

CITY OF WEST DES MOINES

COUNCIL AGENDA

date: December 12, 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**
 - a. Presentation of Letters of Commendation - Westcom Dispatchers Joann Chadwick, Brian Albright, Alicia Scott, and Dispatch Supervisor Aubyn Giampolo
 - b. Dallas County Bond Referendum - Chad Leonard, Dallas County Sherriff
- 4. Consent Agenda**
 - a. Motion - Approval of Minutes of November 28, 2016 Meeting
 - b. Motion - Approval of Bill Lists
 - c. Motion - Approval of Liquor Licenses:
 1. LLK Inc. d/b/a Funny Bone Comedy Club & Restaurant, 560 South Prairie View Drive, Suite 100 - Class LC Liquor License with Sunday Sales and Outdoor Service Privileges - Renewal
 2. Lovely Food Mart, Inc. d/b/a Indian Grocery, 6630 Mills Civic Parkway, Suite 3110 - Class BC Permit with Sunday Sales - Renewal
 3. J.P. Parking Inc. d/b/a J.P. Parking Inc., 6220 Raccoon River Drive - Class BC Beer Permit with Carryout Wine and Sunday Sales - Renewal
 4. Occasions Catering, LLC d/b/a Occasions Catering, 7929 Ashworth Road - Class LC Liquor License with Sunday Sales, Outdoor Service, and Catering Privileges - Renewal
 5. The Tangerine Food Company d/b/a The Tangerine Food Company, 1960 Grand Avenue, Suite #21 - Class LC Liquor License with Sunday Sales and Catering Privileges - Renewal
 6. 205 Corporation d/b/a The Tavern, 205 5th Street - Class LC Liquor License with Sunday Sales - Renewal

- 7. 205 Corporation d/b/a The Tavern Pizza Pasta Grill, 1755 50th Street - Class LC Liquor License with Sunday Sales - Renewal
- 8. Kwik Trip, Inc. d/b/a Tobacco Outlet Plus #565, 1220 Grand Avenue, Suite 101 - Class BC Beer Permit with Sunday Sales - Renewal
- d. Motion - Approval of Lane Closures for Special Events:
 - 1. Production/Filming of "Play By Play", December 19, 2016
 - 2. Lutheran Church of Hope Christmas Eve Services
- e. Motion - Approval of Reappointments - Human Rights Commission
- f. Motion - Approval to Sell Surplus City Equipment
- g. Motion - Acknowledgement and Acceptance of Disclosure - Steven K. Gaer
- h. Motion - Approval of Amendment to Property Tax Rebate Program
- i. Resolution - Approval of 2017 City Council Meeting Schedule
- j. Resolution - Approval and/or Ratification of Specific Fees and Charges - 2016-17 FY
- k. Resolution - Approval of 28E Agreement - Fire/Rescue Emergency Medical Service Mutual Aid
- l. Resolution - Order Construction:
 - 1. 2016 Intake Repair Program
 - 2. Quail Park Channel Repair
 - 3. Valley View Aquatic Center and Holiday Park Aquatic Center Pool Improvements
- m. Resolution - Accept Work - Jordan Creek Parkway and University Avenue Intersection Improvements, Phase 1
- n. Resolution - Acceptance of Public Improvements:
 - 1. Christ's Church Subdivision, Lot 1 (Sanitary Sewer)
 - 2. South 88th Street and Coachlight Drive Improvements
- o. Resolution - Approval and Acceptance of Non-Interference Agreements - 1725 98th Street and 1755 59th Place
- p. Resolution - Approval and Acceptance of Purchase Agreement and Property Interests - Grand Avenue West Segment 6F Sewer Project

5. Old Business

- a. Amendment to City Code - Title 9 (Zoning) - Regulate Indoor Self-Storage in Commercial Districts - City Initiated
 - 1. Ordinance - Approval of Second, Third Readings and Final Adoption
- b. Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 1 (Official Traffic Controls) - Jordan Creek Parkway and 850 ft. south of EP True Parkway - City Initiated
 - 1. Ordinance - Approval of Second, Third Readings and Final Adoption

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

- a. 2480, 2580, 2640, and 2720 SE 11th Street - Change the Land Use and Zoning Designation of Part of the Properties from Medium Density Residential to Single Family and Residential Estate - Margaret Munro
 - 1. Resolution - Approval of Comprehensive Plan Land Use Map Amendment
 - 2. Ordinance - Approval of First Reading
- b. Mills Crossing, 5901 Mills Civic Parkway - Amend Specific Plan to Include Site Amenities - Hurd Mills, LLC
 - 1. Ordinance - Approval of First Reading
- c. Country Club Office Plaza West Plat 8, 1080 Jordan Creek Parkway - Vacation of Two Public Sanitary Sewer Easements - Dallas County Partners
 - 1. Resolution - Approval of Vacation of Easements
- d. Amendment to City Code - Title 7 (Public Ways and Property), Chapter 1 (Streets, Sidewalks, and Alleys), Section 8D (Official Street Name Map) - Change the Roadway Name of that approx. 2000 ft. Diagonal Section of Booneville Road Located approx. 250 ft. north of Grand Avenue to South 88th Street - City Initiated
 - 1. Ordinance - Approval of First Reading
- e. Agreement for Private Development - Raccoon River Land Company, LLC
 - 1. Motion - Continue Public Hearing to December 27, 2016
- f. South 60th Street Improvements, Phase 2 - City Initiated
 - 1. Resolution - Approval of Plans and Specifications
 - 2. Motion - Receive and File Report of Bids
 - 3. Resolution - Award Contract
- g. 9th Street Storm Sewer Rehabilitation - City Initiated
 - 1. Resolution - Approval of Plans and Specifications
 - 2. Motion - Receive and File Report of Bids
 - 3. Resolution - Award Contract
- h. Grand Avenue Siphon Replacement Project - 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. Country Club Office Plaza West Plat 8, 1080 Jordan Creek Parkway - Replat Outlot B, Country Club Office Plaza West from an Outlot to a Buildable Lot and Include a Portion of Lot 1, Country Club Office Plaza West Plat 3 - Dallas County Partners
 - 1. Resolution - Approval and Release of Final Plat

- b. Westfield Office Building, 1080 Jordan Creek Parkway - Phased Site Plan Approval for Footings and Foundations - Dallas County Partners
 - 1. Resolution - Approval of Phased Site Plan for Footings and Foundations
 - c. Amendment to City Code - Title 7 (Public Ways and Property), Chapter 10 (Trees and Shrubs), Section 7 (General Standards) - Maintenance of City Owned Trees in City Right-of-Way - City Initiated
 - 1. Ordinance - Approval of First Reading
- 8. Receive, File and/or Refer**
- a. Fox Valley, generally north of SE Fox Valley Drive and approx. 900 ft. west of SE Beaverbrook Trail - Rezone Property from Medium Density Residential to Single Family Residential - Charles I. and Ruth Colby National Development Trust (Refer to Plan and Zoning Commission)
 - b. Lonnie Williams Resignation - Human Services Advisory Board
- 9. Other Matters**

CITY COUNCIL WORKSHOP

(immediately follows Council meeting)

- 1. Redevelopment Incentive Policy
- 2. 2016-17 FY Operating and Capital Budget - Preliminary Background
- 3. 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.

November 28, 2016

West Des Moines City Council Proceedings
Monday, November 28, 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, November 28, 2016 at 5:30 PM. Council members present were: J. Mickelson, J. Sandager, K. Trevillyan, and R. Trimble. Council member R. Messerschmidt participated via telephone.

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

Vote 16-490: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 2. Public Forum

Jeremy Christiani, 1100 50th Street, Unit 1102, expressed concerns about outdoor service drinking areas which he believes to be in violation of City Code, and he requested that the City revoke the outdoor services privileges of all establishments found to be in violation. He also expressed concerns about the appeal process for zoning violations, which he believes to be unclear, and he inquired about the status of a zoning violation appeal he had submitted.

Mayor Gaer requested that staff look into Mr. Christiani's concerns regarding the outdoor service drinking areas.

Jason Wittgraf, Assistant City Attorney, confirmed that Mr. Christiani's zoning violation appeal has been received and he will have the right to due process.

Liz Bredeson, 930 SE Browns Woods Drive, expressed concerns about perceived systemic problems throughout the City organization that she believes were uncovered through the City's settlement of the Police Department's gender discrimination lawsuit, and she requested that the Mayor and Council enact changes to resolve those perceived problems.

On Item 3. Council/Manager/Other Entities Reports

Linda Wunsch, Executive Director of the Greater Dallas County Development Alliance, gave a report on the Alliance's recent activities and thanked the City for its continuing membership and support.

Fire Chief Craig Leu introduced Fire Lieutenant John Carlson, who was then sworn in by Mayor Gaer.

November 28, 2016

Eric Cowles, Chair of the Iowa APWA Awards Committee, presented Eric Petersen, Transportation Engineer, with the Young Leader Award and Bret Hodne, Public Works Director, with the Al Olson Excellence in Public Works Operations Award and the Stan Ring Distinguished Service Award.

Council member Sandager reported he attended a meeting of the Development and Planning Subcommittee, where discussion was held on a number of items, including a proposed estate lot development at 4101 Grand Avenue and drainage concerns within the Grand Lakes development, and updates were given on the upcoming proposed developments of Della Vita and King's Landing Plat 2.

Council member Trimble reported he attended a meeting of the Finance and Administration Subcommittee, where discussion was held on economic development incentive programs, which will be brought to the Council for discussion at an upcoming workshop. The Subcommittee also reviewed the updated schedule of rates and fees and updated list of official city depositories.

On Item 4. Consent Agenda.

Council members pulled Items 4(a)2 and 4(e) for discussion. It was moved by Trimble, second by Trevillyan to approve the consent agenda as amended.

- a. Approval of Minutes of November 11, 2016 Meeting
- b. Approval of Bill Lists
- c. Approval of Liquor Licenses:
 1. Bravo Brio Restaurant Group, Inc. d/b/a Bravo Cucina Italiana, 120 South Jordan Creek Parkway - Class LC Liquor License with Sunday Sales and Outdoor Service Privileges - Renewal
 2. DeJear Corporation, d/b/a Caleo Enterprises, 1701 25th Street (Events Center West) - 5-Day Class LC Liquor License - Effective December 15-19, 2016
 3. West Des Moines Lodging Investors, LLC, d/b/a Hampton Inn, 7060 Lake Drive - Class BW Permit with Sunday Sales and Living Quarters - Renewal
 4. Kum & Go, L.C., d/b/a Kum & Go #2035, 7265 Vista Drive - Class LE Liquor License with Carryout Wine, Carryout Beer and Sunday Sales - Renewal
- d. Approval of Park Use Agreement - West Des Moines Soccer Club
- f. Approval of 2015-16 FY Tax Increment Financing Report
- g. Approval of 2017-18 FY Tax Increment Financing Indebtedness and Certification Report
- h. Approval of Official Depositories
- i. Approval and/or Ratification of Specific Fees and Charges - 2016-17 FY
- j. Order Construction:
 1. Grand Avenue West Segment 6F Sewer Extension
 2. Public Safety Station 21 HVAC Improvements
- k. Accept Public Improvements - West Park Plat 1 (Bishop Drive Extension)

November 28, 2016

- l. Authorize Applications for Surface Transportation Block Grant (STBG) Program Funding - Des Moines Area Metropolitan Planning Organization
- m. Approval of Professional Services Agreements:
 1. 2017 PCC Patching and Medians Program
 2. 2017 HMA Resurfacing Program
 3. City Hall Suite 1E Improvements
 4. Right-of-Way Acquisition Services
- n. Approval of IEDA Economic Development Assistance Contract - Project Osmium
- o. Approval and Acceptance of Hold Harmless Agreement - GuideOne Mutual Insurance Company, 1025 Ashworth Road
- p. Approval of Settlement Agreement - Tanya Zaglauer Schmall
- q. Approval of Proclamations:
 1. #GivingTuesday - November 29, 2016
 2. Human Rights Day - December 10, 2016

Vote 16-491: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 4(a)2 Approval of Minutes of November 14, 2016 Meeting

Council member Trimble requested a clarification be made to his comments regarding Bravo Greater Des Moines during the council reports, so that it should read as follows:

“Council member Trimble expressed appreciation to Bravo Greater Des Moines for listening to concerns expressed by organizations that do not have arts, culture, or heritage as part of their stated mission but have worthwhile projects that enhance these areas, such as the West Des Moines Library Friends Foundation, and establishing the local arts programming grant, making funding opportunities available to those organizations.”

It was moved by Trimble, second by Trevillyan to approve Item 4(a)2 Approval of Minutes of November 14, 2016 Meeting.

Vote 16-492: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 4(e) Approval of Change Order #7 - Community Center Interior Renovations

Council member Trevillyan requested an update on the status of this project and inquired if staff expects there to be any more change orders.

Linda Schemmel, Development Coordinator, responded the project has been completed, and Change Order #7 will be the last change order on the project.

November 28, 2016

It was moved by Trevillyan, second by Sandager to approve Item 4(e) Approval of Change Order #7 - Community Center Interior Renovations.

Vote 16-493: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

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

On Item 5(a) 1st Street Redevelopment PUD, 1st Street and Grand Avenue - Revise Planned Unit Development (PUD) Sketch Plan to Accommodate Building Relocation and Associated Site Design, initiated by First Street LP

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

Vote 16-494: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 16-495: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

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

Vote 16-496: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 5(b) Amendment #2 to Alluvion Urban Renewal Area, initiated by the City of West Des Moines

It was moved by Sandager, second by Trevillyan to consider the second reading of the ordinance (Willow Creek Plat 1, Lot 4 Parcel).

Vote 16-497: 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 Trevillyan to approve the second reading of the ordinance (Willow Creek Plat 1, Lot 4 Parcel).

Vote 16-498: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

It was moved by Sandager, second by Trevillyan to waive the third reading and adopt the ordinance in final form (Willow Creek Plat 1, Lot 4 Parcel).

Vote 16-499: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

It was moved by Sandager, second by Trevillyan to consider the second reading of the ordinance (Tract 3 of Amendment No. 2 Parcel).

Vote 16-500: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Sandager, second by Trevillyan to approve the second reading of the ordinance (Tract 3 of Amendment No. 2 Parcel).

Vote 16-501: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

It was moved by Sandager, second by Trevillyan to waive the third reading and adopt the ordinance in final form (Tract 3 of Amendment No. 2 Parcel).

Vote 16-502: 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) - Regulate Indoor Self-Storage in Commercial Districts, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on November 11, 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.

November 28, 2016

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

Council member Trimble requested additional information on the requirements of this ordinance.

Lynne Twedt, Development Services Director, explained that buildings with indoor self-storage in commercial districts will be required to include retail uses along the front. She noted that if staff finds this ordinance to be an impediment, they will review it to determine if it needs to be changed.

Vote 16-503: 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 Trimble to approve the first reading of the ordinance.

Vote 16-504: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(b) Mayor Gaer indicated this was the time and place for a public hearing to consider 2016 Sewer Cleaning and Televising Program, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on November 18, 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 Sandager, second by Trevillyan to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Visu-Sewer, Inc.

Vote 16-505: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 7(a) Delavan Townhomes Plat 1, 150 South 26th Street - Plat Property into 16 Townhome Lots and 7 Outlots, initiated by Jerry's Homes, Inc.

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

November 28, 2016

Vote 16-506: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 7(b) Jordan West Plat 3 Lot 7, 350 Jordan Creek Parkway - Approval of a Plat of Survey, initiated by Ryan Companies US

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

Vote 16-507: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 7(c) Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 1 (Official Traffic Controls) - Jordan Creek Parkway and 850 ft. south of EP True Parkway, initiated by the City of West Des Moines

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

Vote 16-508: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 16-509: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 8(a) 2480, 2580, 2640, and 2720 SE 11th Street - Change the Land Use and Zoning Designation of Part of the Properties from Medium Density Residential to Single Family and Residential Estate - Margaret Munro - Referred to Plan and Zoning

On Item 8(b) Etzel Properties Plat 2, southwest corner of Mills Civic Parkway and South 81st Street - Rezone 32.9 acres from Office to Etzel Properties Plat 2 PUD - Fareway Stores, Inc. - Referred to Plan and Zoning

On Item 8(c) Phenix, northeast corner of 7th Street and Walnut Street - Rezone Property from Single-Family Valley Junction Residential (SFVJ) to Phenix Planned Unit Development (PUD) - City Initiated - Referred to Plan and Zoning

On Item 8(d) Mills Crossing, 5901 Mills Civic Parkway - Amend Specific Plan to Include Site Amenities - Hurd Mills, LLC - Referred to Plan and Zoning

November 28, 2016

On Item 9 - Other Matters: none

The meeting was adjourned at 6:19 p.m.

Respectfully submitted,

Ryan T. Jacobson, CMC
City Clerk

ATTEST:

Steven K. Gaer, Mayor

641
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	11/28/16		\$ 2,817,806.82
			Total \$ Amount
EFT Claims	11/28/16		\$ 120,095.77
			Total \$ Amount
Control Pay	12/12/16		\$ 147,495.15
			Total \$ Amount
End of Month			\$ 0.00
			Total \$ Amount
Off-Cycle Checks/EFT Claims			\$ 0.00
	Claim Listing Date		Total \$ Amount

Approved by the West Des Moines City Council this 12th day of December
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)

City of West Des Moines
City Council Report
 Bank Account: WB VENDOR DISB - WB Vendor Disbursement
 Batch Date: 12/12/2016

Type	Date	Number Source	Payee Name	Transaction Amount
Bank Account: WB VENDOR DISB - WB Vendor Disbursement				
Check	12/12/2016	302033	Accounts Payable	
Check	12/12/2016	302034	ABSOLUTE CONCRETE CONSTRUCTION	617,792.59
Check	12/12/2016	302035	ACTUAL SIZE ARTWORKS LLC	52,000.00
Check	12/12/2016	302036	ADP SCREENING & SELECTION SVCS	124.10
Check	12/12/2016	302037	ADVANCED AUTOMATION INC	299.47
Check	12/12/2016	302038	AHLERS & COONEY	67,192.70
Check	12/12/2016	302039	AMERICAN SECURITY CORP	1,660.64
Check	12/12/2016	302040	ANDERSON, ALLISON	58.96
Check	12/12/2016	302041	AQUACLEAR LAKE MANAGEMENT	790.00
Check	12/12/2016	302042	ARROW INTERNATIONAL INC	550.00
Check	12/12/2016	302043	AT & T MOBILITY	66.73
Check	12/12/2016	302044	AWARDS PROGRAM SERVICES INC	502.75
Check	12/12/2016	302045	BEGLEY, JOHN	66.00
Check	12/12/2016	302046	BENEFIT CORPORATION OF AMERICA (BCA)	8,424.00
Check	12/12/2016	302047	BENJAMIN DESIGN COLLABORATIVE	5,455.00
Check	12/12/2016	302048	BOLTON & MENK INC	37,273.00
Check	12/12/2016	302049	BOUND TREE MEDICAL LLC	2,800.13
Check	12/12/2016	302050	CAPITAL DECORATING	269.00
Check	12/12/2016	302051	CAPPEL'S ACE HARDWARE	14.19
Check	12/12/2016	302052	CARPENTER UNIFORM CO	1,202.59
Check	12/12/2016	302053	CENTURYLINK	337.50
Check	12/12/2016	302054	CIMAGLIA, NICHOLAS	108.75
Check	12/12/2016	302055	CINTAS CORP FIRST AID & SAFETY	83.31
Check	12/12/2016	302056	CITY OF DES MOINES	526,407.30
Check	12/12/2016	302057	CIVIL DESIGN ADVANTAGE LLC	521.75
Check	12/12/2016	302058	CLIENTFIRST CONSULTING GROUP	1,050.00
Check	12/12/2016	302059	COMISKY GLASS & GLAZING	475.00
Check	12/12/2016	302060	CONCRETE TECHNOLOGIES	733,472.74
Check	12/12/2016	302061	CONTRACTOR SALES & SERVICE	401.63
Check	12/12/2016	302062	CONVERGINT TECHNOLOGIES LLC	448.00
Check	12/12/2016	302063	CORELL CONTRACTOR INC	152,201.84
Check	12/12/2016	302064	CORY, TARRY	75.00
Check	12/12/2016	302064	CREATIVE GENIUSES	297.00

City of West Des Moines
City Council Report
 Bank Account: WB VENDOR DISB - WB Vendor Disbursement
 Batch Date: 12/12/2016

Type	Date	Number	Source	Payee Name	Transaction Amount
Check	12/12/2016	302065	Accounts Payable	DALLAS COUNTY RECORDER	1,037.00
Check	12/12/2016	302066	Accounts Payable	DART	27,191.00
Check	12/12/2016	302067	Accounts Payable	DAVIS , SASHA	381.00
Check	12/12/2016	302068	Accounts Payable	DE LAGE LANDEN	210.00
Check	12/12/2016	302069	Accounts Payable	DEITCH , DALA	264.00
Check	12/12/2016	302070	Accounts Payable	DICKEY , PHIL	2,237.00
Check	12/12/2016	302071	Accounts Payable	DOUGLAS , JONATHAN	364.00
Check	12/12/2016	302072	Accounts Payable	DOWLING , CONNIE	277.50
Check	12/12/2016	302073	Accounts Payable	EARL MAY SEED AND NURSERY	199.80
Check	12/12/2016	302074	Accounts Payable	ELDER CORPORATION	10,638.81
Check	12/12/2016	302075	Accounts Payable	ELECTRICAL ENGINEERING & EQUIP	2,440.00
Check	12/12/2016	302076	Accounts Payable	EVIDENT INC	149.22
Check	12/12/2016	302077	Accounts Payable	FERGUSON ENTERPRISES INC 226	68.46
Check	12/12/2016	302078	Accounts Payable	FORECAST PUBLIC ART	5,257.02
Check	12/12/2016	302079	Accounts Payable	GBA SYSTEMS INTEGRATORS LLC	13,670.50
Check	12/12/2016	302080	Accounts Payable	GCMOA	50.00
Check	12/12/2016	302081	Accounts Payable	GRAINGER INC	90.54
Check	12/12/2016	302082	Accounts Payable	GREATER DES MOINES COMMITTEE	525.00
Check	12/12/2016	302083	Accounts Payable	GRIMES ASPHALT & PAVING	164.28
Check	12/12/2016	302084	Accounts Payable	HAHN , JENNIFER	3,700.83
Check	12/12/2016	302085	Accounts Payable	HAWKEYE STAGES LLC	1,531.00
Check	12/12/2016	302086	Accounts Payable	HAWKEYE TRUCK EQUIPMENT	135.00
Check	12/12/2016	302087	Accounts Payable	HDR ENGINEERING INC	27,909.05
Check	12/12/2016	302088	Accounts Payable	HELLER AND HELLER CONSULTING	6,220.73
Check	12/12/2016	302089	Accounts Payable	HERITAGE MICROBIAL CONTROL LLC	250.00
Check	12/12/2016	302090	Accounts Payable	HESS , WENDI	40.80
Check	12/12/2016	302091	Accounts Payable	HIGHLINE CORPORATION	57,550.00
Check	12/12/2016	302092	Accounts Payable	HP INC	9,520.80
Check	12/12/2016	302093	Accounts Payable	INCENTIVE SERVICES INC	7,419.42
Check	12/12/2016	302094	Accounts Payable	IOWA ENGINEERING SOCIETY	90.00
Check	12/12/2016	302095	Accounts Payable	IOWA SIGNAL INC.	702.00
Check	12/12/2016	302096	Accounts Payable	J&K CONTRACTING LLC	67,042.69
Check	12/12/2016	302097	Accounts Payable	JACOBSON , RYAN	52.56
Check	12/12/2016	302098	Accounts Payable	JACOBSON SUPPLY, LLC	5,600.00
Check	12/12/2016	302099	Accounts Payable	JIM BIRKEL	210.00

City of West Des Moines
City Council Report
 Bank Account: WB VENDOR DISB - WB Vendor Disbursement
 Batch Date: 12/12/2016

Type	Date	Number Source	Payee Name	Transaction Amount
Check	12/12/2016	302100	JORDAN CREEK CAR WASH	39.00
Check	12/12/2016	302101	KALDENBERG'S PBS LANDSCAPING	67.50
Check	12/12/2016	302102	KH DEVELOPMENT LC	7,317.43
Check	12/12/2016	302103	KLIMOWSKI, JARED	130.00
Check	12/12/2016	302104	KLOCKE'S EMERGENCY VEHICLES	85.35
Check	12/12/2016	302105	LACINA, WENDY	264.00
Check	12/12/2016	302106	LARSEN, TY	85.00
Check	12/12/2016	302107	LASER RESOURCES	65.31
Check	12/12/2016	302108	LEACHMAN LUMBER COMPANY	426.72
Check	12/12/2016	302109	LEWIS, RAY	455.00
Check	12/12/2016	302110	LEXISNEXIS	392.00
Check	12/12/2016	302111	LEXISNEXIS RISK SOLUTIONS	15.25
Check	12/12/2016	302112	LIBERTY TIRE RECYCLING LLC	1,227.20
Check	12/12/2016	302113	LIGHTHOUSE UNIFORM CO	1,704.36
Check	12/12/2016	302114	LOWE'S HOME CENTER, INC.	530.36
Check	12/12/2016	302115	LUNNING COACHING & CONSULTING	360.00
Check	12/12/2016	302116	M&M COMMERCIAL CLEANING	1,600.00
Check	12/12/2016	302117	MARTIN, JOSEPH	75.00
Check	12/12/2016	302118	McFADDEN, HAROLD	66.00
Check	12/12/2016	302119	McGRATH CONSULTING GROUP INC	4,000.00
Check	12/12/2016	302120	MEDIACOM	18.97
Check	12/12/2016	302121	MIDAMERICAN ENERGY	95,605.56
Check	12/12/2016	302122	MIDAMERICAN-CLIVE-WDM TL	534.76
Check	12/12/2016	302123	MIDAMERICAN-WDM-WAUKEE TL	108.97
Check	12/12/2016	302124	MIDWEST SAFETY COUNSELORS,INC	400.00
Check	12/12/2016	302125	MILES CAPITAL	4,382.74
Check	12/12/2016	302126	MURPHY TRACTOR & EQUIPMENT CO.	549.81
Check	12/12/2016	302127	MUSCO LIGHTING LLC	36,202.00
Check	12/12/2016	302128	NELLIES VENDING	249.00
Check	12/12/2016	302129	NETTELAND, STEPHEN	1,409.00
Check	12/12/2016	302130	NETTELAND, STEPHEN	1,271.69
Check	12/12/2016	302131	OLSSON ASSOCIATES	5,595.00
Check	12/12/2016	302132	OPN ARCHITECTS	2,090.00
Check	12/12/2016	302133	PALMER GROUP	7,968.00
Check	12/12/2016	302134	PARKER, SATONIUS	175.00

City of West Des Moines
City Council Report
 Bank Account: WB VENDOR DISB - WB Vendor Disbursement
 Batch Date: 12/12/2016

Type	Date	Number Source	Payee Name	Transaction Amount
Check	12/12/2016	302135	ACCOUNTS PAYABLE	75.00
Check	12/12/2016	302136	ACCOUNTS PAYABLE	100.00
Check	12/12/2016	302137	ACCOUNTS PAYABLE	750.00
Check	12/12/2016	302138	ACCOUNTS PAYABLE	1,800.00
Check	12/12/2016	302139	ACCOUNTS PAYABLE	67.00
Check	12/12/2016	302140	ACCOUNTS PAYABLE	1,632.25
Check	12/12/2016	302141	ACCOUNTS PAYABLE	305.00
Check	12/12/2016	302142	ACCOUNTS PAYABLE	75.00
Check	12/12/2016	302143	ACCOUNTS PAYABLE	1,600.00
Check	12/12/2016	302144	ACCOUNTS PAYABLE	44,300.00
Check	12/12/2016	302145	ACCOUNTS PAYABLE	75.00
Check	12/12/2016	302146	ACCOUNTS PAYABLE	675.00
Check	12/12/2016	302147	ACCOUNTS PAYABLE	46.98
Check	12/12/2016	302148	ACCOUNTS PAYABLE	20.73
Check	12/12/2016	302149	ACCOUNTS PAYABLE	3,113.10
Check	12/12/2016	302150	ACCOUNTS PAYABLE	80.00
Check	12/12/2016	302151	ACCOUNTS PAYABLE	6,651.00
Check	12/12/2016	302152	ACCOUNTS PAYABLE	3,387.46
Check	12/12/2016	302153	ACCOUNTS PAYABLE	49.62
Check	12/12/2016	302154	ACCOUNTS PAYABLE	35.00
Check	12/12/2016	302155	ACCOUNTS PAYABLE	28.08
Check	12/12/2016	302156	ACCOUNTS PAYABLE	31.87
Check	12/12/2016	302157	ACCOUNTS PAYABLE	7,280.00
Check	12/12/2016	302158	ACCOUNTS PAYABLE	73.53
Check	12/12/2016	302159	ACCOUNTS PAYABLE	634.10
Check	12/12/2016	302160	ACCOUNTS PAYABLE	2,068.14
Check	12/12/2016	302161	ACCOUNTS PAYABLE	9,275.12
Check	12/12/2016	302162	ACCOUNTS PAYABLE	5,950.32
Check	12/12/2016	302163	ACCOUNTS PAYABLE	395.52
Check	12/12/2016	302164	ACCOUNTS PAYABLE	2,083.34
Check	12/12/2016	302165	ACCOUNTS PAYABLE	70.70
Check	12/12/2016	302166	ACCOUNTS PAYABLE	514.36
Check	12/12/2016	302167	ACCOUNTS PAYABLE	576.00
Check	12/12/2016	302168	ACCOUNTS PAYABLE	483.06

City of West Des Moines
City Council Report
 Bank Account: WB VENDOR DISB - WB Vendor Disbursement
 Batch Date: 12/12/2016

Type	Date	Number	Source	Payee Name	Transaction Amount
Check	12/12/2016	302169	Accounts Payable	ZOSS, BEN	75.00
Check	12/12/2016	302170	Accounts Payable	ZOSS, TREVER	150.00
Check	12/12/2016	302171	Accounts Payable	ALOR, AZIEW	1,837.31
Check	12/12/2016	302172	Accounts Payable	NETTLELAND FAMILY HOLDINGS IV LLC	1,993.00
Check	12/12/2016	302173	Accounts Payable	CHARLOTTE M SWALLOW 2014 REVOCABLE TRUST	735.00
Check	12/12/2016	302174	Accounts Payable	DAVIS ESTATES LTD	2,500.00
Check	12/12/2016	302175	Accounts Payable	LILLY, DARYL A	32,558.00
Check	12/12/2016	302176	Accounts Payable	MINER, ARTHUR EDWARD	10,806.00
Check	12/12/2016	302177	Accounts Payable	MINER, ED	7,432.00
Check	12/12/2016	302178	Accounts Payable	RONALD SWEENEY	22,234.00
Check	12/12/2016	302179	Accounts Payable	ATTORNEY GENERAL OF IOWA	127.70
Check	12/12/2016	302180	Accounts Payable	BREWICK, MARK	87.48
Check	12/12/2016	302181	Accounts Payable	COSTCO	110.00
Check	12/12/2016	302182	Accounts Payable	DALLAS COUNTY ATTORNEYS OFFICE	127.70
Check	12/12/2016	302183	Accounts Payable	HARTPENCE, LAWRENCE	34.29
Check	12/12/2016	302184	Accounts Payable	HERWIG, CULLIN	97.52
Check	12/12/2016	302185	Accounts Payable	IOWA WORKFORCE DEVELOPMENT	350.00
Check	12/12/2016	302186	Accounts Payable	LETZRING, JAMIE	188.03
Check	12/12/2016	302187	Accounts Payable	LUCINDA STEPHENSON	93.85
Check	12/12/2016	302188	Accounts Payable	YUNGCLAS, DAVID	250.00
Check	12/12/2016	302189	Accounts Payable	THOMAS, JERIKA	565.00
Check	12/12/2016	302190	Accounts Payable	ROUNDS, MATES	75.00
EFT	12/12/2016	347	Accounts Payable	A TECH INC	258.00
EFT	12/12/2016	348	Accounts Payable	ARNOLD MOTOR SUPPLY,LLP	1,411.07
EFT	12/12/2016	349	Accounts Payable	BAUER BUILT	2,603.18
EFT	12/12/2016	350	Accounts Payable	BAYLESS, RON	264.00
EFT	12/12/2016	351	Accounts Payable	BENJAMIN, SUZANNE	1,518.75
EFT	12/12/2016	352	Accounts Payable	BROWNELLS INC	505.77
EFT	12/12/2016	353	Accounts Payable	CENTURYLINK	100.00
EFT	12/12/2016	354	Accounts Payable	CLAUDIA HENNING	6,685.00
EFT	12/12/2016	355	Accounts Payable	FOTH INFRASTRUCTURE & ENVIRONMENT	3,519.14
EFT	12/12/2016	356	Accounts Payable	IOWA COMMUNITIES ASSURANCE POOL	604.94
EFT	12/12/2016	357	Accounts Payable	KECK INC	12,175.32

City of West Des Moines
City Council Report
 Bank Account: WB VENDOR DISB - WB Vendor Disbursement
 Batch Date: 12/12/2016

Type	Date	Number	Source	Payee Name	Transaction Amount
EFT	12/12/2016	358	Accounts Payable	KELTEK INC	161.25
EFT	12/12/2016	359	Accounts Payable	MCANINCH CORP & AFFILIATES	12,100.08
EFT	12/12/2016	360	Accounts Payable	MCCUBBIN , COURTNEY	150.00
EFT	12/12/2016	361	Accounts Payable	MID IOWA PETROLEUM SVCS,INC	381.96
EFT	12/12/2016	362	Accounts Payable	MIDWEST WHEEL	1,350.58
EFT	12/12/2016	363	Accounts Payable	MOBOTREX INC	2,503.50
EFT	12/12/2016	364	Accounts Payable	ONENECK IT SOLUTIONS LLC	21,754.78
EFT	12/12/2016	365	Accounts Payable	SHIELDS , CHARLES	100.00
EFT	12/12/2016	366	Accounts Payable	SHIVE-HATTERY	3,927.46
EFT	12/12/2016	367	Accounts Payable	SILVERREST	2,400.00
EFT	12/12/2016	368	Accounts Payable	STERNQUIST CONSTRUCTION	14,586.99
EFT	12/12/2016	369	Accounts Payable	SWINTON , ASHLEE	1,883.33
EFT	12/12/2016	370	Accounts Payable	TRITECH SOFTWARE SYSTEMS	2,896.97
EFT	12/12/2016	371	Accounts Payable	TYLER TECHNOLOGIES INC	23,837.50
EFT	12/12/2016	372	Accounts Payable	WTTGRAF , JASON	53.20
EFT	12/12/2016	373	Accounts Payable	YEAGER , LEMAR	2,121.00
EFT	12/12/2016	374	Accounts Payable	DALLAS COUNTY TREASURER	242.00
WB VENDOR DISB WB Vendor Disbursement Totals:					\$2,937,902.59

Checks: 158 \$2,817,806.82
 EFTs: 28 \$120,095.77

City of West Des Moines
City Council Report
 Bank Account: WB CONTROLPAY - WB ControlPay
 Batch Date: 12/12/2016

Type	Date	Number	Source	Payee Name	Transaction Amount
Bank Account: WB CONTROLPAY - WB ControlPay					
EFT	12/12/2016	605	Accounts Payable	ABC ELECTRICAL CONTRACTORS	14,224.70
EFT	12/12/2016	606	Accounts Payable	ADVENTURE LIGHTING	97.95
EFT	12/12/2016	607	Accounts Payable	AG SOURCE	242.20
EFT	12/12/2016	608	Accounts Payable	AMERICAN CONCRETE	209.75
EFT	12/12/2016	609	Accounts Payable	ARAMARK UNIFORM SERVICES	461.11
EFT	12/12/2016	610	Accounts Payable	CAPITAL CITY EQUIPMENT	136.90
EFT	12/12/2016	611	Accounts Payable	CAPITAL SANITARY SUPPLY CO INC	553.99
EFT	12/12/2016	612	Accounts Payable	CENTURYLINK	1,714.72
EFT	12/12/2016	613	Accounts Payable	COMPETITIVE EDGE	291.24
EFT	12/12/2016	614	Accounts Payable	CORN STATES METAL	105.00
EFT	12/12/2016	615	Accounts Payable	DES MOINES REGISTER MEDIA	169.03
EFT	12/12/2016	616	Accounts Payable	ELECTRONIC ENGINEERING	32.00
EFT	12/12/2016	617	Accounts Payable	EXCEL MECHANICAL INC	11,791.62
EFT	12/12/2016	618	Accounts Payable	FREEDOM TIRE	1,554.00
EFT	12/12/2016	619	Accounts Payable	G&L CLOTHING	2,154.49
EFT	12/12/2016	620	Accounts Payable	GALLS LLC	835.06
EFT	12/12/2016	621	Accounts Payable	IMAGETEK INC	7,721.25
EFT	12/12/2016	622	Accounts Payable	INLAND TRUCK PARTS	4,768.14
EFT	12/12/2016	623	Accounts Payable	INTERSTATE ALL BATTERY CENTER	616.20
EFT	12/12/2016	624	Accounts Payable	IOWA FIRE EQUIPMENT	3,002.83
EFT	12/12/2016	625	Accounts Payable	JERICO SERVICES	9,550.75
EFT	12/12/2016	626	Accounts Payable	JOHNSTONE SUPPLY	56.21
EFT	12/12/2016	627	Accounts Payable	MENARDS	208.93
EFT	12/12/2016	628	Accounts Payable	O'HALLORAN INTERNATIONAL INC	994.53
EFT	12/12/2016	629	Accounts Payable	O'KEEFE ELEVATOR COMPANY INC	182.00
EFT	12/12/2016	630	Accounts Payable	O'REILLY AUTOMOTIVE INC	50.64
EFT	12/12/2016	631	Accounts Payable	PAY-LESS OFFICE PRODUCTS INC	13,634.57
EFT	12/12/2016	632	Accounts Payable	PRAXAIR	1,441.61
EFT	12/12/2016	633	Accounts Payable	PREMIER A & B SERVICES	7,103.77
EFT	12/12/2016	634	Accounts Payable	PROCTOR MECHANICAL CORP	278.58
EFT	12/12/2016	635	Accounts Payable	RR DONNELLEY CO	341.22
EFT	12/12/2016	636	Accounts Payable	SHOTTENKIRK CHEVROLET	827.29
EFT	12/12/2016	637	Accounts Payable	SNYDER & ASSOCIATES	37,286.68
EFT	12/12/2016	638	Accounts Payable	STEWANSEN'S DODGE CITY, INC	16,444.00

City of West Des Moines
City Council Report
 Bank Account: WB CONTROLPAY - WB ControlPay
 Batch Date: 12/12/2016

Type	Date	Number Source	Payee Name	Transaction Amount
EFT	12/12/2016	639 Accounts Payable	STIVERS FORD (CONTROL PAY)	4,017.64
EFT	12/12/2016	640 Accounts Payable	TEAM SERVICES	4,230.10
EFT	12/12/2016	641 Accounts Payable	TOMPKINS INDUSTRIES	164.45
WB CONTROLPAY WB ControlPay Totals:				\$147,495.15

EFTs: 37 \$147,495.15

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

ITEM: Approval of Liquor Licenses

DATE: December 12, 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. LLK Inc. d/b/a Funny Bone Comedy Club & Restaurant, 560 South Prairie View Drive, Suite 100 - Class LC Liquor License with Sunday Sales and Outdoor Service Privileges - Renewal
2. Lovely Food Mart, Inc. d/b/a Indian Grocery, 6630 Mills Civic Parkway, Suite 3110 - Class BC Permit with Sunday Sales - Renewal
3. J.P. Parking Inc. d/b/a J.P. Parking Inc., 6220 Raccoon River Drive - Class BC Beer Permit with Carryout Wine and Sunday Sales - Renewal
4. Occasions Catering, LLC d/b/a Occasions Catering, 7929 Ashworth Road - Class LC Liquor License with Sunday Sales, Outdoor Service, and Catering Privileges - Renewal
5. The Tangerine Food Company d/b/a The Tangerine Food Company, 1960 Grand Avenue, Suite #21 - Class LC Liquor License with Sunday Sales and Catering Privileges - Renewal
6. 205 Corporation d/b/a The Tavern, 205 5th Street - Class LC Liquor License with Sunday Sales - Renewal
7. 205 Corporation d/b/a The Tavern Pizza Pasta Grill, 1755 50th Street - Class LC Liquor License with Sunday Sales - Renewal
8. Kwik Trip, Inc. d/b/a Tobacco Outlet Plus #565, 1220 Grand Avenue, Suite 101 - Class BC Beer Permit with Sunday Sales - Renewal

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

STAFF REVIEWS

Department Director	Ryan T. Jacobson, City Clerk
Appropriations/Finance	
Legal	
Agenda Acceptance	

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

ITEM: Approval of Special Event Lane Closure
Production/Filming of "Play By Play"

DATE: December 12, 2016

FINANCIAL IMPACT: None

BACKGROUND:

Ordinance 2013 was adopted by the City Council on November 25, 2013, establishing that street or lane closures for special events on arterial or collector streets shall require approval of the City Council.

Nevah, LLC is filming scenes for a pilot for a new TV series "Play By Play" around the Des Moines metro, and requested street closures on 39th Street and Stonebridge Road to film scenes in that area on Monday, December 19th. Staff felt this type of request fit the City Code definition of a special event, so they have been required to go through the special event application/review process.

The requested street closures are on 39th Street, from Western Hills Drive to EP True Parkway, and on Stonebridge Road, from 38th Street to 40th Street, from 4:00 p.m. to 12:00 a.m. on Monday, December 19th. The applicant has distributed a notice to all the affected property owners (which is attached), and they have also been in contact with Western Hills Elementary so they are aware. The closure at the intersection of 39th Street and Western Hills Drive will be a "soft closure", meaning there will be signage at that intersection indicating "road closed to thru traffic" but there will still be access to the parking lot access drives on 39th Street, and the "hard closure" will begin just south of the southernmost access drive.

Residents in the area will all have access to get in and out of their homes throughout the filming. The roads will remain closed to thru-traffic throughout the filming event, but there will be opportunities to let vehicles through to get to their homes in between scenes. Off-duty officers will be present to assist with traffic control.


This requires Council approval because both 39th Street and Stonebridge Road are classified as minor collector streets. John Busbee is the Location Manager for this project, and he will be present at Monday's Council meeting to answer any questions.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION: Motion - Approval of Lane Closure as Requested for a Special Event

Lead Staff Member: Ryan T. Jacobson, City Clerk

STAFF REVIEWS

Department Director	Ryan T. Jacobson, City Clerk
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	
Date Reviewed	

Contract: J. H. BUSBEE
515/707-1932

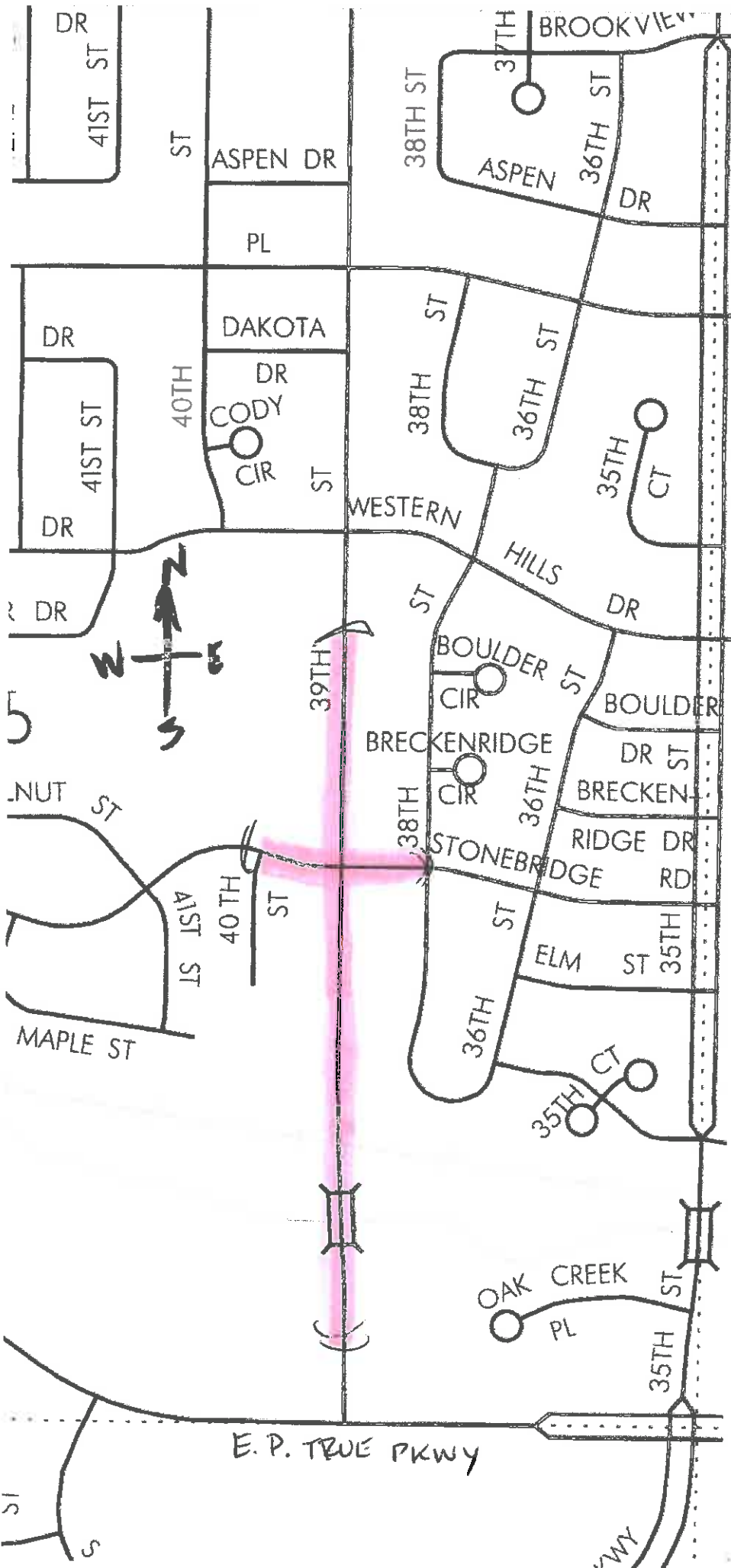
STREET CLOSURES &
ITC FOR SPUM
EVENT (FILM PRODUCTION)
MON DEC 19, 2016
AT AND NEAR 39TH ST.
& STONEBRIDGE RD.

DURATION
N 4:00 PM - MIDNIGHT

2 off-duty WDM OFFICERS
DURING KEY FILMING
4:00 - 8:00 PM

ROAD CLOSURE SIGNS AND
ARRANGED WITH
BONNIE'S BARRICADES

IMPACTED AREA:
39TH ST SOUTH OF
WESTERN HILLS DRIVE,
SOUTH TO E.P. TRUE
PKWY; AND,
STONEBRIDGE RD. BETWEEN
38TH ST. & 40TH ST.



December 7, 2016

To: West Des Moines residents near 39th Street and Stonebridge Road

From: **John Busbee**, Location Manager for television pilot being filmed in Greater Des Moines area, "Play by Play," and specifically film production work being done on Monday, December 19 in the above-defined West Des Moines neighborhood.

John Busbee contact info: C: 515/707-1532; E: johntaylorbusbee@gmail.com

I am a creative project developer, having worked in media production, as a writer (Iowa History Journal, dsm Magazine, Voices from the Prairie), and the producer of the weekly arts & culture show, The Culture Buzz since 2007. I serve on the Governor's Iowa History Fund foundation, and I also serve on the Clive Public Library Board. I have lived in this community for over 40 years.

I now am working with the City of West Des Moines to most efficiently help a Los Angeles production company work a brief time in the above-named residential area. I did my research before accepting my role with this company, and was impressed then, and even more impressed now with how respectful and appreciative they are when working here in our community.

The producer's last major project was "Hello, My Name Is Doris," starring Sally Field. He had never been to Iowa before, and has been very impressed with all our region has to offer. "Play By Play" is dramedy series about a present day sportscaster who looks back on his life in the 90s and gives the play by play of his adolescence. Imagine "The Wonder Years" but with a sports twist. It's a show with heart and humor and one that depicts the Midwest with great warmth and nostalgia. Once production here wraps just before Christmas, and it goes through post-production editing, this series will be available on Verizon's new platform, Go90. I would look for release in early 2017.

