2. Project Osmium
- h. Accept Work - 88th Street Trail
- i. Approval of Lot Tie Agreement - St. Timothy's Episcopal Church, 1020 24th Street
- j. Acceptance of Dedication of Easements - Coachlight Drive Improvements

July 11, 2016

- k. Approval and Acceptance of Purchase Agreements, Deeds, and Easements:
 - 1. Ashworth Road Improvements Project, Phase 1
 - 2. Grand Avenue Siphon Replacement Project
 - 3. South 35th Street Bridge Replacement Project
- l. Approval of a Temporary Modification to PUD Restrictions - Hallett Materials Trial Rock Crushing

Vote 16-246: Mickelson, Sandager, Trimble...3 yes
Motion carried.

On Item 5(a) Pheasant Ridge, generally located on the north side of Booneville Road from South 60th Street to South Jordan Creek Parkway - Zone Property Consistent with the Comprehensive Plan Land Use Map, initiated by the City of West Des Moines

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

Vote 16-247: Mickelson, Sandager, Trimble...3 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 16-248: Mickelson, Sandager, Trimble...3 yes
Motion carried.

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

Vote 16-249: Mickelson, Sandager, Trimble...3 yes
Motion carried.

On Item 5(b) Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 2 (Through Streets Stop Required) - South 81st Street, Mills Civic Parkway to south terminus of South 81st Street, and SE Maffitt Lake Road, SE Soteria Avenue to Veterans Parkway, initiated by the City of West Des Moines

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

Vote 16-250: Mickelson, Sandager, Trimble...3 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

July 11, 2016

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

Vote 16-251: Mickelson, Sandager, Trimble...3 yes
Motion carried.

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

Vote 16-252: Mickelson, Sandager, Trimble...3 yes
Motion carried.

On Item 5(c) Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 3 (Special Yield Required) - 92nd Street and Westown Parkway, initiated by the City of West Des Moines

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

Vote 16-253: Mickelson, Sandager, Trimble...3 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 16-254: Mickelson, Sandager, Trimble...3 yes
Motion carried.

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

Vote 16-255: Mickelson, Sandager, Trimble...3 yes
Motion carried.

On Item 5(d) Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 5 (No Parking Zones) - SE White Crane Road, SE Soteria Avenue, and SE Maffitt Lake Road, initiated by the City of West Des Moines

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

Vote 16-256: Mickelson, Sandager, Trimble...3 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

July 11, 2016

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

Vote 16-257: Mickelson, Sandager, Trimble...3 yes
Motion carried.

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

Vote 16-258: Mickelson, Sandager, Trimble...3 yes
Motion carried.

On Item 5(e) Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 10 (Special Speed Zones) - SE White Crane Road, SE Soteria Avenue, and SE Maffitt Lake Road, initiated by the City of West Des Moines

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

Vote 16-259: Mickelson, Sandager, Trimble...3 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 16-260: Mickelson, Sandager, Trimble...3 yes
Motion carried.

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

Vote 16-261: Mickelson, Sandager, Trimble...3 yes
Motion carried.

On Item 5(f) Raccoon River Park Softball Irrigation Modifications, initiated by the City of West Des Moines

It was moved by Trimble, second by Sandager to adopt Resolution - Reject All Bids.

Mayor Gaer inquired if staff plans to re-bid this project back in the future.

Gary Scott, Director of Parks and Recreation, responded staff is recommending the Council reject all bids because the bids came in significantly higher than the estimate, and the project would take 20 years to pay back the City's investment. He stated staff might recommend re-

July 11, 2016

bidding the project this upcoming winter. He noted staff did consider the possibility of redesigning the project to include a floating intake, but ultimately decided against that option. He also noted the City's agreement with West Des Moines Water Works for free water will expire in 2019, and West Des Moines Water Works intends for the City to begin paying for treated irrigation water at that time.

Mayor Gaer requested that staff place this matter on the agenda for an upcoming meeting of the Finance and Administration Subcommittee, as he believes it doesn't make sense for the City to use treated irrigation water at Raccoon River Park when water could be irrigated from Blue Heron Lake.