The details for arranging necessary permissions, arranging for off-duty West Des Moines police officers, etc. is being coordinated through the West Des Moines City Manager's office, with assistance from other City offices.

On December 19, we will be filming an important scene for this series on and near 39th Street and Stonebridge Road. During these days, we will be employing off duty West Des Moines police officers to help with intermittent traffic control (ITC) while the production films on the street for a series of important scenes for this show, most notably at the 4-way stop sign at this intersection. The approximate times for this key scene to be filmed at this intersection of these two streets will be about 4:00 PM and last about two hours. For residents along this stretch of 39th Street, especially, we trust you will work with us, as we will work with you, and hold filming during those limited times when you need to leave or return to your homes. The rest of the filming along 39th Street will be south of the intersection, also allowing intermittent traffic control (ITC) to allow residents to drive to their homes, and minimize any driver's short term wait while a scene is filmed.

Per arrangements with the City of West Des Moines, if you have any public comments to make about this temporary situation, you may make them at the Council meeting on December 12, 5:30 PM. If you have any specific questions about how I may help this unique film production project work with the residents of this neighborhood, please feel free to contact me.

Thank you in advance for working with me to be a welcome host for this production company.

Gratefully,

John Busbee

C: 515-707-1532

johntaylorbusbee@gmail.com

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

ITEM: Approval of Special Event Lane Closure
Christmas Eve Services - Lutheran Church of Hope

DATE: December 12, 2016

FINANCIAL IMPACT: None

BACKGROUND:

Ordinance 2013 was adopted by the City Council on November 25, 2013, establishing that street or lane closures for special events on arterial or collector streets shall require approval of the City Council.


Lutheran Church of Hope will hold its Christmas Eve services on Thursday, December 22, Friday, December 23, and Thursday, December 24. The proposed traffic plan for the event includes partial lane closures on Jordan Creek Parkway and on Ashworth Road, as has been done for previous Easter and Christmas services. (See attached map)

OUTSTANDING ISSUES (if any): None

RECOMMENDATION: Motion - Approval of Request made by Lutheran Church of Hope

Lead Staff Member: Ryan T. Jacobson, City Clerk

STAFF REVIEWS

Department Director	Ryan T. Jacobson, City Clerk
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	
Date Reviewed	



Google earth



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

ITEM: Approval of Reappointments
Human Rights Commission

DATE: December 12, 2016

FINANCIAL IMPACT: None

BACKGROUND:

Mayor Steven K. Gaer recommends the reappointment of current Human Rights Commissioners Bernell Edwards and Ila Plasencia. Mr. Edwards was appointed to the Commission in February of 2011, and Ms. Plasencia was appointed in March of 2004. The proposed reappointment term would expire on December 31, 2019.

Bernell Edwards	4730 Park Circle	283-4811 (w)	491-0316 (h)
Ila Plasencia	962 40 th Street	261-7270 (w)	225-6865 (h)

OUTSTANDING ISSUES (if any): None

RECOMMENDATION:

Approval of reappointment of Bernell Edwards and Ila Plasencia to the Human Rights Commission.

Lead Staff Member: Ryan T. Jacobson, City Clerk

STAFF REVIEWS

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

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**

4(f)

DATE: December 12, 2016

ITEM:

Motion - Approval to Sell Surplus City Equipment

FINANCIAL IMPACT:

Approximate revenue to the General Fund of \$4,950.00.

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.


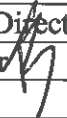

RECOMMENDATION:

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 
Appropriations/Finance	Tim Stiles, Finance Director 
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)		SUBCOMMITTEE REVIEW (if applicable)		
Published In		Committee	Public Works Council	
Dates(s) Published		Date Reviewed	December 5, 2016	
		Recommendation	Yes	No
				Split

Items to Sell on GovDeals.com:

\$1,500.00	1998 Trailer (Unit 599)	Serial #16HGB222XWHO48870
\$750.00	2000 Vermeer Brush Chipper (Unit 290A)	Serial #1VRN14160Y1007727
\$100.00	1991 John Deere Snowblower (Unit 90)	Serial #MOTR24A111088
\$1,000.00	John Deere Mower (with attachments)	
\$400.00	(2) John Deere Walk-Behind Mower (Units 77 & 78)	Serial #TY3512C109146 & GS145Ba106036
\$100.00	Toro Snowblower (Unit 79)	Serial #TOG38190

MISCELLANEOUS ITEMS

APPROXIMATE VALUE \$1,100.00

33	SSM 12 LE-S Conflict Monitors
24	SSM 12 LE-S Conflict Monitors
1	Conduit Spool Reel

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

DATE: December 12, 2016

ITEM: Motion – Acknowledgement and Acceptance of Disclosure

FINANCIAL IMPACT: None

SYNOPSIS: The City of West Des Moines has created several urban renewal areas, including the Ashworth Corridor Urban Renewal Area, which provide economic development incentives to participants whose development creates high quality jobs and/or significantly increases the City's tax base.

R&R Development Company, which is the employer of Mayor Gaer, owns property within the Ashworth Corridor Urban Renewal District on which it proposes to construct the Westfield Office Building and which will qualify the development for economic development incentives. Although Mayor Gaer has had and will have no involvement in negotiating or approving the Development Agreement with the City, Iowa Code section 403.16 requires any public official who has involuntarily acquired a personal interest in any urban renewal district, whether direct or indirect, to provide written disclosure to the local governing body. The Iowa Supreme Court has held that an employee-employer relationship creates a personal interest that requires full disclosure. Wilson v. Iowa City, 165 N.W.2d 813 (Iowa 1969).

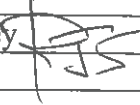


In conformance with Iowa Code section 403.16, the attached written Disclosure signed by Mayor Gaer acknowledges his indirect personal interest in the urban renewal district due to his employment with R&R Development Company.

OUTSTANDING ISSUES (if any): None.

RECOMMENDATION: Acknowledge and accept the Disclosure of Steven K. Gaer pursuant to Iowa Code section 403.16 for entry upon the meeting minutes of the City Council.

Lead Staff Member: Richard J. Scieszinski, City Attorney

STAFF REVIEWS

Department Director	Richard J. Scieszinski, City Attorney 
Appropriations/Finance	
Legal	
Agenda Acceptance	

DISCLOSURE OF STEVEN K. GAER

I, Steven K. Gaer, as Mayor of the City of West Des Moines, Iowa state that I am not a voting member of the West Des Moines City Council, but that as defined by Iowa Code 403.16, I have or may have an indirect personal interest in property that may be included in an urban renewal project being considered by the City of West Des Moines due to my employment with R&R Realty Group, which company owns land that may be included in the urban renewal district. I will not play any role on behalf of the City regarding said project and will not play any role on behalf of R&R Realty Group with respect to any development agreement and/or site plan approvals relating to said project.

Dated this 7th day of December, 2016.



Steven K. Gaer, Mayor
City of West Des Moines, Iowa

CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

ITEM: Amendment of the Property Tax Rebate Program

DATE: December 12, 2016

MOTION: Approval of Finance and Administration City Council Subcommittee's recommendations for amendment of the Property Tax Rebate Program

FINANCIAL IMPACT: The cost of the program would be supported by tax increment revenues from new property valuation.

SYNOPSIS: At the November 16, 2016, Finance and Administration City Council Subcommittee meeting, the Subcommittee reviewed the first two Property Tax Rebate Program applications. During the review of the applications there was a discussion among the Subcommittee members about requiring program participants to enter into a ten (10) year minimum assessment agreement rather than the five (5) year minimum currently required. The concern expressed at the meeting was that as soon as the required five (5) year minimum assessment agreement would expire that the property owner would seek a reduction in their property assessments thus causing the City to see less property tax revenues than what had been generated during the rebate period.

The Subcommittee members were split as to whether or not the ten (10) year requirement should apply to applications currently pending. Councilmember Tremble felt that it would be unfair to require the ten (10) year commitment on currently pending applications, but he was in favor of requiring it on future applications. Councilmember Sandager asked staff to review the ten (10) year requirement with the applicants of the currently pending applications. Since the meeting, Councilmember Sandager informed staff that he was in favor of not requiring the ten (10) year commitment on the currently pending applications, and only on future applications.

The attached resolution then proposes the following amendments to Property Tax Rebate Program:

- Participating property owners must enter into a ten (10) year minimum assessment agreement with the City.
- The amendment will be in full force and effect on any application for assistance filed after the enactment of the amending resolution.

RECOMMENDATION: That the City Council approve the recommendations of the F&A City Council Subcommittee.

Lead Staff Member: Clyde E. Evans, AICP, Director of Community and Economic Development

STAFF REVIEWS

Department Director	Clyde E. Evans, Community and Economic Development Director	<i>CEE</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	
Letter sent to surrounding property owners	

SUBCOMMITTEE REVIEW (if applicable)

Committee	F&A		
Date Reviewed	November 16, 2016		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

Attachments:

- Exhibit I Finance and Administration City Council minutes of the
November 16, 2016 meeting
- Exhibit II Resolution



**FINANCE & ADMINISTRATION SUB-COMMITTEE
MEETING MINUTES
Wednesday, November 16, 2016 - 7:30 AM
West Des Moines City Hall – 4200 Mills Civic Parkway
Training Room, 2nd Floor**

Present: Councilmember Russ Trimble, Councilmember Jim Sandager, City Manager Tom Hadden, Deputy City Manager Jamie Letzring, City Attorney Dick Scieszinski, Finance Director Tim Stiles, Community and Economic Director Clyde Evans, ITS Director Mark Lumsden, Human Resources Director Jane Pauba Dodge, Parks & Recreation Interim Director Sally Ortgies, Communications Specialist Lucinda Stephenson, Budget Analyst Chris Hamlett, and Administrative Secretary Maureen Richmond

Guests: Mayor Steve Gaer, R & R Realty Group – Item 2
Kelly Sharp, Heart of Iowa – Item 4
Jim Miller, Historic Valley Junction Foundation – Item 4
Chris Costa, Knapp Properties - Item 5

Meeting was called to order at 7:30 AM

1. Purchase of IT Network Equipment

Mr. Lumsden presented a request for approval to purchase a replacement for Core Network Equipment. ITS needs to replace many of the current core networks systems throughout the city to ensure adequate network communications. This has become critical with all of the new cloud-based services and applications being utilized. The estimated cost for the project is \$324,186.08. If approved, a FY 2016-17 budget amendment will be requested with funding to come from the Technology Replacement Fund.

ITS staff requested quotes from three companies:

- Curvature \$ 343,700.00
- CDW-G \$ 433,699.20
- Optimum Data Inc. \$ 324,186.08

Councilmembers supported the purchase from Optimum Data Inc. It was recommended that staff present the purchase for approval at the November 28, 2016 City Council meeting.

2. Economic Development Incentive - R & R Realty (Dallas County Partners)

Mr. Evans presented a proposed project from R & R Realty (Dallas County Partners) along with their request for Economic Assistance available under the City's recently-adopted Property Tax Rebate Pilot Program. The Program provides a five year, 100% rebate of the incremental increase in property taxes on a property if the owner of the property spends a minimum of \$500,000 on

building upgrades or construction in certain parts of the City. The program also required the creation or retention of a minimum of five jobs.

Dallas County Partners has filed an application with the City to be considered for the program. They are proposing construction of an 180,000 square foot office building on a 12 acre site located in the Country Club Office Park, which is within the area targeted by the City's program. The applicant is proposing to occupy a portion of the building with their own office and retain 141 full and 2 part-time positions and expects to spend \$27 million on construction.

Based upon a valuation of \$27 million, the five year 100% scale would amount to approximately \$3.1 million. Staff does not anticipate valuation to match the investment.

Mr. Evans noted that staff recommends negotiating a minimum assessment agreement to guarantee the retention / creation of at least five full time employees.

Mr. Sandager suggested requiring R&R to agree to an additional five-year period beyond the initial five-year rebate period, where R&R would agree to have the county carry forward a minimum assessment. Mr. Trimble disagreed with that approach, saying that the City did not include that additional burden when approving the policy, so it would not be appropriate to ask the applicant for additional consideration at this time. Other than that difference, Councilmembers supported the application and directed staff to ask the applicant if the additional terms were acceptable and, if agreed, finalize negotiations and bring forward an agreement for approval at a future City Council meeting.

3. Economic Development Incentive – Steffes Holdings, LLC

Mr. Evans presented an Economic Development Incentive for Steffes Holdings, LLC. Steffes filed an application with the City to be considered for the Property Tax Rebate Pilot Program. The application indicates that they are constructing a 5,846 square foot retail/warehouse building at 515 Railroad Avenue. The applicant is proposing to occupy the entire building and retain 3 full positions and add 2 full-time positions. The total costs of the five-year 100% property tax rebate is approximately \$78,795.

The project site is within the Valley Junction Urban Renewal which will soon expire; staff recommends the creation of a new Urban Renewal Plan and area. Staff is recommending that the City would include a minimum assessment agreement to guarantee payment and guarantee the retention/creation of a least five full time employees.

Councilmember Trimble did not support the application because the project was well underway before the City's program was created, but Councilmember Sandager supported the application because their project met the specific rules of the program. It was recommended that staff move forward to a City Council meeting for consideration.

4. Economic Re-Development Policies

Mr. Evans noted that he and other staff have been working with Council and the Finance

Committee on economic development policies targeted specifically for the Historic West Des Moines area. The focus has been on developing two policies:

- Regulatory Compliance Fund (to fund compliance with building, health, and fire code issues)
- Property Improvement Fund (to fund repairs and additions to existing structures)

Mr. Evans noted that many of the details of the policy have been largely undefined and this was a forum to define terms, practices, and procedures going forward. The following list of items were discussed (issues are listed along with recommendations of Finance Committee Councilmembers):

Application Submittal Timeframes -- Applications would be accepted twice a year

Project Rating and Scoring – Scoring will be determined by a Due Diligence Committee. Extra weight will be given for:

- Creation of additional tax base
- Creation/retention of jobs
- Percentage of outside dollars being invested

Submittal of Multiple Applications by the same Property Owner – The discussion was that loans were granted on a “per building” basis (as opposed to “per person”).

Timeliness of Applications – Councilmembers defined an eligible project as one where no occupancy permit has been issued.

Maximum Award – Each of the policies states that the maximum award for this program could be at a lower maximum award amount than what is currently earmarked (\$150,000) for the program. Councilmembers reduced the amount to \$75,000 for both policies.

Timing of Payments from City – Payments would be made in two installments; 50% to be paid at the halfway point and 50% when the job is completed.

Program Boundaries – Four maps were presented:

Map #1: The boundaries of the original study area for the Historic West Des Moines Master Plan, which exclude the commercial area along Grand Avenue, including the ValGate area, the Normandy Plaza Shopping Center at Grand and Railroad, and Holiday Park area.

Map #2: The boundaries of the original study area for Historic West Des Moines Plan and the area added by Teska south of Railroad Avenue.

Map #3: An area bounded by 1st Street on the east, Lincoln Street on the south, and the center line of Grand Avenue as the north and west boundaries of the eligible area.

Map #4: An area bounded by 1st Street on the east, Grand Avenue on the north and west, including all of the ValGate Study area and any commercial/office area that fronts on Grand Avenue, and Railroad Avenue on the south, including any commercial/office/industrial area that has frontage on Railroad Avenue.

The two Councilmembers favored Maps 1 and 2, but recommended scheduling a workshop to discuss the program boundaries.

Project Timing – The Councilmembers were in favor of the recommendation that a project must start within six months of contract signing and be completed within 18 months of that date.

Claw-back Provisions – Councilmembers supported support the job creation/retention requirement, which will be in effect for the life of the development agreement.

Due Diligence Committee Size, Make-Up, and Responsibilities

Councilmembers recommended a 7-9 member committee from the suggested groups:

- 3 members to be recommended by the Chamber (with consideration for banking / real estate / finance professionals)
- 3 members at-large from the community
- 3 residents of the Historic Valley Junction area

Staff would not serve as voting members of the Committee but would act in a supporting role.

Councilmembers will schedule a workshop to discuss the project area, and once the area is determined, the policies will be finalized and presented to Council for approval.

5. Property Tax Rebate Program-Request to Expand Eligible Areas

Mr. Evans presented a request from Knapp Properties, represented by Mr. Costa, to amend eligible areas of the Property Tax Rebate Program. Specifically, Knapp Properties submitted a request with the City to consider adding areas west of I35 and north of I80, in the West Lakes Business Park area.

Mr. Stiles explained that this area is included in the Westtown V Urban Renewal Area, and that there may be some difficulty extracting any increment because the valuation of these properties are well below their 2009 frozen base levels due to the recession and other factors.

After discussion, it was decided that staff would delve deeper into the financial ramifications of expanding the eligible areas, specifically reviewing the areas requested by Knapp, and come back with a recommendation to the committee.

6. Grand Avenue Veterinary Hospital

Mr. Scieszinski brought forward a letter from Attorney David J. Helstern representing the Grand Avenue Veterinary Hospital located at 108 Grand Avenue.

Grand Avenue Veterinary Hospital has been located at this location as a tenant for 39 years. The owners of the property voluntarily sold the property to the City earlier this year, forgoing requiring the City to initiate eminent domain procedures due to a sewer project on Grand Avenue. The City offered a lease in the amount of \$1,000 per month to Grand Avenue Veterinary Hospital

giving them the opportunity to remain in the building until the City until the building is demolished in 2017. The business would like to stay in the neighborhood and has negotiated relocation to leased space at 312 Grand Avenue. The letter explained that relocation will cost \$80,000. Mr. Helstern, in his letter, requested that the rent be reduced to \$1 per month in order to give them additional funds need to complete the move.

Councilmembers were not supportive of reducing the rent altogether, but suggested that if the clinic's rent prior to the City purchasing the building was lower than \$1,000, they would support reducing the rent to that amount.

7. Rates, Fees, and Charges – Schedule Update

Mr. Sandager left the meeting prior to this item. Mr. Stiles and Ms. Ortgies presented the Rates, Fees, and Charges Schedule Update to Mr. Trimble. Ms. Ortgies explained Parks and Recreation recently evaluated their fees as part of a conversion to new software system. The proposed fee structure better reflects current “market” conditions, and also correct some previous inconsistencies across their various facilities.

Ms. Ortgies mentioned that the rates would also be presented to the Parks Advisory Board this week for their input and recommendation. Councilmember Trimble supported the adjusted fee schedule, and assuming similar support would be forthcoming from the Parks Advisory Board, directed staff to bring the rate schedule forward to Council for approval at a future meeting.

8. Official City Depositories

Mr. Stiles presented an updated list of Official City Depositories. He pointed out that this list is updated to include the recently-opened University of Iowa Credit Union as they have expressed interest in deposits and investments. The revised list also reduces the maximum exposure at most institutions to \$35 million which is consistent with IPAIT's maximum exposure.

Councilmember Trimble supported the updated list of Official City Depositories and recommend that staff move forward and present final document for Council for approval.

9. 2017 Finance & Administration Sub-Committee Meeting Proposed Schedule

Councilmember Trimble agreed with the proposed 2017 meeting schedule with an exception to adjust the regular and special January meetings to start at 7:00AM. This schedule will also be confirmed with Mr. Sandager prior to finalizing.

10. Staff Updates

Mr. Stiles mentioned that the Finance Staff has several critical year-end deadlines approaching, and that recent staffing changes and system changes have the staff working extra to complete items.

Mr. Stiles also noted that staff has begun work on the FY 17-18 Budget. Staff input is being considered over the next month through a series of meetings with all departments.

11. Other Matters

None

Meeting was adjourned at 9:30 AM.

Respectfully Submitted,

Maureen Richmond
Administrative Secretary

Prepared by: Clyde Evans, Community & Economic Development, PO Box 65320, W.D.M., IA 50265-0320, 515-273-0770
When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA AMENDING THE ECONOMIC INCENTIVE POLICY FOR REDEVELOPMENT IN CERTAIN AREAS OF THE CITY

WHEREAS, the City Council of the City of West Des Moines, Iowa wishes to promote economic development within the City of West Des Moines;

WHEREAS, the continued quality growth of retail/office/mixed use/industrial users within the City aids in the creation of jobs; increase in tax base; and the general economic well-being of the City;

WHEREAS, the City Council has the opportunity to influence the location and/or expansion decision of the owners of property in certain older areas of the City;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES DOES ENACT THE FOLLOWING AMENDMENTS OF THE ECONOMIC DEVELOPMENT INCENTIVE POLICY:

The City of West Des Moines City Council hereby amends the Property Tax Rebate program to require participating property owners to enter into a ten (10) year minimum assessment agreement with the City.

This amendment will be in full force and effect on any application for assistance filed after the enactment of this resolution.

Passed and approved by the City Council on the 12th, day of December, 2016

James Sandager, Mayor Pro Tem

ATTEST:

Ryan T. Jacobson, City Clerk

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

ITEM: Adopting Regular Schedule of Council Meetings for 2017

DATE: December 12, 2016

FINANCIAL IMPACT: None

BACKGROUND:

Attached is a resolution and a listing of the proposed Council meeting dates for 2017. The first meeting of the year is scheduled on Monday, January 9, 2017. The remaining meetings for 2017 fall on Mondays, with the exception of Tuesday, February 21, Tuesday, May 30, Tuesday, September 5, and Wednesday, December 27, which are scheduled one or two days later due to holidays falling on those Mondays. All meetings are scheduled to begin at 5:30 p.m.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION:

Approval of the Resolution and attached meeting date schedule adopting City Council meetings for 2017.

Lead Staff Member: Ryan T. Jacobson, City Clerk

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	

RESOLUTION

A RESOLUTION ADOPTING A SCHEDULE OF REGULAR COUNCIL MEETINGS FOR THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, FOR THE CALENDAR YEAR 2017.

WHEREAS, various sections of State law and City ordinances govern the rules and procedures for municipal government, and;

WHEREAS, the City Ordinance, Title 1, Chapter 3, Mayor and Council has been amended to allow for the adoption of a schedule of regular council meetings, and;

WHEREAS, the Mayor and Council have directed City staff to provide a schedule of dates following their direction that every other Monday be indicated unless a national holiday falls on that Monday.

NOW THEREFORE, BE IT RESOLVED that the attached schedule of regular Council meetings be adopted with the provision that extenuating circumstances may cause this schedule to be amended.

PASSED AND APPROVED this 12th day of December, 2016.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, CMC
City Clerk

**CITY OF WEST DES MOINES
MEETING SCHEDULES
(City Council meetings begin at 5:30 p.m.)**

2017

JANUARY						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

FEBRUARY						
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26	27	28				

MARCH						
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APRIL						
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30						

MAY						
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21	22	23	24	25	26	27
28	29	30	31			

JUNE						
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11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

JULY						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

AUGUST						
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13	14	15	16	17	18	19
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27	28	29	30	31		

SEPTEMBER						
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OCTOBER						
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22	23	24	25	26	27	28
29	30	31				

NOVEMBER						
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26	27	28	29	30		

DECEMBER						
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24	25	26	27	28	29	30
31						

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

DATE: December 12, 2016

ITEM: Resolution Approving Adjustments to City Fees and Charges (Effective December 12, 2016)

FINANCIAL IMPACT: The adjustment will have an unknown, but slight increase to overall revenues.


BACKGROUND: The attached listing represents a consolidation of all of the City's various rates, fees, and charges into one document. The intent of providing this consolidated listing to Council is to allow for a simpler review and update process. This listing will also serve as a resource to help staff consistently apply rates and charges across the City. The overall document was first approved by Council in June of 2014 and has been updated at least annually since then. This update includes adjustments to Fire signage fees noted in red on the attached, and are needed due to a recent vendor increase in the price of such signs.

OUTSTANDING ITEMS: None

RECOMMENDATION: Approve and ratify the current listing of Consolidated City Fees and Charges with an effective Date of December 12, 2016.

Lead Staff Member: Tim Stiles, Finance 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

RESOLUTION NO. _____

RESOLUTION RATIFYING CURRENT RATES, FEES, AND CHARGES OF THE CITY OF WEST DES MOINES AND UPDATING DEVELOPMENT-RELATED FEES AS REQUIRED BY CITY POLICY AND IOWA CODE.

WHEREAS, effort has been made to consolidate all fees, rates, and charges into one reference document to be ratified by Council, and

WHEREAS, staff of the City's Fire Department has seen an increase in vendor costs to provide Fire Lane signage, and

NOW, THEREFORE, BE IT RESOLVED

BY THE COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, that the adopted schedule of rates and fees as amended is ratified and approved as of December 12, 2016 and

BE IT FURTHER RESOLVED, that previous resolutions in conflict with this resolution are hereby repealed.

PASSED AND APPROVED, this 12th day of December, 2016.

Steven K. Gaer, Mayor

ATTEST:

Ryan Jacobson, City Clerk

City of West Des Moines, Iowa
 Schedule of Rates, Fees and Charges
 As of November 28, 2016

Description	Fee	Last Change (Approval Date)
D. Fire Department		
XXXI. Construction Permit		
a. Automatic fire-extinguishing systems, Fire alarm, detections systems and Related equipment	\$ 107.00	Resolution (06/30/2014)
XXXII. Contractor's License (Annual)		
a. Alarm System Contractor	\$ 100.00	Resolution (06/30/2014)
b. Fire & Security Alarm Installation	100.00	Resolution (06/30/2014)
c. Fire Suppression System Installation	100.00	Resolution (06/30/2014)
d. Monitoring	25.00	Resolution (06/30/2014)
e. Design Services	100.00	Resolution (06/30/2014)
f. Penalties for Violation of Licenses (within 1 year)		
i. 1 st Violation	\$ 250.00	Resolution (06/30/2014)
ii. 2 nd Violation	500.00	
iii. 3 rd Violation	1,000.00 & revocation of license	
XXXIII. Fire Lane Signs		
a. 12" x 18" No Parking Fire Lane - \$50 Fine	\$ 15.50 \$12.00	Resolution (12/12/2016)
b. 6" x 12" Begin Fire Lane	9.00 \$8.00	Resolution (12/12/2016)
c. 6" x 12" End Fire Lane	9.00 \$8.00	Resolution (12/12/2016)
XXXIV. Fire Reports	\$ 5.00	Resolution (06/30/2014)
XXXV. Fireworks Display Permit	\$ 200.00	Ordinance (02/21/2012)
XXXVI. Hazardous Substance Spills		
a. Suppression Unit	\$ 165.00 per vehicle per hour	Resolution (06/30/2014)
b. Command Car	66.00 per vehicle per hour	Resolution (06/30/2014)
c. Personnel	16.50 per hour	Resolution (06/30/2014)
d. 1 st Bag of Fluid Absorbent – Peat Moss	20.00	Resolution (06/30/2014)
e. 2 nd Bag and after of Fluid Absorbent	10.00	Resolution (06/30/2014)
f. Expendable Materials	Cost + 10%	Resolution (06/30/2014)
g. Equipment/Clothing Used or Contaminated	Replacement Cost	Resolution (06/30/2014)
XXXVII. Operational Permit		
a. Amusement Buildings, Covered Mall Buildings, Cryogenic Fluids, Exhibits and Trade Shows, Explosive, Flammable, and Combustible Fluids, etc.	\$ 50.00	Ordinance (2/21/2012)
XXXVIII. Re-Inspections		
a. 1 st Re-Inspection	No Charge	Ordinance (2/21/2012)
b. 2 nd Re-Inspection	\$ 100.00	Ordinance (2/21/2012)
c. 3 rd Re-Inspection	300.00	Ordinance (2/21/2012)
d. 4 th Re-Inspection	600.00	Ordinance (2/21/2012)
e. 5 or more Re-Inspections	1,000.00	Ordinance (2/21/2012)
f. After-Hours Inspections(per inspector)	\$ 150.00 per hour	Ordinance (2/21/2012)
XXXIX. Tags		
a. More than 90, lots of 90	\$ 10.00	Resolution (06/30/2014)
b. Less than 90, lots of 9	1.00	Resolution (06/30/2014)

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

DATE: December 12th, 2016

ITEM: Approve the 28E agreement for fire/rescue and emergency medical service mutual aid in Polk County and the listed adjoining counties.

FINANCIAL IMPACT: None.

BACKGROUND: At the June 1, 2015 council meeting, a 28E agreement was approved for mutual aid assistance that covered all 29 municipalities that are members of the Polk County Fire Chiefs association.

That agreement did not include a billing provision that allowed for responding entities to bill the municipality receiving aid for services. Under the old 28E, costs associated with operations could only be recuperated by the receiving municipality if the incident qualified for State or Federal aid.

This agreement not only allows for billing by all responders who are on scene over 12 hours it also expands the coverage to the adjoining counties of Boone, Dallas, Jasper, Madison, Marion, Marshal, Story and Warren County. This agreement was vetted through the Polk County Fire Chiefs Association with input from the Polk County Emergency Management Commission.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION: Approve and authorize the 28E agreement for fire/rescue and emergency medical service mutual aid in Polk County and adjoining counties.

Lead Staff Member: Craig Leu, Fire Chief

STAFF REVIEWS

Department Director	Craig Leu, Fire Chief	
Appropriations/Finance	N/A	
Legal	Greta Truman	
Agenda Acceptance		

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Safety		
Date Reviewed	December 2 nd , 2016		
Recommendation	Yes	No	Split

RESOLUTION NO. _____

**RESOLUTION APPROVING 28E AGREEMENT FOR MUTUAL
ASSISTANCE FOR POLK COUNTY AREA FIRE/RESCUE SERVICES**

WHEREAS, the City of West Des Moines (the "City") desires to enter into this 28E Agreement ("Agreement"), the purpose of which is to provide for the Emergency Services of one entity to the other in such emergency or needed situations requiring additional, special personnel, and/or equipment.

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

That the City approves the 28E Agreement for Mutual Assistance for Polk County Area Fire/Rescue Services; and the Mayor, is hereby authorized and directed to execute said Agreement on behalf of the City.

PASSED AND APPROVED THIS 12th day of December, 2016.

By: _____
Steven K. Gaer, Mayor

ATTEST:

By: _____
Ryan T. Jacobson, CMC
City Clerk

Significant Changes to:

28E AGREEMENT FOR MUTUAL ASSISTANCE for Polk County Area Fire/Rescue Services

Change #1– Parties in adjoining counties are included as potential signatories.

WHEREAS, the undersigned entities (“Party” or collectively “Parties”) provide fire/rescue services and/or emergency medical services (“Emergency Services”) in Polk County and/or the adjoining counties of Boone County, Dallas County, Jasper County, Madison County, Marion County, Marshall County, Story County and Warren County (“adjoining counties”); and

Change #2 – Definition of emergency updated to include stabilizing the incident.

II. Definitions

C. **Emergency.** Any situation where a Party, due to lack of personnel or training, special equipment needs or magnitude of event, and based upon actual circumstances, concludes that assistance is needed to protect life, stabilize the incident, and/or protect property within its jurisdiction.

Change #3 – Compensation updated to include:

- Emergency Services (other than EMS and HazMat) are billed if an incident lasts a minimum of twelve consecutive hours. Twelve hours is believed to be a reasonable division between traditional mutual aid and incidents more likely to be classified as eligible for federal reimbursement as part of a disaster declaration.
- If the incident meets the twelve hour threshold, any assistance provided is billable, including assistance prior to the twelve hour mark.
- Includes backfill personnel.
- Includes equipment (usage, not damage)
- Includes supplies.

VII. Compensation

A. Emergency Services. For Emergency Services, no Party shall be required to reimburse any other Party for the cost of providing the services set forth in this Agreement, unless the incident lasts twelve hours or longer. If an incident lasts twelve hours or longer, the Providing Entity may seek compensation from the Requesting Entity for the cost of providing the services set forth in this Agreement.

All services are billable if the incident lasts a minimum of twelve consecutive hours. Services include, but are not limited to:

- a. Personnel (including backfill personnel)**
- b. Equipment (at rates defined by FEMA)**
- c. Supplies (actual cost incurred, including shipping of replacement supplies)**

Documentation is required in the form of an incident report which clearly lists personnel, equipment and supplies used. Supply usage also requires an actual invoice copy.

**28E AGREEMENT FOR MUTUAL ASSISTANCE
for Polk County Area Fire/Rescue Services**

By authorized signature of this Agreement, Parties agree to the 28E Agreement for Mutual Assistance for Polk County Area Fire/Rescue Services.

Effective Date: January 1, 2017

Legal Name of Jurisdiction: _____

Jurisdiction Official

Dated

Attest

Dated

Chief/Director

Dated

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

ITEM:DATE: December 12, 2016

Resolution - Ordering Construction
2016 Intake Repair Program

FINANCIAL IMPACT:

The Engineering Estimate of Construction Cost for the 2016 Intake Repair Program is \$210,700.00. Payments will be made from budgeted account no. 660.000.000.5250.490 with the ultimate funding intended to come from Stormwater Utility Fees.

BACKGROUND:

A Bid Letting should be scheduled for 2:00 p.m. on Wednesday, January 4, 2017, and a Public Hearing on the project should be scheduled for 5:35 p.m. on Monday, January 9, 2017. The contract would be awarded on Monday, January 9, 2017, and work will begin shortly thereafter.

This project is part of the ongoing maintenance program to rehabilitate stormwater intakes at various locations throughout the City of West Des Moines. The project is anticipated to be completed by June 30, 2017.

OUTSTANDING ISSUES:

None.

RECOMMENDATION:

City Council Adopt:

- Resolution Ordering Construction of the 2016 Intake Repair Program.
- Fixing 2:00 p.m. on Wednesday, January 4, 2017, 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 <i>new</i>
Appropriations/Finance	Tim Stiles, Finance Director <i>MS</i>
Legal	Richard Scieszinski, City Attorney <i>RS</i>
Agenda Acceptance	<i>RW</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Services		
Date Reviewed	December 5, 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 Intake Repair Program
Project No. 0510-017-2016**

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, January 9, 2017, 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 thirteen (13) 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, January 4, 2017.

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, January 4, 2017, and the results of said bids shall be considered at a meeting of this Council on Monday, January 9, 2017, at 5:35 p.m. and acted upon at said time, or such time as may then be fixed.

PASSED AND APPROVED 12th day of December, 2016.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk



2016 INTAKE REPAIR PROGRAM

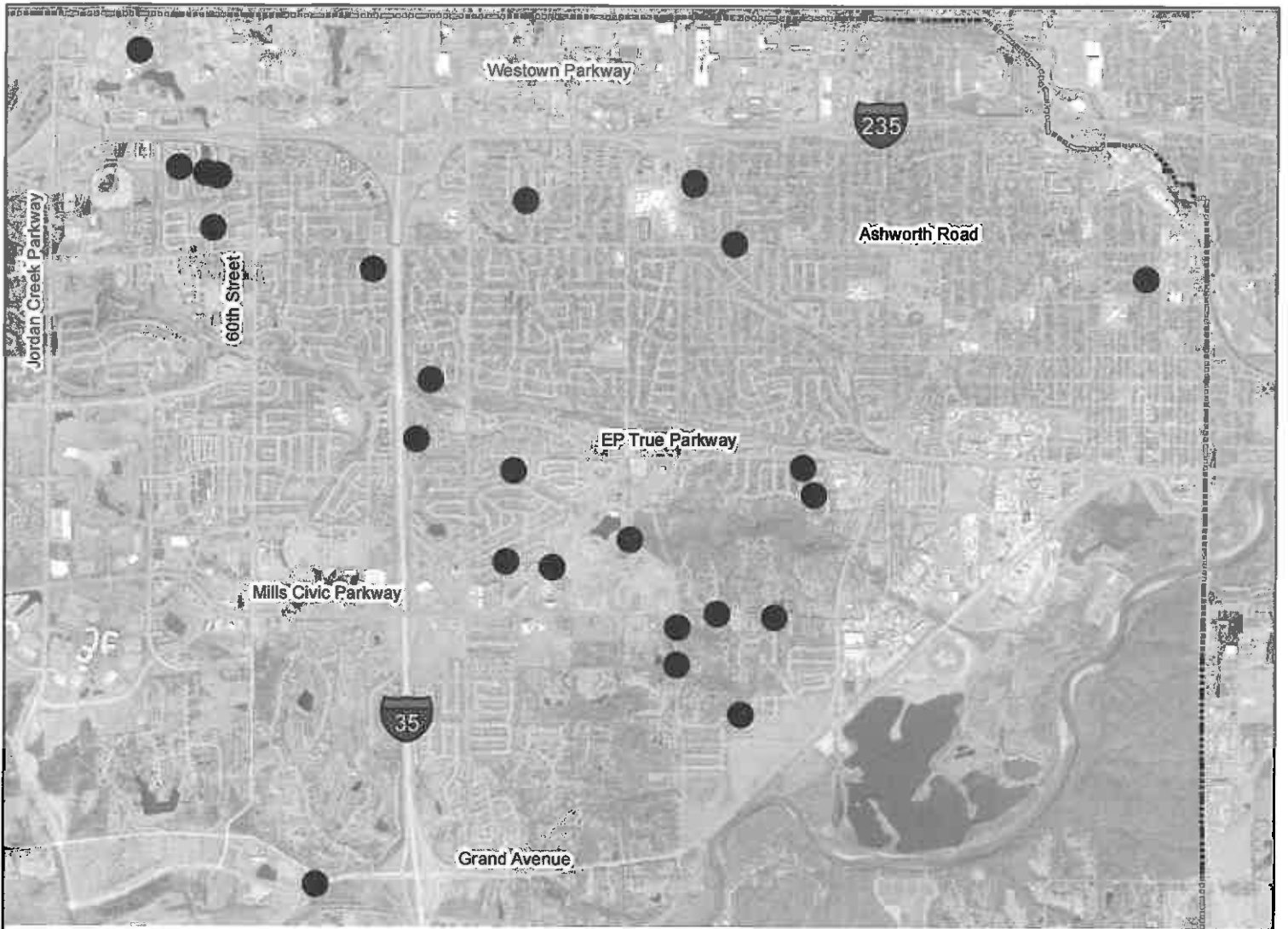
CITY OF WEST DES MOINES, IOWA
ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST

ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
1	TRAFFIC CONTROL	LS	1	\$ 25,000.00	\$ 25,000.00
2	STRUCTURE REMOVAL	EA	26	\$ 1,300.00	\$ 33,800.00
3	STRUCTURAL BASE REMOVAL	EA	13	\$ 350.00	\$ 4,550.00
4	INTAKE, TYPE M-A	EA	14	\$ 3,500.00	\$ 49,000.00
5	INTAKE, TYPE M-C	EA	6	\$ 5,500.00	\$ 33,000.00
6	INTAKE, TYPE M-D	EA	3	\$ 5,400.00	\$ 16,200.00
7	INTAKE, TYPE M-E	EA	1	\$ 7,000.00	\$ 7,000.00
8	INTAKE, TYPE M-E SPECIAL	EA	1	\$ 8,500.00	\$ 8,500.00
9	INTAKE, TYPE SW-507	EA	1	\$ 7,400.00	\$ 7,400.00
10	FULL DEPTH PCC PATCH	SY	150	\$ 105.00	\$ 15,750.00
11	FULL DEPTH COMPOSITE PATCH	SY	50	\$ 150.00	\$ 7,500.00
12	STORM SEWER - 15" RCP	LF	30	\$ 100.00	\$ 3,000.00
					\$ 210,700.00

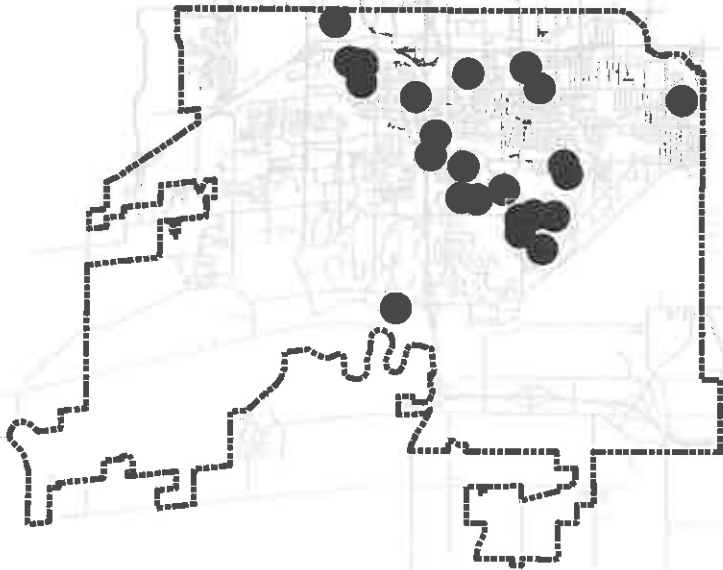
I HERBY CERTIFY THAT THIS IS A TRUE AND ACCURATE ACCOUNT OF ESTIMATED COSTS

DATE : DECEMBER 6,2016

LICENSE NUMBER 20894



VICINITY MAP



LEGEND

PROJECT LOCATION ●



PROJECT:

2016 Intake Repair Program

LOCATION:

Multiple Locations Around WDM

DRAWN BY: JDR

DATE: 12/6/2016

PROJECT: 0510-017-2016

SHT. 1 of 1

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

ITEM:

DATE: December 12, 2016

Resolution - Ordering Construction
Quail Park Channel Repair

FINANCIAL IMPACT:

The Engineering Estimate of Construction Cost for the Quail Park Channel Repair is \$87,500.00. Payments will be made from budgeted account no. 640.000.000.5250.490 with the ultimate funding intended to come from Sewer Fee Revenues.

BACKGROUND:

A Bid Letting should be scheduled for 2:00 p.m. on Wednesday, January 4, 2017, and a Public Hearing on the project should be scheduled for 5:35 p.m. on Monday, January 9, 2017. The contract would be awarded on Monday, January 9, 2017, and work will begin shortly thereafter.

Channel erosion issues were reported along the Quail Park Area Sanitary Sewer corridor north of the Thornwood subdivision. This project allows for the construction of necessary improvements to stabilize the drainage channel and protect portions of the public sanitary sewer in this area. The project is anticipated to be completed by June 1, 2017.

OUTSTANDING ISSUES:

None.

RECOMMENDATION:

City Council Adopt:

- Resolution Ordering Construction of the Quail Park Channel Repair.
- Fixing 2:00 p.m. on Wednesday, January 4, 2017, 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

new

STAFF REVIEWS

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

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Services		
Date Reviewed	December 5, 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:**

**Quail Park Channel Repair
Project No. 0510-038-2016**

is hereby ordered to be constructed according to the Plans and Specifications prepared by Veenstra and Kimm, Inc. 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, January 9, 2017, 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 thirteen (13) 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, January 4, 2017.

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, January 4, 2017, and the results of said bids shall be considered at a meeting of this Council on Monday, January 9, 2017, at 5:35 p.m. and acted upon at said time, or such time as may then be fixed.

PASSED AND APPROVED 12th day of December, 2016.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

City of West Des Moines
 Quail Park Channel Repair
 Preliminary Estimate of Cost

5-Dec-16

Item	Description	Unit	Estimated Quantity	Unit Price	Extended Price
1	Interim Protection of Sewer Service	LS	1	\$5,000	\$5,000
2	Imported Fill	CY	400	\$40	\$16,000
3	Rip-Rap	Ton	175	\$60	\$10,500
4	Steel Sheet	SF	420	\$25	\$10,500
5	Site Grading	LS	1	\$35,000	\$35,000
6	Erosion Control	LS	1	\$5,000	\$5,000
7	Seeding	Acre	1	\$1,500	\$1,500
8	Construction Staking	LS	1	\$1,500	\$1,500
9	Traffic Control	LS	1	\$2,500	\$2,500
Estimated Construction Cost					\$87,500

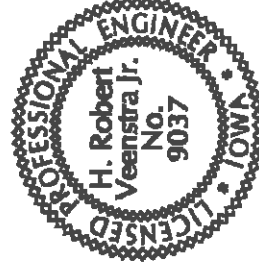
I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.

Signed:


 H. Robert Veenstra Jr., P.E.
 Iowa License No. 9037

Date:


 December 5, 2016

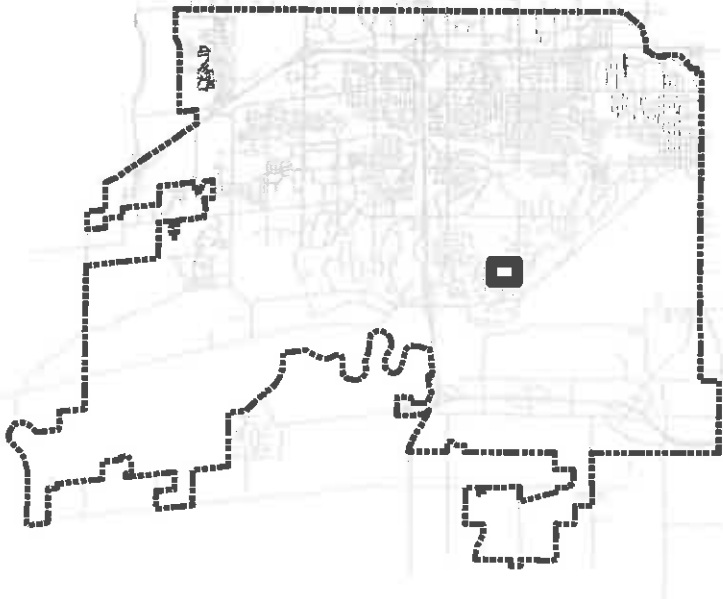


My License Renewal Date is December 31, 2016

Parts covered by this seal:



VICINITY MAP



LEGEND

PROJECT LOCATION 



PROJECT:	Quail Park Channel Repair		
LOCATION:	North of Thornwood Road, West of S. 35th Street		
DRAWN BY: JDR	DATE: 11/29/2016	PROJECT: 0510-038-2016	SHT. 1 of 1

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

DATE: December 12, 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 & Holiday Park Aquatic Center Pool Improvements

FINANCIAL IMPACT: None at this time. The preliminary estimated cost of the project is \$160,000. Project expenses will be paid from budgeted funds in the Holiday Park Aquatic Center SCS Play Structure Replacement CIP project (0510 040 2016) and the Basin Painting account in the operating budget (100.400.452.5220.345). There is a total of \$287,900 available for the project with \$257,900 available in the C.I.P. budget and \$30,000 in the operating budget.

BACKGROUND: The project includes repainting of the Holiday Park Aquatic Center pool basin, refurbishment of the play structure at Holiday Park Aquatic Center, repainting of two water slide structures at Holiday Park Aquatic Center and repainting of three water slide structures at Valley View Aquatic Center. Repainting of all water slide stairs and handrails is also included.

While doing research for the purchase of a new play structure for Holiday Park Aquatic Center, it was discovered that the current play structure could be refurbished at a substantially lower cost which is estimated to be \$45,000. With the cost savings, staff is recommending that the repainting of the water slide structures, stairs, and handrails at both Holiday Park Aquatic Center and Valley View Park Aquatic Center be included in this project at an estimated cost of \$80,000. The painted coatings are showing considerable wear, and metal surfaces are beginning to rust. Adding the repainting of the water slide structures, stairs, and handrails may also make the project more attractive to potential bidders.

The repainting of the pool basin at Holiday Park Aquatic Center is also being included in this bid package as a separate bid item and will be covered out of available funds budgeted in the FY 16-17 operating budget.

OUTSTANDING ISSUES: None.

RECOMMENDATION: That the Council approve the Resolution.

Lead Staff Member: Greg Hansen, Superintendent of Recreation

STAFF REVIEWS

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	N/A
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	N/A		
Date Reviewed			
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:

Valley View Aquatic Center & Holiday Park Aquatic Center Pool Improvements

is hereby ordered constructed according to the Plans and Specifications prepared by Waters Edge Aquatic 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 **January 9, 2017** 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, January 4, 2017.**

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, January 4, 2017** and the results of said bids shall be considered at a meeting of this Council on **January 9, 2017** at 5:35 p.m. and acted upon at said time, or such time as may then be fixed.

PASSED AND APPROVED this 12th day of December, 2016.

Steven K. Gaer, Mayor

ATTEST:

Ryan Jacobson, City Clerk

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

DATE: December 12, 2016

ITEM:

Resolution - Accepting Work
Jordan Creek Parkway & University Avenue Intersection Improvements Phase 1
Henriksen Contracting

FINANCIAL IMPACT:

The total construction cost for the Jordan Creek Parkway & University Avenue Intersection Improvements Phase 1 was \$106,605.80 which was paid from budgeted Account No. 500.000.000.5250.490. The original cost of the project as awarded was \$110,265.80. There was one (1) Change Order on the project that decreased the cost by (\$3,660.00).

BACKGROUND:

Henriksen Contracting was working under an agreement dated June 27, 2016, for construction services for the Jordan Creek Parkway & University Avenue Intersection Improvements Phase 1. Work on this project included median and curb modifications. The construction is substantially complete.

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

OUTSTANDING ISSUES:

None.

RECOMMENDATION:

City Council Adopt:

- Resolution Accepting Work

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

STAFF REVIEWS

Department Director	Duane C. Wittstock, P.E., L.S. <i>HCW</i> City Engineer
Appropriations/Finance	Tim Stiles, Finance Director <i>TS</i>
Legal	Richard Scieszinski, City Attorney <i>RS</i>
Agenda Acceptance	<i>AS</i>

PUBLICATION(S) (if applicable)		SUBCOMMITTEE REVIEW (if applicable)		
Published In		Committee	Public Services	
Dates(s) Published		Date Reviewed	December 5, 2016	
		Recommendation	Yes	No
				Split

Resolution Accepting Work

WHEREAS, on June 27, 2016, the City Council entered into a contract with Henriksen Contracting of Grimes, Iowa, for the following described public improvement:

**Jordan Creek Parkway & University Avenue Intersection Improvements Phase 1
Project No. 0510-035-2016**

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 December 12, 2016.

WHEREAS, the City has retained 5% of the construction costs,

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 \$106,605.80 as shown in said report, and that the Finance Director is hereby authorized to make payment to the Contractor in the amount of \$5,018.29, which includes retainage for the project, no sooner than 30 days subject to the Contractor satisfying all the conditions of the contract.

PASSED AND APPROVED this 12th day of **December, 2016**.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson
City Clerk



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

PAY REQUEST

City of
 West Des Moines

Contractor: **Henriksen Contracting, LLC**
4154 SE Capital Circle
Grimes, IA 50111

Project Title	Jordan Creek Parkway & University Avenue Intersection Improvements - Phase 1	
WDM Project File Number	0816-036-2016	
Purchase Order Number	2016-00900268	
Orig. Contract Amount & Date	\$110,265.80	06/24/16
Estimated Completion Date	8/15/16	
Pay Period End Date	10/03/16	
Pay Request Number	3	
Date	10/15/16	

BID ITEMS							
Item No.	Description	Unit	Est. Qty	Unit Price	Extended Price	Quantity Completed	Value Completed
1	TRAFFIC CONTROL	LS	1	25,000.00	\$25,000.00	1	\$25,000.00
2	INTAKE TYPE SW-503, MODIFIED	EA	1	7,500.00	\$7,500.00	1	\$7,500.00
3	CURB AND GUTTER, 2.5' WIDTH, 9" DEPTH	LF	235	45.00	\$10,575.00	235	\$10,575.00
4	CONCRETE MEDIAN, 8"	SY	320	80.00	\$25,600.00	320	\$25,600.00
5	DRIVEWAY, PAVED, PCC, 7"	SY	99	50.00	\$4,950.00	99	\$4,950.00
6	FULL DEPTH PATCHES	SY	80	90.00	\$7,200.00	80	\$7,200.00
7	PAVEMENT REMOVAL	SY	273	25.00	\$6,825.00	273	\$6,825.00
8	REMOVAL OF CONCRETE MEDIAN	SY	167	21.00	\$3,507.00	167	\$3,507.00
9	SURFACE RESTORATION WITH SOD	LS	1	2,500.00	\$2,500.00	1	\$2,500.00
10	FILTER SOCKS, 9" DIAMETER	LF	0	7.00	\$0.00	0	\$0.00
11	FILTER SOCKS, 9" REMOVAL	LF	0	10.00	\$0.00	0	\$0.00
12	INLET PROTECTION DEVICE	EA	0	250.00	\$0.00	0	\$0.00
13	CONSTRUCTION SURVEY	LS	1	3,500.00	\$3,500.00	1	\$3,500.00
14	PAINTED PAVEMENT MARKINGS, DURABLE	STA	4.57	440.00	\$2,010.80	4.57	\$2,010.80
15	PAINTED SYMBOLS & LEGENDS, DURABLE	EA	6	275.00	\$1,650.00	6	\$1,650.00
16	PAVEMENT MARKINGS REMOVED	STA	5.74	200.00	\$1,148.00	5.74	\$1,148.00
17	SYMBOLS AND LEGENDS REMOVED	EA	6	150.00	\$900.00	6	\$900.00
CO#1	Additional Work for Intake Removal	LS	1	1,457.50	\$1,457.50	1	\$1,457.50
CO#2	Additional Concrete Thickness	LS	1	2,282.50	\$2,282.50	1	\$2,282.50
TOTAL					\$108,605.80		\$108,605.80

MATERIALS STORED SUMMARY			
Description	# of Units	Unit Price	Extended Cost
None			\$0.00
			\$0.00
TOTAL			\$0.00

PAY REQUEST SUMMARY		
	Total Approved	Total Completed
Contract Price	\$110,265.80	\$106,605.80
Approved Change Order 1	-3,680.00	
Approved Change Order 2		
Approved Change Order 3		
Revised Contract Price	\$106,605.80	\$106,605.80
Materials Stored		\$0.00
Retainage 5%		\$5,018.29
Total Earned Less Retainage		\$101,587.51

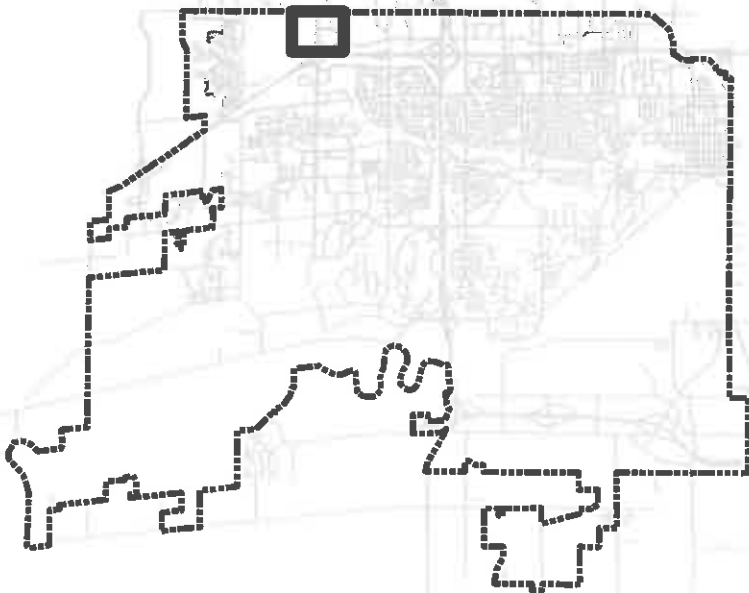
Total Previously Approved (list each)	Pay Request 1	\$41,189.15	
	Pay Request 2	\$54,158.36	
	Pay Request 3		
		Total Previously Approved:	\$95,347.51
		Amount Due This Request:	\$6,240.00
		Percent Complete	100%
		Percent of Contract Period Utilized	100% 100%

The amount \$6,240.00 is recommended for approval for payment in accordance with the terms of the Contract

Contractor: Henriksen Contracting, LLC	Recommended By: H.R. Green, Inc.	Checked By: <i>JH</i> <i>JMS</i>
Signature: <i>Charlie Henriksen</i>	Signature: <i>Jeremy Huntsman</i>	City of West Des Moines
Name: Charlie Henriksen	Name: Jeremy Huntsman, P.E.	Signature: <i>Duane Wittstock</i>
Title: Owner	Title: Project Manager	Name: Duane Wittstock, P.E., L.S.
Date: 10/19/16	Date: 10/19/16	Title: City Engineer
		Date:



VICINITY MAP



LEGEND

PROJECT LOCATION



PROJECT: **Jordan Creek Parkway & University Avenue
Intersection Improvements Phase 1**

LOCATION: **Jordan Creek Parkway & University Avenue**

DRAWN BY: JDR

DATE: 12/2/2016

PROJECT: 0510-035-2016

SHT. 1 of 1

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

DATE: December 12, 2016

ITEM:

Resolution - Accepting Public Improvements
Sanitary Sewer Extension
Christ's Church Subdivision, Lot 1
Dan Cleven Enterprises, LC

FINANCIAL IMPACT:

None at this time. The City will assume ownership of the public improvements, along with associated maintenance.

BACKGROUND:

The sanitary sewer stub in question was originally constructed as a private sewer service to the Culver's Restaurant. The stub was constructed to public sewer standards. The original construction was inspected by the City's Building Division. Dan Cleven Enterprises, LC has requested permission to connect an additional sewer service to the existing sewer stub as part of a future subdivision of the parcel. In order to connect more than one lot to the sewer, the stub would need to become a public facility. The City staff tested and re-inspected the stub recently, including televising, and noted no defects.

City normally requires a four (4) year maintenance bond for all public improvements that are constructed and are planned to be dedicated to the public. A maintenance bond had not been provided to the City by the original contractor or property owner since it was originally a private service. The contractor has subsequently went out of business since the stub was constructed. The property owner has requested that the maintenance bond requirement be waived in this case. Since the sewer has been in place for 10 years with no defects, Staff believes the risk of failure in the next four years to be minimal. Staff recommends waiving the maintenance bond requirement and accepting the sewer as constructed.

OUTSTANDING ISSUES: None.

RECOMMENDATION:

City Council Adopt:

- Resolution Accepting Public Improvements for Sanitary Sewer Extension, Christ's Church Subdivision, Lot 1 and waiving the maintenance bond requirements.

Lead Staff Member: Duane 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 <i>JBW</i>
Agenda Acceptance	<i>(Signature)</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	November 28, 2016		
Recommendation	Yes	No	Split

**RESOLUTION
ACCEPTING PUBLIC IMPROVEMENTS**

WHEREAS, Dan Cleven Enterprises, LC is requesting the City accept as a public facility an existing private sanitary sewer stub known as;

**Sanitary Sewer Extension
Christs Church Subdivision, Lot 1**

WHEREAS, a preliminary site plan for Culver's Restaurant including the private sanitary sewer stub was approved by the City Council of the City of West Des Moines, Iowa on September 2, 2003;

WHEREAS, the sanitary sewer stub was constructed to public improvement standards;

WHEREAS, the City requires that individual services to subdivided lots access the public sewer system via a public sewer connection;

WHEREAS, the City inspected the private sanitary sewer stub at the time of the original construction and found no deficiencies;

WHEREAS, the City recently re-inspected and tested the sanitary sewer stub and found no deficiencies;

WHEREAS, the private sewer stub has been in place and functioning satisfactorily for over ten years;

WHEREAS, Dan Cleven Enterprises, LC, based on the fact the sanitary sewer stub was initially constructed to public standards and re-inspection has verified the sewer is functioning adequately is requesting acceptance of the private sanitary sewer stub as a public facility and further requests that a maintenance bond not be posted.

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

Section 1: The public improvements for Sanitary Sewer stub for Christs Church Subdivision, Lot 1 is hereby accepted and are hereby dedicated for public purposes.

Section 2: That a maintenance bond not be required for the improvements.

PASSED AND APPROVED this 12th day of December, 2016.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

WETSCH ABBOTT OSBORN VAN VLIET PLC
ATTORNEYS AT LAW

Partners

DAVID L. WETSCH †
KEVIN V. ABBOTT †
BRETT T. OSBORN †
TIMOTHY J. VAN VLIET †*

Of Counsel
MIKE CHRISTENSEN
JOHN CONGER

Des Moines Office
974 - 73rd Street, Suite 20
Des Moines, Iowa 50324
Phone: (515) 223-6000
Fax: (515) 223-6011

www.MidwestLawGroup.com

E-mail: Bosborn@MidwestLawGroup.com

PIPER L. HUGHES † ‡
ERIN J. KOBIKER ‡
PATRICK BUTLER ‡

† Licensed in Iowa
‡ Licensed in Missouri
* Licensed in Nebraska

December 7, 2016

Sent via email: ben.mcalister@wdm.iowa.gov
City of West Des Moines
Attn: Ben McAlister, P.E.
PO Box 65320
West Des Moines, Iowa 50265-0320

RE: Dan Cleven
Lot 1 Christs Church Subdivision
Sewer dedication

Dear Mr. McAlister:

I am writing on behalf of Dan Cleven and Dan Cleven Enterprises, L.C. Dan Cleven Enterprises, L.C. is the owner of Lot 1 of Christ's Church Subdivision in West Des Moines. As you are aware we are going through the process of dedicating a sewer to the City of West Des Moines. This letter is to request that the City consider that action and approve the dedication of the sewer which is located on the North boundary of the property traversing under Office Park Drive. The sewer has been tested with pressure tests, has had a camera inspection done and there is a drawing that has been submitted to the City of West Des Moines by a licensed land surveyor describing the location of the facility. I believe the application for the dedication of the sewer is in order and we hope that the City of West Des Moines considers our request and grants the same.

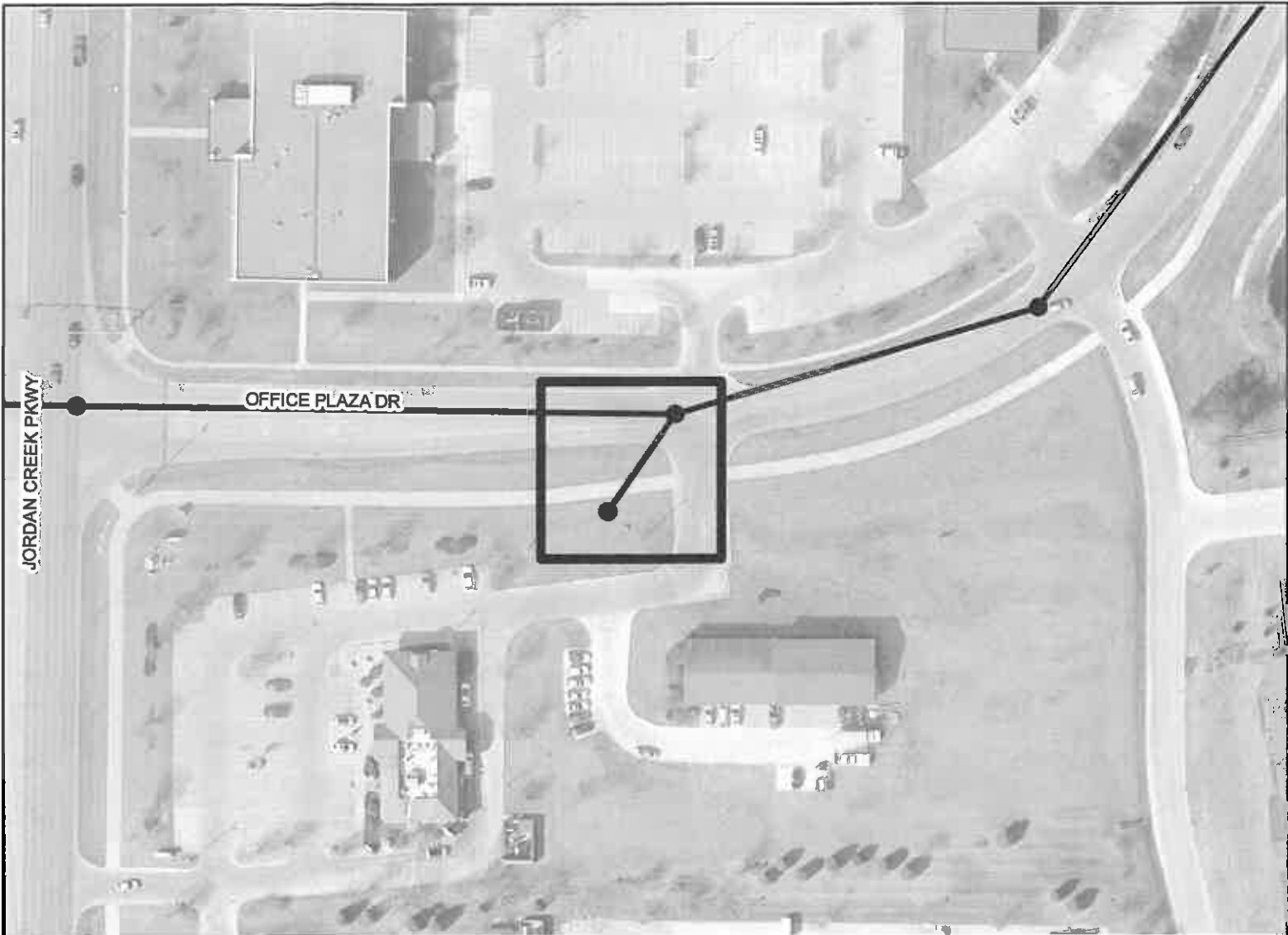
Thank you for your attention to this matter. It is greatly appreciated.

Sincerely,

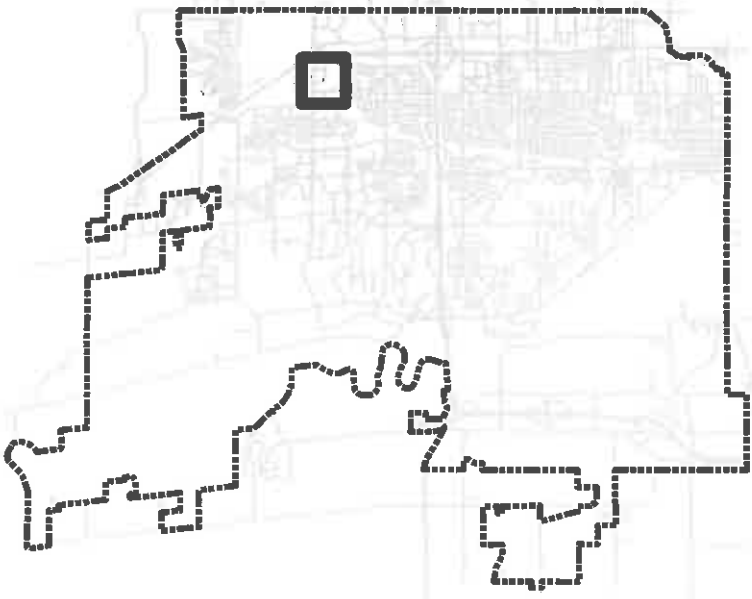
WETSCH ABBOTT OSBORN
VAN VLIET PLC

By: 
Brett T. Osborn

BTO:jdk



VICINITY MAP



LEGEND

PROJECT LOCATION



PROJECT:

Christ's Church Lot 1 Sanitary Sewer

LOCATION:

1121 Jordan Creek Parkway

DRAWN BY: JDR

DATE: 11/29/2016

PROJECT: Christ's Church Subdivision, Lot 1

SHT. 1 of 1

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

DATE: December 12, 2016

ITEM:

Resolution - Accepting Public Improvements
South 88th Street and Coachlight Drive Improvements

FINANCIAL IMPACT:

None at this time. The City will assume ownership of the public improvements, along with associated maintenance.

BACKGROUND:

Hidden Creek, LLC has substantially completed paving and public utility installation on South 88th Street adjacent to the Platinum Pointe Townhome subdivision in accordance with the plans prepared by Civil Design Advantage and the specifications of the City. These improvements have been inspected by the City. The majority of the Coachlight Drive portion of the project was constructed by the City as a special assessment project and will be addressed with a separate action.

OUTSTANDING ISSUES: None.

RECOMMENDATION:

City Council Adopt:

- Resolution Accepting the South 88th Street and Coachlight Drive Improvements

Lead Staff Member: Duane 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 Services		
Date Reviewed	December 5, 2016		
Recommendation	Yes	No	Split

**RESOLUTION
ACCEPTING PUBLIC IMPROVEMENTS**

WHEREAS, the City Council of the City of West Des Moines approved the Preliminary plat for Whisper Ridge Plat 1 on October 22, 2007;

WHEREAS, the public improvement construction plans prepared by Civil Design Advantage were reviewed and found to be in general conformance with the approved preliminary plat;

WHEREAS, the City Engineer of West Des Moines, Iowa approved the construction plans on April 7, 2015, said construction plans are described as follows:

South 88th Street and Coachlight Drive Improvements

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

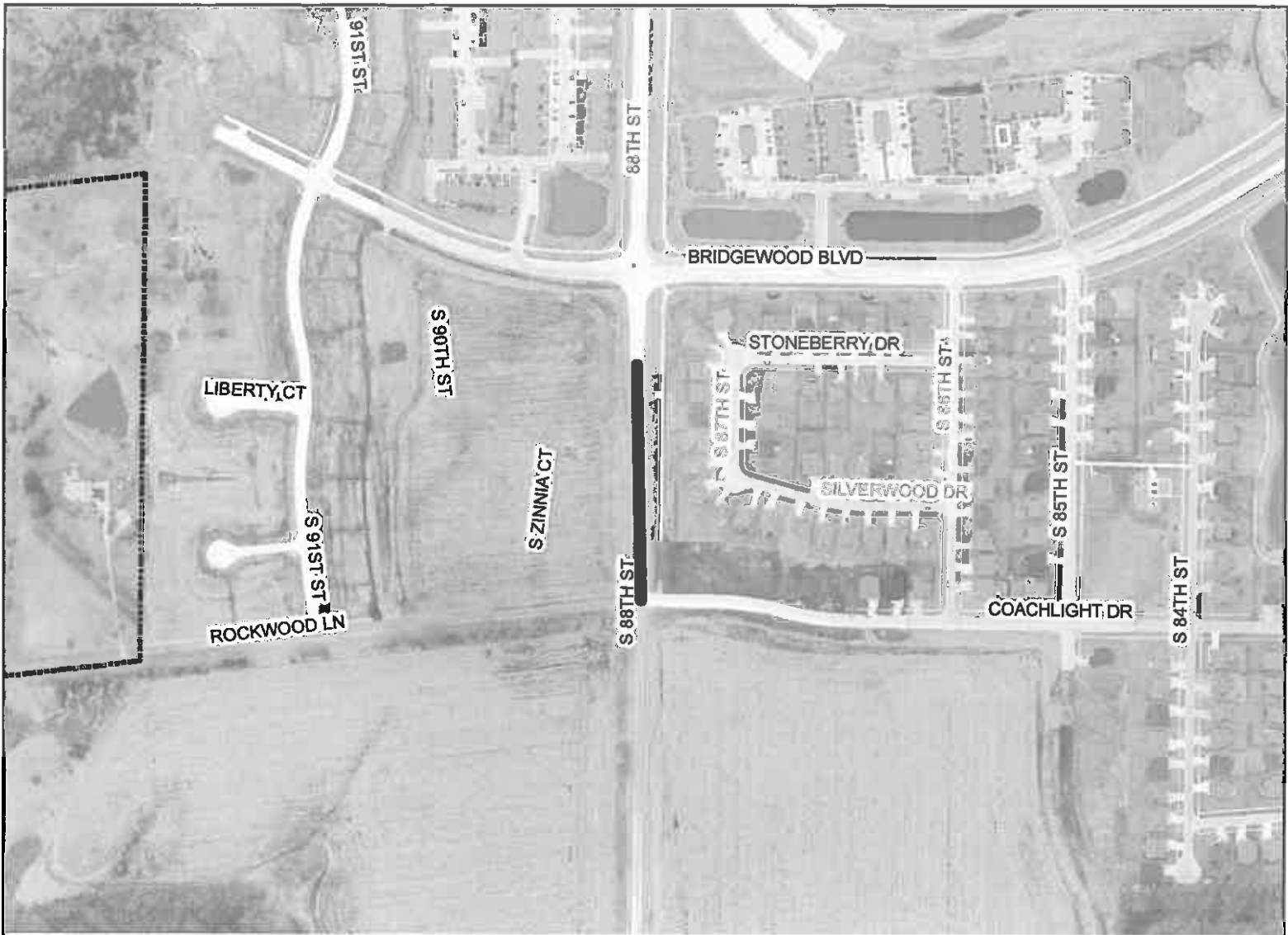
Section 1: The public improvements for street paving, storm sewer and other appurtenances as shown in the approved construction plans for South 88th Street and Coachlight Drive Improvements are hereby accepted and dedicated for public purposes.

PASSED AND APPROVED this 12th day of **December, 2016.**

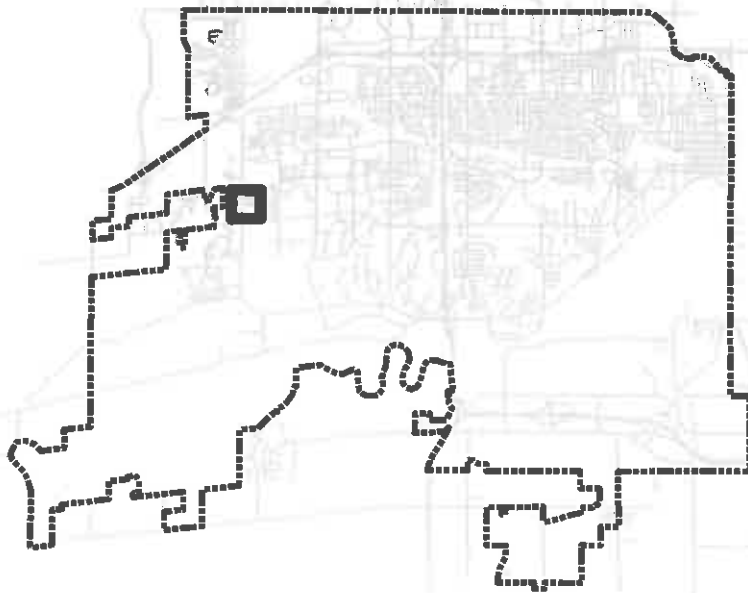
Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk



VICINITY MAP



LEGEND

PROJECT LOCATION



PROJECT:	Platinum Pointe Townhomes		
LOCATION:	South 88th Street		
DRAWN BY: JDR	DATE: 12/5/2016	PROJECT: Platinum Pointe Townhomes	SHT. 1 of 1

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

DATE: December 12, 2016

ITEM: Iowa Wireless Services LLC, 1725 98th Street and 1755 59th Place – Approval and Acceptance of Non-Interference with Emergency Services Agreements

Resolution – Approval and Acceptance of Non-Interference Agreement – 1725 98th Street and 1755 59th Place

FINANCIAL IMPACT: Undetermined.

BACKGROUND: Through Administrative Approval, staff has approved the co-location of cellular antennas on existing structures for I-Wireless on the water tower at 1725 98th Street (MM-003258-2016) and on the Mercy Hospital building at 1755 59th Place (MM-003268-2016). As part of the approval of these new installations, a non-interference with emergency communications agreement was required to be executed.

Exhibit II is a copy of the agreements. For policy purposes, formal acceptance by the City Council of a these agreements is required.




CITY COUNCIL SUBCOMMITTEE: Acceptance of this document by Council is a required formality; this item was not presented to the Development and Planning City Council Subcommittee.

OUTSTANDING ISSUES: There are no outstanding issues.

RECOMMENDATION: Adopt a resolution approving and accepting the Cellular Non-Interference Agreements between the City of West Des Moines and I-Wireless for co-location of cellular antenna at 1725 98th Street and 1755 59th Place.

Lead Staff Member: Kara V. Tragesser, AICP 

STAFF REVIEWS

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	
Date(s) Published	N/A
Letter sent to surrounding property owners	

SUBCOMMITTEE REVIEW (if applicable)

Committee	None		
Date Reviewed			
Recommendation	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

ATTACHMENTS:

- Exhibit I - Resolution
- Exhibit II - Agreements

Prepared by: KTragesser 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 TWO NON-INTEREFERENCE AGREEMENTS FOR CELLULAR ANTENNA CO-LOCATIONS AT 1725 98TH STREET AND 1755 59TH PLACE FOR I-WIRELESS

WHEREAS, it is the policy of the City of West Des Moines, Iowa to approve and accept all easement and agreements conveying property and other interests to the City; and

WHEREAS, the following documents have been presented to the City for approval and acceptance; and

Cellular Non-Interference Agreement – I Wireless, 1725 98th Street
Cellular Non-Interference Agreement – I-Wireless, 1755 59th Place

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 and other interests to 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 12th day of December 2016.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson
City Clerk

AGREEMENT

This Agreement is entered into this ____ day of _____, 2016 by and between Iowa Wireless Services LLC (hereinafter referred to as the "Petitioner") and the City of West Des Moines ("City").

WITNESSETH:

WHEREAS, the Petitioner proposes to install cellular communication antennas on the West Des Moines Water Tower located at 1725 98th Street in West Des Moines, Iowa;

WHEREAS, the Petitioner has represented and warranted to the City that operation of the Wireless Communication Facility will not interfere with the operation, transmission or reception of the City's emergency (i.e. Fire, EMS, Police, etc.) radio communication frequencies (the "City Emergency Communication Frequencies");

WHEREAS, the Petitioner has agreed that in the event interference with City Emergency Communication Frequencies occurs as a result of the construction or operation of Petitioner's Wireless Communication Facility, the Petitioner, at its sole expense, will immediately take steps described herein necessary to modify or alter the Wireless Communication Facility to eliminate the interference and prevent any future interference; and

WHEREAS, in exchange for the aforementioned warranties and representations, the City has approved the Petitioner's application for a Minor Modification permit (MM-003258-2016) to install antenna on a Wireless Communication Facility.

NOW, THEREFORE, the City and the Petitioner hereby agree as follows:

1. The Petitioner will be allowed to install the Wireless Communication Facility at 1725 98th Street, West Des Moines, Iowa, in accordance with the Minor Modification approval subject to the execution of this document.

2. Petitioner agrees that the Wireless Communication Facility will consist of equipment of the type and frequency which will not cause harmful interference which is measurable in accordance with then existing industry standards to any equipment of City operated on City Emergency Communication Frequencies which existed and were in use in the City of West Des Moines on the date this Agreement is executed by the parties. In the event any after-installed Petitioner's equipment causes such interference, and after City has notified Petitioner in writing of such interference at the address provided below, Petitioner will take all commercially reasonable steps necessary to correct and eliminate the interference, including but not limited to, at Petitioner's option, powering down such equipment and later powering up such equipment for intermittent testing (with the City's prior approval). In no event will the City amend, modify or revoke Minor Modification or future modifications to add antenna or demand that Petitioner relocate or alter its Wireless Communication Facility as long as Petitioner is making a good faith effort to remedy the interference issue and achieves such remedy within a reasonable period of time. In the event said interference can not be eliminated, the Petitioner, at its sole expense, agrees to remove from operation the equipment which causes the interference in order to eliminate said interference and prevent any future interference. Petitioner acknowledges that there will not be an

adequate remedy at law for noncompliance with the provisions of this Paragraph and therefore, the City shall have the right to equitable remedies, such as, without limitation, injunctive relief and specific performance.

3. All notices hereunder must be in writing and shall be deemed validly given if sent by certified mail, return receipt requested or by commercial courier, provided the courier's regular business is delivery service and provided further that it guarantees delivery to the addressee by the end of the next business day following the courier's receipt from the sender, addressed as follows (or any other address that the Party to be notified may have designated to the sender by like notice):

CITY: City Manager
City of West Des Moines, Iowa
4200 Mills Civic Parkway
West Des Moines, IA 50265

With a copy to:

City Attorney
City of West Des Moines, Iowa
4200 Mills Civic Parkway
West Des Moines, IA 50265

PETITIONER: President and CEO
J. Craven Shumaker
Iowa Wireless Service LLC
7600 Office Plaza Drive South Suite 150
West Des Moines IA 50265

Notice shall be effective upon actual receipt or refusal as shown on the receipt obtained pursuant to the foregoing.

Dated this ____ day of _____, 2016.

[Signature pages follow]

Iowa Wireless Service LLC

JCS

By: J. Craven Shumaker
Title: President and CEO

STATE OF IOWA)
) SS
COUNTY OF DALLAS)

On November 21, 2016, before me, the undersigned, notary public, personally appeared J. Craven Shumaker, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature Elizabeth A. VanZomere

(Seal)

Printed Name: Elizabeth A. VanZomere



CITY OF WEST DES MOINES, IOWA

Steven K. Gaer, Mayor

Attest:

Ryan Jacobson, City Clerk

STATE OF IOWA)
) SS
COUNTY OF POLK)

On this _____ day of _____, 2016, before me, the undersigned, a Notary Public in and for said County and State personally appeared Steven K. Gaer and Ryan Jacobson, to me personally known, who being by me duly sworn, did say that they are the Mayor and City Clerk of the City of West Des Moines, Iowa, a municipal corporation, executing the within and foregoing instrument and acknowledged that they executed the same as their voluntary act and deed of the City of West Des Moines, by it and by them voluntarily executed.

Notary Public in and for the State of Iowa

AGREEMENT

This Agreement is entered into this ____ day of _____, 2016 by and between Iowa Wireless Services LLC, a Delaware limited liability company, (hereinafter referred to as the "Petitioner") and the City of West Des Moines ("City").

WITNESSETH:

WHEREAS, the Petitioner proposes to install cellular communication antennas on a structure located at 1755 59th Place (also known as Mercy West Lakes Hospital) in West Des Moines, Iowa;

WHEREAS, the Petitioner has represented and warranted to the City that operation of the Wireless Communication Facility will not interfere with the operation, transmission or reception of the City's emergency (i.e. Fire, EMS, Police, etc.) radio communication frequencies (the "City Emergency Communication Frequencies");

WHEREAS, the Petitioner has agreed that in the event interference with City Emergency Communication Frequencies occurs as a result of the construction or operation of Petitioner's Wireless Communication Facility, the Petitioner, at its sole expense, will immediately take steps described herein necessary to modify or alter the Wireless Communication Facility to eliminate the interference and prevent any future interference; and

WHEREAS, in exchange for the aforementioned warranties and representations, the City has approved the Petitioner's application for a Minor Modification permit (MM-003268-2016) to install antenna on a Wireless Communication Facility.

NOW, THEREFORE, the City and the Petitioner hereby agree as follows:

1. The Petitioner will be allowed to install the Wireless Communication Facility at 1755 59th Place, West Des Moines, Iowa, in accordance with the Minor Modification approval subject to the execution of this document.

2. Petitioner agrees that the Wireless Communication Facility will consist of equipment of the type and frequency which will not cause harmful interference which is measurable in accordance with then existing industry standards to any equipment of City operated on City Emergency Communication Frequencies which existed and were in use in the City of West Des Moines on the date this Agreement is executed by the parties. In the event any after-installed Petitioner's equipment causes such interference, and after City has notified Petitioner in writing of such interference at the address provided below, Petitioner will take all commercially reasonable steps necessary to correct and eliminate the interference, including but not limited to, at Petitioner's option, powering down such equipment and later powering up such equipment for intermittent testing (with the City's prior approval). In no event will the City amend, modify or revoke Minor Modification or future modifications to add antenna or demand that Petitioner relocate or alter its Wireless Communication Facility as long as Petitioner is making a good faith effort to remedy the interference issue and achieves such remedy within a reasonable period of time. In the event said interference can not be eliminated, the Petitioner, at its sole expense, agrees to remove from operation the equipment which causes the interference in order to eliminate said

Iowa Wireless Service LLC



By: J. Craven Shumaker

Title: President & CEO

STATE OF IOWA)
) SS
COUNTY OF DALLAS)

On November 21, 2016, before me, the undersigned, notary public, personally appeared J. Craven Shumaker, President & CEO of Iowa Wireless Services, LLC, a Delaware limited liability company, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature Elizabeth A. Van Zomeran

(Seal)

Printed Name: Elizabeth A. Van Zomeran



CITY OF WEST DES MOINES, IOWA

Steven K. Gaer, Mayor

Attest:

Ryan Jacobson, City Clerk

STATE OF IOWA)
) SS
COUNTY OF POLK)

On this _____ day of _____, 2016, before me, the undersigned, a Notary Public in and for said County and State personally appeared Steven K. Gaer and Ryan Jacobson, to me personally known, who being by me duly sworn, did say that they are the Mayor and City Clerk of the City of West Des Moines, Iowa, a municipal corporation, executing the within and foregoing instrument and acknowledged that they executed the same as their voluntary act and deed of the City of West Des Moines, by it and by them voluntarily executed.

Notary Public in and for the State of Iowa

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

DATE: December 12, 2016

ITEM: Resolution - Approval and Acceptance of a Purchase Agreement and Property Interests for the Grand Avenue West Segment 6F Sewer Project, Project Number 0510-074-2015

FINANCIAL IMPACT: \$43,707.00 (previously budgeted)

BACKGROUND: Property interests necessary for the Grand Avenue West Segment 6F Sewer Project have been acquired through negotiated Purchase Agreements and donation. The property has been acquired at the appraised fair market value from the owners shown on Exhibit "A" or by donation. The attached resolution approves the Purchase Agreements and, for policy and title purposes, formally accepts the property and authorizes the filing of all relevant documents. Costs associated with acquisition of the easements will be paid from Account No. 640.000.000.5550.735, Project No. 0510 074 2015.ROW.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION:

Adopt Resolution approving and accepting the Purchase Agreements and Easements for the Grand Avenue West Segment 6F Sewer Project.

Lead Staff Member: Duane Wittstock, Engineer

STAFF REVIEWS

Department Director	Richard J. Scieszinski, City Attorney	
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

RESOLUTION NO. _____

AUTHORIZING APPROVAL AND ACCEPTANCE OF PURCHASE AGREEMENTS AND EASEMENTS FOR THE CONSTRUCTION OF THE GRAND AVENUE WEST SEGMENT 6F SEWER PROJECT, PROJECT NUMBER 0510-074-2015

WHEREAS, on January 26, 2016, the City Council approved the acquisition of property, for the project; and

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 City of West Des Moines has negotiated a purchase agreements for the acquisition of property interests necessary for the Project; and

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

WHEREAS, the names of the property owners and the fair market value of the property to be acquired are attached hereto as Exhibit "A" and made a part of this resolution; and

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:

1. The documents described above conveying property interests to the City of West Des Moines, Iowa, are hereby approved and accepted.
2. The City Clerk is directed to certify the Council's approval and acceptance.
3. The City Attorney is authorized to take all steps necessary and consistent with the Purchase Agreements to acquire the property interests.
4. The documents shall be filed with the county recorder as appropriate.
5. The Director of Finance is authorized to make payment to the property owners shown on the attached Exhibit "A" pursuant to the terms and conditions of the Purchase Agreement.

PASSED AND ADOPTED this 12th day of December, 2016.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson
City Clerk

Exhibit "A"

**GRAND AVENUE WEST SEGMENT 6F SEWER
WDM PROJECT NO. 0510-074-2015**

<u>PARCEL #</u>	<u>PROPERTY OWNER</u>	<u>ACQUIRED PRICE-FMV</u>	
1	Ronald and Candace Sweeney 1200 S 60 th Street, Dallas County	\$22,234.00	*includes additional ½ acre @ \$3,200 for sod loss, ½ acre @ \$1,234 for sod restoration, and \$1,000 for labor and equipment rental to remove items
2	Ed and Lynne Miner 32533 Wendover Road, Dallas County	\$7,432.00	*compensation increased from \$1.26 to \$1.56/sf (additional \$1,125 for permanent easement and \$307 for temporary easement) based on verbal offer received by owner
3	Arthur and Nancy Miner 32501 Wendover Road, Dallas County	\$10,806.00	*compensation increased from \$1.10 to \$1.56/sf (additional \$2,312 for permanent easement and \$794 for temporary easement) based on verbal offer received by owner
4	Charlotte M. Swallow 2014 Revocable Trust 1616300001 and 1616300004 - NWC of V Court and 335 th Street, Dallas County c/o Charlotte M. Swallow and Jane E. Ault, Co-Trustees	\$735.00	
6, 8	Westport Development LLC 33346 V Court and 1616100009, WDM c/o Willis Van Zee, Manager	\$0.00	*donation
7	Davis Estates Ltd 1617200008 - west of V Court between I-80 and 335 th Street, Dallas County, c/o Michael Blaser, Attorney	\$2,500.00	
	TOTAL	\$43,707.00	

NO CHANGE FROM PREVIOUS READING

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

Date: December 12, 2016

ITEM: Amendment to City Code – Indoor Self Storage in Commercial Districts, Amend Title 9, Zoning, to regulate Indoor Self-Storage in Commercial Districts – City Initiated – AO-003229-2016

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

FINANCIAL IMPACT: Undetermined.

BACKGROUND: Staff requests an amendment to Title 9, Zoning, to amend Chapter 6, Commercial, Office, and Industrial Zoning use matrix to modify approval process for interior access self-storage facilities to allow these facilities in some of the commercial districts and to amend Chapter 10, Performance Standards to set development standards for interior access self-storage facilities.

Previous City Council Action:

Vote: 5-0 approval

Date: November 28, 2016

Motion: Approve the first reading of the amendment to the Title 9, Zoning Code, to regulate indoor self-storage in commercial districts

OUTSTANDING ISSUES: There are no outstanding issues.

RECOMMENDATION: Based upon the preceding review the Plan and Zoning Commission recommends the City Council approve the second reading, waive the third reading and adopt the ordinance in final form to amend City Code to regulate indoor self-storage in commercial districts, subject to the applicant meeting all City Code requirements.

Lead Staff Member: Kara Tragesser, AICP *K. Tragesser*

Staff Reviews:

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

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Date(s) Published	November 11, 2016
Letter sent to surrounding property owners	N/A

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	July 11, 2016 and October 17, 2016		
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, TITLE 9 (ZONING), CHAPTER 6 (COMMERCIAL, OFFICE, AND INDUSTRIAL ZONING DISTRICT), AND CHAPTER 10 (PERFORMANCE STANDARDS) TO ESTABLISH STANDARDS AND REGULATIONS RELATED TO INDOOR SELF-STORAGE IN COMMERCIAL DISTRICTS

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 District, Section 6, Commercial, Office, and Industrial Use Regulations, Subsection C. Table 6.1 is hereby amended by deleting text in highlighted strikethrough lettering and adding text in bold italic lettering:

SIC CODES	RC	CMC	NC	CVC	SC	VJC	VJHB	WR	BP	VJLI	LI	GI	OF	PCP	OS
4225 Self-service storage facility															
- Interior Unit Access with no outside storage yard	<i>Pc</i>	<i>Pc</i>	<i>Pc</i>		<i>Pc</i>	<i>Pc</i>	<i>Pc</i>	P	P	P	P	P	P	P	

Section 2. Amendment. Title 9: Zoning, Chapter 10: Performance Standards, Section 4, Specific Use Regulations, Subsection A, Paragraph 16-b, is hereby amended by deleting Subparagraph B in its entirety and substituting the following:

- b. Interior Unit Access: This building type is intended to allow for facilities where units are accessed by interior hallways. These structures shall emulate the exterior architecture and characteristics of buildings in the specific district in which the facility is located. The following development standards shall apply, in addition to development standards cited elsewhere in this Title, including, but not limited to, landscaping, open space, buffers, screening, parking, setbacks, etc.:
 - 1) Office and Professional Commerce Park districts: Interior Unit Access self-storage in the office and professional commerce park districts is intended to be designed to be compatible with expected four-sided office design already exhibited in the city in these districts. The following performance standards also apply to the design of interior self-storage units:
 - a. All storage units shall gain access from the interior of the building, no individual unit doors may face the street or be visible from off the property.

- b. One entrance and one exit overhead door shall be allowed. If the facility abuts residentially zoned property, the facility loading bays, docks, or doors shall not be visible from the residential property. Whenever possible, these features shall be located on facades which face non-residentially zoned or developed property. These features shall not be located on the façade facing the public street.
 - c. Ground floor and upper floor facades shall be designed to be compatible with expected four-sided office design in the city's office districts. Examples of such architectural and design features include varied massing, proportion, façade modulation, exterior building materials and detailing, varied roof line, pedestrian scale, windows, repetition, etc. Views of storage units through windows shall be mitigated. The building shall look like an office building.
 - d. The building shall be surfaced with high-quality, durable materials consistent with the surrounding office uses. Un-faced concrete block, painted masonry, tilt-up and pre-cast concrete panels and non-architectural metal siding are prohibited in the office districts. Prefabricated buildings are not allowed in the office districts.
 - e. There shall be a pedestrian entrance facing the street. This entrance shall be considered the main or principal entrance, even if the tenants enter through loading docks, bays, doors or other side or rear entrances. This entrance shall present as a prominent feature that emulates an office Thatlobby. This entrance shall not be used for the transfer of goods to the storage unit.
 - f. To accommodate future potential redevelopment of the building, parking for re-use of the building for other permitted or permitted conditional uses in the applicable zoning district shall be demonstrated at the applicable ratio; however, only the parking required for the indoor self-storage shall be required to be constructed.
 - g. Indoor self-storage facilities shall abide by all city codes and regulations such as, but not limited to, building code and fire code provisions.
 - h. Tenant access shall be restricted to the hours of 7 a.m. to 10 p.m.
- 2) **Commercial Districts: Interior Unit Access self-storage in the commercial districts, to include the Valley Junction Historic Business District, is intended to be designed to be compatible with expected four-sided commercial design already exhibited in the city in these districts. Retail tenant spaces shall be included in the first floor design, which may include a retail space for the self-storage office. Tenant spaces shall extend the length of the façade which faces a main parking field and the public street where parking is available between the building and the public street. The intent is emulate tenant and multitenant retail store fronts commonly associated with the commercial districts, to provide the retail activity for the districts, and to provide services to the community such is commonly available in these districts. In these instances, the self-storage use will be of secondary consideration to the retail atmosphere. The following performance standards also apply to the design of interior self-storage units:**
- a. All storage units shall gain access from the interior of the building, no individual unit doors may face the street or be visible from off the property.
 - b. One entrance and one exit overhead door shall be allowed. If the facility abuts residentially zoned property, the facility loading bays, docks, or doors shall not be visible from the residential property. Whenever possible, these features shall be located on facades which face non-residentially zoned or developed property or the public street. In no case will these features appear on the front façade or public façade where other commercial business takes place.
 - c. Ground floor and upper floor facades shall be designed to be compatible with expected four-sided commercial design in the city's commercial districts. Examples of such architectural and design features include varied massing, proportion, façade modulation, exterior building materials and detailing, varied roof line, pedestrian scale, windows, repetition, etc. Views of storage units through windows shall be mitigated. The building shall look like a retail or multitenant commercial space.
 - d. The building shall be surfaced with high-quality, durable materials consistent with the surrounding office uses. Un-faced concrete block, painted masonry, tilt-up and pre-cast concrete panels, non-architectural metal siding, and prefabricated buildings are prohibited in the commercial districts.
 - e. To accommodate future potential redevelopment of the building, parking for re-use of the building for other permitted or permitted conditional uses in the applicable zoning district shall

be demonstrated at the applicable ratio; however, only the parking required for the indoor self-storage shall be required to be constructed.

- f. Indoor self-storage facilities shall abide by all city codes and regulations such as, but not limited to, building code and fire code provisions.
- g. Self-storage access shall be restricted to the hours of 7 a.m. to 10 p.m.

Section 3. Repealer. All ordinances or parts of ordinances in conflict with the provision of this ordinance are hereby repealed.

Section 4. 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 5. 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 6. 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 7. 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: December 12, 2016

ITEM:

Motion – Approval of Traffic Code Amendment
Official Traffic Controls
Jordan Creek Parkway and 850 feet south of EP True Parkway
Second Reading, Waive Third Reading and Adoption of Ordinance in Final Form

FINANCIAL IMPACT:

None.

SYNOPSIS:

Council action on this Traffic Code Amendment provides for the operation of traffic signals at the following intersection:

Jordan Creek Parkway and 850 feet south of EP True Parkway

BACKGROUND:

Traffic signals were part of the development agreement for the Jordan West development. The signal is located at the full access location on Jordan Creek Parkway between EP True Parkway and Bridgewood Boulevard located 850 feet south of EP True Parkway.



RECOMMENDATION:

City Council Approve:

- Motion approving Second Reading, Waive Third Reading and Adoption of Ordinance in Final Form

Lead Staff Member: Jim Dickinson, P.E. 

STAFF REVIEWS

Department Director	Bret Hodne, Public Works Director 
Appropriations/Finance	Tim Stiles, Finance Director
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	December 5, 2016		
Recommendation	Yes	No	Split

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2014, BY AMENDING PROVISION PERTAINING TO THE TRAFFIC CODE RELATING TO OFFICIAL TRAFFIC CONTROLS.

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

SECTION 1: TITLE 6 (MOTOR VEHICLE AND TRAFFIC), CHAPTER 9, SECTION 6-9-1: OFFICIAL TRAFFIC CONTROLS: is hereby amended by adding the paragraph as follows:

Adding Intersection of:

Jordan Creek Parkway and EP True Parkway, 850 feet south of

SECTION 2. REPEALER. All Ordinances or parts of Ordinances in conflict with the provision of this Ordinance are hereby repealed.