Vote 16-262: Mickelson, Sandager, Trimble...3 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), Chapter 6 (Commercial, Office and Industrial Zoning Districts) and Chapter 10 (Performance Standards) - Allow SIC 0752-9901: Animal Specialty Services, Grooming Services as a Permitted Use in a General Industrial District and Define Regulations and Performance Standards Pertaining to Veterinary and Animal Services Land Uses, 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 June 24, 2016 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated on a vote of 4-0, with three members 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 Trimble, second by Sandager to consider the first reading of the ordinance.

Vote 16-263: Mickelson, Sandager, Trimble...3 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 16-264: Mickelson, Sandager, Trimble...3 yes
Motion carried.

On Item 6(b) Mayor Gaer indicated this was the time and place for a public hearing to consider 2016-17 FY Operating and Capital Budget - Amendment #1, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice

July 11, 2016

was published on July 1, 2016 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

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

It was moved by Trimble, second by Sandager to adopt Resolution - Approval of Budget Amendment #1.

Council member Trimble noted the primary purpose of this budget amendment is the moving of positions from one cost center to another due to reorganization.

Vote 16-265: Mickelson, Sandager, Trimble...3 yes
Motion carried.

On Item 6(c) Mayor Gaer indicated this was the time and place for a public hearing to consider Holiday Park Baseball Improvements - Commons Area - Phase 4A, 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 June 24, 2016 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

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

It was moved by Trimble, second by Sandager to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Concrete Connection, LLC.

Vote 16-266: Mickelson, Sandager, Trimble...3 yes
Motion carried.

On Item 7(a) Villas at Kierland, southwest corner of Westtown Parkway and Sedona Drive - Subdivide Property into 26 Lots for Townhome Development and Two Outlots, initiated by CSI Homes and Development, LLC

It was moved by Trimble, second by Sandager to adopt Resolution - Approval of Renewal of Entitlement for a Preliminary Plat and Site Plan, subject to the applicant complying with all applicable City Code requirements and the conditions of approval listed in the Resolution.

Vote 16-267: Mickelson, Sandager, Trimble...3 yes
Motion carried.

July 11, 2016

On Item 7(b) Valley Church Fuller Road Crossing, 4343 Fuller Road - Pedestrian Crossing across Fuller Road between the Church and the Community Center with Pedestrian Crossing Signal, initiated by Valley Evangelical Free Church

It was moved by Trimble, second by Sandager to adopt Resolution - Approval of Minor Modification, subject to the applicant complying with all applicable City Code requirements and the conditions of approval listed in the Resolution.

Vote 16-268: Mickelson, Sandager, Trimble...3 yes
Motion carried.

On Item 7(c) Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 5 (No Parking Zones) - Coachlight Drive, South 81st Street to South 88th Street, initiated by the City of West Des Moines

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

Vote 16-269: Mickelson, Sandager, Trimble...3 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 16-270: Mickelson, Sandager, Trimble...3 yes
Motion carried.

On Item 8(a) Galleria Specific Plan, generally the north and south sides of Mills Civic Parkway between South 60th Street and South 68th Street - Amend the Specific Plan Ordinance to Allow a Taller Ground Monument Sign on the Red Robin Parcel - S-J-Jordan - Referred to Plan and Zoning

On Item 8(b) Amendment to City Code - Title 3 (Business and Licensing), Chapter 7 (Solicitors and Transient Merchants) and Title 9 (Zoning), Chapter 16 (Temporary Use Permits) - Amend City Code to Establish Regulations for Mobile Vendors - City Initiated - Referred to Plan and Zoning

On Item 8(c) Definitions), Chapter 5 (Agricultural/Open Space and Residential Zoning District), and Chapter 10 (Performance Standards) - Add Definition of "Scoreboards, Stadiums and Recreational Facilities," Add Scoreboards to Accessory Structure Use Regulations, and Amend Specific Use Regulations to Provide Performance Standards - City Initiated - Referred to Plan and Zoning

July 11, 2016

On Item 8(d) WDM Water Works Audit - 2014 and 2015 - Received and Filed

On Item 9 - Other Matters: none

The meeting was adjourned at 6:06 p.m.

Respectfully submitted,

Ryan T. Jacobson, CMC
City Clerk

ATTEST:

Steven K. Gaer, Mayor