SECTION 3. SEVERABILITY. If any section, provisions, 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. VIOLATION. Any person who violates the provisions of this Ordinance, upon conviction, shall be punished with a fine not to exceed \$100 plus applicable surcharge and court costs.

SECTION 5. WHEN EFFECTIVE. This Ordinance shall be in full force and effect from and after its passage, adoption, and publication as required by law.

PASSED AND APPROVED this 12th day of December, 2016.

Steven K. Gaer, Mayor

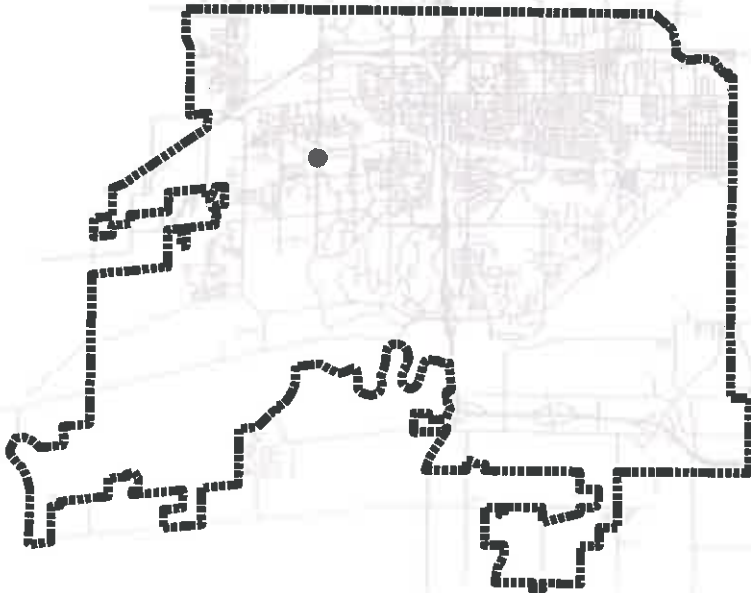
ATTEST:

Ryan T. Jacobson
City Clerk

Published in the Des Moines Register this _____ day of _____, 2016.



VICINITY MAP



LEGEND

PROJECT LOCATION



PROJECT:

300 Jordan Creek Parkway Traffic Signal

LOCATION:

300 Jordan Creek Parkway

DRAWN BY: REF

DATE: 11/04/2016

PROJECT: Jordan West

SHT. 1 of 1

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

Date: December 12, 2016

ITEM: Munro et. al., 2480, 2580, 2640, and 2720 SE 11th Street – Change the Comprehensive Land Use map and Change the Zoning designation of part of the properties from Medium Density Residential to Single Family Residential Estate– Margaret Munro – CPA-003277-2016/ZC-003278-2016

RESOLUTION: Approval of Comprehensive Plan Amendment

ORDINANCE: Approval of First Reading of Ordinance

FINANCIAL IMPACT: Undetermined.

BACKGROUND: Margaret Munro, 2480 SE 11th Street; George Hedding 2580 SE 11th Street; Melvin Rosario, 2640 SE 11th Street; and Bryan Boisen, 2720 SE 11th Street are seeking approval of a change in land use designation and zoning district for that part of their property currently designated Medium Density Residential on the Comprehensive Plan and Residential Medium Density (RM-8) on the Zoning Map to Low Density Residential and (Single Family) Residential Estate (RE-1A) (see Exhibit I - Attachment C – Location Map, Attachment D – Land Use Maps and Attachment E - Zoning Maps).

The applicants also are seeking to have the fees (in the total amount of \$1,294.39) for the Comprehensive Plan Land Use Map amendment and the Rezoning to be refunded as they believe that they were not noticed of the change that occurred in 2005 as discussed below (see Exhibit I - Attachment F – Applicants' Letter regarding the fees).

PLAN AND ZONING COMMISSION ACTION:

Vote: 4-0 approval, with Commissioner Brown, Costa, and Southworth absent.

Date: December 5, 2016

Motion: Adopt a resolution recommending the City Council approve the request to change the Comprehensive Plan Land Use Map

Motion: Adopt a resolution recommending the City Council approve the proposed ordinance to change the Zoning Map

** The Plan and Zoning Commission did not make a recommendation either way on refunding of the fees since required fees is under the City Council's authority.

CITY COUNCIL SUBCOMMITTEE: This item was presented to the Development and Planning City Council Subcommittee on November 28, 2016. The Subcommittee supported the change in the land use designations and the rezoning. The request to have the fees waived was not discussed as this is considered a full City Council decision.

OUTSTANDING ISSUES: There are no outstanding issues with the Plan & Zoning Commission recommendation; however, staff needs direction from the City Council on the disposition of the fees associated with the comprehensive Plan amendment and the rezoning request.

Citizen Comment Letter: After the staff report for the Plan & Zoning Commission was published and prior to the public hearing held by the Plan & Zoning Commission staff received an email from Jon Paulsen, a property owner immediately east to the proposed rezoning area, regarding opposition to the rezoning. His property is zoned Residential Medium Density (RM-8). Mr. Paulsen is opposed to the change as it places buffer requirements onto his property. A copy of the letter was presented to the Plan & Zoning Commission on the dais prior to the public hearing. A copy of this letter is attached at Exhibit II – Citizen Comment Letter. Mr. Paulsen reiterated his objection to the change in use and zoning in an email with staff (see Exhibit III – Email with Mr. Paulsen).

Fees: The fees total \$1,294.39 which includes the application fees for the comprehensive plan land use map amendment, the application fees for the rezoning request, the traffic study fee, and the public hearing noticing fee for the requested actions. The applicants have submitted a letter requesting a refund of the fees as they believe they were not noticed of the comprehensive plan land use amendments and rezoning of the area that were undertaken in the southeast area of the city resulting in the current land use and zoning designations.

Attached as Exhibit IV is a copy of the noticing that was sent to property owners in the area on March 3, 2004. Included in the notice was the dates of both the Plan & Zoning Commission and the City Council public hearings for the proposed changes to the Comprehensive Plan Land Use Map. Included in the mailing list were the property owners of the subject property at the time. The notice was published in the paper and sent to property owners affected by the changes, within 370 feet of a change, or who specifically requested to be noticed.

When the consistency zoning occurred in 2005, which was a city-initiated request to rezone property to be consistent with the Comprehensive Plan, two notices were sent to property owners affected by the rezoning request. Attached as Exhibit V is a copy of the notices sent to property owners in late February 2005 for the Plan & Zoning Commission and in late March 2005 for the City Council public hearings.

These copies of the notices illustrate what was sent by the City in three separate notices of the actions of the City to assign land use designations and to zone property to the property owners in the subject area.

RECOMMENDATION - COMPREHENSIVE PLAN LAND USE MAP AMENDMENT: 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 Comprehensive Plan Land Use map amendment to change the land use designation for a portion of the property located at 2480, 2580, 2640, and 2720 SE 11th Street from Medium Density Residential (MD) to Low Density Residential (LD) as illustrated in Exhibit VI- Comprehensive Plan Land Use Map Amendment resolution.

RECOMMENDATION – REZONING REQUEST: 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 of a zone change for a portion of the property located at 2480, 2580, 2640, and 2720 SE 11th Street from Residential Medium Density (RM-8) to Residential Estate (RE-1A) as illustrated in Exhibit VII – Rezoning Ordinance.

Lead Planner: Kara Tragesser, AICP *Kara*

Staff Reviews:

Department Director	<i>LS</i>
Appropriations/Finance	
Legal	<i>(initials)</i>
Agenda Acceptance	<i>(initials)</i>

PUBLICATION(S) (if applicable)

Published In	Des Moines Register Community Section
Date(s) Published	November 25, 2016
Letter sent to surrounding property owners	November 22, 2016

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	November 28, 2016		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

ATTACHMENTS:

- Exhibit I - Plan and Zoning Communication
- Attachment A - Plan and Zoning Commission Resolution – Comprehensive Plan Land Use Map Amendment
 - Exhibit A - Conditions of Approval
 - Exhibit B - Legal Description
 - Exhibit C - Land Use Map
- Attachment B - Plan and Zoning Commission Resolution – Zoning Map Amendment
 - Exhibit A - Conditions of Approval
 - Exhibit B - Legal Description

	Exhibit C	Zoning Map
	Exhibit D	- Proposed Ordinance
Attachment C	-	Location Map
Attachment D	-	Land Use Maps
Attachment E	-	Rezoning Maps
Attachment F	-	Applicants' Letter Regarding Fees
Exhibit II	-	Citizen Comment Letter
Exhibit III	-	Email with Mr. Paulsen
Exhibit IV	-	Noticing Information for Comprehensive Plan Land Use Map amendments 2004
Exhibit V	-	Noticing Information for Zoning Map changes 2005
Exhibit VI	-	Comprehensive Plan Land Use Amendment Resolution
Exhibit VII	-	Rezoning Ordinance

CITY OF WEST DES MOINES
PLAN AND ZONING COMMISSION COMMUNICATION

Meeting Date: December 5, 2016

Item: Munro et. al., 2480, 2580, 2640, and 2720 SE 11th Street – Change the Comprehensive Land Use map and Change the Zoning designation of part of the properties from Medium Density Residential (RM-8) to Single Family Residential Estate (RE-1A) – Margaret Munro – CPA-002377-2016/ZC-003278-2016

Resolution: Approval of Comprehensive Plan Amendment
Resolution: Approval of Rezoning Request

Requested Action: Approval of Comprehensive Plan Land Use Map and Zoning Amendments

Case Advisor: Kara Tragesser, AICP 

Applicant's Request: Margaret Munro, 2480 SE 11th Street; George Hedding 2580 SE 11th Street; Melvin Rosario, 2640 SE 11th Street; and Bryan Boisen, 2720 SE 11th Street are seeking approval of a change in land use designation and zoning district for a part of their property currently designated Medium Density and Residential Medium Density (RM-8) to Low Density Residential and Single Family Residential Estate (RE-1A) (see Attachment C – Location Map, Attachment D – Land Use Maps and Attachment E - Zoning Maps). The applicants also are seeking to have the fees (in the total amount of \$1,294.39) for the Comprehensive Plan Land Use Map amendment and the Rezoning to be refunded as they believe that they were not noticed of the change that occurred in 2005 as noted below (see Attachment F – Applicants' Letter regarding the fees).

History: The identified properties have two zoning districts applied: Residential Medium Density (RM-8) and Single Family Residential (RE-1A: 40,000 sq. ft. lot size). On March 24, 2004, the City Council approved the land use of the property to include Single Family Residential on the majority of the property and Medium Density Residential on a portion of the east side of the property. Also, on April 11, 2005, the City Council approved a zoned change of the property to be consistent with the comprehensive plan. At that time a roadway was shown on the Ultimate Streets Map along the line between the two districts: the Ultimate Streets Plan has been changed since that time and no longer indicates a roadway between the two districts on these properties.

City Council Subcommittee: This item was presented to the Development and Planning City Council Subcommittee on November 28, 2016. The Subcommittee supported the change in the land use designations and the rezoning. The request to have the fees waived was not discussed as this is considered a full City Council decision.

Staff Review and Comment: This request was distributed to other City departments and other agencies for their review and comment.

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.

Noticing Information: The notice for the Plan & Zoning Commission public hearing on December 5, 2016, and the City Council public hearing for these requests was published in the Des Moines Register Community Section on November 25, 2016. Notice of these public hearings was also mailed to all surrounding property owners within 370 feet of the subject property on November 22, 2016.

Staff Recommendation and Conditions of Approval - Comprehensive Plan Amendment: 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 to the City Council approval of a Comprehensive Plan Land Use Map change part of the property for 2480, 2580, 2640, and 2720 SE 11th Street from Medium Density Residential to Low Density Residential illustrated in staff report Attachment A - Resolution.

Staff Recommendation and Conditions of Approval – Rezoning Request: 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 to the City Council approval of a zone change for property at 2480, 2580, 2640, and 2720 SE 11th Street Residential Medium Density (RM-8) to Residential Single Family (RE-1A) as illustrated in staff report Attachment B, Exhibit C - Zoning Maps.

ATTACHMENTS:

- Attachment A - Plan and Zoning Commission Resolution – Comprehensive Plan Land Use Map Amendment
 - Exhibit A - Conditions of Approval
 - Exhibit B - Legal Description
 - Exhibit C - Land Use Map
- Attachment B - Plan and Zoning Commission Resolution – Zoning Map Amendment
 - Exhibit A - Conditions of Approval
 - Exhibit B - Legal Description
 - Exhibit C - Zoning Map
 - Exhibit D - Proposed Ordinance
- Attachment C - Location Map
- Attachment D - Land Use Maps
- Attachment E - Rezoning Maps
- Attachment F - Applicants' Letter Regarding Fees

RESOLUTION NO. PZC-16-073

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE THE COMPREHENSIVE PLAN LAND USE MAP AMENDMENT (CPA-3277-2016) FOR THE PURPOSE OF CHANGING THE LAND USE DESIGNATION OF PART OF THE PROPERTY LOCATED AT 2480, 2580, 2640, AND 2720 SE 11TH STREET MEDIUM DENSITY RESIDENTIAL TO LOW DENSITY RESIDENTIAL

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, ~~Venture Homes LLC~~ ^{Munro Et al} has requested approval of a Comprehensive Plan Land Use Map Amendment for that property legally described in Exhibit B;

Legal Description

See Exhibit B

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 December 5, 2016, this Commission held a duly-noticed hearing to consider the application for Comprehensive Plan Amendment (CPA-003277-2016);

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

SECTION 1. The request for a change in the land use designation from and Medium Density Residential (MD) to Low Density Residential (LD) for property legally described in Exhibit B and illustrated in Exhibit C is recommended to the City Council for approval,, subject to the conditions of approval outlined in Exhibit A or as provided for orally at the public hearing.

PASSED AND ADOPTED on December 5, 2016.


Craig Erickson, Chairperson
Plan and Zoning Commission

ATTEST:


Annikely 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 December 5, 2016, by the following vote:

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

ATTEST:


Annikely Taylor
Recording Secretary

EXHIBIT A
Conditions of Approval

None.

EXHIBIT B
Legal Descriptions

The East 272 feet of Lot 4 Fairmont Estates; and

The East 321 feet of Lot 5 Fairmont Estates; and

The East 324 feet of Lot 6 Fairmont Estates, all being official plats now in and forming a part of the City of West Des Moines, Polk County, Iowa

And

The East 335 feet or the following described property: -EX HEDDINGER PLAT 1- & -EX N 300F S 330F E 300F W 345F- N 1/2 NE 1/4 SE 1/4 SEC 27-78-25; and

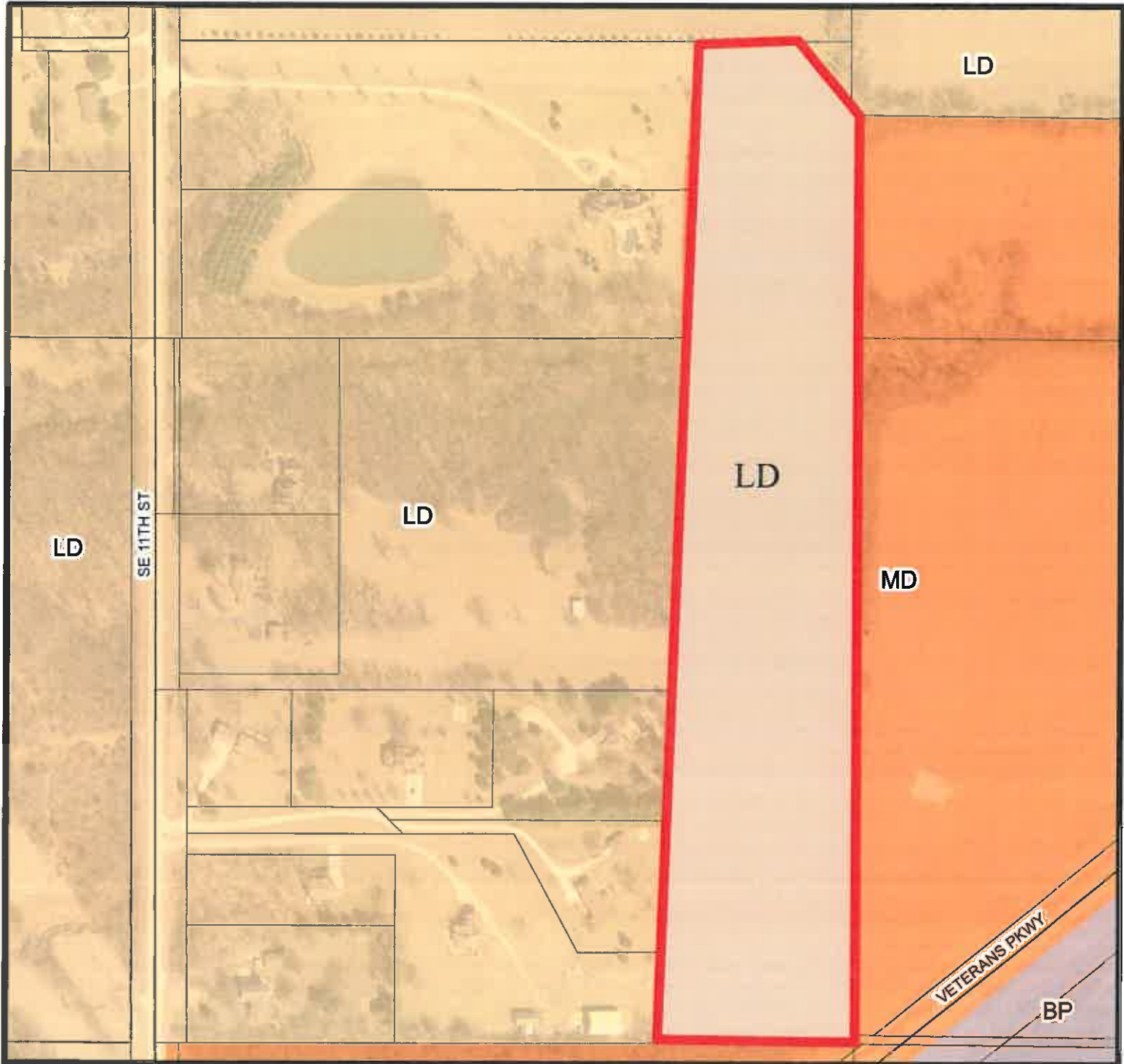
The East 334 feet of the following described property: N 245.08F MEAS ON E LN E 320.80F LOT 3 BLUE RIDGE HEIGHTS; and

The East 377 feet of the following described property: PARCEL B BEG SE COR THN W 182.12F N 352.67F W 396.14F N20F E 579.51F S 371.44F TO POB LOT 1 & PARCEL C BEG SE COR THN W 673.97F N 371.44F W 579.51F N20F E 619.94F SE 255.5F E 154F NE 250.76F E 335.54F S 416.64F TO POB LOT 2 BLUE RIDGE HEIGHTS REPLT

All in and forming a part of the City of West Des Moines, Polk County, Iowa

EXHIBIT C

Munro et.al. Rezoning
Proposed Land Use



RESOLUTION NO. PZC-16-074

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE THE REZONING REQUEST (ZC-3278-2016) FOR THE PURPOSE OF CHANGING THE ZONING OF PART OF THE PROPERTY LOCATED AT 2480, 2580, 2640, AND 2720 SE 11TH STREET FROM RESIDENTIAL MEDIUM DENSITY (RM-8) TO RESIDENTIAL SINGLE FAMILY (RE-1A)

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, Munro et. al. has requested approval of a Rezoning Request for that property legally described in Exhibit B and illustrated in Exhibit C;

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 December 5, 2016, this Commission held a duly-noticed hearing to consider the application for the Rezoning Request (ZC-003278-2016);

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

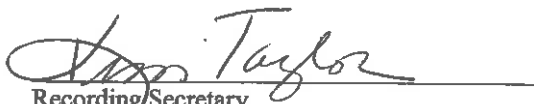
SECTION 1. The findings, for approval, in the staff report, dated December 5, 2016, or as amended orally at the Plan and Zoning Commission hearing of December 5, 2016, are adopted.

SECTION 2. REZONING REQUEST (ZC-003278-2016) to change the zoning of the property legally described in Exhibit B and illustrated in Exhibit C is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, dated December 5, 2016, including conditions added at the Hearing, and attached hereto as Exhibit "A", if any. 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 December 5, 2016.


Craig Erickson, Chairperson
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 December 5, 2016, by the following vote:

AYES: Andersen, Crowley, Erickson, Hatfield

NAYS: -0-

ABSTENTIONS: -0-

ABSENT: Costa, Brown, Southworth

ATTEST:

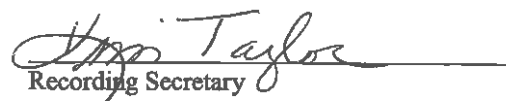

Recording Secretary

Exhibit A
Conditions of Approval

None.

Exhibit B
Legal Descriptions

The East 272 feet of Lot 4 Fairmont Estates; and

The East 321 feet of Lot 5 Fairmont Estates; and

The East 324 feet of Lot 6 Fairmont Estates, all being official plats now in and forming a part of the City of West Des Moines, Polk County, Iowa

And

The East 335 feet or the following described property: -EX HEDDINGER PLAT 1- & -EX N 300F S 330F E 300F W 345F-N 1/2 NE 1/4 SE 1/4 SEC 27-78-25; and

The East 334 feet of the following described property: N 245.08F MEAS ON E LN E 320.80F LOT 3 BLUE RIDGE HEIGHTS; and

The East 377 feet of the following described property: PARCEL B BEG SE COR THN W 182.12F N 352.67F W 396.14F N20F E 579.51F S 371.44F TO POB LOT 1 & PARCEL C BEG SE COR THN W 673.97F N 371.44F W 579.51F N20F E 619.94F SE 255.5F E 154F NE 250.76F E 335.54F S 416.64F TO POB LOT 2 BLUE RIDGE HEIGHTS REPLT

All in and forming a part of the City of West Des Moines, Polk County, Iowa

EXHIBIT C

**Munro et.al. Rezoning
Proposed Zoning**

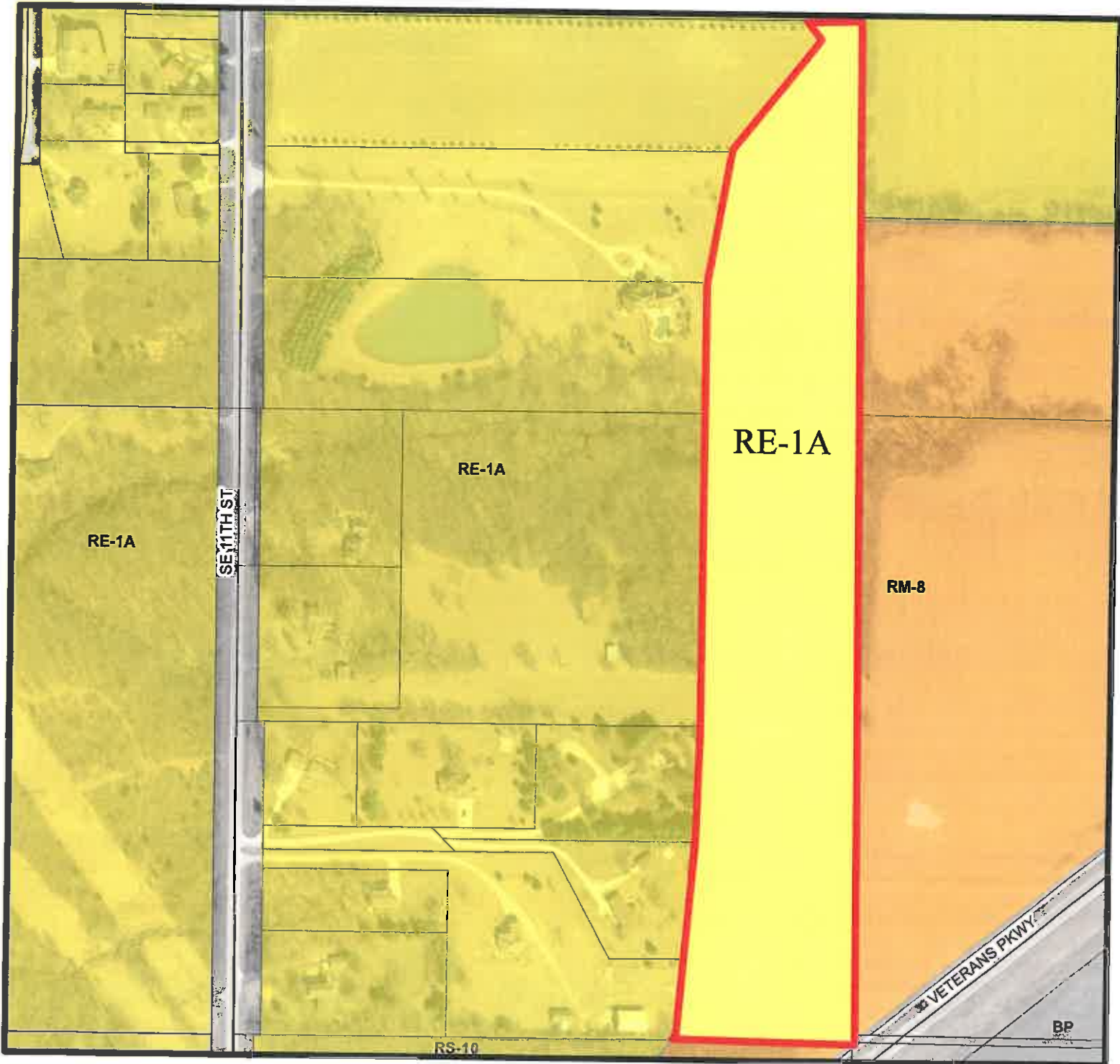


EXHIBIT D

Prepared by: K Tragesser, 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

ORDINANCE NO.

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AND THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2014, BY AMENDING TITLE 9: ZONING, CHAPTER 4: ZONING DISTRICTS AND MAP

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

SECTION 1. AMENDMENT: The Zoning Map of the City of West Des Moines, Iowa, is hereby amended by changing the zoning of part of the property located at 2480, 2580, 2640, and 2720 SE 11th Street from Residential Medium Density (RM-8) to residential single family (RE-1A) and as illustrated in Exhibit B;

Legal Description

SEE EXHIBIT A

SECTION 2. 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 3. VIOLATIONS AND PENALTIES. Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in title 1, Chapter 4, Section 1 and Section 2 of the City Code of the City of West Des Moines, Iowa.

SECTION 4. 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 5. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

Approved and passed by the City Council on the ____ day of _____, 2016

Steven K. Gaer, Mayor

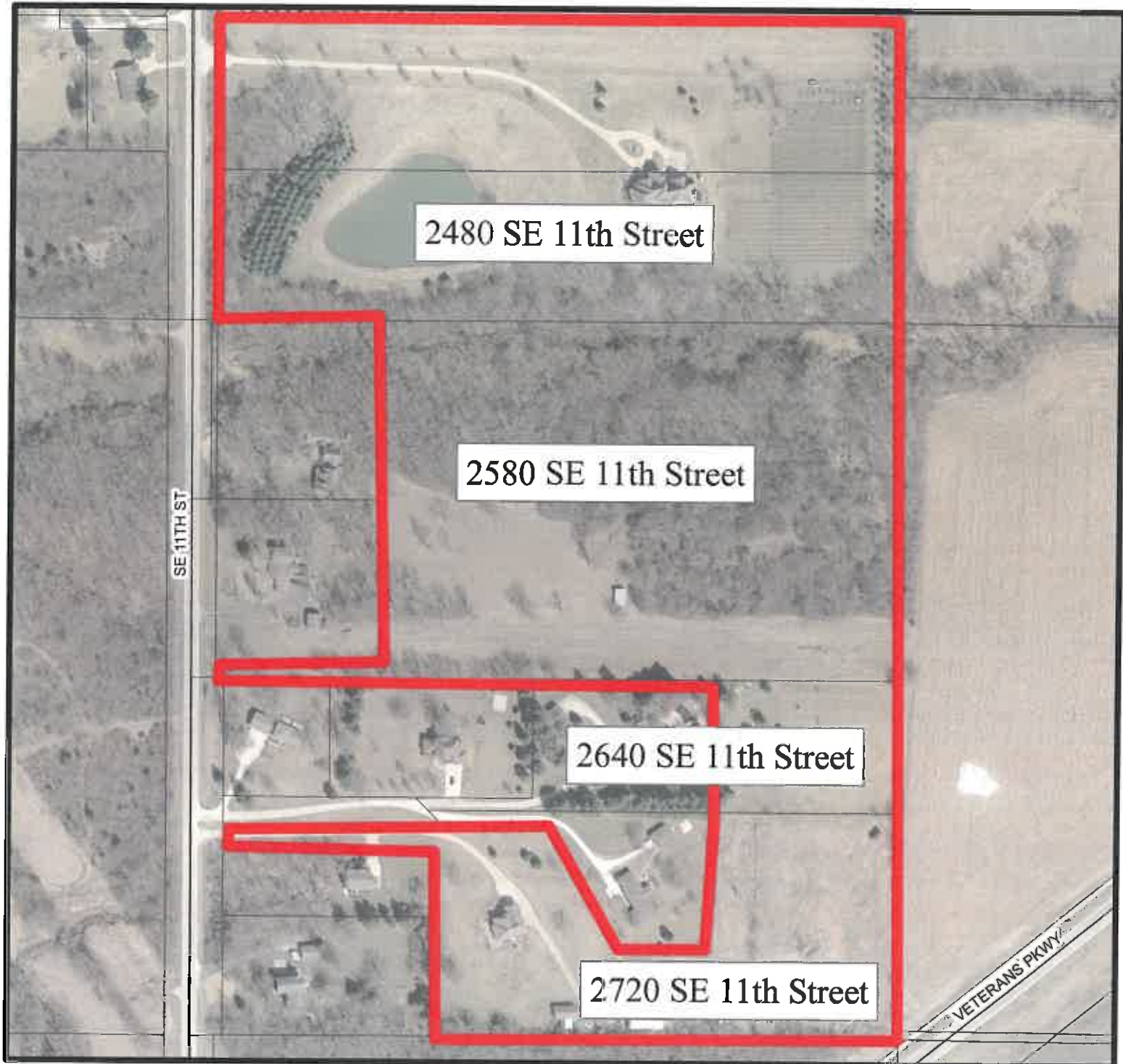
ATTEST:

Ryan T. Jacobson
City Clerk

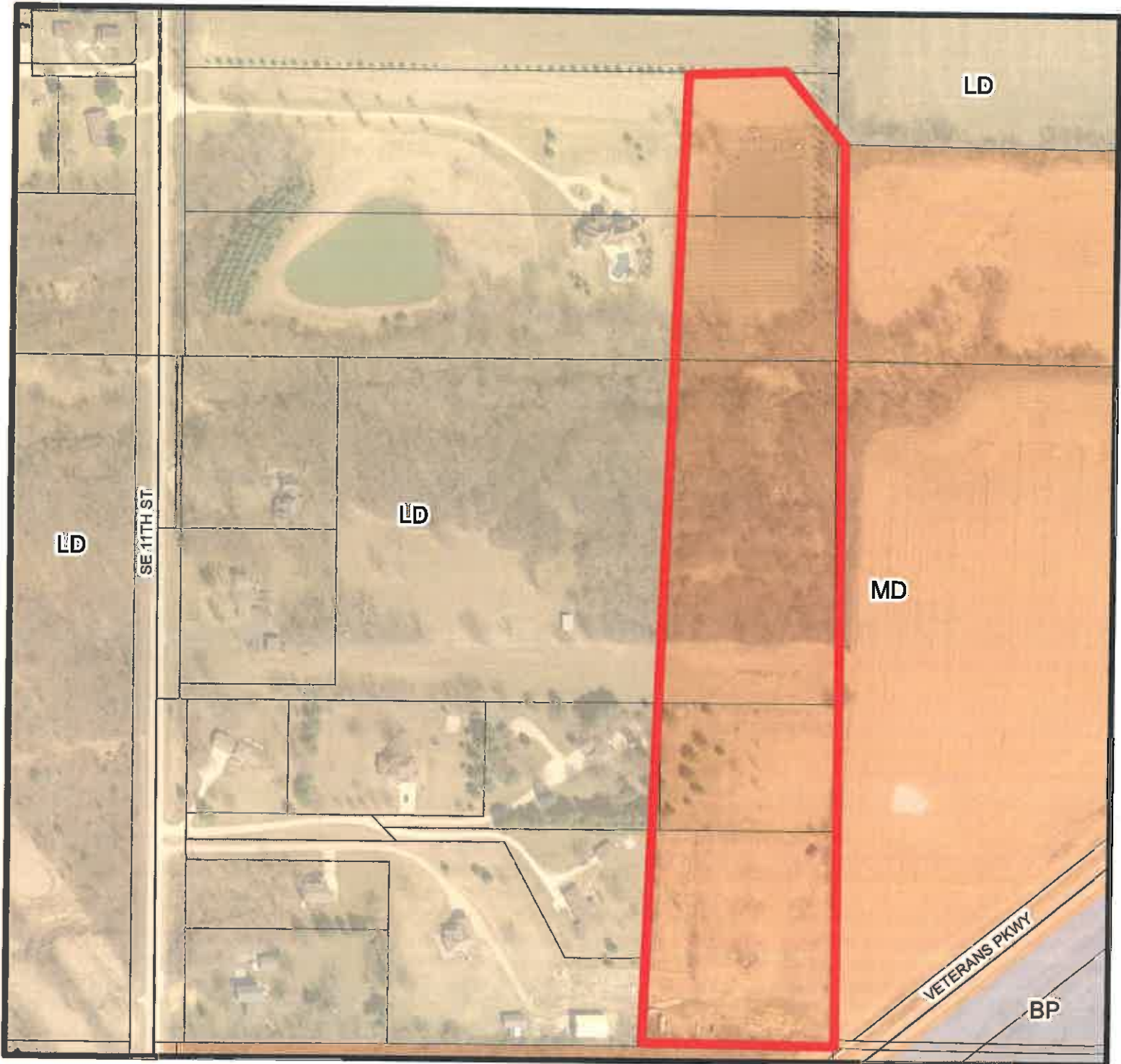
I certify that the foregoing was published as Ordinance No. _____ on the ____ day of _____
_____, 2016.

Ryan T. Jacobson
City Clerk

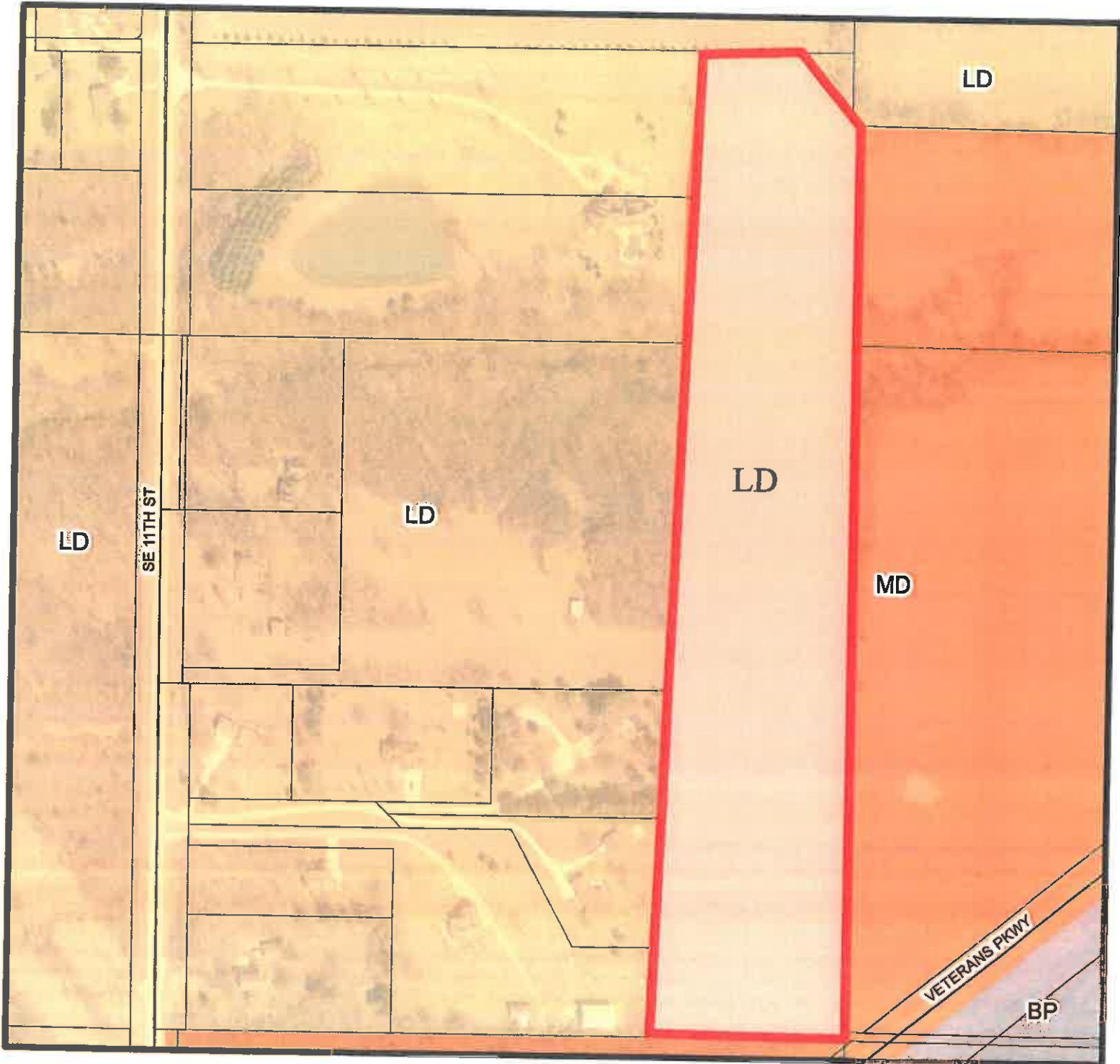
Munro et.al. Rezoning
Location Map



Munro et.al. Rezoning
Current Land Use

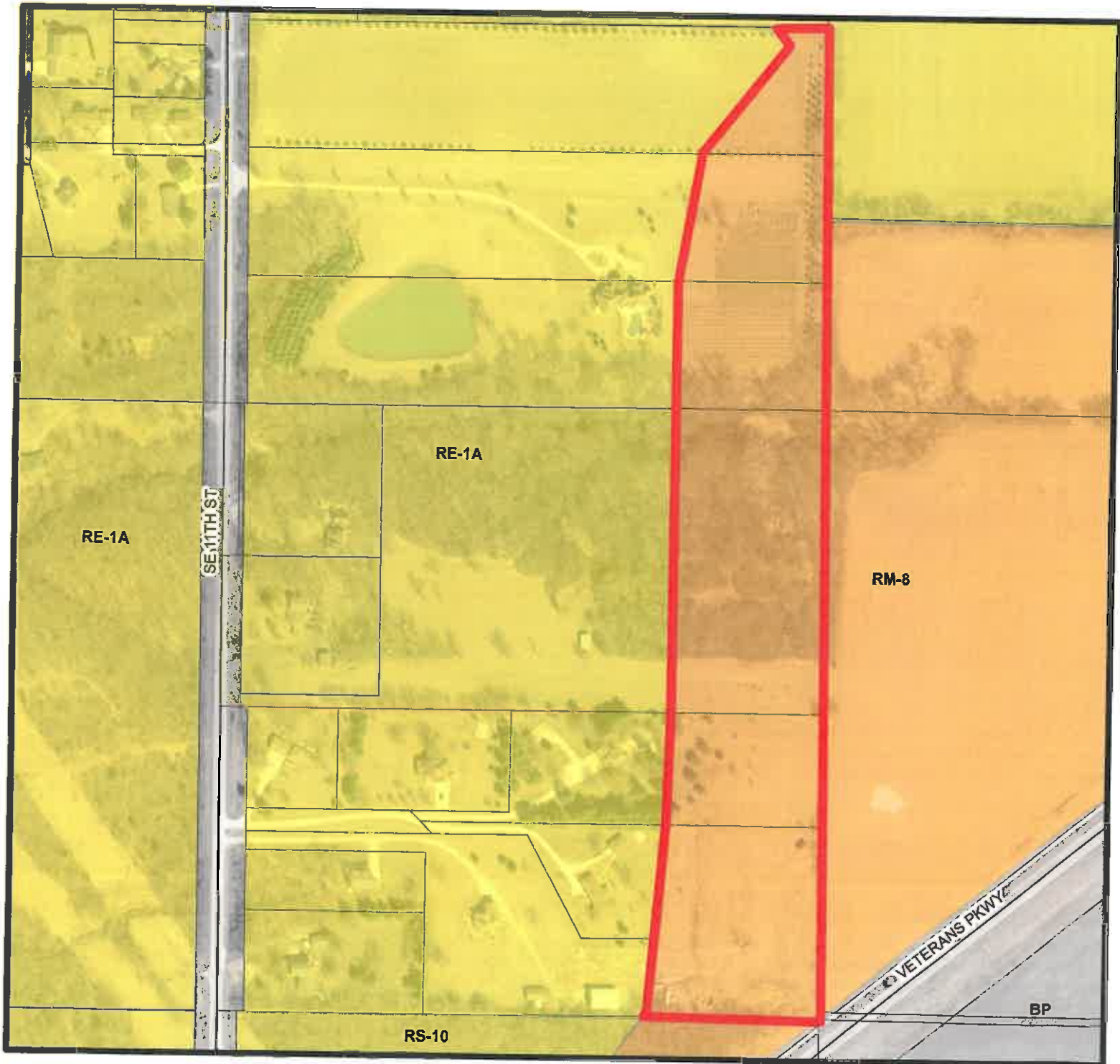


Munro et.al. Rezoning Proposed Land Use

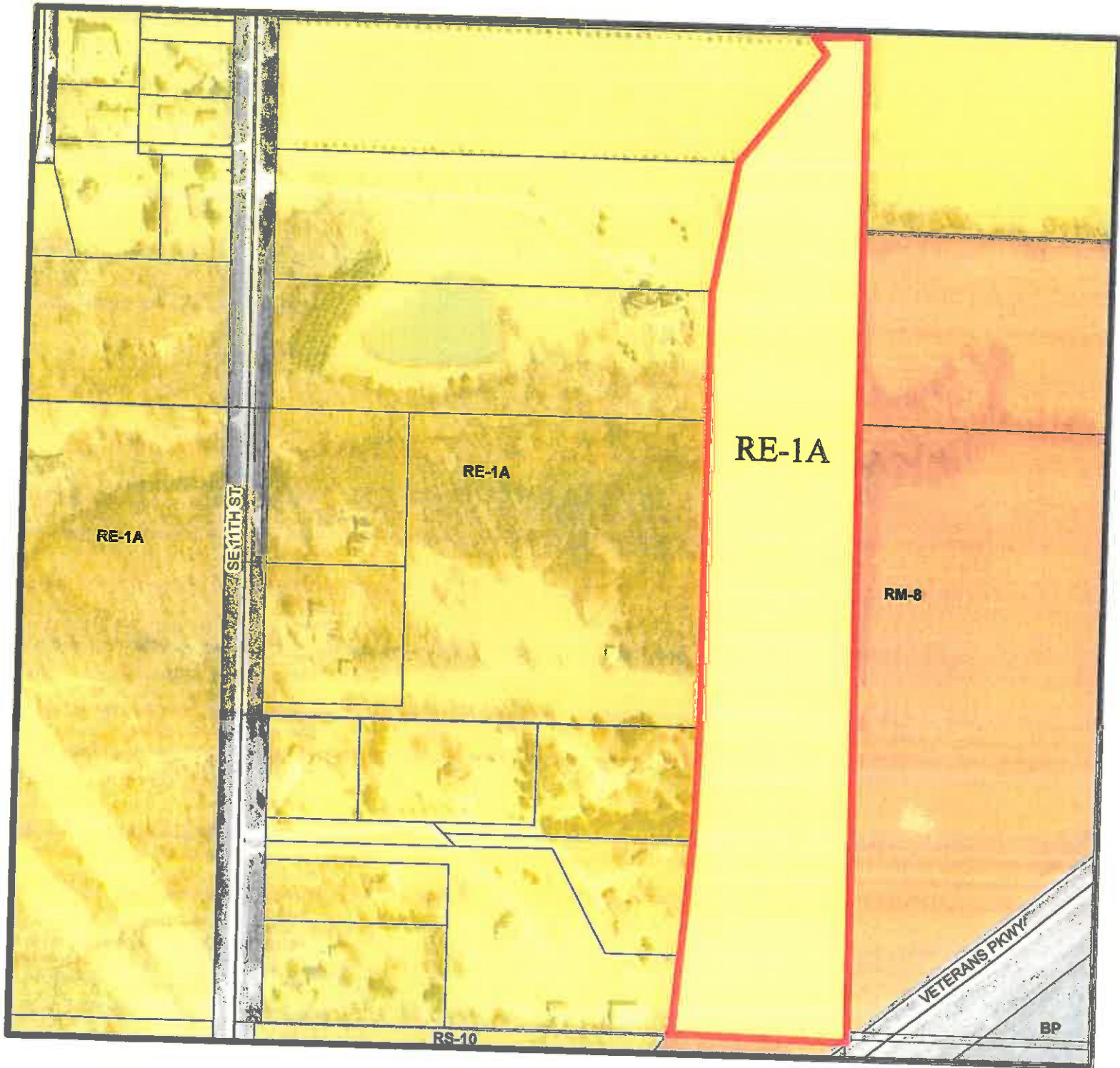


ATTACHMENT E

**Munro et.al. Rezoning
Current Zoning**



Munro et.al. Rezoning
Proposed Zoning



To: Development Services of West Des Moines
Project: Munro Rezoning
November 14, 2016

RECEIVED
CITY OF WDM

NOV 15 2016

DEVELOPMENT
SERVICES

Until the City of West Des Moines planned a road behind our properties, our entire piece of land was zoned RE-1A. The city changed a portion of our land to RM-8. We would like to make our land unified again by rezoning it back to RE-1A.

We were not aware of this change. We were aware of the Southwest Connector road plans but not understanding that our personal property was being rezoned. We did attend the public hearings on the road but our property was never mentioned.

I had recently attended the numerous rezoning meetings dealing with the Grubb rezoning. At this time I inquired with Lynn Twedt why our land had this line through it. Through research I found out that that line portion of our properties was rezoned when the city was planning the Southwest connector (now Veterans Parkway) to RM-8.

We are respectfully requesting the fees for rezoning to be waived. We believe that our properties should never been changed and would like them back to there original zoning.

Thank you for your time,

Margaret Munro

[Handwritten signature]

Greg Heddberg

[Handwritten signature]

Tragesser, Kara

From: Jon Paulsen <jjpcpa@mwcpcl.com>
Sent: Monday, December 05, 2016 8:58 AM
To: Twedt, Lynne
Cc: Tragesser, Kara; Jon Paulsen
Subject: Zoning Meeting
Attachments: CCE120516.pdf

Hi Lynne:

I would like to just confirm my understand from out last discussions as to rezoning.

In the attached document the properties to the west of my property are requesting a rezoning change from Medium Density to Single Family residential. My understanding is that in this case they would be required to buffer my property and my property would have no additional buffering requirements. If this is not correct I would object to any zoning change as it would have a detrimental effect on my property.

Please confirm if my understanding is correct. I will be unable to attend the zoning meeting tonight to a prior commitment.

Thanks and happy holidays.

Jon J. Paulsen, CPA
Meriwether, Wilson and Company, PLLC
4500 Westown Parkway, Suite 140
West Des Moines, Iowa 50266-6717



NOTICE: This Meriwether, Wilson & Company, PLLC email message (including any file attachment) is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged and/or confidential. If you are not the intended recipient, any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by reply email or a collect telephone call and delete or destroy all copies of this message and any file attachment. Thank you.

Twedt, Lynne

From: Jon Paulsen <jjpcpa@mwcpic.com>
Sent: Monday, December 05, 2016 5:20 PM
To: Twedt, Lynne
Subject: Re: Zoning Meeting

Lynn:

In this situation there is no way the zoning on the adjacent properties should be changed as it is not subject to a development plan at this time. Only a negative impact can be experience by adjacent properties with higher zoning. The city should keep the zoning as it is at this time

Sent from my iPhone

On Dec 5, 2016, at 5:00 PM, Twedt, Lynne <Lynne.Twedt@wdm.iowa.gov> wrote:

John:

You are correct, it is counter to what I indicated during the Browns Woods discussions. City Code states the following:

5. Burden Of Provision Of A Buffer: The burden of provision and selection of the buffer shall be as follows:

a. Where two (2) different districts or uses, requiring a buffer between them, are both in an existing improved condition, the above requirement is not retroactive. Should a buffer be desired, it shall be by mutual agreement between property owners or as otherwise provided by law. However, in the event any or all of the improved property is abandoned, destroyed, demolished, etc., for the purpose of renewal, redevelopment, etc., that portion of such property being renewed, redeveloped, etc., shall be considered vacant land subject to the requirements herein.

*b. Where districts or uses require a buffer between them, the burden of the buffer shall be assumed by the developer of the more intense land use and shall be installed when said property develops. The developer of the less intense land use may choose to provide a buffer in order to provide more effective screening to the more intense land use but shall not be required to provide a buffer. In the event a landowner **adjacent to an already developed** property changes the land use designation or zoning of their land to a less intensive use and therefore causes a buffer to be required where none would have been required before then the required buffer shall be shifted away from the owner of the **already developed property** and shall be placed upon the landowner whose actions are causing the need for a buffer.*

I was applying the highlighted provision to **any change** in land use; however, upon more careful reading, it is clear that the shift onto the property requesting the change in use only applies when the adjacent property is already in a developed state, which you are not.

Staff is in the process of reviewing the buffer section of city code to determine if changes are warranted. I can agree that making a **developed** property (of higher intensity) make changes to provide a buffer due to a land use change request that puts a lower intense use adjacent shouldn't be required. I don't agree that when both are in an undeveloped state, that the responsibility should shift because a neighboring property changes land use. I know some staff is in agreement that it should

apply as I had originally believed it did. Not sure how our code review will all flesh out and whether changes will be made, but for now, strict application of code would put the buffer responsibilities on your property.

Sorry for the inaccurate information prior.

Please do not hesitate to contact me with any questions or to discuss further.

Lynne

From: Jon Paulsen [<mailto:jjpcpa@mwcpic.com>]

Sent: Monday, December 05, 2016 3:44 PM

To: Tragesser, Kara <Kara.Tragesser@wdm.iowa.gov>

Cc: Twedt, Lynne <Lynne.Twedt@wdm.iowa.gov>; Jon Paulsen <jjpcpa@mwcpic.com>

Subject: RE: Zoning Meeting

Lynne:

This seems inconsistent with our discussion of what was the situation with Mr. Grubb and his request to go to single family from R8. In the situation you said he would be required to provide a buffer due to the change in the zoning on the land going from R8.

The situation here appears to be the same with the properties now requesting the zoning change from R8 to single family currently under consideration.

Jon J. Paulsen, CPA
Meriwether, Wilson and Company, PLLC
4500 Westown Parkway, Suite 140
West Des Moines, Iowa 50266-6717

<image001.gif>

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From: Tragesser, Kara [<mailto:Kara.Tragesser@wdm.iowa.gov>]

Sent: 12/05/2016 2:59 PM

To: Jon Paulsen

Cc: Twedt, Lynne

Subject: RE: Zoning Meeting

Hi Jon,

Upon review of the buffer requirements in the zoning code, the area that is being rezoned is not required to install a buffer adjacent to your property. It would if your property was developed at a higher density already.

I will place before the Commission tonight a copy of your email which opposes the rezoning of the properties identified in the notice.

Thank you for contacting us.

Kara –

KARA V. TRAGESSEY, AICP
PLANNER | DEVELOPMENT SERVICES
CITY OF WEST DES MOINES
PO BOX 65320 | 4200 MILLS CIVIC PARKWAY SUITE 2D
WEST DES MOINES IA 50265-0320
P: 515-222-3620 F: 515-273-0602
WWW.WDM.IOWA.GOV

From: Twedt, Lynne
Sent: Monday, December 05, 2016 8:59 AM
To: Tragesser, Kara <Kara.Tragesser@wdm.iowa.gov>
Subject: FW: Zoning Meeting

From: Jon Paulsen [<mailto:jjpcpa@mwcpic.com>]
Sent: Monday, December 05, 2016 8:58 AM
To: Twedt, Lynne <Lynne.Twedt@wdm.iowa.gov>
Cc: Tragesser, Kara <Kara.Tragesser@wdm.iowa.gov>; Jon Paulsen <jjpcpa@mwcpic.com>
Subject: Zoning Meeting

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Please confirm if my understanding is correct. I will be unable to attend the zoning meeting tonight to a prior commitment.

Thanks and happy holidays.

Jon J. Paulsen, CPA
Meriwether, Wilson and Company, PLLC

NOTICE of a Public Hearing

Notice sent to
property owners

The West Des Moines Plan and Zoning Commission will review a City-initiated amendment to the West Des Moines Comprehensive Plan Land Use Map, Land Use Designations, 2020 Circulation System and Ultimate Streets Maps on Wednesday, March 10, 2004. The Commission will forward its recommendation to the West Des Moines City Council who will review the amendment at their March 15, 2004 meeting. This proposed amendment will update the current Comprehensive Plan for only that portion of the City's planning area bounded by the Raccoon River, I-35, the east corporate limits, and Sections 4, 5, and portions of Sections 6, 7, 8 and 9 in Linn Township in Warren County. A colored map of the proposed land use designations for the area can be found on the City's webpage at www.wdm-ia.com under *NEWS - Comprehensive Plan Update - Southeast Area Map* or you can call 222-3620 to make other arrangements to get a copy of the proposed land use map. You are receiving this notice because you own property within this area, are within 370 feet from the boundary of this area, or have requested to receive information about the Comprehensive Plan Update.

This amendment was previously discussed and approved at the October 1, 2003, Plan and Zoning Commission meeting. However, the Community Development Council Committee recommended changes to the proposed land use designations in this area and requested that the amendment be reviewed again by the Commission before coming to the full City Council for their review and action.

The Plan and Zoning Commission meeting will begin at 7:05pm and will be held in the West Des Moines City Hall Council Chambers, located at 4200 Mills Civic Parkway, West Des Moines, IA 50265. The City Council meeting will begin at 5:30pm and will also be held in the West Des Moines City Hall Council Chambers. At both meetings, the public will be given an opportunity to address the Commission or Council to express their views on the proposed Comprehensive Plan amendments.

The City's planning area extends from the City's corporate boundaries on the east to just past R-22 in Dallas County on the west, and from the corporate boundaries/I-80 on the north to Sections 4, 5, and portions of Sections 6, 7, 8 and 9 in Linn Township in Warren County and to G-14 in Madison County on the south; however, only the area south of the Raccoon River and east of I-35 (the southeast area) will be considered at this hearing. Future hearings will review other quadrants of the planning area, as well as the updated text and supporting maps and information proposed for the document.

Please understand that the intent of this Comprehensive Plan Update effort is to plan for future land uses in the areas within and outside of the City's present corporate limits. Any annexation or zoning changes would require separate action, and are not part of the Comprehensive Plan Update process.

If you have any questions on this project, please contact **Kara Tragesser** or **Naomi Larson**, the case planners assigned to this project, at (515) 222-3620 or email them at commdevelop@wdm-ia.com. A letter expressing your comments and opinions on this matter may also be submitted to the Community Development Department, 4200 Mills Civic Parkway, P.O. Box 65320, West Des Moines, Iowa 50265, prior to the meeting date.

Clyde E. Evans
Community Development Director

Published on February 27, 2004, in the Polk County Press Citizen
Published on March 3, 2004, in the Indianola Record Herald

It is the responsibility of the individual with a disability requiring accommodations to inform the Community Development Department, at least 48 hours in advance, that certain accommodations are requested in order to allow full participation in the Plan and Zoning Commission meeting. Please call 515-222-3620 to request the necessary accommodations.

NOTICE of a Public Hearing

*Notice sent
to newspapers*

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*Notice sent to
paper and property
owners*

NOTICE OF
PUBLIC HEARING

The West Des Moines Plan and Zoning Commission will hold a public hearing to review a request by the City of West Des Moines for consistency rezoning to zone land consistent with the Comprehensive Plan Land Use map for land within the corporate limits. The subject properties generally are located south of the Raccoon River and east of I-35 to the West Des Moines Corporate limits. Also at this meeting, the Commission will hear a request by the City to amend the Comprehensive Plan Zoning Compatibility matrices and an Ordinance Amendment for City Code Title 9, Zoning, to establish a new zoning district, the Warehouse/Retail district.

This public hearing will be held at the Commission's regularly scheduled meeting on Wednesday, March 9, 2005, at 7:00 P.M. in the Council Chambers of the West Des Moines City Hall, located at 4200 Mills Civic Parkway, West Des Moines, Iowa.

Upon their review, the Commission will make a recommendation that will be forwarded to the City Council, who will make the final decision on this request. A separate public hearing notice will be issued for the subsequent City Council meeting date regarding this item. Comments may be given in person before the Commission during the public hearing or written comments regarding this request may be submitted prior to the hearing to the Community Development Department, 4200 Mills Civic Parkway, Suite 2D, PO Box 65320, West Des Moines, IA, 50265-0320. If you have any questions regarding this request, please contact **Kara Tragesser** or **Naomi Larson**, the case planners assigned to this project, at 515-222-3620.

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Clyde E. Evans, AICP
Community Development Director

Published February 25, 2005, in the Polk County Press Citizen
Published February 23, 2005, in the Indianola Record Herald
Published February 24, 2005, in the Dallas County News

PROPOSED ZONING DISTRICT

Notice sent
to property owners

211

Address: Not Assigned: refer to Geoparcel Number

Geoparcel Number (obtained from Polk County): ~~782527476003~~ Example

Proposed Zoning District(s): ~~PCP~~ Example

ZONING DISTRICT ABBREVIATIONS AND DEFINITIONS

For more information regarding the types of uses that are allowed in each zoning district, please refer to Chapter 5 (for residential uses) and Chapter 6 (for non-residential uses) of the City's Zoning Code, which can be found on the City's web page at www.wdm-ia.com. From the home page, click on "West Des Moines City Code" and choose "Title IX Zoning" and then your selected chapter.

OS-Agricultural/Open Space District: The purpose of this district to provide for areas that will be dominated by agricultural uses, grazing, nonfarm wooded areas and very large lot estate or farm homes. To encourage the preservation of areas designated as agricultural/open space in a largely undeveloped state, allowable dwelling units may be transferred to portions of the subject property which are not designated agricultural/open space. It is also intended that this designation: 1) provide for very low-density farmland environment and housing/lifestyle choice; 2) retain land with significant topographical or other physical constraints as open space; 3) provide a buffer between incompatible land uses; 4) provide for the controlled development of natural resources; 5) provide for the preservation of areas with unique environmental resources; and 6) hold some land from urban development until such time as development within urban services areas are approaching full development or the development of the property has a significant beneficial effect for the city and furtherance of the policies of the comprehensive plan.

RE-Residential Estate District: The purpose of this district is to promote a residential environment typified by larger lot single-family detached dwellings of an individual design. The minimum lot size within a development or area shall be stipulated by a minimum lot size suffix that will be established for each RE district (e.g. "1A" means that the minimum lot size is one acre). These low-density lots shall be grouped and be of such a number so as to form an identifiable neighborhood and image. Developments within this density range may lend themselves to development with septic systems. However, all developments on septic systems shall be fitted with dry sewers to allow connection to the citywide sanitary system when it becomes available. Septic systems shall only be allowed for developments located in areas that have soils and unit densities suitable for septic systems. Areas with poor soils for septic systems and no available sewers shall not be developed until such time that adequate sanitary sewers for the development are secured.

RS-Residential Single-Family District: The purpose of this district is to encourage residential neighborhoods of exclusively single-family detached dwellings with a wide range of lot sizes. Any development must have an overall density from 1.1 to 6.0 dwelling units/acre. Minimum lot sizes may be established for each RS district through the use of a minimum lot size suffix (e.g. "RS-10" means that the minimum lot size will be 10,000 square feet). This land use zone is also intended to facilitate pedestrian access to schools, churches, parks, and neighborhood convenience shopping.

RM-Residential Medium-Density District: The purpose of this district is to foster a residential environment typified by single-family attached homes and low density multi-family dwellings. Sites designated as such shall be oriented to arterial and collector streets, transit routes, convenience shopping, local and regional services, and employment centers. This district is important to the housing market as it is geared to both owners and renters. The district allows for single-family attached and multi-family dwelling units of no more than 12 dwelling units/acre. Suffixes shall be used in the RM district to identify the maximum allowed density for the subject property (e.g. "RM-8" means that the maximum density is 8 dwelling units per acre).

RH-Residential High-Density District: The purpose of this district is to provide for a relatively high-density residential environment. This land use category may be utilized as a transition between commercial retail and office uses, and lower density residential uses. Developments within this land use district shall be oriented to arterial or collector streets, transit routes, convenience shopping, local and regional services, and employment centers. This district allows single-family attached and multi-family dwellings of no greater than 18 dwelling units/acre.

CMC-Community Commercial District: Community commercial areas shall be designated to supply daily and occasional shopping needs. Each community commercial area should be encouraged to include a variety merchandise store, one or more supermarkets, a drugstore, restaurants, banks and a large number and variety of other stores. Community commercial areas may be large, may tend to expand across streets, and may be created in small incremental additions. The separation between community commercial areas should be three (3) to five (5) miles. A community commercial area should range in size from fifteen (15) to fifty (50) acres. Community commercial areas should be located at the intersection of either two (2) arterial or major collector streets. Primary access should not be taken off local residential streets.

SC-Support Commercial District: Support commercial areas shall be designated to provide for commercial centers and uses which are oriented toward the freeway-motoring public and/or employment centers. Typical uses would include hotels/motels, restaurants, gasoline service stations, professional offices, laundry and dry-cleaning establishments, banks, drugstores, office supply stores, convenience markets or other professional services. Support commercial areas shall be sized to meet the needs of the motoring public and/or the employment center. Support commercial areas that are intended to provide services to employment centers shall incorporate pedestrian orientation to and from the employment areas into their design.

PCP-Professional Commerce Park District: This district has been identified as an area for accommodating the management, research, design, marketing and production needs of those professional-commerce enterprises which comply with the performance standards of the applicable sections of this code for the abatement of all obnoxious, detrimental or other generally unacceptable characteristics including ugliness of physical and natural properties; and for the encouraged use of those contemporary, modern and futuristic design techniques which yield compatibility of one area to another as well as special beauty. Further, in the interest of general community welfare, it is recognized that the community should be beautiful as well as financially prosperous, spacious as well as efficient, physically balanced as well as regulated. This district shall not be used indiscriminately to permit any use which might violate the general welfare of the community; but that it shall be restricted and confined to only those integrated professional-commerce uses which produce net gain to the community in both aesthetic and material quality.

WR-Warehouse Retail: *(Proposed new district)* Warehouse Retail areas shall be designated to provide areas for mixed use development of lighter industrial uses and the more intensive service, retail, and wholesale commercial uses. Allowable uses include research and development; light distribution; wholesale or retail sale of industrial supplies, building equipment and materials, home furnishings and home improvement; car dealerships; restaurants; and convenience stores.

BP-Business Park District: Business park areas shall be designated to provide desirable areas protected by performance, design and use controls regarding lot size, building size, appearance, land coverage, parking and loading facilities, noise, dust, fumes, internal circulation and other environmental and functional issues for a variety of office, research and development, warehouse and distribution, and light assembly and manufacturing uses. Included within this category is a limited range of commercial uses located and designed to service the business park area. Business park areas should be encouraged to be planned as a unit with compatibility of design, building materials, and landscaping acting as a unifying theme. Access to business park areas should be off of arterial and/or collector roadways. Primary access should not be taken off of local residential streets.

LI - Light Industrial District: Light industrial areas shall be designated to provide areas for most light industrial, and warehouse and distribution facilities. It is of special concern to the city that there be an adequate variety of sizes and locations of light industrial parcels. Appropriate buffering as prescribed by the zoning ordinance shall be established between light industrial areas and other uses, in particular, residential uses. Access to light industrial areas should be off of arterial and/or collector

**NOTICE OF
PUBLIC HEARING**

*Notice sent to
newspapers and
property owners*

The West Des Moines City Council will hold a public hearing to review a request by the City of West Des Moines for consistency rezoning to zone land consistent with the Comprehensive Plan Land Use designation for land within the corporate limits. These properties generally are located south of the Raccoon River and east of I-35 to the West Des Moines Corporate limits. Also at this meeting, the Council will consider a recommendation from the Plan & Zoning Commission to adopt a Comprehensive Plan amendment to add the Warehouse/Retail zoning district to the compatibility matrix.

This public hearing will be held at the City Council's regularly scheduled meeting on Monday, April 11, 2005, at 5:30 P.M. in the Council Chambers of the West Des Moines City Hall, located at 4200 Mills Civic Parkway, West Des Moines, Iowa.

Comments may be given in person before the Council during the public hearing or written comments regarding this request may be submitted prior to the hearing to the Community Development Department, 4200 Mills Civic Parkway, Suite 2D, PO Box 65320, West Des Moines, IA, 50265-0320. If you have any questions regarding this request, please contact **Kara Tragesser** or **Naomi Larson**, the case planners assigned to this project, at 515-222-3620.

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Clyde E. Evans, AICP
Community Development Director

Published March 30, 2005, in the Indianola Record Herald
Published March 25, 2005, in the Polk County Press Citizen

Prepared by: KTragesser, Development Services PO 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 COMPREHENSIVE PLAN AMENDMENT (CPA-003277-2016) TO AMEND THE COMPREHENSIVE PLAN LAND USE MAP FOR THE PURPOSE OF CHANGING THE LAND USE DESIGNATION OF A PORTION OF THE PROPERTIES LOCATED 2480, 2580, 2640, AND 2720 SE 11TH STREET FROM MEDIUM DENSITY RESIDENTIAL TO LOW DENSITY RESIDENTIAL

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, Munro et. al., George Hedding, Melvin Rosario, and Bryan Boisen have requested approval for a Comprehensive Plan Amendment to amend the Comprehensive Plan Land Use Plan to change the land use designation of a portion of the property located at 2480, 2580, 2640, and 2720 SE 11th Street from Medium Density Residential (MD) to Low Density Residential (LD) and legally described as follows and as illustrated in Exhibit B:

Legal Description

See Exhibit A

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 December 5, 2016, the Plan and Zoning Commission did recommend the City Council approve the Comprehensive Plan Amendment;

WHEREAS, on December 12, 2016, the City Council held a duly-noticed public hearing to consider the application for Comprehensive Plan Amendment;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA DOES HEREBY FIND AND RESOLVE AS FOLLOWS:

SECTION 1. The findings, for approval, in the staff report for the hearing or as amended orally at the City Council meeting are adopted.

SECTION 2. The amendment of the Comprehensive Plan Land Use Map as described above is hereby adopted.

PASSED AND ADOPTED on _____, 2016.

Steve Gaer
Mayor

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 December 12, 2016, by the following vote:

ATTEST:

Ryan Jacobson
City Clerk

**Exhibit A
Legal Description**

The East 272 feet of Lot 4 Fairmont Estates; and

The East 321 feet of Lot 5 Fairmont Estates; and

The East 324 feet of Lot 6 Fairmont Estates, all being official plats now in and forming a part of the City of West Des Moines, Polk County, Iowa

And

The East 335 feet or the following described property: -EX HEDDINGER PLAT 1- & -EX N 300F S 330F E 300F W 345F- N 1/2 NE 1/4 SE 1/4 SEC 27-78-25; and

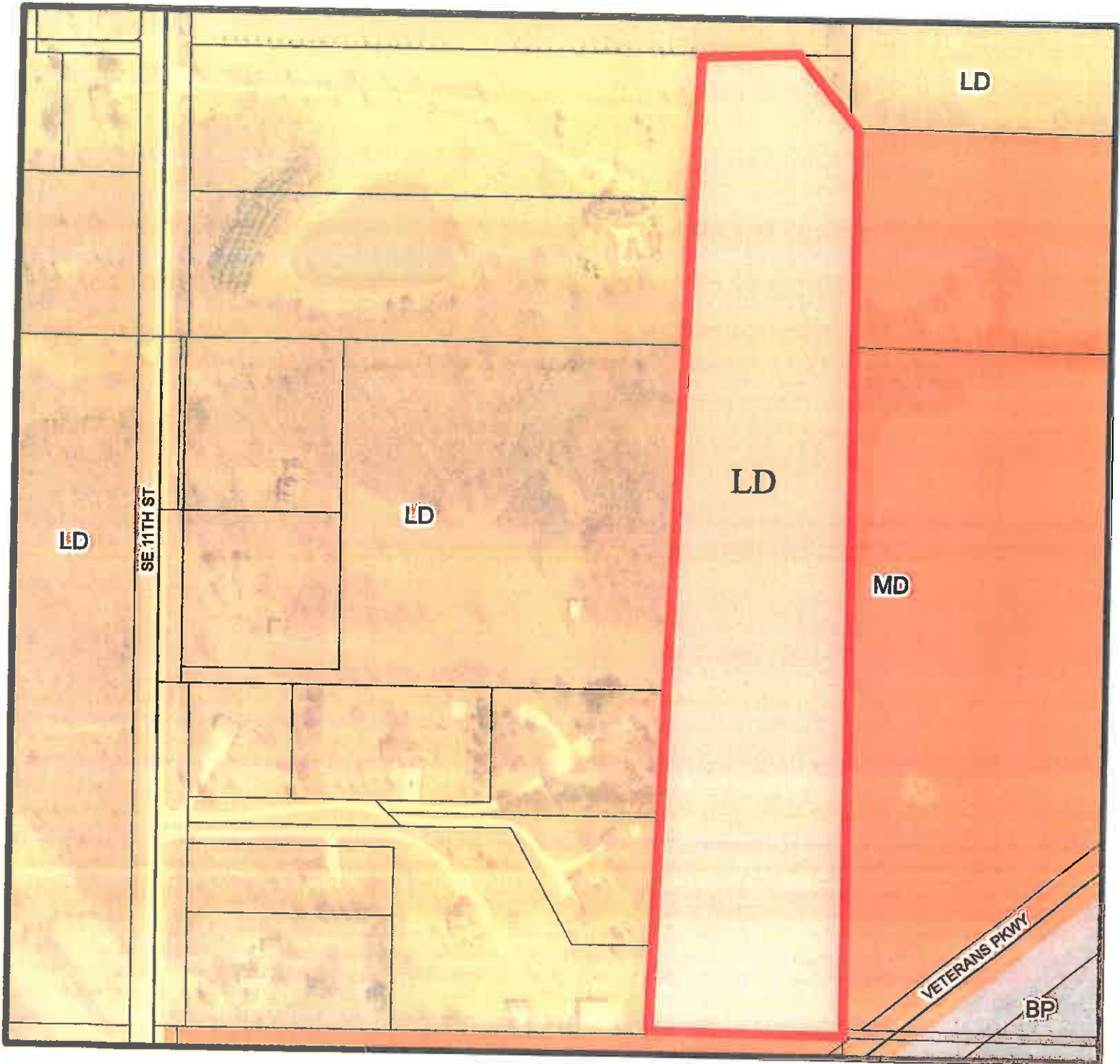
The East 334 feet of the following described property: N 245.08F MEAS ON E LN E 320.80F LOT 3 BLUE RIDGE HEIGHTS; and

The East 377 feet of the following described property: PARCEL B BEG SE COR THN W 182.12F N 352.67F W 396.14F N20F E 579.51F S 371.44F TO POB LOT 1 & PARCEL C BEG SE COR THN W 673.97F N 371.44F W 579.51F N20F E 619.94F SE 255.5F E 154F NE 250.76F E 335.54F S 416.64F TO POB LOT 2 BLUE RIDGE HEIGHTS REPLT

All in and forming a part of the City of West Des Moines, Polk County, Iowa

EXHIBIT B

**Munro et.al. Rezoning
Proposed Land Use**



Prepared by: K Tragesser, 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

ORDINANCE NO.

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AND THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2014, BY AMENDING TITLE 9: ZONING, CHAPTER 4: ZONING DISTRICTS AND MAP

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

SECTION 1. AMENDMENT: The Zoning Map of the City of West Des Moines, Iowa, is hereby amended by changing the zoning of a portion of the properties located at 2480, 2580, 2640, and 2720 SE 11th Street from Residential Medium Density (RM-8) to Residential Estate (RE-1A) as legally described below and as illustrated in Exhibit B;

Legal Description

SEE EXHIBIT A

SECTION 2. 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 3. VIOLATIONS AND PENALTIES. Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in title 1, Chapter 4, Section 1 and Section 2 of the City Code of the City of West Des Moines, Iowa.

SECTION 4. 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 5. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

Approved and passed by the City Council on the ____ day of _____, 2016

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson
City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the ____ day of _____
_____, 2016.

Ryan T. Jacobson
City Clerk

EXHIBIT A
Legal Description

The East 272 feet of Lot 4 Fairmont Estates; and

The East 321 feet of Lot 5 Fairmont Estates; and

The East 324 feet of Lot 6 Fairmont Estates, all being official plats now in and forming a part of the City of West Des Moines, Polk County, Iowa

And

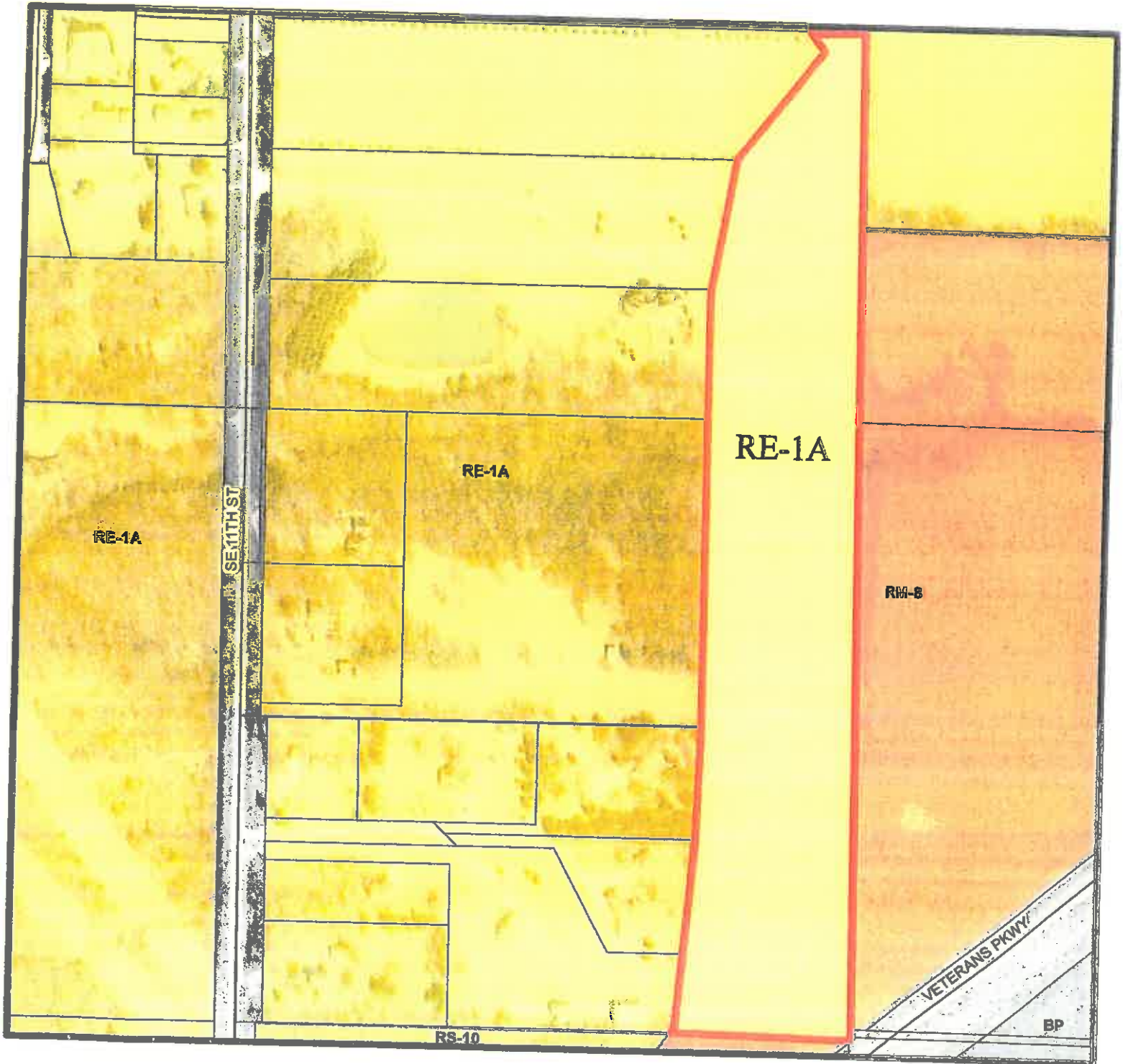
The East 335 feet or the following described property: -EX HEDDINGER PLAT 1- & -EX N 300F S 330F E 300F W 345F- N 1/2 NE 1/4 SE 1/4 SEC 27-78-25; and

The East 334 feet of the following described property: N 245.08F MEAS ON E LN E 320.80F LOT 3 BLUE RIDGE HEIGHTS; and

The East 377 feet of the following described property: PARCEL B BEG SE COR THN W 182.12F N 352.67F W 396.14F N20F E 579.51F S 371.44F TO POB LOT 1 & PARCEL C BEG SE COR THN W 673.97F N 371.44F W 579.51F N20F E 619.94F SE 255.5F E 154F NE 250.76F E 335.54F S 416.64F TO POB LOT 2 BLUE RIDGE HEIGHTS REPLT

All in and forming a part of the City of West Des Moines, Polk County, Iowa

Munro et.al. Rezoning
Proposed Zoning



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

Date: December 12, 2016

ITEM: Mills Crossing, 5901 Mills Civic Parkway – Amend Mills Crossing Specific Plan to add acceptable site amenities for the development - Hurd Mills, LLC –ZCSP-003288-2016

ORDINANCE: Approval of First Reading of the Ordinance

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, Hurd Mills LLC., is requesting an amendment to the Mills Crossing Specific Plan to add to the Specific Plan pedestrian benches that will be acceptable within the development. The Mills Crossing Specific Plan ordinance was approved by the City Council in 2014. This is the first amendment.

Plan and Zoning Commission Action:

Vote: 4-0 approval, with Commissioners Brown, Southworth and Costa absent.

Date: December 5, 2016

Motion: Adopt a resolution recommending the City Council approve the first reading of the Mills Crossing Specific Plan Ordinance amendment




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
- History
- City Council Subcommittee – *November 28, 2016*
- Staff Review and Comments
- Comprehensive Plan Consistency
- Town Center Overlay District Consistency
- Findings
- Staff Recommendations and Conditions of Approval
- Noticing Information
- Property 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 first reading of the Mills Crossing Specific Plan Ordinance amendment, subject to the applicant meeting all City Code requirements.

Lead Staff Member: Kara Tragesser, AICP 

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Date(s) Published	November 25, 2016
Letter sent to surrounding property owners	November 22, 2016

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	November 28, 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 and Zoning Commission Resolution
- Exhibit A - Conditions of Approval
- Attachment B - Location Map
- Attachment C- Mills Crossing Specific Plan Illustration Amendment (moved to Exhibit II)
- Exhibit II - Ordinance: Mills Crossing Specific Plan Amendment

CITY OF WEST DES MOINES
PLAN AND ZONING COMMISSION COMMUNICATION

Meeting Date: December 5, 2016

Item: Mills Crossing, 5901 Mills Civic Parkway – Amend Mills Crossing Specific Plan to add acceptable site amenities for the development - Hurd Mills, LLC –ZCSP-003288-2016

Requested Action: Approval of amendment to the Mills Crossing Specific Plan for acceptable site amenities for the development

Case Advisor: Kara Tragesser, AICP 

Applicant's Request: The applicant, Hurd Mills LLC., is requesting an amendment to the Mills Crossing Specific Plan to add to the Specific Plan pedestrian benches that will be acceptable within the development. The Mills Crossing Specific Plan ordinance was approved by the City Council in 2014. This is the first amendment.

History: On November 3, 2014, the City approved the Mills Crossing Specific Plan ordinance to govern development of the property at 5901 Mills Civic Parkway. On March 23, 2015, an Overlay District Site Plan was approved to construct a 69, 225 sq. ft. building which now houses REI and The Container Store. On May 11, 2015, an Overlay District Site Plan was approved to construct a 2,400 sq. ft. building which is now Caribou Coffee. On April 6, 2016, a Permitted Conditional Use permit was approved to construct a 6,321 sq. ft. convenience store which is a Kum & Go convenience store with gasoline sales. A site plan for an office building is in review for the southwest corner of the site.

City Council Subcommittee: This project was presented to the Planning and Development City Council Subcommittee on November 28, 2016. The Subcommittee supported the amendment.

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. The built condition of the development incorporated metal benches in the pedestrian plazas and amenities; the metal benches were not an approved amenity in the specific plan ordinance. Staff has no issue with the use of the benches and encourages their continued use throughout the development. The amendment to the Specific Plan ordinance will formally recognize and authorize the use of the metal benches for the development. Only the exhibits for the ordinance need to be changed (see Attachment C – Mills Crossing Specific Plan Illustration Attachment). No other text or site plan changes are included in the ordinance amendment.

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.

Town Center Overlay District Consistency: The proposed project has been reviewed for consistency with the proposed Town Center Overlay District Guidelines. Based upon that review, a finding has been made that the proposed project is consistent with the Town Center Overlay District Guidelines in that the plan is consistent with the overall objective and intents of the Town Center Overlay District Guidelines.

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 zoning designation and 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 and the Town Center Overlay District, staff recommends the Plan and Zoning Commission adopt a resolution recommending the City Council approve the first reading of the Mills Crossing Specific Plan Ordinance Amendment to include acceptable site amenities for use within the development, subject to the applicant meeting all City Code requirements

Noticing Information: On November 25, 2016, notice for the December 5, 2016, Plan and Zoning Commission and December 12, 2016, City Council Public Hearings on this project was published in the Des Moines Register. Notice of these public hearings was also mailed to all surrounding property owners within 370 feet of the subject property on November 22, 2016.

Property Owner: Hurd Mills LLC
 2000 Fuller Road
 West Des Moines IA 50265
 515-778-1000
 Richard Hurd

Applicant(s): Same

Applicant's Representatives:
 Ed Arp
 Civil Engineering Consultants, Inc.
 2400 86th Street, Unit 12
 Des Moines IA 50322
 515-276-4884

ATTACHMENTS:

- Attachment A - Plan and Zoning Commission Resolution
- Exhibit A - Conditions of Approval
- Attachment B - Location Map
- Attachment C - Mills Crossing Specific Plan Illustration Amendment

RESOLUTION NO. PZC-16-075

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVED THE AMENDMENT TO THE MILLS CROSSING SPECIFIC PLAN FOR TO INCLUDE ACCEPTABLE SITE AMENITIES AT 5901 MILLS CIVIC PARKWAY

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Hurd Mills LLC, has requested an amendment to the Mills Crossing Specific Plan (ZCSP-03288-2016 for the property located at 5901 Mills Civic Parkway to include acceptable site amenities for the development;

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

WHEREAS, on December 5, 2016, this Commission held a duly-noticed hearing to consider the application for approval of the amendment to the Mills Crossing Specific Plan;

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 as written or as amended orally at the Plan and Zoning Commission hearing of December 5, 2016, are adopted.

SECTION 2. The Mills Crossing Specific Plan amendment to include acceptable site amenities is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, including conditions added at the Hearing, 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 December 5, 2016.

Craig Erickson, Chairperson
Plan and Zoning Commission

ATTEST:

Harris 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 December 5, 2016 by the following vote:

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

ATTEST:

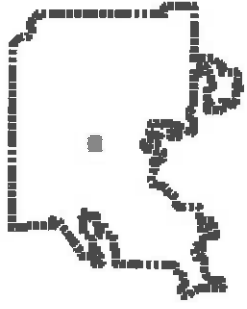
Harris Taylor
Recording Secretary

**Exhibit A
Conditions of Approval**

None

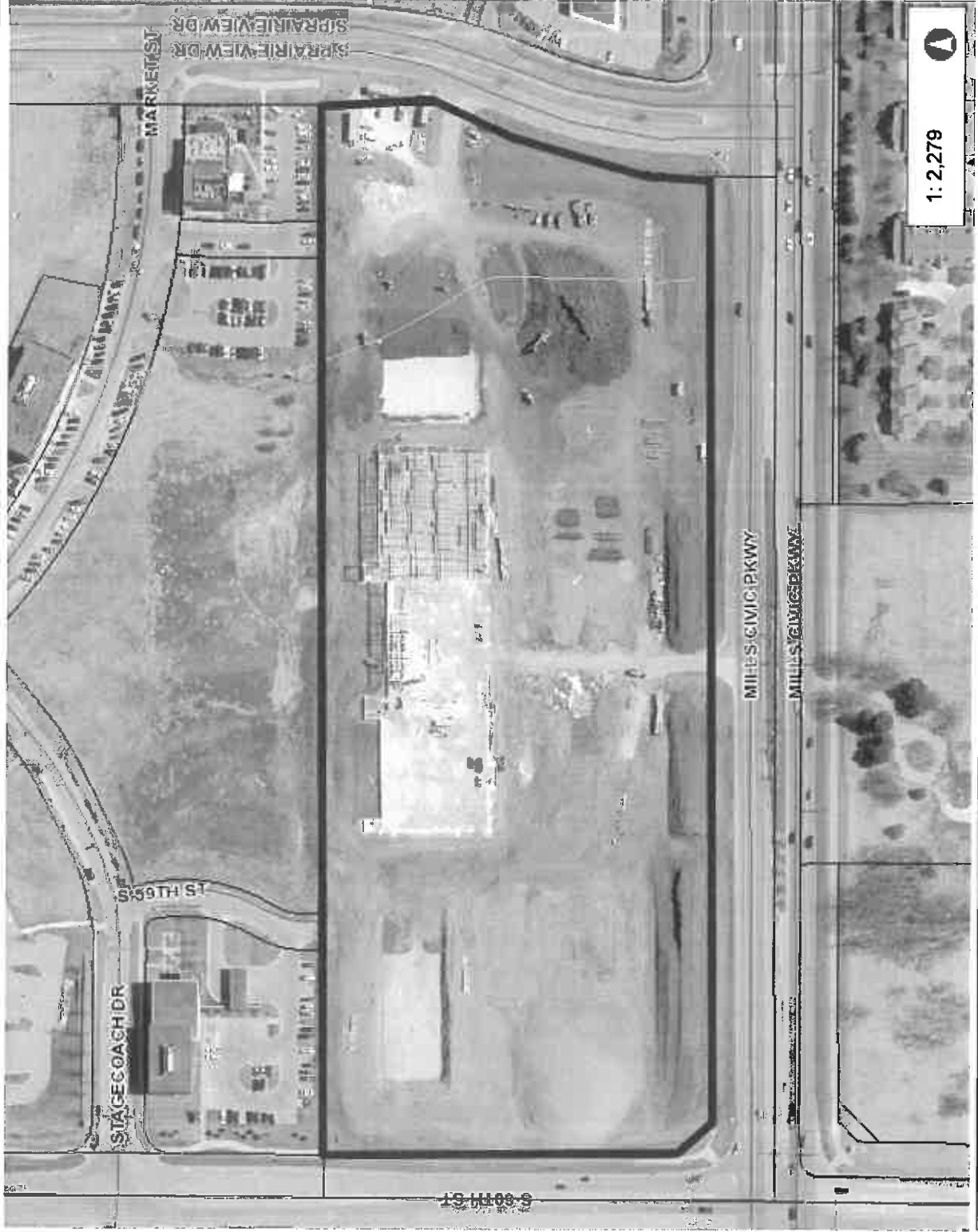


5901 Mills Civic Parkway



Legend

Parcels



1:2,279

379.9 Feet

189.96

0

379.9

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

Prepared by: KTragesser, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265 515-222-3620
Return To: City Clerk, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265 515-222-3603

ORDINANCE #

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA 2014, AND ORDINANCES #1417, #1510 AND #2060 MILLS CROSSING ACCORDING TO TITLE 9, ZONING, CHAPTER 9, PLANNED UNIT DEVELOPMENT DISTRICT, PERTAINING TO P.U.D. (PLANNED UNIT DEVELOPMENT) DISTRICT REGULATIONS AND GUIDELINES.

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

SECTION 1. AMENDMENT: Ordinance #1417, #1510, and #2060 “Mills Crossing” is hereby amended by amending the Specific Plan Map and associated documents on file with the City Clerk as illustrated in Exhibit A of this ordinance.

SECTION 2: VIOLATIONS AND PENALTIES. Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in 1-4-1 of the City Code of the City of West Des Moines, Iowa.

SECTION 3: 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 4: SAVINGS CLAUSE. If any section, provision, sentence, clause, phrase or part of the 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 5: EFFECTIVE DATE. This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed and approved this ____ day of _____, 2016.

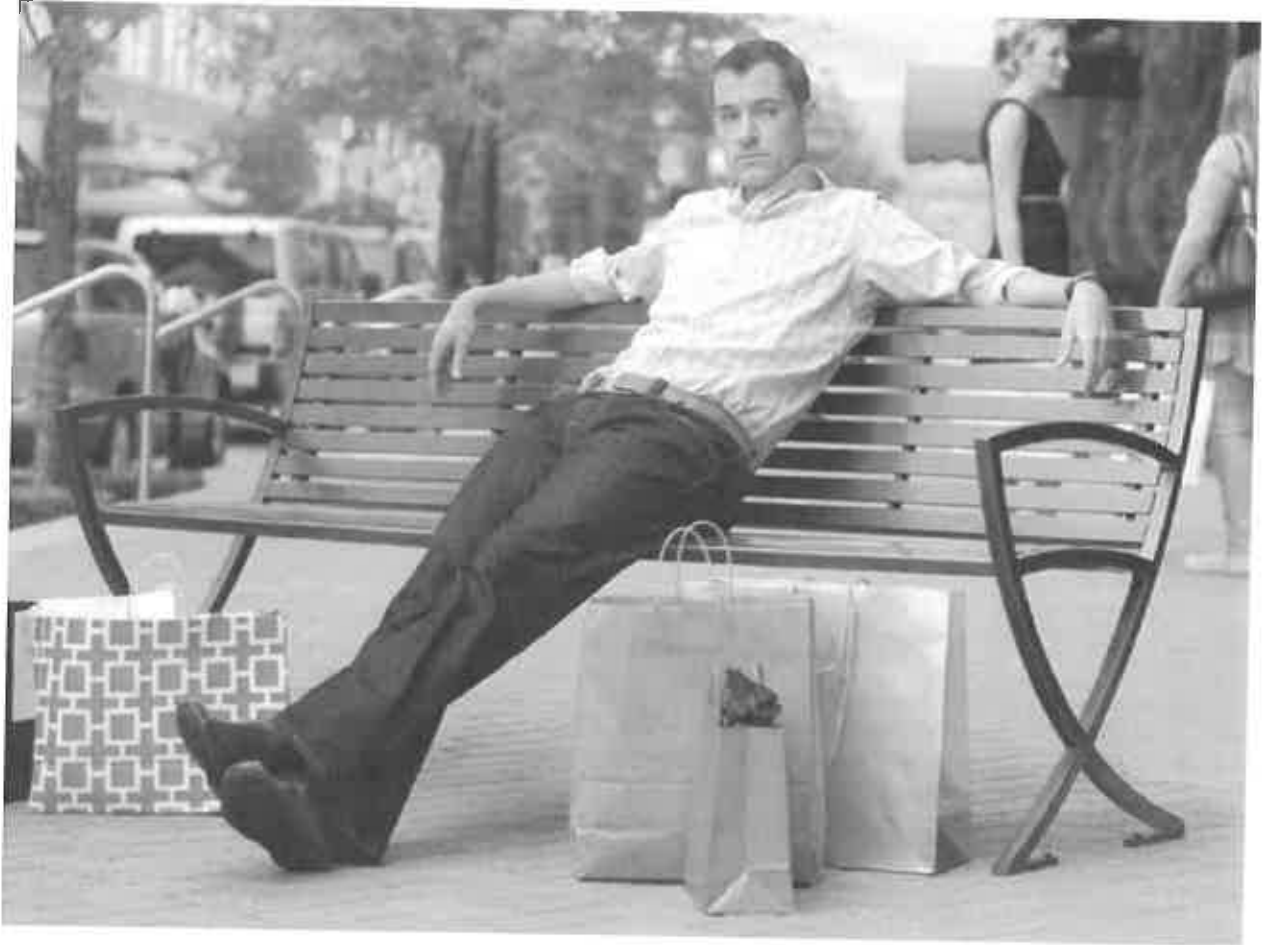
Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson
City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the ___ day of _____,
2016.

Ryan T. Jacobson
City Clerk



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

DATE: December 12, 2016

ITEM: Country Club Office Plaza West Plat 8, 1080 Jordan Creek Parkway – Vacation of two public sanitary sewer easements – Dallas County Partners – FP-003240-2016

RESOLUTION: **Approval of Vacation Request**

FINANCIAL IMPACT: Undetermined.

BACKGROUND: On November 14, 2016, the City Council approved a preliminary plat for property located at 1080 Jordan Creek Parkway. Noted on the preliminary plat are two existing public sanitary sewer easements. As part of the review of the preliminary plat staff has determined that these two easement are no longer needed as sanitary sewer services will be provided in another manner. The applicant then requested vacation of the easements to release the public interest in the easement area in order to plan for the construction of an office building.

Staff reviewed the easement vacation request and supports the vacation of the public easement.

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 vacation of two existing Public Sanitary Sewer easements at Book 832, Pages 369-390 and at Book 2004 Page 13726 in the Dallas County Recorder’s Office, and as attached in Exhibit I, subject to the applicant meeting all City Code requirements.

Lead Staff Member: Kara Tragesser, AICP *[Signature]*

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	
Date(s) Published	December 2, 2016	
Letter sent to surrounding property owners		N/A

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development and Planning		
Date Reviewed	October 17, 2016		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

ATTACHMENTS:

Exhibit I - City Council Resolution (No Conditions of Approval)

Prepared by: KTragesser, 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 A REQUEST BY DALLAS COUNTY PARTNERS TO VACATE TWO EXISTING PUBLIC SANITARY SEWER EASEMENTS AT 1080 JORDAN CREEK, LOT 1 COUNTRY CLUB OFFICE PLAZA WEST PLAT 6 (FP-002340-2016)

WHEREAS, pursuant to the provisions of Title 10, Chapter 1 et seq, of the West Des Moines Municipal Code, Dallas County Partners requests that the City of West Des Moines vacate two existing public sanitary sewer easements over part of Lot 1, Country Club Office Plaza West Plat 6, an official plat now in and forming a part of the City of West Des Moines, Dallas County;

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 December 12, 2016, this City Council held a duly-noticed public hearing to consider the application to vacate the public sanitary sewer easements at Book 832 Page 369-390 and at Book 2004 Page 13726 and as illustrated in Exhibit A;

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 December 12, 2016, or as amended orally at the City Council hearing of December 12, 2016, are adopted.

SECTION 2. The request to vacate two existing Public Sanitary Sewer Easements recorded in Dallas County, is approved, subject to compliance with all the conditions in the staff report, dated December 12, 2016, including conditions added at the Hearing. Violation of any such conditions shall be grounds for any remedy, legal or equitable, which is available to the City.

PASSED AND ADOPTED on December 12, 2016.

Jim Sandager, Mayor Pro-Tem

ATTEST:

Ryan 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 December 12, 2016, by the following vote:

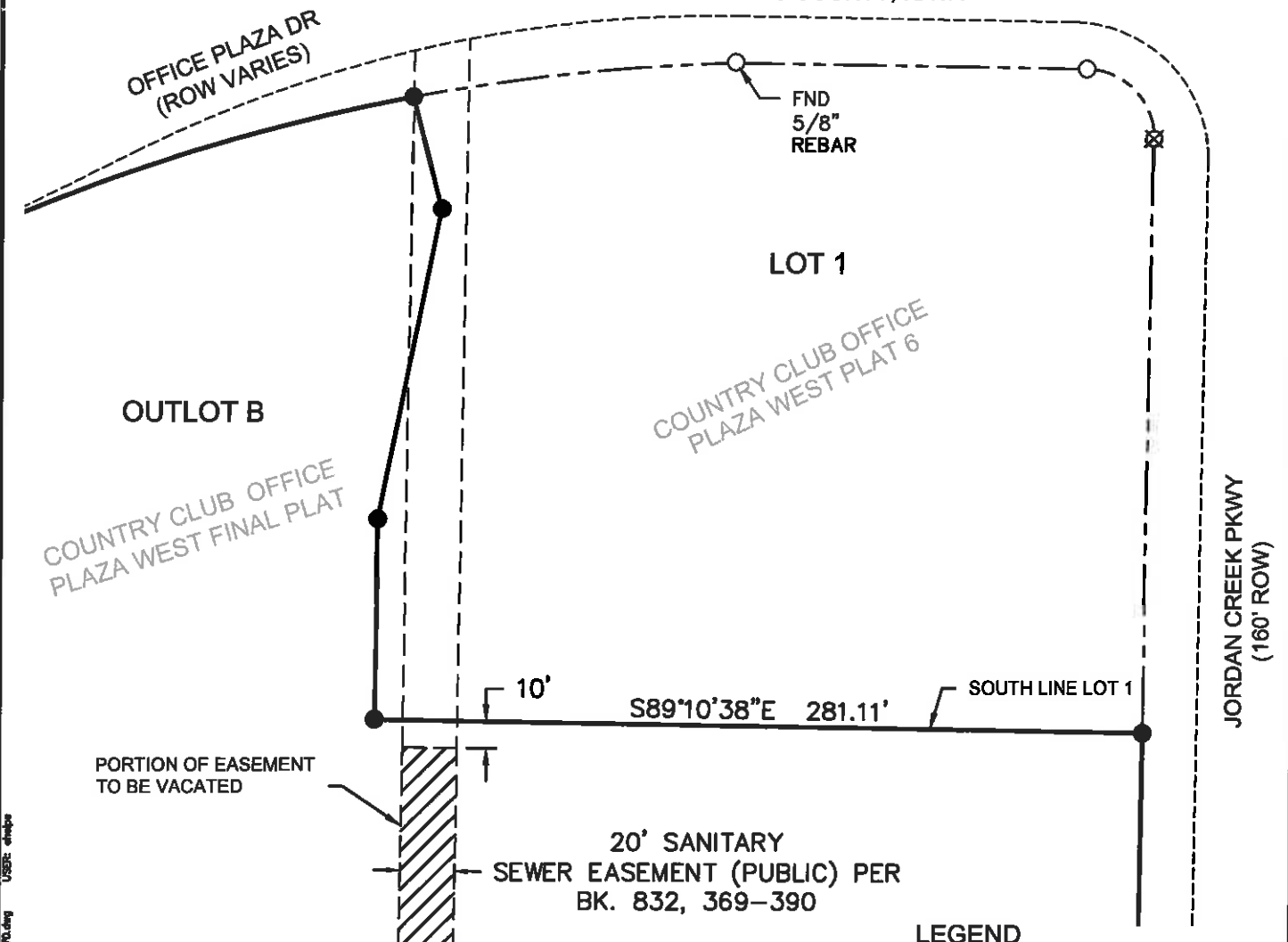
ATTEST:

Ryan Jacobson
City Clerk

PREPARED BY & RETURN TO:
 JONATHAN PITTMANN / OLSSON ASSOCIATES, 7157 VISTA DRIVE, WEST DES MOINES, IA 50266 / TEL: 515.331.6517

VACATION OF EASEMENT EXHIBIT

PORTION OF THE SANITARY SEWER EASEMENT RECORDED IN BK 832, PG 369-390,
 IN THE RECORDER'S OFFICE OF DALLAS COUNTY, IOWA



LEGEND

- BOUNDARY LINE
- PROPERTY/LOT LINE
- - - - - UTILITY EASEMENT
- FOUND 5/8" REBAR WITH YPC STAMPED 13480 (UNLESS NOTED OTHERWISE)
- ⊕ FOUND 1/2" IRON PIPE WITH YELLOW PLASTIC CAP STAMPED 3169 (UNLESS NOTED OTHERWISE)
- ⊗ FOUND CHISELED 'X'
- SET CUT "X" IN CONCRETE (UNLESS NOTED OTHERWISE)
- ▨ PORTION OF EASEMENT TO BE VACATED

LEGAL DESCRIPTION OF PORTION TO BE VACATED:

THAT PART OF THE 20' SANITARY SEWER EASEMENT RECORDED IN BOOK 832, PAGES 369-390, IN THE RECORDER'S OFFICE OF DALLAS COUNTY, IOWA, WHICH LIES SOUTHERLY OF A LINE PARALLEL WITH AND 10.00 FEET SOUTH, BEING MEASURED AT RIGHT ANGLES, OF THE SOUTH LINE OF LOT 1, COUNTRY CLUB OFFICE PLAZA WEST PLAT 6, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA.

SAID PORTION OF EASEMENT CONTAINING 1453 SQ FT OR 0.03 ACRES.

DWG: F:\2016\1001-1500\1016-1170\40-Design\AutoCAD\Exhibits\VC_2025\1170_VACA_EXHIBIT_1170.dwg
 DATE: Nov 22, 2016 1:11pm
 USER: emh

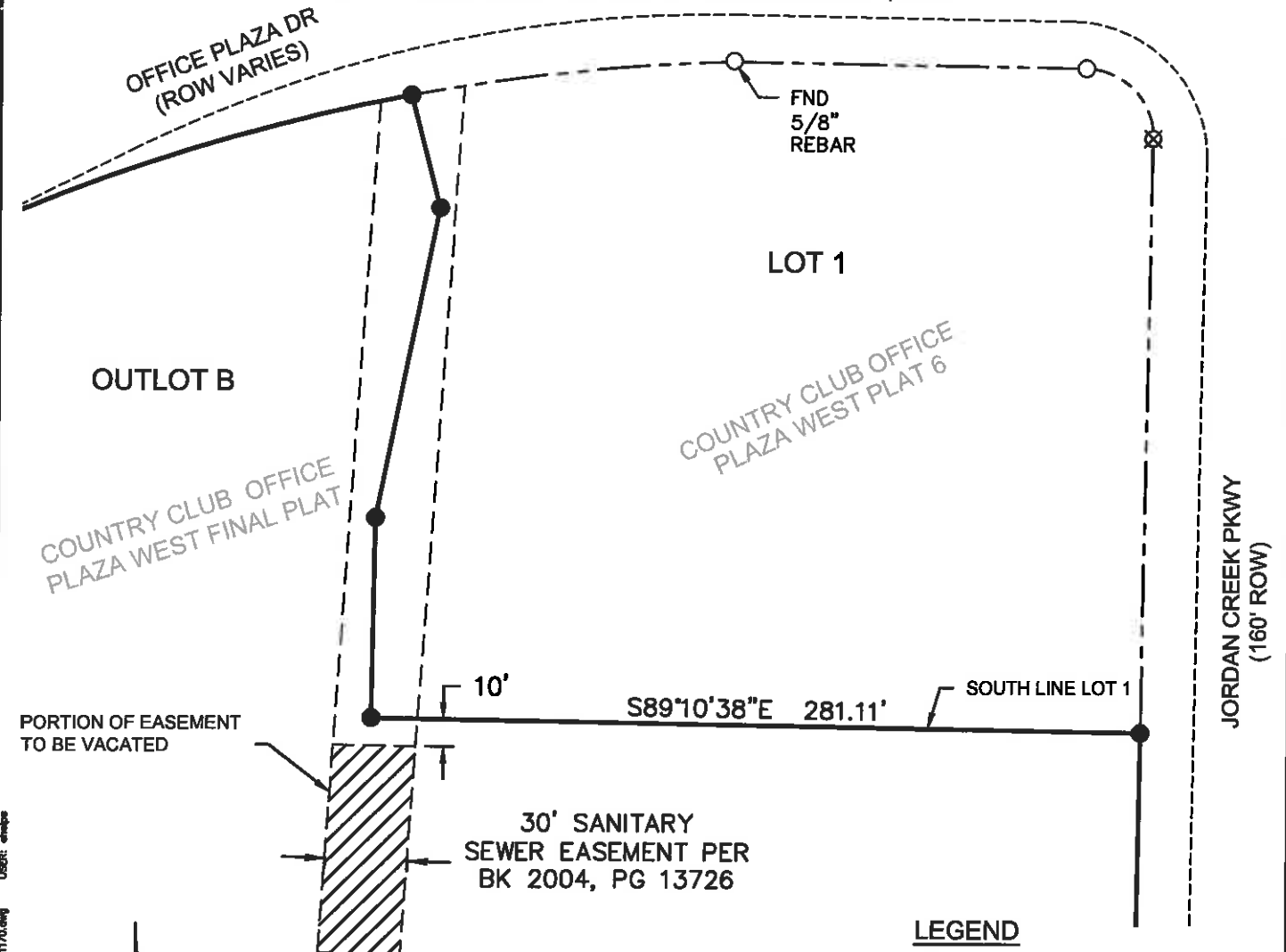
PROJECT NO:	016-1170
DRAWN BY:	EMH
DATE:	11-22-2016

EASEMENT VACATION EXHIBIT









7157 Vista Drive
 West Des Moines, IA 50266
 TEL 515.331.6517
 FAX 515.331.6518

VACATION OF EASEMENT EXHIBIT

PORTION OF THE SANITARY SEWER EASEMENT RECORDED IN BK 2004, PG 13726,
IN THE RECORDER'S OFFICE OF DALLAS COUNTY, IOWA



LEGEND

-  BOUNDARY LINE
-  PROPERTY/LOT LINE
-  UTILITY EASEMENT
-  FOUND 5/8" REBAR WITH YPC STAMPED 13480 (UNLESS NOTED OTHERWISE)
-  FOUND 1/2" IRON PIPE WITH YELLOW PLASTIC CAP STAMPED 3169 (UNLESS NOTED OTHERWISE)
-  FOUND CHISELED 'X'
-  SET CUT "X" IN CONCRETE (UNLESS NOTED OTHERWISE)
-  PORTION OF EASEMENT TO BE VACATED



LEGAL DESCRIPTION OF PORTION TO BE VACATED:

THAT PART OF THE 30' SANITARY SEWER EASEMENT RECORDED IN BOOK 2004, PAGE 13726, IN THE RECORDER'S OFFICE OF DALLAS COUNTY, IOWA, WHICH LIES SOUTHERLY OF A LINE PARALLEL WITH AND 10.00 FEET SOUTH, BEING MEASURED AT RIGHT ANGLES, OF THE SOUTH LINE OF LOT 1, COUNTRY CLUB OFFICE PLAZA WEST PLAT 6, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA.

SAID PORTION OF EASEMENT CONTAINING 2306 SQ FT OR 0.05 ACRES.

PROJECT NO: 016-1170
DRAWN BY: EMH
DATE: 11-22-2016

EASEMENT VACATION EXHIBIT

OLSSON.
ASSOCIATES

7157 Vista Drive
West Des Moines, IA 50266
TEL 515.331.6517
FAX 515.331.6518

SHEET

1 OF 1

FILE: F:\DATA\016-1170\016-1170\016-1170\016-1170\016-1170\016-1170\016-1170\016-1170\016-1170\016-1170.dwg
DATE: 11-22-2016 11:10am
USER: dmh

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

Date: December 12, 2016

ITEM: Amendment to City Code – Title 7 (Public Ways and Property), Chapter 1 (Streets, Sidewalks, and Alleys), Section 8D (Official Street Name Map) – Change the roadway name of that approximately 2000’ diagonal section of Booneville Road located approximately 250 feet north of Grand Avenue to S. 88th Street and readdress two properties – City Initiated

ORDINANCE: Approval of First Reading of Ordinance

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The City recently realigned and reconstructed the diagonal portion of Booneville Road to soften the curves and allow for more fluid vehicle movements which has resulted in S. 88th Street operating as a thru-street with no stop signs (see Exhibit I). Due to this, staff requests that this approximately 2000 foot long diagonal section of Booneville Road be renamed to S. 88th Street.

Two properties are addressed off of this 2000’ section of Booneville Road. The change in roadway name requires a change in the assigned address of these two properties. Along with the roadway name change, the house number also must be changed as Booneville Road utilized the east-west addressing grid, while S. 88th Street utilizes the north-south addressing grid. The changes to these two properties is as follows:

- Sandahl Trust: 8810 Booneville Road changes to 1540 S. 88th Street
- Iowa Power Inc: 8550 Booneville Road changes to 1650 S. 88th Street

The Council resolution approving of the address changes to these two properties will be presented in conjunction with the 3rd reading of the ordinance adopting the roadway name change.

CITY COUNCIL SUBCOMMITTEE: Renaming of the roadway and the subsequent readdressing of the two properties was discussed with the Development and Planning Subcommittee on October 31, 2016. The Subcommittee directed staff to proceed with the roadway renaming and readdressing of the two properties.

OUTSTANDING ISSUES: There are no outstanding issues.

NOTIFICATION: The two properties with existing addresses affected by the roadway name change were mailed notification of the December 12, 2016 City Council Public Hearing on November 29, 2016 and notification of the roadway name changes was published in the local newspaper on December 2, 2016.

RECOMMENDATION: Staff recommends the City Council approve the first reading of the ordinance to rename a 2000’ section of Booneville Road to S. 88th Street.

Lead Staff Member: Lynne Twedt, Addressing Administrator 

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

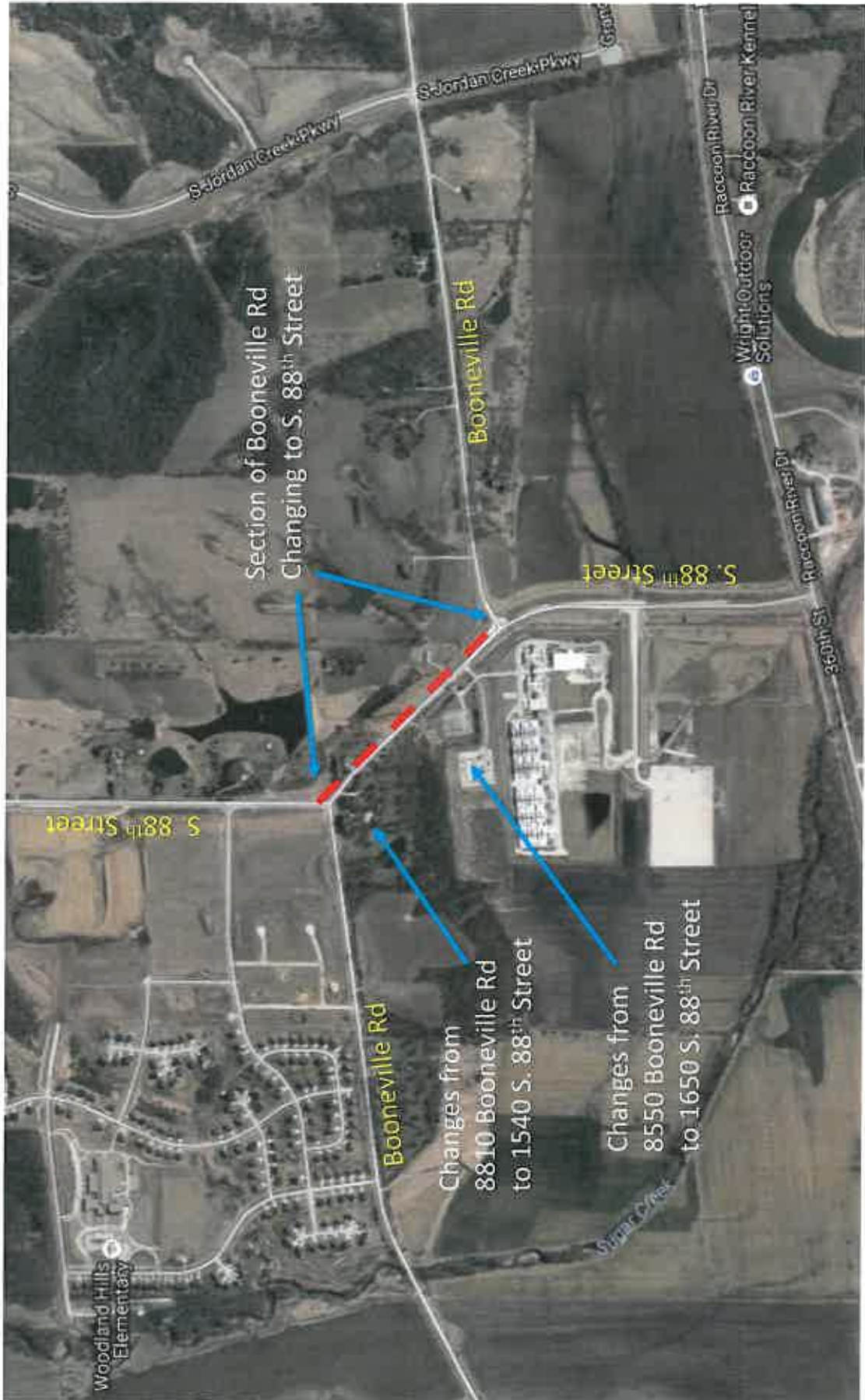
Published In	Des Moines Register Community Section
Date(s) Published	December 2, 2016
Letter sent to surrounding property owners	11/29/2016

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	October 31, 2016		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

ATTACHMENTS:

- Exhibit I - Roadway Illustration
- Exhibit II - Proposed Ordinance



Prepared by: L. Twedt, Community Development, PO Box 65320, W.D.M., 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

Ordinance No. _____

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2014, TITLE 7 “PUBLIC WAYS AND PROPERTY,” BY CHANGING THE NAME OF THAT 2000 FOOT DIAGONAL PORTION OF BOONEVILLE ROAD LYING APPROXIMATELY 250 FEET NORTH OF GRAND AVENUE TO S. 88TH STREET.

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

Section 1. Title 7, “Public Ways and Property,” Chapter 1 “Streets, Sidewalks and Alleys”, Section 8 “Street Names”, Paragraph D, “Official Street Name Map” is hereby amended by changing the name of the existing roadway and rights-of-way and all references thereto of the approximately 2000 foot diagonal segment of Booneville Road lying approximately 250 feet north of Grand Avenue from Booneville Road to S. 88th Street, Dallas County, Iowa.

Section 2. Subsequent to its adoption and publication the Mayor and City Clerk shall certify and file this Ordinance with the County Recorder, County Assessor, and County Auditor of Dallas County, Iowa. Thereafter the County Auditor shall make proper changes on any plats found in the County Auditor’s Office and the County Recorder shall enter the instrument into the record and make reference on the margin of the original plats of record or upon a reference sheet or page attached to the original plats for that purpose.

Section 3. Repealer. All ordinances or parts of ordinances in conflict with the provision of this ordinance are hereby repealed.

Section 4. 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, phrase, or part hereof not adjudged invalid or unconstitutional.

Section 5. Effective Date. This ordinance shall be in full force and effect from and after its passage, adoption, and publication as required by law.

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

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the _____ day of _____, 2016.

Ryan T. Jacobson
City Clerk

CITY OF WEST DES MOINES, IOWA

TO: Mayor Gaer and West Des Moines City Council
FROM: Richard Scieszinski, City Attorney
DATE: December 12, 2016
RE: Item 6(e) - Raccoon River Land Company
Development Agreement

Due to a remaining unresolved issue, it is requested that the public hearing regarding approval of the Development Agreement between the City of West Des Moines and Raccoon River Land Company be continued to the City Council meeting of December 27, 2016 at 5:35 p.m.

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

6(f)

ITEM:

DATE: December 12, 2016

Public Hearing (5:35 p.m.)
South 60th Street Improvements Phase 2

FINANCIAL IMPACT:

The Engineering Estimate of Construction Cost was estimated to be \$3,906,770.55 for South 60th Street Improvements Phase 2. There were ten (10) bids submitted with the low bid of \$3,072,755.71 being submitted by Concrete Technologies, Inc. of Grimes, Iowa. Payments will be made from budgeted account no. 500.000.000.5250.490 with the ultimate funding intended to come from General Obligation Bonds and TIF.

BACKGROUND:

This is the second of two projects to complete grading, storm sewer, water, and paving of two lanes of South 60th Street from Grand Avenue to Mills Civic Parkway, with Phase 2 being on the north end from Pheasant Ridge Drive to Mills Civic Parkway.

This Public Hearing is on the matter of adoption of Plans, Specifications, Form of Contract, and Estimate of Cost for South 60th Street Improvements Phase 2. Upon completion of the Public Hearing, a Resolution should be passed adopting the Plans and Specifications, Form of Contract, Estimate of Cost, Waving Irregularities, and Awarding the Contract to Concrete Technologies, Inc. The bids received contained one irregularity where the high bidder had a mathematical error on the extended price of one bid item. The irregularity is noted on the bid tabulation. The irregularity did not impact the low bid. If approved this project will start in the near future. The entire project is anticipated to be completed by December 1, 2017.

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 waiving bid irregularities and awarding the construction contract to Concrete Technologies, Inc.

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	Des Moines Register
Dates(s) Published	December 2, 2016

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Services		
Date Reviewed	December 5, 2016		
Recommendation	Yes	No	Split

RESOLUTION

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

WHEREAS, on November 14, 2016, Plans, Specifications, Form of Contract, and Estimate of Cost were filed with the City Clerk for the following described public improvement:

**South 60th Street Improvements Phase 2
Project No. 0510-004-2015**

and,

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

therefore,

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, that the Plans, Specifications, Form of Contract, and Estimate of Costs for said Public Improvement are hereby approved.

PASSED AND APPROVED on this 12th day of **December, 2016**.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES,
APPROVING the Awarding of a Contract**

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

**South 60th Street Improvements Phase 2
Project No. 0510-004-2015**

and,

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

and,

WHEREAS, an irregularity was noted on one of the bids that was received,

and,

WHEREAS, the irregularity noted was not substantive in nature,

and,

WHEREAS, the bid of Concrete Technologies, Inc. of Grimes, Iowa, in the amount of \$3,072,755.71 was the lowest responsible bid received for said public improvement,

therefore;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, waives the irregularity in the bids received.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, that a contract for the South 60th Street Improvements Phase 2, is hereby awarded to Concrete Technologies, Inc., in the amount of \$3,072,755.71 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 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 on this 12th day of **December, 2016**.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk



Foth
 Foth Infrastructure & Environment, LLC
 1000 N North of Pleasant Ridge Drive to Mills Civic Parkway
 West Des Moines, Iowa - 2016
 City Contract No.: 0510-004-2015

Tabulation of Bids
 City of West Des Moines
 South 60th Street Improvements Project
 1000 N North of Pleasant Ridge Drive to Mills Civic Parkway
 West Des Moines, Iowa - 2016
 City Contract No.: 0510-004-2015



ITEM NO	ITEM CODE	ITEM DESCRIPTION	UNIT	QUANTITY	Engineer's Opinion of Cost		Concrete Technologies, Inc. Grinnings, IA		Verterpood Construction, Inc. Indianapolis, IA		Elter Corporation Des Moines, IA		McAninch Corporation Des Moines, IA	
					UNIT PRICE	SUBTOTAL	UNIT PRICE	SUBTOTAL	UNIT PRICE	SUBTOTAL	UNIT PRICE	SUBTOTAL	UNIT PRICE	SUBTOTAL
6.10	SPECIAL	CONNECTION, TEE SECTION, 90" X 30"	EA	1	\$ 2,300.00	\$ 2,300.00	\$ 1,005.00	\$ 1,005.00	\$ 2,440.00	\$ 2,440.00	\$ 1,500.00	\$ 1,500.00	\$ 973.00	\$ 973.00
6.11	6010-E-2000	MANHOLE ADJUSTMENT, STORM, MINOR	EA	3	\$ 1,500.00	\$ 4,500.00	\$ 928.00	\$ 2,784.00	\$ 980.00	\$ 2,940.00	\$ 650.00	\$ 1,950.00	\$ 998.00	\$ 2,994.00
6.12	6010-F-3000	INTAKE ADJUSTMENT, MAJOR	EA	1	\$ 2,000.00	\$ 2,000.00	\$ 2,020.00	\$ 2,020.00	\$ 1,220.00	\$ 1,220.00	\$ 2,500.00	\$ 2,500.00	\$ 2,820.00	\$ 2,820.00
6.13	6010-F-1000	MANHOLE ADJUSTMENT, SANITARY, MAJOR	EA	4	\$ 3,200.00	\$ 12,800.00	\$ 4,015.00	\$ 16,060.00	\$ 4,850.00	\$ 19,400.00	\$ 2,700.00	\$ 10,800.00	\$ 3,800.00	\$ 15,200.00
6.14	6010-F-2000	MANHOLE ADJUSTMENT, STORM, MAJOR	EA	1	\$ 3,000.00	\$ 3,000.00	\$ 3,250.00	\$ 3,250.00	\$ 4,515.00	\$ 4,515.00	\$ 2,800.00	\$ 2,800.00	\$ 3,140.00	\$ 3,140.00
DIVISION 7 - STREETS AND RELATED WORK														
7.1	7010-A-2100	PAVEMENT, REINFORCED PCC, CLASS C-SUD, 10 IN.	SY	3772	\$ 99.00	\$ 373,848.00	\$ 62.40	\$ 235,248.00	\$ 64.85	\$ 243,230.80	\$ 66.50	\$ 250,705.00	\$ 83.85	\$ 315,705.00
7.2	7010-E-2000	CONCRETE MEDIAN, DOWELLED	SY	483	\$ 150.00	\$ 72,450.00	\$ 88.85	\$ 42,803.55	\$ 89.50	\$ 43,127.50	\$ 89.50	\$ 43,127.50	\$ 89.50	\$ 43,127.50
7.3	7010-H-1000	PCC PAVEMENT SAMPLES AND TESTING	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 4,300.00	\$ 4,300.00	\$ 4,300.00	\$ 4,300.00	\$ 4,300.00	\$ 4,300.00	\$ 4,300.00	\$ 4,300.00
7.4	7010-J-2000	GRANULAR SURFACING	TON	410	\$ 26.00	\$ 10,660.00	\$ 34.00	\$ 13,940.00	\$ 27.00	\$ 11,070.00	\$ 32.00	\$ 13,320.00	\$ 29.20	\$ 11,972.00
7.5	7030-A-1010	REMOVAL OF SIDEWALK, SHARED USE PATH OR DRIVEWAY	SY	305	\$ 10.00	\$ 3,050.00	\$ 3.00	\$ 915.00	\$ 10.50	\$ 3,202.50	\$ 10.75	\$ 3,288.75	\$ 11.05	\$ 3,371.75
7.6	7030-C-1006	SHARED USE PATH, REINFORCED PCC, 6 IN.	SY	3386	\$ 48.00	\$ 162,528.00	\$ 37.00	\$ 125,292.00	\$ 38.40	\$ 129,264.00	\$ 39.00	\$ 132,906.00	\$ 37.75	\$ 127,680.00
7.7	7030-G-1000	DETECTABLE WARNINGS	SF	28	\$ 40.00	\$ 1,120.00	\$ 38.00	\$ 1,064.00	\$ 38.00	\$ 1,064.00	\$ 37.00	\$ 1,036.00	\$ 36.75	\$ 1,029.00
7.8	7030-H-1000	DRIVEWAY, PAVED, PCC, 6 IN.	SY	1492	\$ 47.00	\$ 70,124.00	\$ 39.25	\$ 58,561.00	\$ 40.75	\$ 60,790.00	\$ 40.00	\$ 59,600.00	\$ 40.00	\$ 59,600.00
7.9	7040-H-1000	PAVEMENT REMOVAL	SY	541	\$ 8.00	\$ 4,328.00	\$ 4.70	\$ 2,542.70	\$ 12.30	\$ 6,654.30	\$ 23.75	\$ 12,846.75	\$ 15.90	\$ 8,601.90
7.10	SPECIAL	TEMPORARY GRANULAR SURFACING	TON	1270	\$ 49.00	\$ 62,530.00	\$ 39.00	\$ 49,530.00	\$ 19.90	\$ 25,273.00	\$ 31.50	\$ 40,005.00	\$ 41.60	\$ 52,832.00
DIVISION 8 - TRAFFIC CONTROL														
8.1	SPECIAL	TRAFFIC CONTROL	LS	1	\$ 70,114.00	\$ 70,114.00	\$ 92,375.00	\$ 92,375.00	\$ 67,000.00	\$ 67,000.00	\$ 149,810.76	\$ 149,810.76	\$ 11,015.00	\$ 11,015.00
DIVISION 9 - SITE WORK AND LANDSCAPING														
9.1	9010-B-1100	HYD. SEEDING, FERT. & MULCH, TYPE 1 (PERM. LAWN MIX)	ACRE	7	\$ 2,800.00	\$ 19,600.00	\$ 2,590.00	\$ 17,930.00	\$ 2,590.00	\$ 17,930.00	\$ 2,590.00	\$ 17,930.00	\$ 2,525.00	\$ 17,675.00
9.2	9010-B-1200	HYD. SEEDING, FERT. & MULCH, TYPE 2 (PERM. COOL SEASON MIX)	ACRE	3	\$ 2,900.00	\$ 8,700.00	\$ 2,495.00	\$ 7,485.00	\$ 2,495.00	\$ 7,485.00	\$ 1,900.00	\$ 5,700.00	\$ 2,415.00	\$ 7,245.00
9.3	9010-B-1400	HYD. SEEDING, FERT. & MULCH, TYPE 4 (URBAN TEMP. EROSION CONTROL MIX)	ACRE	10	\$ 1,500.00	\$ 15,000.00	\$ 1,245.00	\$ 12,450.00	\$ 1,230.00	\$ 12,300.00	\$ 1,800.00	\$ 18,000.00	\$ 1,225.00	\$ 12,250.00
9.4	9040-A-2000	MANAGEMENT	LS	1	\$ 7,500.00	\$ 7,500.00	\$ 5,700.00	\$ 5,700.00	\$ 5,850.00	\$ 5,850.00	\$ 3,700.00	\$ 3,700.00	\$ 5,610.00	\$ 5,610.00
9.5	9040-D-1012	FILTER SOCKS, 12 IN. INSTALLATION	LF	1789	\$ 3.00	\$ 5,367.00	\$ 2.60	\$ 4,671.40	\$ 2.60	\$ 4,671.40	\$ 3.15	\$ 5,606.85	\$ 2.55	\$ 4,507.45
9.6	9040-D-2012	FILTER SOCKS, 12 IN. MAINTENANCE & REMOVAL	LF	1943	\$ 1.00	\$ 1,943.00	\$ 0.25	\$ 485.75	\$ 0.25	\$ 485.75	\$ 0.40	\$ 777.20	\$ 0.20	\$ 388.80
9.7	9040-J-2020	PIP RAP, CLASS E	TON	1019	\$ 60.00	\$ 61,140.00	\$ 68.50	\$ 69,801.50	\$ 67.00	\$ 68,043.00	\$ 62.00	\$ 62,986.00	\$ 66.00	\$ 67,254.00
9.8	9040-N-1000	SILT FENCE INSTALLATION	LF	4699	\$ 2.00	\$ 9,398.00	\$ 1.95	\$ 7,393.45	\$ 1.95	\$ 7,393.45	\$ 1.45	\$ 7,103.55	\$ 1.85	\$ 7,593.45
9.9	9040-N-2000	SILT FENCE REMOVAL OF SEDIMENT	LF	5291	\$ 0.50	\$ 2,645.50	\$ 0.10	\$ 529.10	\$ 0.10	\$ 529.10	\$ 0.10	\$ 529.10	\$ 0.10	\$ 529.10
9.10	9040-N-3000	SILT FENCE REMOVAL OF DEBRIS	LF	5291	\$ 0.50	\$ 2,645.50	\$ 0.10	\$ 529.10	\$ 0.10	\$ 529.10	\$ 0.10	\$ 529.10	\$ 0.10	\$ 529.10
9.11	9040-Q-1000	EROSION CONTROL, MULCHING, CONVENTIONAL MULCHING	ACRE	10	\$ 450.00	\$ 4,500.00	\$ 492.00	\$ 4,920.00	\$ 490.00	\$ 4,900.00	\$ 630.00	\$ 6,300.00	\$ 485.00	\$ 4,850.00
9.12	9040-T-1000	INLET PROTECTION DEVICE INSTALLATION	EA	37	\$ 150.00	\$ 5,550.00	\$ 125.00	\$ 4,625.00	\$ 125.00	\$ 4,625.00	\$ 131.50	\$ 4,865.50	\$ 125.00	\$ 4,625.00
9.13	9070-A-1000	MODULAR BLOCK RETAINING WALL	SF	140	\$ 35.00	\$ 4,900.00	\$ 47.00	\$ 6,580.00	\$ 48.25	\$ 6,755.00	\$ 36.25	\$ 5,075.00	\$ 106.00	\$ 14,840.00
DIVISION 11 - MISCELLANEOUS														
11.1	11010-A-1000	CONSTRUCTION SURVEY	LS	1	\$ 40,000.00	\$ 40,000.00	\$ 20,300.00	\$ 20,300.00	\$ 18,325.00	\$ 18,325.00	\$ 25,000.00	\$ 25,000.00	\$ 18,000.00	\$ 18,000.00
11.2	11020-B-1000	PAINTED PAVEMENT MARKINGS, WATERBORNE/SOLVENT	STA	3.05	\$ 100.00	\$ 305.00	\$ 51.75	\$ 156.86	\$ 51.30	\$ 156.88	\$ 62.50	\$ 190.65	\$ 51.00	\$ 156.08
11.3	11030-C-1000	PAINTED PAVEMENT MARKINGS, DURABLE	STA	63.23	\$ 150.00	\$ 9,484.50	\$ 84.30	\$ 4,304.95	\$ 87.75	\$ 4,270.28	\$ 99.50	\$ 4,380.59	\$ 87.40	\$ 4,248.22
11.4	11030-G-1000	PAINTED SYMBOLS & LEGENDS, WATERBORNE/SOLVENT	EA	3	\$ 100.00	\$ 300.00	\$ 97.25	\$ 291.75	\$ 92.50	\$ 277.50	\$ 94.50	\$ 283.50	\$ 91.80	\$ 275.40
11.5	11030-G-2000	PAINTED SYMBOLS & LEGENDS, DURABLE	EA	3	\$ 200.00	\$ 600.00	\$ 194.00	\$ 582.00	\$ 195.00	\$ 585.00	\$ 128.00	\$ 384.00	\$ 122.40	\$ 367.20
11.6	11030-M-1000	GROOVES CUT FOR PAVEMENT MARKINGS	STA	03.03	\$ 35.00	\$ 105.15	\$ 33.25	\$ 99.75	\$ 38.00	\$ 114.00	\$ 39.00	\$ 117.00	\$ 37.74	\$ 113.22
11.7	11030-N-1000	GROOVES CUT FOR SYMBOLS AND LEGENDS	EA	3	\$ 200.00	\$ 600.00	\$ 193.00	\$ 579.00	\$ 195.00	\$ 585.00	\$ 165.00	\$ 495.00	\$ 162.00	\$ 486.00
11.8	11040-A-1000	MAINTENANCE OF POSTAL SERVICE	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 2,690.00	\$ 2,690.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,448.00	\$ 2,448.00
11.9	11040-B-1000	MAINTENANCE OF SOLID WASTE COLLECTION	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 2,910.00	\$ 2,910.00	\$ 2,900.00	\$ 2,900.00	\$ 2,900.00	\$ 2,900.00	\$ 2,550.00	\$ 2,550.00
11.10	11050-A-1000	CONCRETE WASHOUT	LS	1	\$ 7,500.00	\$ 7,500.00	\$ 7,275.00	\$ 7,275.00	\$ 7,250.00	\$ 7,250.00	\$ 6,000.00	\$ 6,000.00	\$ 7,650.00	\$ 7,650.00
TOTAL BASE BID (Items 1.1 to 11.10)					\$ 3,908,770.55	\$ 3,908,770.55	\$ 3,072,756.71	\$ 3,072,756.71	\$ 3,227,140.80	\$ 3,227,140.80	\$ 3,345,000.00	\$ 3,345,000.00	\$ 3,382,536.03	\$ 3,382,536.03



Foth
 Foth Infrastructure & Environment, LLC
 8101 Birchwood Court, Suite 1
 West Des Moines, Iowa 50315
 Phone: 515.254.1280
 Fax: 515.254.1847

City of West Des Moines
 South 60th Street Improvements Project
 1008 N North of Pleasant Ridge Drive to Mills Civic Parkway
 West Des Moines, Iowa - 2016
 City Contract No.: 0910-064-2815



ITEM NO	ITEM CODE	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	Subtotal	Manatt's Inc. Johnson, IA	Absolute Concrete Slater, IA	Alliances Construction Group Grimes, IA	Covell Contractor Inc. West Des Moines, IA
							UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE
6.10	SPECIAL	CONNECTION, TEE SECTION, 30" X 30"	EA	1	\$ 2,300.00	\$ 2,300.00	\$ 773.00	\$ 2,440.00	\$ 1,000.00	\$ 4,205.00
6.11	9010-E-2000	MANHOLE ADJUSTMENT, STORM, MINOR	EA	3	\$ 1,500.00	\$ 4,500.00	\$ 898.00	\$ 980.00	\$ 925.00	\$ 1,067.00
6.12	9010-E-3000	INTAKE ADJUSTMENT, MAJOR	EA	1	\$ 2,000.00	\$ 2,000.00	\$ 2,820.00	\$ 1,220.00	\$ 2,900.00	\$ 3,950.00
6.13	9010-F-1000	MANHOLE ADJUSTMENT, SANITARY, MAJOR	EA	4	\$ 3,200.00	\$ 12,800.00	\$ 3,680.00	\$ 4,650.00	\$ 4,650.00	\$ 4,038.00
6.14	9010-F-2000	MANHOLE ADJUSTMENT, STORM, MAJOR	EA	1	\$ 3,000.00	\$ 3,000.00	\$ 3,140.00	\$ 4,515.00	\$ 3,200.00	\$ 3,660.00
DIVISION 7 - STREETS AND RELATED WORK										
7.1	7010-A-2100	PAVEMENT, REINFORCED PCC, CLASS C-SUD, 10 IN	SY	13770	\$ 80.00	\$ 1,101,600.00	\$ 78.85	\$ 1,085,764.50	\$ 66.50	\$ 915,705.00
7.2	7010-C-2000	CONCRETE MEDIAN, DOWELED	SY	493	\$ 150.00	\$ 73,950.00	\$ 80.00	\$ 39,840.00	\$ 80.00	\$ 39,840.00
7.3	7010-J-1000	PCC PAVEMENT SAMPLES AND TESTING	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 4,500.00	\$ 5,000.00	\$ 5,200.00	\$ 4,407.50
7.4	7010-J-2000	GRANULAR SURFACING	TON	410	\$ 25.00	\$ 10,250.00	\$ 23.20	\$ 11,972.00	\$ 35.00	\$ 14,350.00
7.5	7030-A-1010	REMOVAL OF SIDEWALK, SHARED USE PATH OR DRIVEWAY	SY	385	\$ 10.00	\$ 3,850.00	\$ 11.05	\$ 4,284.75	\$ 12.00	\$ 4,620.00
7.6	7030-C-1005	SHARED USE PATH, REINFORCED PCC, 6 IN	SY	888	\$ 40.00	\$ 35,520.00	\$ 45.00	\$ 40,080.00	\$ 39.50	\$ 35,200.00
7.7	7030-G-1000	DETECTABLE WARNING	SF	28	\$ 40.00	\$ 1,120.00	\$ 50.00	\$ 1,400.00	\$ 40.00	\$ 1,120.00
7.8	7030-H-1060	DRIVEWAY, PAVED, PCC, 6 IN	SY	1492	\$ 47.00	\$ 70,164.00	\$ 45.00	\$ 67,140.00	\$ 42.00	\$ 62,864.00
7.9	7040-H-1000	PAVEMENT REMOVAL	SY	541	\$ 6.00	\$ 3,246.00	\$ 16.10	\$ 8,710.10	\$ 20.00	\$ 10,820.00
7.10	SPECIAL	TEMPORARY GRANULAR SURFACING	TON	1270	\$ 40.00	\$ 50,800.00	\$ 41.80	\$ 52,882.00	\$ 43.00	\$ 54,610.00
DIVISION 8 - TRAFFIC CONTROL										
8.1	SPECIAL	TRAFFIC CONTROL	LS	1	\$ 70,114.00	\$ 70,114.00	\$ 14,430.00	\$ 100,000.00	\$ 130,000.00	\$ 15,584.00
DIVISION 9 - SITE WORK AND LANDSCAPING										
9.1	9010-B-1100	HYD. SEEDING, FERT & MULCH, TYPE 1 (PERM. LAWN MIX.)	ACRE	7	\$ 2,800.00	\$ 19,600.00	\$ 2,350.00	\$ 16,450.00	\$ 2,200.00	\$ 15,400.00
9.2	9010-B-1200	HYD. SEEDING, FERT & MULCH, TYPE 2 (PERM. COOL SEASON MIX.)	ACRE	3	\$ 2,500.00	\$ 7,500.00	\$ 1,800.00	\$ 5,400.00	\$ 2,200.00	\$ 6,600.00
9.3	9010-B-1400	HYD. SEEDING, FERT & MULCH, TYPE 4 (URBAN TEMP. EROS. CONTROL MIX 1)	ACRE	10	\$ 1,500.00	\$ 15,000.00	\$ 1,750.00	\$ 17,500.00	\$ 1,700.00	\$ 17,000.00
9.4	9040-A-2000	STORMWATER POLLUTION PREVENTION PLAN (SWPPP), PREPARATION & MANAGEMENT	LS	1	\$ 7,500.00	\$ 7,500.00	\$ 3,500.00	\$ 3,500.00	\$ 8,200.00	\$ 8,200.00
9.5	9040-D-1012	FILTER SOCKS, 12 IN, INSTALLATION	LF	1789	\$ 3.00	\$ 5,367.00	\$ 3.00	\$ 5,367.00	\$ 2.00	\$ 3,578.00
9.6	9040-D-2012	FILTER SOCKS, 12 IN, MAINTENANCE & REMOVAL	LF	1943	\$ 1.00	\$ 1,943.00	\$ 0.40	\$ 777.20	\$ 2.00	\$ 3,886.00
9.7	9040-J-3020	RIP RAP, CLASS E	TON	1019	\$ 80.00	\$ 81,540.00	\$ 85.00	\$ 87,254.00	\$ 70.00	\$ 71,330.00
9.8	9040-N-1000	SILT FENCE, INSTALLATION	LF	4699	\$ 2.00	\$ 9,398.00	\$ 1.40	\$ 6,578.60	\$ 2.00	\$ 9,398.00
9.9	9040-N-2000	SILT FENCE, REMOVAL OF BEDDIMENT	LF	3291	\$ 0.90	\$ 2,961.90	\$ 0.10	\$ 329.10	\$ 1.00	\$ 3,291.00
9.10	9040-N-3000	EROSION CONTROL MULCHING, CONVENTIONAL MULCHING	ACRE	10	\$ 450.00	\$ 4,500.00	\$ 650.00	\$ 6,500.00	\$ 500.00	\$ 5,000.00
9.11	9040-N-1000	INLET PROTECTION DEVICE, INSTALLATION	EA	37	\$ 150.00	\$ 5,550.00	\$ 125.00	\$ 4,625.00	\$ 200.00	\$ 7,400.00
9.12	9070-A-1000	MODULAR BLOCK RETAINING WALL	SF	140	\$ 35.00	\$ 4,900.00	\$ 25.00	\$ 3,500.00	\$ 55.00	\$ 7,700.00
DIVISION 11 - MISCELLANEOUS										
11.1	11010-A-1000	CONSTRUCTION SURVEY	LS	1	\$ 40,000.00	\$ 40,000.00	\$ 19,120.00	\$ 85,000.00	\$ 30,000.00	\$ 25,350.00
11.2	11030-B-1000	PAINTED PAVEMENT MARKINGS, WATERBORNE SOLVENT	STA	3.06	\$ 100.00	\$ 306.00	\$ 50.00	\$ 153.00	\$ 55.00	\$ 168.30
11.3	11030-C-1000	PAINTED PAVEMENT MARKINGS, DURABLE	STA	63.03	\$ 150.00	\$ 9,454.50	\$ 66.00	\$ 4,158.96	\$ 70.00	\$ 4,412.10
11.4	11030-G-1000	PAINTED SYMBOLS & LEGENDS, WATERBORNE SOLVENT	EA	3	\$ 100.00	\$ 300.00	\$ 60.00	\$ 180.00	\$ 100.00	\$ 300.00
11.5	11030-G-2000	PAINTED SYMBOLS & LEGENDS, DURABLE	EA	3	\$ 200.00	\$ 600.00	\$ 120.00	\$ 360.00	\$ 125.00	\$ 375.00
11.6	11030-H-1000	GROOVES CUT FOR PAVEMENT MARKINGS	STA	63.03	\$ 35.00	\$ 2,206.05	\$ 37.00	\$ 2,332.11	\$ 40.00	\$ 2,521.20
11.7	11030-H-1000	GROOVES CUT FOR SYMBOLS AND LEGENDS	EA	3	\$ 200.00	\$ 600.00	\$ 100.00	\$ 300.00	\$ 125.00	\$ 375.00
11.8	11040-A-1000	MAINTENANCE OF POSTAL SERVICE	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 2,400.00	\$ 25,000.00	\$ 2,500.00	\$ 2,500.00
11.9	11040-B-1000	MAINTENANCE OF SOLID WASTE COLLECTION	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 18,000.00	\$ 25,000.00	\$ 6,500.00	\$ 6,500.00
11.10	11060-A-1000	CONCRETE WASHOUT	LS	1	\$ 7,500.00	\$ 7,500.00	\$ 1,500.00	\$ 20,000.00	\$ 8,500.00	\$ 8,187.50
TOTAL BASE BID (Items 1.1 to 11.10)										
							\$ 3,410,917.50	\$ 3,469,615.84	\$ 3,503,847.60	\$ 3,516,625.10

BH Boyd
 Corrected
 Date Prepared: 12/7/2016
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 Blaw_2016-1207_WDM-590618Proj2.dwg



Foth Infrastructure & Environment, LLC
 1000 R North of Pleasant Ridge Drive to Mills Civic Parkway
 West Des Moines, Iowa - 2016
 City Contract No.: 0510-004-2015

Tabulation of Bids
 City of West Des Moines
 South 80th Street Improvements Project
 1000 R North of Pleasant Ridge Drive to Mills Civic Parkway
 West Des Moines, Iowa - 2016
 City Contract No.: 0510-004-2015



ITEM NO.	ITEM CODE	ITEM DESCRIPTION	UNIT	QUANTITY	Engineer's Cost UNIT PRICE	Subtotal	Synergy Contracting, LLC UNIT PRICE	Subtotal	Rechon Corporation UNIT PRICE	Subtotal	UNIT PRICE	Subtotal
DIVISION 2 - EARTHWORK												
21	2010-C-1000	CLEARING & GRUBBING	LS	1	\$ 65,000.00	\$ 65,000.00	\$ 45,000.00	\$ 45,000.00	\$ 56,000.00	\$ 56,000.00	\$	\$
22	2010-D-1000	TOPSOIL ON SITE	CY	7000	\$ 10.00	\$ 70,000.00	\$ 7.35	\$ 51,450.00	\$ 7.00	\$ 49,000.00	\$	\$
23	2010-E-1010	EXCAVATION, CLASS 10, ROADWAY & BORROW	CY	55,011	\$ 6.00	\$ 330,066.00	\$ 5.60	\$ 308,061.60	\$ 10.50	\$ 577,615.50	\$	\$
24	2010-E-1020	EMBANKMENT IN PLACE, CONTRACTOR FURNISH	CY	2,974	\$ 10.00	\$ 29,740.00	\$ 15.90	\$ 47,286.60	\$ 14.00	\$ 41,636.00	\$	\$
25	2010-G-1012	SUBGRADE PREPARATION, 12 IN	SY	15,106	\$ 3.50	\$ 52,871.00	\$ 4.20	\$ 63,448.20	\$ 4.00	\$ 60,424.00	\$	\$
26	2010-H-1000	SUBGRADE TREATMENT, LIME	TON	154	\$ 300.00	\$ 46,200.00	\$ 88.00	\$ 13,502.00	\$ 400.00	\$ 61,600.00	\$	\$
27	2010-I-1100	REMOVALS, AS PER PLAN	LS	1	\$ 25,000.00	\$ 25,000.00	\$ 11,200.00	\$ 11,200.00	\$ 30,000.00	\$ 30,000.00	\$	\$
28	2010-J-2000	REMOVAL OF BOX CULVERT, CONCRETE, 4' X 3'	LS	1	\$ 20,000.00	\$ 20,000.00	\$ 7,000.00	\$ 7,000.00	\$ 32,000.00	\$ 32,000.00	\$	\$
29	2010-K-2200	REMOVAL OF CULVERT LESS THAN OR EQUAL TO 36 IN	LF	460	\$ 45.00	\$ 20,700.00	\$ 28.00	\$ 12,880.00	\$ 40.00	\$ 18,400.00	\$	\$
2.10	2010-L-2000	REMOVAL OF CULVERT GREATER THAN 36 IN	LF	24	\$ 80.00	\$ 1,920.00	\$ 42.00	\$ 1,008.00	\$ 100.00	\$ 2,400.00	\$	\$
DIVISION 3 - TRENCH AND TRENCHLESS CONSTRUCTION												
3.1	3010-C-1000	TRENCH FOUNDATION	TON	50	\$ 92.00	\$ 4,600.00	\$ 35.00	\$ 1,750.00	\$ 30.00	\$ 1,500.00	\$	\$
DIVISION 4 - SEWERS AND DRAINS												
4.1	4020-A-1924	STORM SEWER, TRENCHED, RCP, CLASS III, 24 IN	LF	134	\$ 165.00	\$ 22,210.00	\$ 110.00	\$ 14,740.00	\$ 90.00	\$ 12,060.00	\$	\$
4.2	4020-A-1930	STORM SEWER, TRENCHED, RCP, CLASS III, 30 IN	LF	295	\$ 115.00	\$ 33,825.00	\$ 128.00	\$ 37,840.00	\$ 110.00	\$ 32,450.00	\$	\$
4.3	4020-A-1938	STORM SEWER, TRENCHED, RCP, CLASS III, 36 IN	LF	360	\$ 145.00	\$ 52,200.00	\$ 183.00	\$ 65,880.00	\$ 170.00	\$ 61,200.00	\$	\$
4.4	4020-A-1942	STORM SEWER, TRENCHED, RCP, CLASS III, 42 IN	LF	450	\$ 165.00	\$ 74,250.00	\$ 217.00	\$ 97,665.00	\$ 200.00	\$ 90,000.00	\$	\$
4.5	4020-A-1956	STORM SEWER, TRENCHED, RCP, CLASS III, 60 IN	LF	203	\$ 425.00	\$ 86,275.00	\$ 422.00	\$ 85,594.00	\$ 490.00	\$ 99,470.00	\$	\$
4.6	4020-A-1964	STORM SEWER, TRENCHED, RCP, CLASS III, 64 IN	LF	503	\$ 730.00	\$ 365,190.00	\$ 674.00	\$ 338,820.00	\$ 780.00	\$ 392,400.00	\$	\$
4.7	4020-A-1990	STORM SEWER, TRENCHED, RCP, CLASS III, 90 IN	LF	417	\$ 645.00	\$ 268,815.00	\$ 782.00	\$ 325,394.00	\$ 880.00	\$ 366,960.00	\$	\$
4.8	4020-A-1915	STORM SEWER, TRENCHED, RCP, CLASS V, 18 IN	LF	1380	\$ 70.00	\$ 96,600.00	\$ 85.00	\$ 117,340.00	\$ 70.00	\$ 96,600.00	\$	\$
4.9	4020-A-1916	STORM SEWER, TRENCHED, RCP, CLASS V, 18 IN	LF	338	\$ 85.00	\$ 28,730.00	\$ 93.00	\$ 31,374.00	\$ 80.00	\$ 27,040.00	\$	\$
4.10	4030-B-1924	PIPE APRON, CONCRETE, 24 IN	EA	1	\$ 2,000.00	\$ 2,000.00	\$ 3,920.00	\$ 3,920.00	\$ 3,000.00	\$ 3,000.00	\$	\$
4.11	4030-B-1930	PIPE APRON, CONCRETE, 30 IN	EA	1	\$ 2,400.00	\$ 2,400.00	\$ 4,200.00	\$ 4,200.00	\$ 3,200.00	\$ 3,200.00	\$	\$
4.12	4030-B-1968	PIPE APRON, CONCRETE, 60 IN	EA	1	\$ 4,500.00	\$ 4,500.00	\$ 8,300.00	\$ 8,300.00	\$ 6,500.00	\$ 6,500.00	\$	\$
4.13	4030-B-1964	PIPE APRON, CONCRETE, 64 IN	EA	1	\$ 7,500.00	\$ 7,500.00	\$ 9,500.00	\$ 9,500.00	\$ 7,000.00	\$ 7,000.00	\$	\$
4.14	4030-B-1990	PIPE APRON, CONCRETE, 90 IN	EA	1	\$ 9,000.00	\$ 9,000.00	\$ 11,000.00	\$ 11,000.00	\$ 8,500.00	\$ 8,500.00	\$	\$
4.15	SPECIAL	BEND, STORM SEWER, RCP, 18 IN	EA	1	\$ 500.00	\$ 500.00	\$ 1,250.00	\$ 1,250.00	\$ 900.00	\$ 900.00	\$	\$
4.16	SPECIAL	BEND, STORM SEWER, RCP, 60 IN	EA	1	\$ 1,200.00	\$ 1,200.00	\$ 3,360.00	\$ 3,360.00	\$ 2,500.00	\$ 2,500.00	\$	\$
4.17	SPECIAL	BEND, STORM SEWER, RCP, 90 IN	EA	11	\$ 1,500.00	\$ 16,500.00	\$ 6,000.00	\$ 66,000.00	\$ 5,500.00	\$ 60,500.00	\$	\$
4.18	SPECIAL	INCREASER, STORM SEWER, RCP, 60" TO 90"	EA	1	\$ 1,500.00	\$ 1,500.00	\$ 3,020.00	\$ 3,020.00	\$ 5,500.00	\$ 5,500.00	\$	\$
4.19	SPECIAL	FIELD TILE REPAIR AND FITTINGS, PVC, UNSPECIFIED DIA	LF	500	\$ 20.00	\$ 10,000.00	\$ 29.40	\$ 14,700.00	\$ 25.00	\$ 12,500.00	\$	\$
4.20	4040-A-1006	SUBDRAIN, 6" PVC, BACKSLOPE	LF	3067	\$ 15.00	\$ 45,005.00	\$ 21.00	\$ 64,407.00	\$ 20.00	\$ 61,340.00	\$	\$
4.21	4040-A-3006	SUBDRAIN CLEANOUT, TYPE A-1	EA	9	\$ 20.00	\$ 180.00	\$ 21.00	\$ 189.00	\$ 20.00	\$ 180.00	\$	\$
4.22	6000-C-1000	SUBDRAIN CLEANOUT, TYPE A-1	EA	9	\$ 500.00	\$ 4,500.00	\$ 490.00	\$ 4,410.00	\$ 400.00	\$ 3,600.00	\$	\$
4.23	4000-D-1000	SUBDRAIN OUTLET, CMP	EA	3	\$ 800.00	\$ 2,400.00	\$ 1,050.00	\$ 3,150.00	\$ 400.00	\$ 1,200.00	\$	\$
4.24	4000-D-1010	SUBDRAIN CONNECTION TO INTAKE OR STORM SEWER	EA	30	\$ 480.00	\$ 14,400.00	\$ 350.00	\$ 10,500.00	\$ 200.00	\$ 6,000.00	\$	\$
4.25	4000-A-1000	VIDEO INSPECTION OF STORM SEWER AND CULVERTS	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 7,000.00	\$ 7,000.00	\$ 10,000.00	\$ 10,000.00	\$	\$
DIVISION 5 - WATER MAIN AND APPURTENANCES												
5.1	5010-A-1016	WATER MAIN, TRENCHED, UNRESTRAINED JOINT, PVC, C905, DR16, 16 IN	LF	2620	\$ 65.00	\$ 170,300.00	\$ 37.40	\$ 98,092.00	\$ 80.00	\$ 209,200.00	\$	\$
5.2	5010-C-2000	WATER MAIN FITTINGS	LB	359	\$ 10.00	\$ 3,590.00	\$ 6.40	\$ 2,302.40	\$ 15.00	\$ 5,385.00	\$	\$
5.3	5020-A-1015	VALVE, GATE, 16 IN	EA	4	\$ 6,500.00	\$ 26,000.00	\$ 8,400.00	\$ 33,600.00	\$ 7,000.00	\$ 28,000.00	\$	\$
5.4	5020-C-1000	FIRE HYDRANT ASSEMBLY	EA	7	\$ 6,000.00	\$ 42,000.00	\$ 6,800.00	\$ 47,600.00	\$ 7,000.00	\$ 49,000.00	\$	\$
5.5	5020-C-2000	RELOCATE FIRE HYDRANT ASSEMBLY	EA	1	\$ 4,500.00	\$ 4,500.00	\$ 3,500.00	\$ 3,500.00	\$ 4,000.00	\$ 4,000.00	\$	\$
DIVISION 6 - STRUCTURES FOR SANITARY AND STORM SEWER												
6.1	6010-A-1984	MANHOLE, STORM SEWER, SW-404, 84 IN	EA	1	\$ 12,000.00	\$ 12,000.00	\$ 43,400.00	\$ 43,400.00	\$ 44,000.00	\$ 44,000.00	\$	\$
6.2	6010-B-1901	INTAKE, SINGLE GRATE, SW-501	EA	15	\$ 2,700.00	\$ 40,500.00	\$ 2,000.00	\$ 30,000.00	\$ 2,200.00	\$ 33,000.00	\$	\$
6.3	6010-B-1903	INTAKE, SINGLE GRATE WITH MANHOLE, SW-503	EA	8	\$ 4,500.00	\$ 36,000.00	\$ 4,800.00	\$ 38,400.00	\$ 3,800.00	\$ 30,400.00	\$	\$
6.4	6010-B-1908	INTAKE, DOUBLE GRATE WITH MANHOLE, SW-503, 4002 (84 IN)	EA	3	\$ 3,000.00	\$ 9,000.00	\$ 6,900.00	\$ 20,700.00	\$ 9,000.00	\$ 27,000.00	\$	\$
6.5	6010-B-1909	INTAKE, DOUBLE GRATE, SW-505	EA	3	\$ 4,000.00	\$ 12,000.00	\$ 3,750.00	\$ 11,250.00	\$ 4,000.00	\$ 12,000.00	\$	\$
6.6	6010-B-1906	INTAKE, DOUBLE GRATE WITH MANHOLE, SW-506	EA	3	\$ 6,700.00	\$ 20,100.00	\$ 7,200.00	\$ 21,600.00	\$ 8,000.00	\$ 24,000.00	\$	\$
6.7	6010-D-1512	INTAKE, CIRCULAR AREA, SW-512, 24 IN	EA	1	\$ 2,000.00	\$ 2,000.00	\$ 2,100.00	\$ 2,100.00	\$ 2,000.00	\$ 2,000.00	\$	\$
6.8	6010-B-1513	INTAKE, OPEN-SIDED AREA, SW-513, 4' X 4'	EA	1	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 5,000.00	\$ 5,000.00	\$	\$
6.9	6010-B-1513	INTAKE, OPEN-SIDED AREA, SW-513, 7' X 7'	EA	1	\$ 6,500.00	\$ 6,500.00	\$ 23,100.00	\$ 23,100.00	\$ 9,000.00	\$ 9,000.00	\$	\$



Foth Infrastructure & Environment, LLC
 PO Box 410897, Des Moines, IA 50321-0897
 Phone: 515.254.1300 Fax: 515.254.1624

1000 N North of Pleasant Ridge Drive to Mills Civic Parkway
 West Des Moines, Iowa - 2016
 City Contract No.: 0510-004-2015

Tabulation of Bids

City of West Des Moines
 South 60th Street Improvements Project



ITEM NO.	ITEM CODE	ITEM DESCRIPTION	UNIT	QUANTITY	Engineer's Cost		Synergy Contracting, LLC		Reichen Corporation		SUBTOTAL	UNIT PRICE	SUBTOTAL	UNIT PRICE	SUBTOTAL
					UNIT PRICE	SUBTOTAL	UNIT PRICE	SUBTOTAL	UNIT PRICE	SUBTOTAL					
6.10	SPECIAL	CONNECTION, TEE SECTION, 8" X 3"	EA	1	\$ 2,300.00	\$ 2,300.00	\$ 3,500.00	\$ 3,500.00	\$ 4,300.00	\$ 4,300.00	\$ 4,300.00		\$ 4,300.00	\$ 4,300.00	
6.11	8010-E-2000	MANHOLE ADJUSTMENT, STORM, MINOR	EA	3	\$ 1,500.00	\$ 4,500.00	\$ 910.00	\$ 2,730.00	\$ 3,000.00	\$ 9,000.00	\$ 9,000.00		\$ 9,000.00	\$ 9,000.00	
6.12	9010-F-5000	INTAKE ADJUSTMENT, MAJOR	EA	1	\$ 2,000.00	\$ 2,000.00	\$ 1,250.00	\$ 1,250.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00		\$ 4,000.00	\$ 4,000.00	
6.13	6010-F-1000	MANHOLE ADJUSTMENT, SANITARY, MAJOR	EA	4	\$ 3,200.00	\$ 12,800.00	\$ 2,100.00	\$ 8,400.00	\$ 3,500.00	\$ 14,000.00	\$ 14,000.00		\$ 14,000.00	\$ 14,000.00	
6.14	6010-F-2000	MANHOLE ADJUSTMENT, STORM, MAJOR	EA	1	\$ 3,000.00	\$ 3,000.00	\$ 1,120.00	\$ 1,120.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00		\$ 3,500.00	\$ 3,500.00	
DIVISION 7 - STREETS AND RELATED WORK															
7.1	7010-A-2100	PAVEMENT, REINFORCED PCC, CLASS C-6UD, 10 IN.	SY	13770	\$ 60.00	\$ 1,016,000.00	\$ 71.50	\$ 984,555.00	\$ 65.00	\$ 895,650.00	\$ 895,650.00		\$ 895,650.00	\$ 895,650.00	
7.2	7010-B-2000	CONCRETE, MEDIUM, DOWELLED	SF	493	\$ 150.00	\$ 73,950.00	\$ 118.90	\$ 51,440.40	\$ 150.00	\$ 73,950.00	\$ 73,950.00		\$ 73,950.00	\$ 73,950.00	
7.3	7010-L-1000	PCC PAVEMENT SAMPLES AND TESTING	LS	1	\$ 6,000.00	\$ 6,000.00	\$ 10,500.00	\$ 10,500.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00		\$ 6,000.00	\$ 6,000.00	
7.4	7010-L-2000	GRANULAR SURFACING	TON	410	\$ 25.00	\$ 10,250.00	\$ 22.40	\$ 9,184.00	\$ 27.00	\$ 11,070.00	\$ 11,070.00		\$ 11,070.00	\$ 11,070.00	
7.5	7030-A-1010	REMOVAL OF SIDEWALK, SHARED USE PATH OR DRIVEWAY	SY	395	\$ 10.00	\$ 3,950.00	\$ 11.20	\$ 4,424.00	\$ 7.00	\$ 2,765.00	\$ 2,765.00		\$ 2,765.00	\$ 2,765.00	
7.6	7030-C-1050	SHARED USE PATH, REINFORCED PCC, 6 IN	SF	3588	\$ 40.00	\$ 143,520.00	\$ 47.30	\$ 169,211.40	\$ 92.00	\$ 330,000.00	\$ 330,000.00		\$ 330,000.00	\$ 330,000.00	
7.7	7030-G-1000	DETECTABLE WARNING	SF	28	\$ 40.00	\$ 1,120.00	\$ 44.00	\$ 1,232.00	\$ 40.00	\$ 1,120.00	\$ 1,120.00		\$ 1,120.00	\$ 1,120.00	
7.8	7030-H-1060	DRIVEWAY, PAVED, PCC, 6 IN.	SY	1492	\$ 47.00	\$ 70,124.00	\$ 44.00	\$ 65,648.00	\$ 40.00	\$ 59,680.00	\$ 59,680.00		\$ 59,680.00	\$ 59,680.00	
7.9	7040-H-1000	PAVEMENT REMOVAL	SY	541	\$ 8.00	\$ 4,328.00	\$ 11.20	\$ 6,059.20	\$ 8.00	\$ 4,328.00	\$ 4,328.00		\$ 4,328.00	\$ 4,328.00	
7.10	SPECIAL	TEMPORARY GRANULAR SURFACING	TON	1270	\$ 40.00	\$ 50,800.00	\$ 21.00	\$ 26,670.00	\$ 35.00	\$ 44,260.00	\$ 44,260.00		\$ 44,260.00	\$ 44,260.00	
DIVISION 8 - TRAFFIC CONTROL															
8.1	SPECIAL	TRAFFIC CONTROL	LS	1	\$ 70,114.00	\$ 70,114.00	\$ 14,140.00	\$ 14,140.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00		\$ 25,000.00	\$ 25,000.00	
DIVISION 9 - SITE WORK AND LANDSCAPING															
9.1	9010-B-1100	HYD. SEEDING, FERT. & MULCH, TYPE 1 (PERM. LAWN MIX)	ACRE	7	\$ 2,600.00	\$ 18,200.00	\$ 3,465.00	\$ 24,255.00	\$ 2,000.00	\$ 14,000.00	\$ 14,000.00		\$ 14,000.00	\$ 14,000.00	
9.2	9010-B-1200	HYD. SEEDING, FERT. & MULCH, TYPE 2 (PERM. COOL SEASON MIX)	ACRE	3	\$ 2,500.00	\$ 7,500.00	\$ 3,318.00	\$ 9,954.00	\$ 2,000.00	\$ 6,000.00	\$ 6,000.00		\$ 6,000.00	\$ 6,000.00	
9.3	9010-B-1400	HYD. SEEDING, FERT. & MULCH, TYPE 4 (URBAN/TEMP. EROS. CONTROL MIX)	ACRE	10	\$ 1,500.00	\$ 15,000.00	\$ 1,680.00	\$ 16,800.00	\$ 900.00	\$ 9,000.00	\$ 9,000.00		\$ 9,000.00	\$ 9,000.00	
9.4	9040-A-3000	MANAGEMENT	LS	1	\$ 7,500.00	\$ 7,500.00	\$ 7,700.00	\$ 7,700.00	\$ 6,500.00	\$ 6,500.00	\$ 6,500.00		\$ 6,500.00	\$ 6,500.00	
9.5	9040-D-1012	FILTER SOCKS, 12 IN., INSTALLATION	LF	1799	\$ 3.00	\$ 5,397.00	\$ 3.50	\$ 6,296.50	\$ 2.00	\$ 3,598.00	\$ 3,598.00		\$ 3,598.00	\$ 3,598.00	
9.6	9040-D-2012	FILTER SOCKS, 12 IN., MAINTENANCE & REMOVAL	LF	1943	\$ 1.00	\$ 1,943.00	\$ 0.28	\$ 544.04	\$ 0.40	\$ 777.20	\$ 777.20		\$ 777.20	\$ 777.20	
9.7	9040-L-3020	RIP RAP, CLASS E	TON	1019	\$ 80.00	\$ 81,540.00	\$ 85.00	\$ 87,064.50	\$ 60.00	\$ 61,140.00	\$ 61,140.00		\$ 61,140.00	\$ 61,140.00	
9.8	9040-N-1000	SILT FENCE, INSTALLATION	LF	4699	\$ 2.00	\$ 9,398.00	\$ 2.10	\$ 9,857.90	\$ 1.00	\$ 4,699.00	\$ 4,699.00		\$ 4,699.00	\$ 4,699.00	
9.9	9040-N-2000	SILT FENCE, REMOVAL OF SEDIMENT	LF	5291	\$ 0.50	\$ 2,645.50	\$ 0.14	\$ 740.74	\$ 0.50	\$ 2,645.50	\$ 2,645.50		\$ 2,645.50	\$ 2,645.50	
9.10	9040-N-3000	SILT FENCE, REMOVAL OF DEBRIS	LF	6291	\$ 0.50	\$ 3,145.50	\$ 0.14	\$ 881.54	\$ 0.50	\$ 3,145.50	\$ 3,145.50		\$ 3,145.50	\$ 3,145.50	
9.11	9040-Q-1000	EROSION CONTROL, MULCHING, CONVENTIONAL MULCHING	ACRE	10	\$ 450.00	\$ 4,500.00	\$ 865.00	\$ 8,650.00	\$ 500.00	\$ 5,000.00	\$ 5,000.00		\$ 5,000.00	\$ 5,000.00	
9.12	9040-S-1000	INLET PROTECTION DEVICE, INSTALLATION	EA	37	\$ 150.00	\$ 5,550.00	\$ 46.00	\$ 1,713.00	\$ 80.00	\$ 2,960.00	\$ 2,960.00		\$ 2,960.00	\$ 2,960.00	
9.13	9070-R-1000	MODULAR BLOCK RETAINING WALL	SF	140	\$ 35.00	\$ 4,900.00	\$ 49.00	\$ 6,860.00	\$ 50.00	\$ 7,000.00	\$ 7,000.00		\$ 7,000.00	\$ 7,000.00	
DIVISION 11 - MISCELLANEOUS															
11.1	11010-A-1000	CONSTRUCTION SURVEY	LS	1	\$ 40,000.00	\$ 40,000.00	\$ 21,000.00	\$ 21,000.00	\$ 21,000.00	\$ 21,000.00	\$ 21,000.00		\$ 21,000.00	\$ 21,000.00	
11.2	11030-B-1000	PAINTED PAVEMENT MARKINGS, WATERBORNE/ SOLVENT	STA	3.00	\$ 100.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 70.00	\$ 210.00	\$ 210.00		\$ 210.00	\$ 210.00	
11.3	11030-C-1000	PAINTED PAVEMENT MARKINGS, DURABLE	STA	03.03	\$ 100.00	\$ 330.00	\$ 450.00	\$ 1,350.00	\$ 92.40	\$ 277.20	\$ 277.20		\$ 277.20	\$ 277.20	
11.4	11030-G-1000	PAINTED SYMBOLS & LEGENDS, WATERBORNE/ SOLVENT	EA	3	\$ 100.00	\$ 300.00	\$ 126.00	\$ 378.00	\$ 100.00	\$ 300.00	\$ 300.00		\$ 300.00	\$ 300.00	
11.5	11030-G-2000	PAINTED SYMBOLS & LEGENDS, DURABLE	EA	3	\$ 200.00	\$ 600.00	\$ 180.00	\$ 540.00	\$ 200.00	\$ 600.00	\$ 600.00		\$ 600.00	\$ 600.00	
11.6	11030-M-1000	GROOVES CUT FOR PAVEMENT MARKINGS	EA	3	\$ 35.00	\$ 105.00	\$ 31.50	\$ 94.50	\$ 40.00	\$ 120.00	\$ 120.00		\$ 120.00	\$ 120.00	
11.7	11030-N-1000	GROOVES CUT FOR SYMBOLS AND LEGENDS	EA	3	\$ 200.00	\$ 600.00	\$ 140.00	\$ 420.00	\$ 100.00	\$ 300.00	\$ 300.00		\$ 300.00	\$ 300.00	
11.8	11040-A-1000	MAINTENANCE OF POSTAL SERVICE	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 2,000.00	\$ 2,000.00	\$ 5,000.00	\$ 5,000.00		\$ 5,000.00	\$ 5,000.00		
11.9	11050-B-1000	MAINTENANCE OF SOLID WASTE COLLECTION	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 2,000.00	\$ 2,000.00	\$ 5,000.00	\$ 5,000.00		\$ 5,000.00	\$ 5,000.00		
11.10	11060-A-1000	CONCRETE WASHOUT	LS	1	\$ 7,500.00	\$ 7,500.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00		\$ 6,000.00	\$ 6,000.00	
TOTAL BASE BID (Items 1.1 to 11.10)													\$ 3,008,770.65		\$ 3,008,770.65
												\$ 3,008,770.65	\$ 3,008,770.65	\$ 3,008,770.65	\$ 3,008,770.65

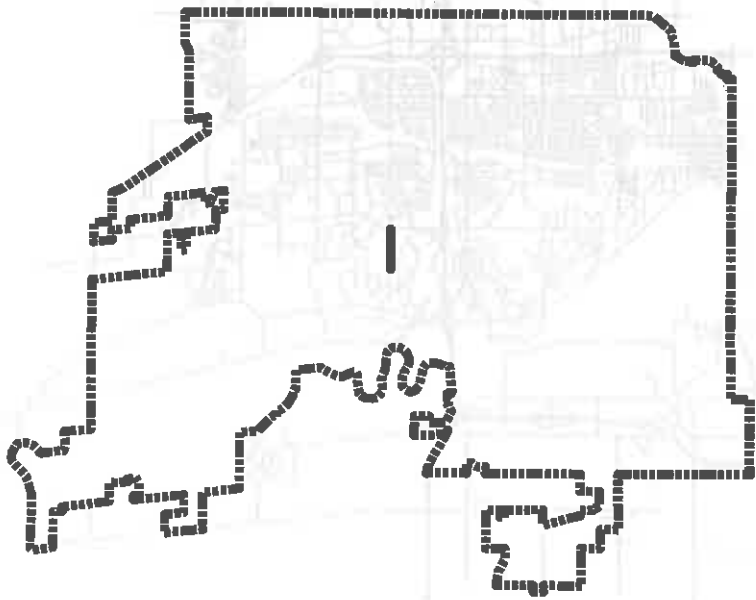
Extended price for item 2.3 was increased
 Used unit price.

I hereby certify that this is a true and correct tabulation of bids received
 on December 1, 2016 for the 2016-6th 60th Street Improvements Project.
 West Des Moines, Iowa

 Bradley D. Hopkins, P.E. License No. 16505 Date 12/17/16
 Foth Infrastructure Environment, LLC
 8181 Birchwood Court, Suite 1
 Johnston, Iowa 50131
 Phone: 515.254.1300
 Fax: 515.254.1624



VICINITY MAP



LEGEND

PROJECT LOCATION 



PROJECT:

South 60th Street Improvements Phase 2

LOCATION:

South 60th Street - Pheasant Ridge Drive to Mills Civic Parkway

DRAWN BY: JDR

DATE: 11/7/2016

PROJECT: 0510-004-2015

SHT. 1 of 1

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

ITEM:

DATE: December 12, 2016

Public Hearing (5:35 p.m.)
9th Street Storm Sewer Rehabilitation

FINANCIAL IMPACT:

The Engineering Estimate of Construction Cost was estimated to be \$735,700.00 for the 9th Street Storm Sewer Rehabilitation. There were two (2) bids submitted with the low bid of \$496,400.00 being submitted by Hydratech Field Services, LLC of Cincinnati, Ohio. Payments will be made from budgeted account no. 660.000.000.5250.490 with the ultimate funding intended to come from Stormwater Utility Fees.

BACKGROUND:

The project consists of the installation of internal mechanical joint seals and associated work necessary to repair the leaking joints of an 84-inch pressure storm sewer along 9th Street from Elm Street to Lincoln Street.

This Public Hearing is on the matter of adoption of Plans, Specifications, Form of Contract, and Estimate of Cost for 9th Street Storm Sewer Rehabilitation. Upon completion of the Public Hearing, a Resolution should be passed adopting the Plans and Specifications, Form of Contract, Estimate of Cost, Waving Irregularities, and Awarding the Contract to Hydratech Field Services, LLC. The bids received contained irregularities that are noted in the attached letter from the engineer.

If approved this project will start in the near future. The entire project is anticipated to be completed by March 31, 2017.

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 waiving bid irregularities and awarding the construction contract to Hydratech Field Services, LLC.

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

STAFF REVIEWS

Department Director	Duane C. Wittstock, City Engineer <i>DW</i>
Appropriations/Finance	Tim Stiles, Finance Director <i>TS</i>
Legal	Richard Scieszinski, City Attorney <i>RS</i>
Agenda Acceptance	<i>W</i>

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Dates(s) Published	December 2, 2016

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Services		
Date Reviewed	December 5, 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 Costs

WHEREAS, on November 14, 2016, Plans Specifications, Form of Contract, and Estimate of Costs were filed with the City Clerk for the following described public improvement:

**9th Street Storm Sewer Rehabilitation
Project No. 0510-043-2015**

and,

WHEREAS, notice of hearing on Plans, Specifications, Form of Contract, and Estimate of Costs for said public improvements were published as required by law.

therefore;

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, that Plans, Specifications, Form of Contract, and Estimate of Costs for said Public Improvement are hereby approved.

PASSED AND ADOPTED this 12th day of **December, 2016**.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, APPROVING Awarding Contract

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

**9th Street Storm Sewer Rehabilitation
Project No. 0510-043-2015**

and,

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

and,

WHEREAS, irregularities were noted on the low bidders submittal where the designated bid bond form was not utilized and separate envelopes were not utilized for the bid surety and the proposal, and the second bidders total bid was \$10,980.00 lower than indicated on the proposal,

and,

WHEREAS, the irregularities noted were not substantive in nature,

and,

WHEREAS, the bid of Hydratech Field Services, LLC of Cincinnati, Ohio, in the amount of \$496,400.00 was the lowest responsible bid received for said public improvement,

therefore;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, waives the irregularities in the bids that were received.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, that a contract for the 9th Street Storm Sewer Rehabilitation is hereby awarded to Hydratech Field Services, LLC in the amount of \$496,400.00 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 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 on this 12th day of December, 2016.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk



1360 NW 121st Street
Clive, IA 50325
P 515.964.1229
F 515.964.2370

www.mecresults.com

NORTHWEST IOWA | DES MOINES METRO | EASTERN IOWA | SICILYLAND REGION | SOUTHWEST IOWA | MISSOURI REGION

December 7, 2016

Duane Wittstock, City Engineer
City of West Des Moines
Engineering Services
4200 Mills Civic Parkway
West Des Moines, IA 50265-0320

RE: 9th Street Storm Sewer Repairs
Recommendation of Award
City Project No. 0510-043-2015

Dear Duane,

Two bids were received on December 7th, 2016, for the 9th Street Storm Sewer Repairs Project for the City of West Des Moines. We recommend that the City waive any informalities and irregularities, consider the proposals, and award the contract to Hydratech Field Services, LLC of Cincinnati, OH, on the basis of their low bid of \$496,400.00. This award is subject to submittal of acceptable contract, bonds and insurance from the contractor. We are enclosing a copy of the bid tabulation for your use.

Informalities and irregularities consisted of the following:

- Hydratech Field Services, LLC's Bid Bond was submitted in the same envelope as the Proposal. According to the Instructions to Bidders paragraph 6.1, the Bid Bond and Proposal shall be submitted in separate envelopes. The error does not affect the award decision.
- Hydratech Field Services, LLC's Bid Bond was not submitted on the Bid Bond form included in the Specifications. According to the Instructions to Bidders paragraph 7.4, Bid Security shall be submitted on the form included in the specifications. The error does not affect the award decision.
- Miller Pipeline, LLC's total of Extended Prices did not equal the Total Bid listed on the proposal. The total of the Extended Prices is \$572,260.00, not the Total Bid of \$561,280.00 listed on the proposal. The error does not affect the award decision.

Please notify our office of the award decision and we will proceed with obtaining the contract, bonds and insurance. We look forward to continuing work with the City of West Des Moines on this and future projects.

Please call with any questions or comments.

Sincerely,
McClure Engineering Company

Tom Stovie, P.E.



McClure Engineering Company
 1360 NW 121st Street
 Clive, IA 50325
 Ph: 515-964-1229 Fax: 515-964-2370

9TH STREET STORM SEWER REPAIRS

CITY PROJ. NO. 0510-043-2015

TABULATION OF BIDS

Bid Date: December 7th, 2016
 Time: 2:00 PM

Owner: City of West Des Moines
 Proj. No.: 20615005
 Location: 4200 Mills Civic Parkway, West Des Moines, IA

Item No.	Description	Unit	Estimated Quantity	Hydratech Field Services, LLC 10448 Chester Rd. Cincinnati, OH 45215		Miller Pipeline, LLC 8850 Crawfordsville Rd. Indianapolis, IN 46234		Engineer's Estimate
				Unit Price	Extended Price	Unit Price	Extended Price	
1.01	TRAFFIC CONTROL	LS	1	\$ 17,850.00	\$ 17,850.00	\$ 24,000.00	\$ 24,000.00	\$ 10,000.00
SECTION 4050 - PIPE REHABILITATION								
4.01	INTERNAL MECHANICAL JOINT SEAL, 48 IN DIA RCP STORM SEWER	EA	5	\$ 770.00	\$ 3,850.00	\$ 950.00	\$ 4,750.00	\$ 1,700.00
4.02	INTERNAL MECHANICAL JOINT SEAL, 60 IN DIA RCP STORM SEWER	EA	10	\$ 815.00	\$ 8,150.00	\$ 1,575.00	\$ 15,750.00	\$ 1,800.00
4.03	INTERNAL MECHANICAL JOINT SEAL, 72 IN DIA RCP STORM SEWER	EA	1	\$ 920.00	\$ 920.00	\$ 1,690.00	\$ 1,690.00	\$ 2,000.00
4.04	INTERNAL MECHANICAL JOINT SEAL, 84 IN DIA RCP STORM SEWER	EA	215	\$ 1,100.00	\$ 236,500.00	\$ 1,750.00	\$ 376,250.00	\$ 2,200.00
4.05	LIFT HOLE SEAL DRY PACK GROUT	EA	184	\$ 370.00	\$ 68,080.00	\$ 10.00	\$ 1,840.00	\$ 50.00
4.06	STORM SEWER CLEANING	LS	1	\$ 147,000.00	\$ 147,000.00	\$ 135,000.00	\$ 135,000.00	\$ 200,000.00
SECTION 6020 - REHABILITATION OF EXISTING MANHOLES								
6.01	INFILTRATION BARRIER, URETHANE CHIMNEY SEAL	EA	2	\$ 4,250.00	\$ 8,500.00	\$ 1,000.00	\$ 2,000.00	\$ 2,000.00
6.02	WALL PENETRATION SEAL, REMOVE AND REPLACE	EA	4	\$ 1,250.00	\$ 5,000.00	\$ 1,995.00	\$ 7,980.00	\$ 2,500.00
6.03	JOINT FILLING AT GATEWELL #1	LS	1	\$ 750.00	\$ 750.00	\$ 3,000.00	\$ 3,000.00	\$ 1,000.00
Total Bid				\$ 496,400.00	\$ 496,400.00	\$ 572,260.00	\$ 572,260.00	\$ 735,700.00

* The Total Bid listed on Miller Pipeline, LLC's proposal was \$581,260.00.

THOMAS M. STOVIE
155968
IOWA

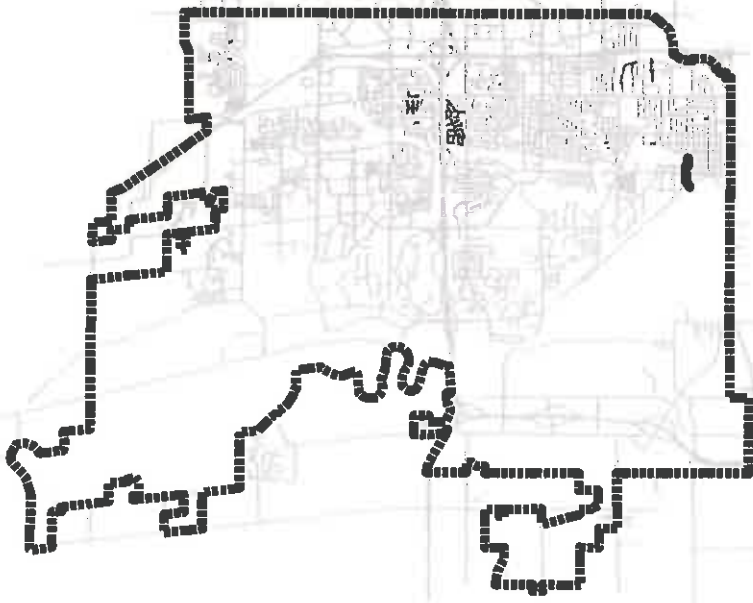
I hereby certify that this is a true and correct tabulation of the bids received on December 7th, 2016 for the 9th Street Storm Sewer Repairs Project, in the City of West Des Moines, Iowa.

[Signature]
 Thomas M. Stovie, P.E.
 License No. 15588

Date: 12/7/16



VICINITY MAP



LEGEND

PROJECT LOCATION



PROJECT:

9th Street Storm Sewer Rehabilitation

LOCATION:

9th Street - Elm Street to Lincoln Street

DRAWN BY: JDR

DATE: 11/7/2016

PROJECT: 0510-043-2015

SHT. 1 of 1

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

ITEM:

DATE: December 12, 2016

Public Hearing (5:35 p.m.)
Grand Avenue Siphon Replacement

FINANCIAL IMPACT:

The Engineering Estimate of Construction Cost was estimated to be \$542,594.00 for the Grand Avenue Siphon Replacement. There were four (4) bids submitted with the low bid of \$707,707.00 being submitted by J & K Contracting, LLC of Ames, Iowa. Payments will be made from budgeted account no. 640.000.000.5250.490 with the ultimate funding intended to come from Sewer Fee Revenues. The engineer indicated that the bids exceed the estimate due to the requirement to construct the project in the winter to accommodate the trail and business users during the off-season.

BACKGROUND:

The project consists of the replacement of a single-barrel sanitary sewer siphon under Walnut Creek southeast of 63rd Street & Grand Avenue in the City of Des Moines. The existing siphon was originally constructed in the 1950's and has reached the end of its useful life and in need of replacement. The replacement sewer will accommodate gravity flow and will be connected to the Wastewater Reclamation Authority's trunk sewer just east of Walnut Creek near the railroad tracks. The project is anticipated to be completed by May 15, 2017.

This Public Hearing is on the matter of adoption of Plans, Specifications, Form of Contract, and Estimate of Cost for Grand Avenue Siphon Replacement. Upon completion of the Public Hearing, a Resolution should be passed adopting the Plans and Specifications, Form of Contract, Estimate of Cost, Waving Irregularities, and Awarding the Contract to J & K Contracting, LLC. The bids received contained one irregularity where a bidder did not acknowledge an addendum. The irregularity is noted on the bid tabulation. The irregularity did not impact the low bid.

If approved this project will start in the near future. The entire project is anticipated to be completed by May 15, 2017

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 waiving bid irregularities and awarding the construction contract to J & K Contracting, LLC.

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 Scieszinski, City Attorney
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Dates(s) Published	December 2, 2016

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Services		
Date Reviewed	December 5, 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 Costs

WHEREAS, on November 14, 2016, Plans Specifications, Form of Contract, and Estimate of Costs were filed with the City Clerk for the following described public improvement:

**Grand Avenue Siphon Replacement
Project No. 0510-048-2015**

and,

WHEREAS, notice of hearing on Plans, Specifications, Form of Contract, and Estimate of Costs for said public improvements were published as required by law.

therefore;

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, that Plans, Specifications, Form of Contract, and Estimate of Costs for said Public Improvement are hereby approved.

PASSED AND ADOPTED this 12th day of **December, 2016**.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES,
APPROVING Awarding Contract**

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

**Grand Avenue Siphon Replacement
Project No. 0510-048-2015**

and,

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

and,

WHEREAS, irregularities were noted on one of the bids that was received,

and,

WHEREAS, the irregularities noted were not substantive in nature,

and,

WHEREAS, the bid of J & K Contracting, LLC of Ames, Iowa, in the amount of \$707,707.00 was the lowest responsible bid received for said public improvement,

therefore;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, waives the irregularities in the bids that were received.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, that a contract for the Grand Avenue Siphon Replacement is hereby awarded to J & K Contracting, LLC in the amount of \$707,707.00 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 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 on this 12th day of December, 2016.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

BID TABULATION
WEST DES MOINES, IOWA
GRAND AVENUE SIPHON REPLACEMENT
PROJECT NO. 0510-048-2015

1. Construct the Grand Avenue Siphon Replacement for the following unit and lump sum prices:		J&K Contracting, LLC 1307 E. Lincoln Way Ames, IA 50010		Raccoon Valley Contractors 520 SE Prairie Park Ln Waukege, IA 50263		Rognes Corp. 720 SW Goodwin St. Ankeny, IA 50023		Minger Construction Co., Inc.* 620 Corporate Dr. Jordan, MN 55352	
ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
1	16" Ductile Iron Sanitary Sewer in Place	LF	148	\$ 400.00	\$ 59,200.00	\$ 575.00	\$ 85,100.00	\$ 550.00	\$ 81,400.00
2	15" Sanitary Sewer in Place	LF	231	200.00	46,200.00	500.00	115,500.00	400.00	92,400.00
3	15" Sanitary Sewer Tunnelleed in Place	LF	280	575.00	161,000.00	600.00	168,000.00	500.00	140,000.00
4	8" Sewer Service	LF	15	100.00	1,500.00	50.00	750.00	100.00	1,500.00
5	Sewer Service Cleanout	EA	1	1,000.00	1,000.00	4,000.00	4,000.00	3,500.00	3,500.00
6	Manhole - Type SW-303 Modified - 120"	EA	1	50,000.00	50,000.00	60,000.00	60,000.00	175,000.00	175,000.00
7	Manhole - Type SW-301 - 48"	EA	2	7,000.00	14,000.00	15,000.00	30,000.00	15,000.00	30,000.00
8	Manhole - Type SW-303 Modified - 48"	EA	1	6,000.00	6,000.00	8,000.00	8,000.00	10,000.00	10,000.00
9	Connection to Existing Pipe	EA	1	2,500.00	2,500.00	15,000.00	15,000.00	35,000.00	35,000.00
10	8" HMA Pavement	SY	400	120.00	48,000.00	150.00	60,000.00	80.00	32,000.00
11	8" PCC Driveway	SY	195	150.00	29,250.00	78.00	15,210.00	100.00	19,500.00
12	6" PCC Trail Removal and Replacement	SY	207	125.00	25,875.00	106.00	21,942.00	75.00	15,525.00
13	Chain Link Fence Removal and Replacement	LF	90	30.00	2,700.00	34.00	3,060.00	20.00	1,800.00
14	Vinyl Coated Chain Link Fence Removal and Replacement	LF	70	30.00	2,100.00	43.00	3,010.00	20.00	1,400.00
15	Replacement	SF	350	45.00	15,750.00	108.00	37,800.00	20.00	7,000.00
16	Rip-Rap	TON	400	70.00	28,000.00	84.00	33,600.00	70.00	28,000.00
17	2" PVC Conduit	LF	220	14.00	3,080.00	32.00	7,040.00	12.00	2,640.00
18	Sodding	SQ	275	125.00	34,375.00	120.00	33,000.00	85.00	23,375.00
19	Video Inspection of Sanitary Sewer	LF	659	2.00	1,318.00	3.00	1,977.00	3.00	1,977.00
20	Steel Sheeting	SF	1,260	75.00	94,500.00	2.00	2,520.00	40.00	50,400.00
21	Trail Closure Signage	LS	1	xxxxx	5,000.00	xxxxx	3,000.00	xxxxx	4,000.00
22	Parking Lot Painting	LS	1	xxxxx	1,200.00	xxxxx	2,000.00	xxxxx	1,000.00
23	Traffic Control	LS	1	xxxxx	8,000.00	xxxxx	2,000.00	xxxxx	4,000.00
24	Erosion Control	LS	1	xxxxx	10,000.00	xxxxx	5,875.00	xxxxx	10,000.00
25	Clearing and Grubbing	LS	1	xxxxx	52,659.00	xxxxx	5,000.00	xxxxx	153,023.00
26	Construction Staking	LS	1	xxxxx	4,500.00	xxxxx	0.00	xxxxx	175,000.00
TOTAL BID (Items 1-26)					\$707,707.00		\$723,384.00		\$780,000.00
									\$854,713.00

* Bid read under advisement, bidder did not acknowledge Addendum No. 1.

**BID TABULATION
WEST DES MOINES, IOWA
GRAND AVENUE SIPHON REPLACEMENT
PROJECT NO. 0510-048-2015**

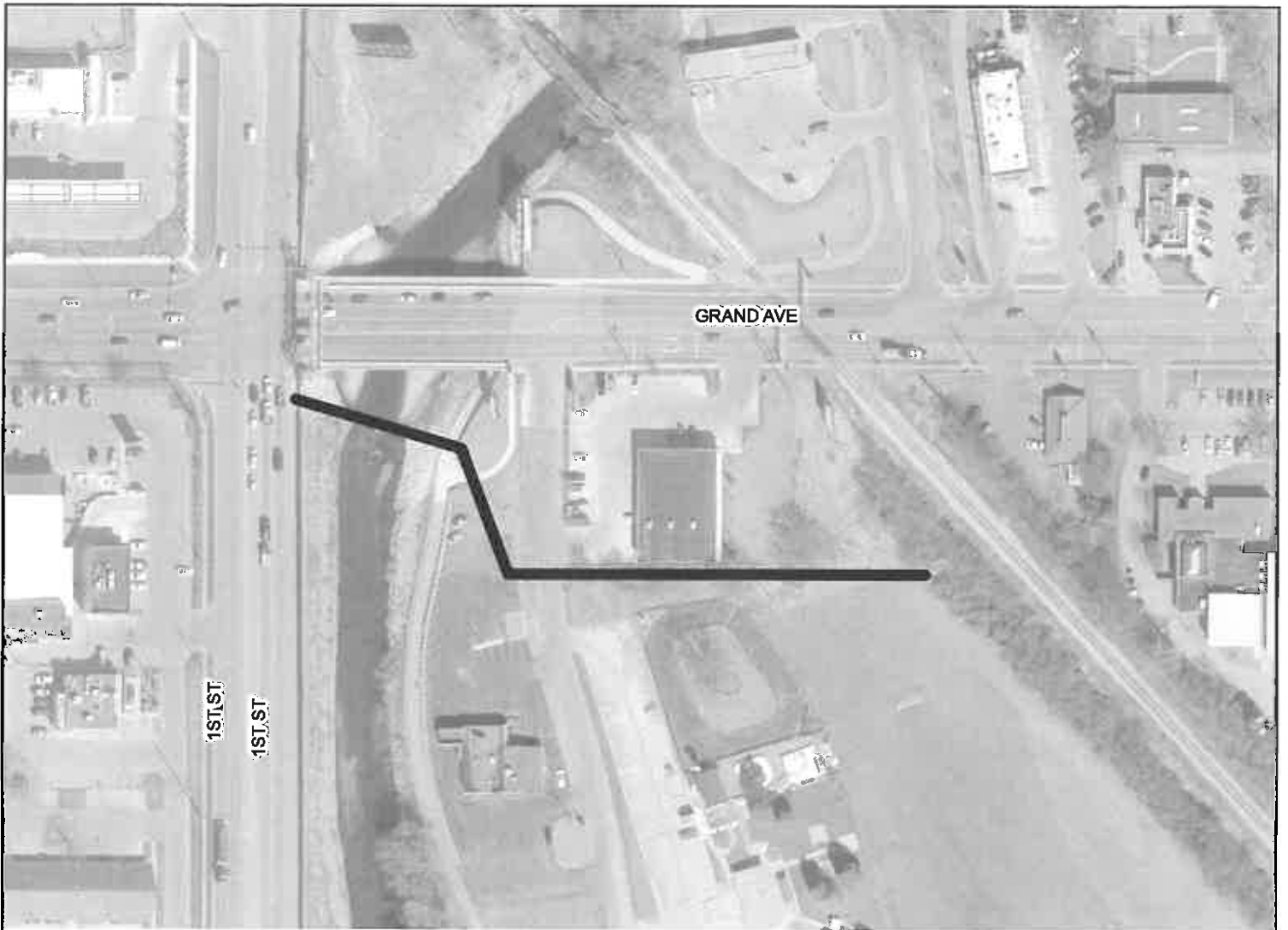
I hereby certify that this is a true tabulation of bids received on December 7, 2016 by the City of West Des Moines, Iowa.



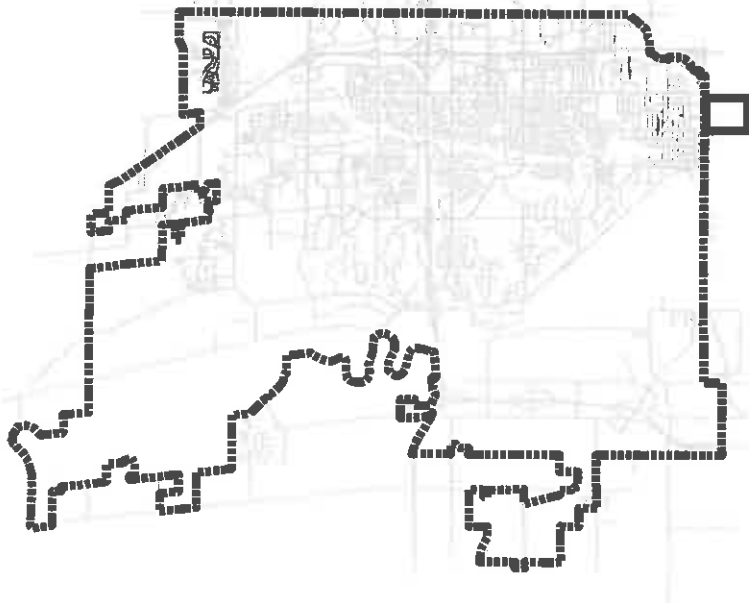
H. Robert Veenstra Jr., P.E.
Iowa License No. 9037

My license renewal date is December 31, 2018





VICINITY MAP



LEGEND

PROJECT LOCATION 



PROJECT:

Grand Avenue Siphon Replacement

LOCATION:

1st Street & Grand Avenue

DRAWN BY: JDR

DATE: 11/07/2016

PROJECT: 0510-048-2015

SHT. 1 of 1

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

Date: December 12, 2016

ITEM: Country Club Office Plaza West Plat 8, 1080 Jordan Creek Parkway – Replat Outlot B Country Club Office Plaza West from an outlot to a buildable lot and include a portion of Lot 1 Country Club Office Plaza West Plat 3 – Dallas County Partners – FP-003240-2016

RESOLUTION: Approval and Release of Final Plat

FINANCIAL IMPACT: Undetermined.

BACKGROUND: Dallas County Partners requests approval of a Final Plat for approximately 13.12 acres located at 1080 Jordan Creek Parkway. The applicant proposes to replat Outlot B Country Club Office Plaza West from an outlot to a buildable lot and include a portion of Lot 1 Country Club Office Plaza West Plat 3. A site plan has been submitted to construct an office building on the property (see Exhibit II – Location Map and Exhibit III – Final Plat)

CITY COUNCIL SUBCOMMITTEE: The final plat was reviewed by the Subcommittee on October 17, 2016.

OUTSTANDING ISSUES: There are no outstanding issues.

Right-of-way: Office Plaza Dr. is classified as a minor collector roadway which requires 70 feet of total right-of-way or 35 feet from the center of the right-of-way adjacent to the subject property, which is 5 feet more than the existing right-of-way. Jordan Creek Pkwy is classified as a major arterial roadway which requires 165 feet of total right-of-way or 82.5 feet from the center of the right-of-way adjacent to the subject property, which is 2.5 feet more than the existing right-of-way. The property owner has provided easements for the 5 feet and 2.5 feet of right-of-way for Office Plaza Drive and Jordan Creek Parkway, respectively, as required by the comprehensive plan.

As part of this approval, the City Council is approving and accepting the following:

- Surety in lieu of installation of traffic signal improvements and installation of sidewalks
- Easements for right-of-way along Jordan Creek Parkway and Office Plaza Drive

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: 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 and release the Final Plat, Country Club Office Plaza West Plat 8, to replat Outlot B Country Club Office Plaza West from an outlot to a buildable lot and include a portion of Lot 1 Country Club Office Plaza West Plat 3, subject to the applicant complying with all applicable City Code requirements.

Lead Staff Member: Kara V. Tragesser, AICP

STAFF REVIEWS:

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

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 and Planning Subcommittee		
Date Reviewed	October 17, 2016		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

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 and Planning Subcommittee		
Date Reviewed	October 17, 2016		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

ATTACHMENTS:

- Exhibit I - Resolution: Approval and Release of Final Plat
- Exhibit II - Location Map
- Exhibit III - Final Plat

Prepared by: KTragesser, 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 AND RELEASING THE FINAL PLAT, COUNTRY CLUB OFFICE PLAZA WEST PLAT 8 (FP-003240-2016) FOR THE PURPOSE OF REPLATING OUTLOT B COUNTRY CLUB OFFICE PLAZA WEST FROM AN OUTLOT TO A BUILDABLE LOT AND INCLUDE A PORTION OF LOT 1 COUNTRY CLUB OFFICE PLAZA WEST PLAT 3

WHEREAS, pursuant to the provisions of Title 10, Subdivision Regulations and Title 9, Zoning Chapter 1 et seq, of the West Des Moines Municipal Code, Dallas County Partners, has requested approval for a Final Plat (FP-003240-0016) for that 13.12 acres located at 1080 Jordan Creek Parkway for the purpose of replating Outlot B Country Club Office Plaza West from an outlot to a buildable lot and include a portion of Lot 1 Country Club Office Plaza West Plat 3

Legal Description

THAT PART OF LOT 1, COUNTRY CLUB OFFICE PLAZA WEST PLAT NO. 3, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID LOT 1; THENCE ON AN ASSUMED BEARING OF N 62°50'38" W, ALONG THE SOUTHERLY LINE OF SAID LOT 1, A DISTANCE OF 134.43 FEET; THENCE N 16°10'31" E, 413.74 FEET; THENCE N 00°50'17" E, 70.93 FEET TO THE NORTHERLY LINE OF SAID LOT 1; THENCE S 87°32'54" E, ALONG SAID NORTHERLY LINE, 56.36 FEET; THENCE EASTERLY 83.83 FEET ALONG A TANGENTIAL CURVE CONCAVE TO THE LEFT HAVING A RADIUS OF 530.00 FEET, A CENTRAL ANGLE OF 09°03'45", AND A CHORD THAT BEARS N 87°55'09" E, 83.74 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE S 00°50'17" W, ALONG THE EASTERLY LINE OF SAID LOT 1, A DISTANCE OF 62.20 FEET; THENCE S 16°10'31" W, ALONG THE EASTERLY LINE OF SAID LOT 1, A DISTANCE OF 487.37 FEET TO THE POINT OF BEGINNING.

AND,

OUTLOT "B", COUNTRY CLUB OFFICE PLAZA WEST, AN OFFICIAL PLAT IN THE CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA, EXCEPT THAT PART PLATTED AS COUNTRY CLUB OFFICE PLAZA WEST PLAT 6, AND THAT PART DEEDED TO THE CITY OF WEST DES MOINES IN A DEED FILED OCTOBER 16, 2001 IN BOOK 2001, PAGE 12442.

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

WHEREAS, the West Des Moines Plan and Zoning Commission reviewed the Preliminary Plat for Country Club Office Plaza West Plat 8 and recommended approval on November 7, 2016;

WHEREAS, the Final Plat that was submitted for review was determined to be generally consistent with the Preliminary Plat for Country Club Office Plaza West Plat 8 that was reviewed and approved by the City Council on November 14, 2016;

WHEREAS, on December 12, 2016, this City Council held a duly-noticed meeting to consider the application for Country Club Office Plaza West Plat 8 Final Plat;

WHEREAS, The City Council accepts surety in lieu of installation of traffic signal improvements and installation of sidewalks;

WHEREAS, the address for the site is assigned as 1080 Jordan Creek Parkway;

WHEREAS, the City Council approves and accepts the easements for right-of-way along Jordan Creek Parkway and Office Plaza Drive;

WHEREAS, Country Club Office Plaza West Plat 8 is zoned Country Club Office Plaza Planned Unit Development and meets all requirements of the City's Zoning Code.

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

SECTION 1. The findings of consistency with the Comprehensive Plan as stated in the staff report, or as amended orally at the City Council meeting, are adopted.

SECTION 2. Final Plat, Country Club Office Plaza West Plat 8 is approved, subject to compliance with all the conditions in the staff report, including conditions added at the Hearing, if any, and attached hereto as Attachment "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.

SECTION 3. This resolution does release the Country Club Office Plaza West Plat 8 Final Plat for recordation. The City Council of West Des Moines directs the City Clerk to release said plat for recordation in accordance with said City Council approval of the final plat on December 12, 2016, and Roll Call No. _____

CERTIFICATE

I, Ryan T. Jacobson, City Clerk for said City, hereby certify that at a meeting of the City Council of said City of West Des Moines, held on December 12, 2016, among other proceedings, Roll Call No. _____ approved said plat on December 12, 2016, and released said Final Plat for recordation.

Ryan T. Jacobson
City Clerk

IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of December 2016.

Jim Sandager, Mayor Pro-Tem

ATTEST:

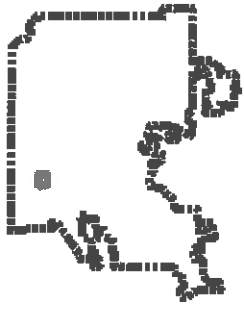
Ryan T. Jacobson
City Clerk

ATTACHMENT A
Conditions of Approval

None



Country Club Office Plaza West Plat 8



Legend

- Parcels
- Parks
- Greenways



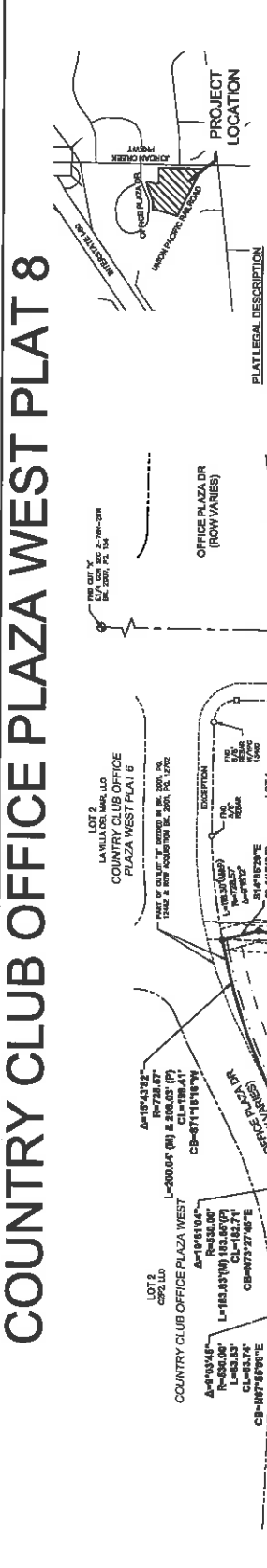
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Disclaimer: The City of West Des Moines makes no warranties regarding the accuracy or completeness of the data provided herein.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

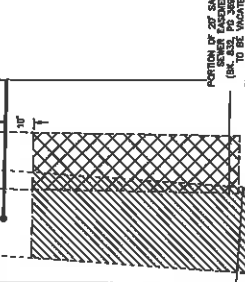
COUNTRY CLUB OFFICE PLAZA WEST PLAT 8



PLAT LEGAL DESCRIPTION
 THAT PART OF LOT 1, COUNTRY CLUB OFFICE PLAZA WEST PLAT NO. 8, AN OFFICIAL PLAT IN THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED AS AN ASSURED RESERVATION OF PLAZA WEST PLAT NO. 8, A DISTANCE OF 134.87 FEET, THENCE S 71° 45' 35.1\"/>

COMPREHENSIVE PLAN DESIGNATION
 EXISTING - BUSINESS AND COMMERCIAL - PLD COUNTRY CLUB OFFICE PLAZA
 SUPPORT COMMERCIAL (PCL)

ZONING
 EXISTING - BUSINESS AND COMMERCIAL - PLD COUNTRY CLUB OFFICE PLAZA



NOTES

- BASED ON SURVEY DATA OF SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 7N, RANGE 50W, WHICH HAS AN ASSURED EASEMENT OF 150.00 FEET.
- THE ADDRESS OF LOT 1 WILL BE ASSIGNED ONCE THE DEVELOPMENT INTENT HAS BEEN DETERMINED.
- ALL DIMENSIONS SHOWN REFLECT MEASURED DISTANCES, UNLESS NOTED OTHERWISE.

- LEGEND**
- BOUNDARY LINE
 - PROPOSED IMPROVEMENTS
 - PROPOSED EASEMENT
 - ACQUIRED EASEMENT
 - UTILITY EASEMENT
 - (UNLESS NOTED OTHERWISE)
 - PLANNED DISTANCE
 - RIGHT-OF-WAY
 - ROW
 - (PC) CONCRETE
 - (P) PAVEMENT
 - (C) CURB
 - (S) SIDEWALK
 - (D) DRIVE
 - (R) RIGHT-OF-WAY
 - (P) PAVEMENT

NOTES
 ALL INFORMATION SHOWN ON THIS PLAT WAS OBTAINED FROM THE RECORDS OF THE CLERK OF COUNTY CLERK OF DALLAS COUNTY, TEXAS, AND IS BELIEVED TO BE TRUE AND CORRECT. THE SURVEYOR HAS BEEN PAID FOR HIS SERVICES AND WILL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION SHOWN ON THIS PLAT.

SURVEYOR
 CLASSON ASSOCIATES
 100 W. WEAVER DRIVE
 DALLAS, TEXAS 75201
 CONTRACT: JONPITTMAN WEST DES MOINES, IOWA 50309
 PREPARED: 05/28/2018

OWNER/APPLICANT
 DALLAS COUNTY PARTNERS
 1005 JORDAN CREEK PARKWAY
 WEST DES MOINES, IOWA 50309

SURVEYOR'S SEAL
 NATIONAL SURVEYOR
 JON PITTMAN
 20001
 LICENSE NO. 12991

NO.	DATE	REVISIONS DESCRIPTION

2016
 VA
 BY CLUB OFFICE PLAZA WEST PLAT 8
 DALLAS COUNTY

CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: December 12, 2016

ITEM: Westfield Office Building, 1080 Jordan Creek Parkway – Phased Site Plan Approval for Footings and Foundations – Dallas County Partners – SP-003238-2016

RESOLUTION: Approval of Phased Site Plan for Footings and Foundations

FINANCIAL IMPACT: Undetermined.

BACKGROUND: Dallas County Partners requests approval of a Phased Site Plan for approximately 13.12 acres located at 1080 Jordan Creek Parkway. The applicant proposes to construct only footings and foundations (see Attachment B – Location Map and Attachment C – Phased Site Plan for footings and foundations only) for two 80,000 sq. ft. office buildings with underground parking and a common building in between the office buildings. A full site plan has been submitted for review, however, with the weather changing the applicant wishes to construct the footings and foundations. Staff has no issue with the request.

Plan and Zoning Commission Action:

Vote: 3-0 approval, Commissioners Brown, Costa, and Southworth absent, Commissioner Hatfield recused due to conflict of interest.

Date: December 5, 2016

Motion: Adopt a resolution recommending the City Council approve the phased site plan for footings and foundations

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
- History
- City Council Subcommittee – *Development and Planning (October 17, 2016)*
- Staff Review and Comments
 - *Footing and foundation permit*
- Comprehensive Plan Consistency
- Findings
- Staff Recommendation 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 adopt a resolution to approve a Phased Site Plan for Footings and Foundations for the site at 1080 Jordan Creek Parkway, subject to the applicant meeting all City Code requirements and the following:

1. That only footings and foundations for the buildings has been approved. No private utility or other construction on the site is approved with the Phased Site Plan for footings and foundations.
2. That a building permit be applied for the footings and foundations prior to commencing work on the site.

Lead Staff Member: Kara Tragesser, AICP

STAFF REVIEWS

Department Director	<i>Las</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	
Letter sent to surrounding property owners	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning Subcommittee		
Date Reviewed	October 17, 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 and Zoning Commission Resolution
 - Exhibit A – Conditions of Approval
 - Attachment B - Location Map
 - Attachment C - Phased Site Plan for Footings and Foundations only
- Exhibit II - City Council Resolution
- Exhibit A – Conditions of Approval

CITY OF WEST DES MOINES
PLAN AND ZONING COMMISSION COMMUNICATION

Meeting Date: December 5, 2016

Item: Westfield Office Building, 1080 Jordan Creek Parkway – Phased Site Plan Approval for Footings and Foundations – Dallas County Partners – SP-003238-2016

Requested Action: Approval of Phased Site Plan for Footings and Foundations

Case Advisor: Kara Tragesser, AICP 

Applicant's Request: Dallas County Partners requests approval of a Phased Site Plan for approximately 13.12 acres located at 1080 Jordan Creek Parkway. The applicant proposes to construct only footings and foundations (see Attachment B – Location Map and Attachment C – Phased Site Plan for footings and foundations only) for two 80,000 sq. ft. office buildings with underground parking and a common building in between the office buildings.

History: A preliminary plat was approved by the City on November 14, 2016, to replat an outlot and part of another lot into one lot for the construction of the office buildings noted above. On November 7, 2016, the Plan & Zoning Commission approved a grading plan for the lot to begin grading the site and excavating the underground parking. A final plat for the property is scheduled for December 12, 2016. A full site plan is anticipated to be submitted soon.

City Council Subcommittee: This item was presented to the Development and Planning City Council Subcommittee on October 17, 2016; the Subcommittee was supportive of the development.

Staff Review and Comment: This request was distributed to other City departments and other agencies for their review and comment. Staff notes the following:

Footing and Foundation permit: the approval of the phased site plan with the information provided on the attached site plans is sufficient to allow the developer to construct only footings and foundations for the buildings. The structural calculations have been submitted, reviewed, and are approved.

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 zoning designation and 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 a Phased Site Plan for Footings and Foundations for the site at 1080 Jordan Creek Parkway, subject to the applicant meeting all City Code requirements and the following:

1. That only footings and foundations for the buildings has been approved. No private utility or other construction on the site is approved with the Phased Site Plan for footings and foundations.
2. That a building permit be applied for the footings and foundations prior to commencing work on the site.

Owner/Applicant: Dallas County Partners
 1225 Jordan Creek Parkway, Suite 200
 West Des Moines IA 50266

Applicant Rep: Olsson Associates
 7157 Vista Drive
 West des Moines IA 50266
 515-331-6517

ATTACHMENTS:

- | | | |
|--------------|---|---|
| Attachment A | - | Plan and Zoning Commission Resolution |
| Attachment B | - | Location Map |
| Attachment C | - | Phase Site Plan for Footings and Foundations Only |

RESOLUTION NO. PZC-16-076

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE A PRELIMINARY PLAT TO REPLAT OUTLOT B COUNTRY CLUB OFFICE PLAZA WEST AND PART OF LOT 1 COUNTRY CLUB OFFICE PLAZA WEST PLAT 3 INTO ONE BUILDABLE LOT

WHEREAS, pursuant to the provisions of Title 10, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Dallas County Partners, has requested approval for a Phased Site Plan (SP-003238-2016) to construct footings and foundations at 1080 Jordan Creek Parkway;

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

WHEREAS, on December 5, 2016, this Commission held a duly-noticed public meeting to consider the application for a Phased Site Plan for Footings and Foundations;

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 meeting are adopted.

SECTION 2. The Phased Site Plan to construct footings and foundations is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report 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 December 5, 2016.


 Craig Erickson, Chairperson
 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 December 5, 2016, by the following vote:

AYES: Andersen, Crowley, Erickson

NAYS: -0-

ABSTENTIONS: Hatfield

ABSENT: Costa, Southworth, Brown

ATTEST:

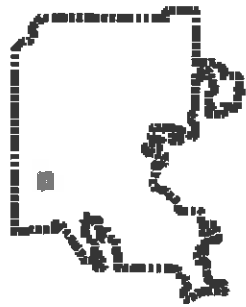

 Recording Secretary

Exhibit A
CONDITIONS OF APPROVAL

1. That only footings and foundations for the buildings has been approved. No private utility or other construction on the site is approved with the Phased Site Plan for footings and foundations.
2. That a building permit be applied for the footings and foundations prior to commencing work on the site.



Westfield Office Building 1080 Jordan Creek Pkwy



- Legend**
- Parcels
 - Parks
 - Greenways

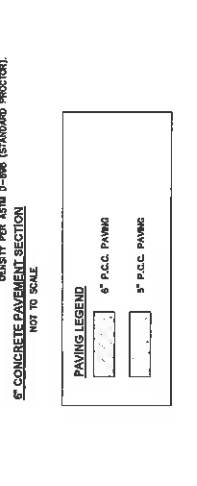
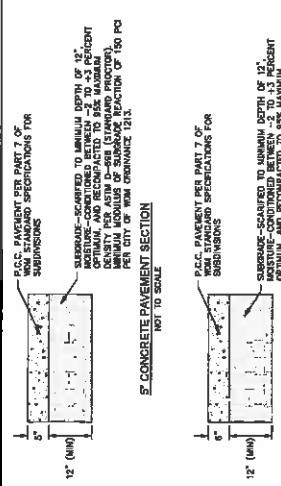
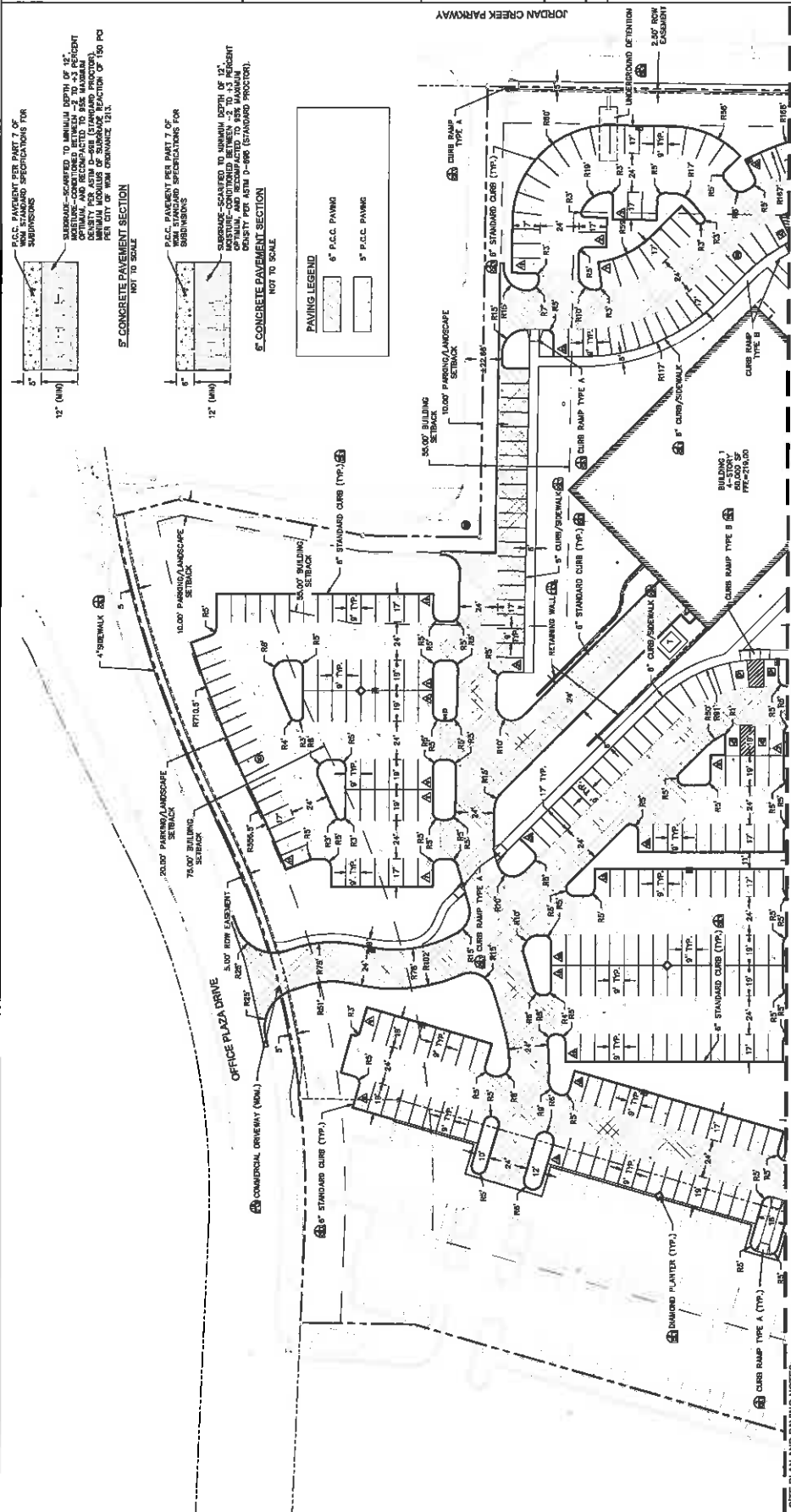


482.3 0 241.14 482.3 Feet

NAD_1983_StatePlane_Iowa_South_FIPS_1402_Feet
© City of West Des Moines, Iowa

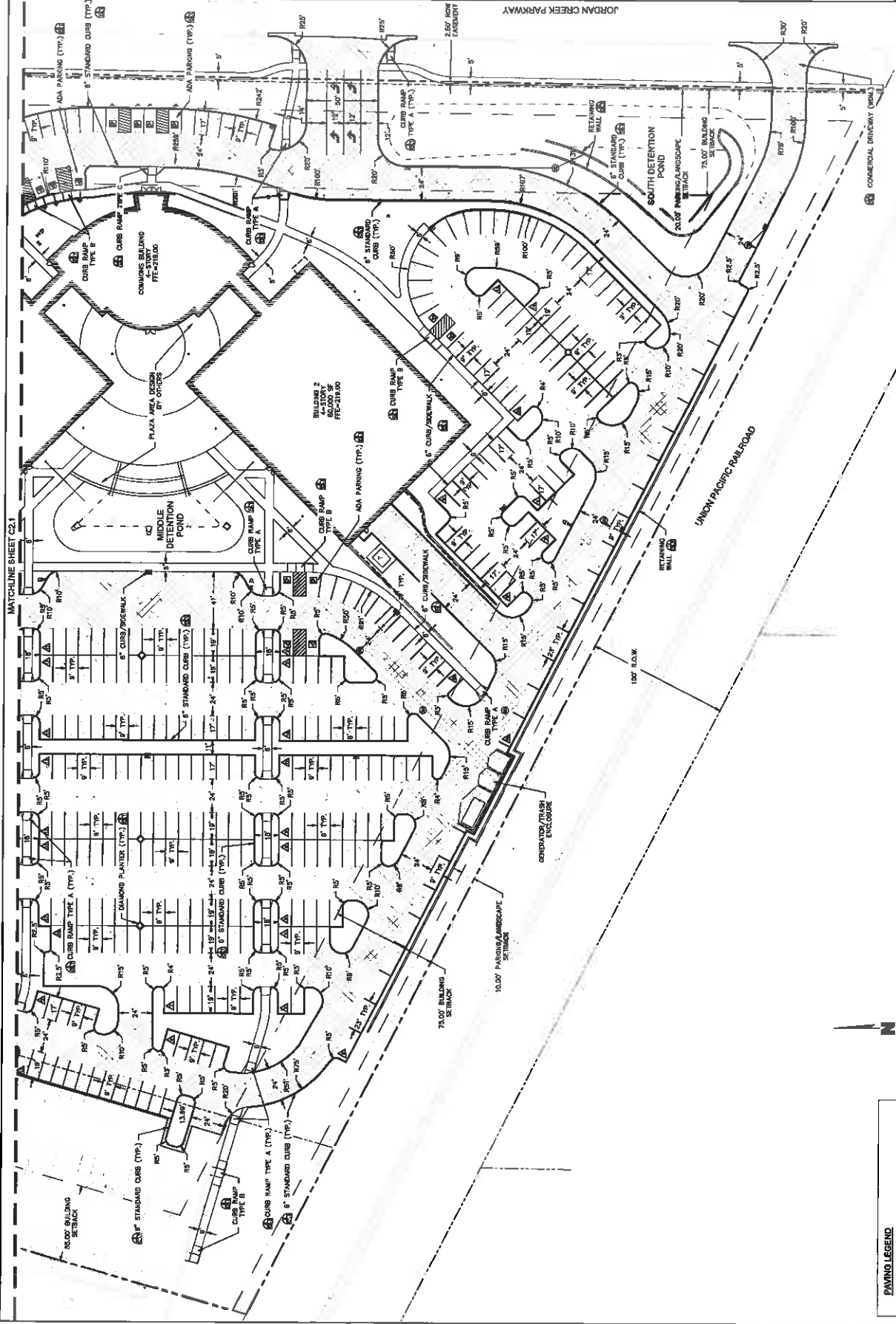
Disclaimer: The City of West Des Moines makes no warranties regarding the accuracy or completeness of the data provided herein.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



- SITE PLAN AND PAVING NOTES:**
1. ALL WORK SHALL BE IN ACCORDANCE WITH ALL CITY/COUNTY REGULATIONS AND LOCAL AND STATE STANDARDS.
 2. ALL WORK AND CONSTRUCTION SPECIFICATIONS FOR THIS PROJECT SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE 2012 INTERNATIONAL BUILDING CODES, THE 2012 INTERNATIONAL RESIDENTIAL CODES, THE 2012 INTERNATIONAL ENERGY CONSERVATION CODE, AND THE 2012 INTERNATIONAL PLUMBING AND MECHANICAL CODES. THE CONTRACTOR SHALL VERIFY ALL APPLICABLE CODES AND REGULATIONS WITH THE LOCAL AND STATE AUTHORITIES.
 3. ALL PAVING AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE "METRO DESIGN STANDARD" FOR STREETS AND THE WEST DES MOINES "OFF-ROAD DRIVEWAY" AND SHALL HAVE MINIMUM COMPRESSIVE STRENGTH OF 4000 P.S.I.
 4. ALL PAVING AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE "METRO DESIGN STANDARD" FOR STREETS AND THE WEST DES MOINES "OFF-ROAD DRIVEWAY" AND SHALL HAVE MINIMUM COMPRESSIVE STRENGTH OF 4000 P.S.I.
 5. ALL PAVING AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE "METRO DESIGN STANDARD" FOR STREETS AND THE WEST DES MOINES "OFF-ROAD DRIVEWAY" AND SHALL HAVE MINIMUM COMPRESSIVE STRENGTH OF 4000 P.S.I.
 6. ALL PAVING AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE "METRO DESIGN STANDARD" FOR STREETS AND THE WEST DES MOINES "OFF-ROAD DRIVEWAY" AND SHALL HAVE MINIMUM COMPRESSIVE STRENGTH OF 4000 P.S.I.
 7. ALL PAVING AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE "METRO DESIGN STANDARD" FOR STREETS AND THE WEST DES MOINES "OFF-ROAD DRIVEWAY" AND SHALL HAVE MINIMUM COMPRESSIVE STRENGTH OF 4000 P.S.I.
 8. ALL PAVING AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE "METRO DESIGN STANDARD" FOR STREETS AND THE WEST DES MOINES "OFF-ROAD DRIVEWAY" AND SHALL HAVE MINIMUM COMPRESSIVE STRENGTH OF 4000 P.S.I.
 9. ALL PAVING AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE "METRO DESIGN STANDARD" FOR STREETS AND THE WEST DES MOINES "OFF-ROAD DRIVEWAY" AND SHALL HAVE MINIMUM COMPRESSIVE STRENGTH OF 4000 P.S.I.
 10. ALL PAVING AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE "METRO DESIGN STANDARD" FOR STREETS AND THE WEST DES MOINES "OFF-ROAD DRIVEWAY" AND SHALL HAVE MINIMUM COMPRESSIVE STRENGTH OF 4000 P.S.I.
 11. ALL PAVING AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE "METRO DESIGN STANDARD" FOR STREETS AND THE WEST DES MOINES "OFF-ROAD DRIVEWAY" AND SHALL HAVE MINIMUM COMPRESSIVE STRENGTH OF 4000 P.S.I.
 12. ALL PAVING AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE "METRO DESIGN STANDARD" FOR STREETS AND THE WEST DES MOINES "OFF-ROAD DRIVEWAY" AND SHALL HAVE MINIMUM COMPRESSIVE STRENGTH OF 4000 P.S.I.
 13. ALL PAVING AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE "METRO DESIGN STANDARD" FOR STREETS AND THE WEST DES MOINES "OFF-ROAD DRIVEWAY" AND SHALL HAVE MINIMUM COMPRESSIVE STRENGTH OF 4000 P.S.I.
 14. ALL PAVING AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE "METRO DESIGN STANDARD" FOR STREETS AND THE WEST DES MOINES "OFF-ROAD DRIVEWAY" AND SHALL HAVE MINIMUM COMPRESSIVE STRENGTH OF 4000 P.S.I.
 15. ALL PAVING AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE "METRO DESIGN STANDARD" FOR STREETS AND THE WEST DES MOINES "OFF-ROAD DRIVEWAY" AND SHALL HAVE MINIMUM COMPRESSIVE STRENGTH OF 4000 P.S.I.
 16. ALL PAVING AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE "METRO DESIGN STANDARD" FOR STREETS AND THE WEST DES MOINES "OFF-ROAD DRIVEWAY" AND SHALL HAVE MINIMUM COMPRESSIVE STRENGTH OF 4000 P.S.I.

NO.	DATE	REVISION DESCRIPTION



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 1-800-483-4373
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PAVING LEGEND

[Symbol]	6" P.C.C. PAVING
[Symbol]	5" P.C.C. PAVING

Prepared by: KTragesser 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 PHASED SITE PLAN (SP-003238-2016) TO CONSTRUCT FOOTINGS AND FOUNDATION AT 1080 JORDAN CREEK PARKWAY FOR THE WESTFIELD OFFICE BUILDING

WHEREAS, pursuant to the provisions of Title 10, Chapter 1 et seq, of the West Des Moines Municipal Code, Dallas County Partners requests approval for a phase site plan approval to construct footings and foundations on property locally known as 1080 Jordan Creek Parkway and legally described as:

Legal Description of Property

Lot 1, Country Club Office Plaza West Plat 8, an official plat now in and forming a part of the City of West Des Moines, Dallas 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 December 5, 2016, the Plan and Zoning Commission recommend to the City Council approval of the Phased Site Plan; and

WHEREAS, on December 12, 2016, this City Council held a duly-noticed meeting to consider the application for a Phased Site Plan for footings and foundations;

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 for the preliminary plat, or as amended orally at the City Council meeting on this date, are adopted.

SECTION 2. The Phased Site Plan (SP-003238-2016) for footings and foundations is approved, subject to compliance with all the conditions in the staff report, 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 December 12, 2016.

Steven Gaer, Mayor

ATTEST:

Ryan T. Jacobson
City Clerk

EXHIBIT "A"
CONDITIONS OF APPROVAL

1. That only footings and foundations for the buildings has been approved. No private utility or other construction on the site is approved with the Phased Site Plan for footings and foundations.
2. That a building permit be applied for the footings and foundations prior to commencing work on the site.

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

DATE: December 12, 2016

ITEM:

First reading of proposed Amendment to Title 7, "Public Ways and Property", Chapter 10, "Trees and Shrubs", Section 7, "General Standards" of the City Code of the City of West Des Moines, Iowa.

FINANCIAL IMPACT:

With the approval of this amendment, the City will assume responsibility for the maintenance of City owned trees in the City rights-of-way. The Parks and Recreation staff conducted a financial analysis that indicated benefits in having the City assume the maintenance responsibilities of these City owned trees. While there will be financial costs with regards to City staff and equipment maintaining the trees, the financial analysis indicated an actual savings when compared to the current process. The Finance and Administration Sub-Committee approved the recommendation and the purchase of an aerial lift unit to allow this maintenance to be performed.

BACKGROUND:

In the past, maintenance of City owned trees planted in the City rights-of-way has been the responsibility of the adjacent property owner. While by Iowa law trees that are dead, diseased or dying are the responsibility of the City, current code required the adjacent property owner to trim the tree to required street and sidewalk clearances and other maintenance related responsibilities. Oftentimes trees that have not been trimmed for clearance, create both hazards and nuisances for pedestrians and vehicular traffic. In particular they can significantly impede maintenance activities such as solid waste collection, street sweeping and snow removal.

Currently the adjacent property owner is responsible for maintaining trees in the City rights-of-way. If trees are not in compliance the adjacent property owner is sent a certified letter notifying them of what maintenance needs to be completed within a 30 day period. If the work is not performed the City then conducts the maintenance and the property owner is billed for the maintenance that is performed. Council action on this amendment will allow the City to assume all maintenance associated with City owned trees in City rights-of-way.

The Public Services Sub-Committee approved this proposed amendment to the City Code at its meeting held on December 5, 2016.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION:

It is recommended that the City Council approve of the first reading of this proposed Amendment.

Lead Staff Member: Bret Hodne

STAFF REVIEWS

Department Director	Bret Hodne, Public Works Director <i>RH</i>
Appropriations/Finance	Tim Stiles, Finance Director <i>TS</i>
Legal	Jason Wittgraf, Assistant City Attorney
Agenda Acceptance	<i>(initials)</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Services/F&A		
Date Reviewed	December 5, 2016		
Recommendation	Yes	No	Split

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2014, BY AMENDING TITLE 7, "PUBLIC WAYS AND PROPERTY", CHAPTER 10, "TREES AND SHRUBS", SECTION 7 "GENERAL STANDARDS"

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

SECTION 1: Title 7, Chapter 10, Section 7 is hereby amended by deleting ~~strike through~~ text and adding underline text.

7-10-7: GENERAL STANDARDS:

Any person growing a tree, or shrub on private property, or growing a tree, shrub, garden, or other vegetative growth, or installing landscaping, structures, or other objects located within private property which encroaches upon the public right of way or that interferes with the vision triangle as provided in this code, or any person growing a public tree or shrub, shall comply with the following standards:

A. Maintenance: ~~Public trees~~ Trees or shrubs ~~located~~ planted within the public right of way that extend over public streets or sidewalks, or that obstruct traffic signs or public utilities, shall be maintained by the city. Trees or shrubs planted on private property that extend over public streets or sidewalks, or obstruct traffic signs or public utilities, shall be maintained by owners of abutting property in accordance with this section and the "City Forestry Standards of Practice and Specifications" at the cost of the property owner. Maintenance includes, but is not limited to, watering, fertilizing, insect and disease control, treatment, and pruning. The city reserves the right to perform maintenance of private or public trees or shrubs that are planted or extend into the public right of way without notice or compensation to the abutting property owner if the city forester determines that such maintenance is necessary to promote and protect the public health, safety, and general welfare. The city may perform maintenance of trees and shrubs located within the public right of way at the discretion of the city forester.

B. Pruning: Subject to the maintenance responsibility provisions cited above, trees ~~Trees or shrubs in the public right of way shall be properly pruned by the abutting property owner and trees or shrubs on private property shall be properly pruned by the property owner~~ for the purpose of preventing the following potentially hazardous situations: The obstruction of traffic signs; the obstruction of a clear view of street and alley intersections; the obstruction of the proper lighting of public streets and places; and the obstruction of public walks, trails, or streets. The minimum vertical clearance of trees and shrubs shall be fourteen feet (14') between the surface of a street and the lowest branch. The minimum vertical clearance shall be eight feet (8') between the surface of a sidewalk, trail, or other pedestrian way and the lowest branch. All pruning shall be done in accordance with the "City Forestry Standards of Practice and Specifications". ~~The city may perform pruning of public trees or shrubs at the discretion of the city forester.~~

C. Avoid Damage or Nuisance: The planting of trees, shrubs, gardens, or other vegetative growth, or the installation of landscaping, structures, or other objects on private property which would cause a public danger or nuisance shall be prohibited.

D. Street or Alley Intersection: The planting of trees, shrubs, gardens, or other vegetative growth, or the installation of landscaping, structures, or other objects on corner lots or lots adjacent to an alley within the area bounded by street or alley lines of such lots and a line joining points along said street or alley lines twenty five feet (25') from the point of intersection of the public right of way lines, defined in this code as the "vision triangle", shall be limited to trees, shrubs, gardens, and other vegetative growth, and landscaping, structures, and other objects located within this area that shall not exceed two feet (2') in height, and the lowest branches of any trees planted outside of this area, but the branches of such trees that extend within this area, must be a minimum of ten feet (10') in height. Height shall be measured from the curb elevation and trees, shrubs, gardens, and other vegetative growth must be pruned or maintained to comply with these height restrictions to create an unobstructed view of the intersection between heights of two feet (2') and ten feet (10') above the curb elevation. Notwithstanding these height restrictions, no trees, shrubs, gardens, or other vegetative growth shall be planted within the vision triangle that create or constitute a vision obstruction to vehicular, bicycle, or pedestrian traffic. Similarly, no landscaping, structures, or other objects shall be placed within the vision triangle that create or constitute a vision obstruction to vehicular, bicycle, or pedestrian traffic. The city shall have sole discretion to determine whether a vision obstruction exists for vehicular, bicycle, and pedestrian traffic. There shall be no compensation by the city to the affected property owner for any damage to or removal of any trees, shrubs, gardens, or other vegetative growth, or any damage to or removal of landscaping, structures, or other objects, encroaching upon the public right of way or that interferes with the "vision triangle" as defined in this code.

E. Dead, Diseased, or Insect Ridden Trees or Shrubs: Dead, diseased, or insect ridden trees or shrubs shall be subject to the following conditions:

1. Public Trees or Shrubs: The city forester shall coordinate treatment or removal of any public tree or shrub which is so hazardous, diseased or insect ridden as to be deemed a nuisance and constitutes a hazard to other trees or shrubs or the public safety. Public trees that are at risk of becoming diseased or insect ridden may be treated or preemptively removed by the city as part of a management plan approved by the city council. Trees in the public right of way not identified for treatment by the city and not deemed a nuisance or a hazard may be treated by the abutting property owner with an approved permit.

2. Trees or Shrubs Located within Private Property: The code enforcement officer shall provide written notice to be served on a property owner by personal service, or by certified mail with return receipt requested and regular mail, requiring the treatment or removal within fourteen (14) calendar days of notification of any trees or shrubs located within private property which are dead, diseased or insect ridden so as to be deemed a nuisance and constitute a hazard to public trees or shrubs, other trees or shrubs on private property, or public safety. Such removal, pruning, or treatment as required by provisions of this section shall be subject to the applicable "City Forestry Standards of Practice and Specifications".

F. Prohibited Trees: Trees prohibited from being planted within public property shall be identified by the city forester and included on an official list. Copies of this list shall be made available at city offices and on the city website.

G. Appropriate Trees: Any tree planted in the public right of way must first meet all requirements listed in the city's tree planting permit. Trees appropriate to be planted within the public right of way are those listed in the most recent edition of Iowa State University's extension bulletin Pm-

1429e "Street Trees" and Pm-1429d "Low-Growing Trees For Urban And Rural Iowa". Copies of these lists are available at city offices and through the Polk County extension office. Other trees or shrubs not listed within these publications, but not prohibited, may be reviewed and approved at the discretion of the city forester.

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. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, adoption, and publication as required by law.

PASSED AND APPROVED this ____ day of _____, 2016.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

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

DATE: December 12, 2016

ITEM: Fox Valley, Generally north of SE Fox Valley Drive and approximately 900' west of SE Beaverbrook Trail – Rezone property from Medium Density Residential (RM-12) to Single Family Residential (R-1) - Charles I. & Ruth Colby National Development Trust – ZC-003292-2016

MOTION: Refer to Plan and Zoning Commission

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, Charles I. & Ruth Colby Development Trust, has submitted a Zone Change application for approval to adjust land uses in that area located north of SE Fox Valley Drive and approximately 900' west of SE Beaverbrook Trail. The applicant proposes to change approximately 13 acres from Residential Medium Density (RM-12) to Single Family Residential (R-1) for future single family development. The property will be designated as Fox Valley Plat 4 which is generally located northwest of Fox Valley Plat 3 subdivision. In conjunction with the rezoning request, a Comprehensive Plan Land Use Map Amendment is also being requested consistent with the proposed rezoning.

At this time the petitioner 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: Brian Portz, Planner *BP*

STAFF REVIEWS:

Department Director	<i>UK</i>
Appropriations/Finance	<i>UK</i>
Legal	<i>UK</i>
Agenda Acceptance	<i>UK</i>

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)

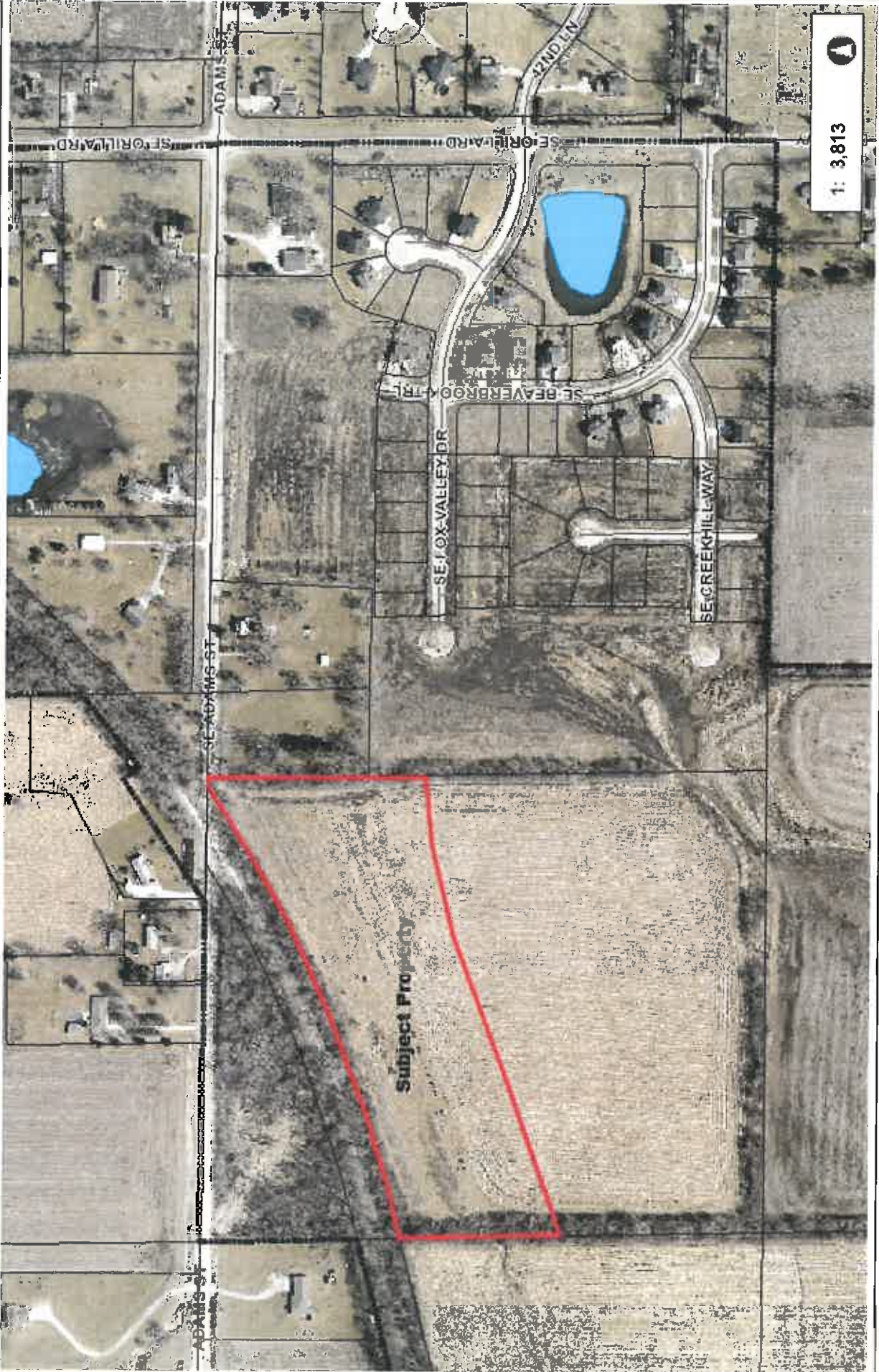
Committee	Development & Planning		
Date Reviewed	November 28, 2016		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

ATTACHMENTS:

Exhibit I Location Map



Fox Valley Plat 4



635.5

317.74

635.5 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: Lonnie Williams - Resignation from
Human Services Advisory Board - Receive and File

DATE: December 12, 2016

FINANCIAL IMPACT: None

BACKGROUND: Lonnie Williams has submitted a letter of resignation from the Human Services Advisory Board, effective immediately. The Mayor and City Council appreciate the time he has devoted to the Board.


OUTSTANDING ISSUES (if any): None

RECOMMENDATION:

Receive and File Letter of Resignation.

Lead Staff Member: Ryan T. Jacobson, City Clerk _____

STAFF REVIEWS

Department Director	Ryan T. Jacobson, City Clerk
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	

Lonnie Williams
209 2nd Street
West Des Moines, IA 50265

November 30, 2016

Althea Holcomb
West Des Moines Human Services
139 6th Street
West Des Moines, IA 50265

Dear Althea,

I wish to submit my resignation from the WDMHS board. I have been unable to attend the board meetings due to conflicts with the meeting times. The board would be better suited by having a member that can devote 100% of their time to the support and administration of the great programs and services of WDM Human Services.

Thank you for the opportunity.

Sincerely,

Lonnie Williams

A handwritten signature in cursive script that reads "Lonnie Williams". The signature is written in dark ink and is positioned below the typed name.