

December 27, 2016

West Des Moines City Council Proceedings  
Tuesday, December 27, 2016

Mayor Pro tem Jim Sandager 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 Tuesday, December 27, 2016 at 5:30 PM. Council members present were: R. Messerschmidt, J. Mickelson, J. Sandager, and K. Trevillyan. Council member R. Trimble participated via telephone.

City Clerk Ryan Jacobson stated staff is recommending that Item 6(c) Osmium Annexation be continued to the January 23, 2017 meeting.

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

Vote 16-534: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 2. Public Forum

Nancy Forrest, 2299 152<sup>nd</sup> Street, Winterset, noted there are a number of development projects moving forward that will impact the Madison County area, and she requested that these developments projects would seek to have a regenerative impact on the environment, instead of an extractive impact.

On Item 3. Council/Manager/Other Entities Reports

Council member Trimble reported the Finance and Administration Subcommittee met and discussed a proposed economic development assistance grant for DelVoda.

Council member Mickelson reported he attended the grand opening of the new ice skating rink at Raccoon River Park, and he expressed appreciation to the Iowa Wild and Wells Fargo for their support of that project.

Council member Messerschmidt reported he attended a Cub Scout pack meeting at Fairmeadows Elementary School, at which he spoke about citizenship and leadership.

Council member Sandager reported that DelVoda, the organization being considered for an economic development assistance grant, is an Israeli firm that made a connection to the City through the Sister Cities Commission, and they are proposing to start a business accelerator program to recruit start-up companies.

On Item 4. Consent Agenda.

It was moved by Messerschmidt, second by Trevillyan to approve the consent agenda as presented.

- a. Approval of Minutes of December 12, 2016 Meeting
- b. Approval of Bill Lists
- c. Approval of Liquor Licenses:
  - 1. 7 Stone, LLC d/b/a 7 Stone, 9350 University Avenue - Class BW Permit with Sunday Sales - Renewal
  - 2. Lakes Venture, LLC d/b/a Fresh Thyme Farmers Market, 2900 University Avenue, Suite E - Class BC Permit with Carryout Wine and Sunday Sales - Renewal
  - 3. Hy-Vee, Inc., d/b/a Hy-Vee Meeting Room, 1725 Jordan Creek Parkway, 2nd Floor Meeting Room - Class BW Permit with Sunday Sales - Renewal
  - 4. F & K Hagar, L.L.C. d/b/a Manhattan Grill, 1960 Grand Avenue, Suites 29-31 - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
- d. Approval of 2016-2017 Committee/Liaison Assignments
- e. Approval of Special Assessment - Nuisance Abatement
- f. Accept Work - Valley View Park Basketball Courts
- g. Establish Consultation Meeting and Public Hearing - Amendment No. 2 to the Ashworth Corridor Urban Renewal Area
- h. Approval and Acceptance of Easements - Bridgewood Drive Vacation
- i. Approval of Resolution of Support - Greater Des Moines Water Trails and Greenways Plan
- j. Approval of Economic Development Assistance Grant - DelVoda

Vote 16-535: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 5(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, initiated by Margaret Munro

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

Vote 16-536: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 16-537: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

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

Vote 16-538: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 5(b) Mills Crossing, 5901 Mills Civic Parkway - Amend Specific Plan to Include Site Amenities, initiated by Hurd Mills, LLC

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

Vote 16-539: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 16-540: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

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

Vote 16-541: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 5(c) 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, initiated by the City of West Des Moines

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

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Vote 16-542: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 16-543: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

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

Vote 16-544: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

It was moved by Trevillyan, second by Messerschmidt to adopt Resolution - Approval of Address Changes.

Vote 16-545: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 5(d) 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, initiated by the City of West Des Moines

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

Vote 16-546: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 16-547: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

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

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Vote 16-548: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 6(a) Mayor Pro tem Sandager indicated this was the time and place for a public hearing to consider Agreement for Private Development, initiated by Raccoon River Land Company, LLC (Continued from December 12, 2016). He asked for the date the notice was published and the City Clerk indicated the notice was published on November 25, 2016 in the Des Moines Register. Mayor Pro tem Sandager asked if any written comments had been received. The City Clerk stated none had been received.

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

It was moved by Mickelson, second by Trevillyan to adopt Resolution - Approval of Agreement.

Vote 16-549: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 6(b) Mayor Pro tem Sandager indicated this was the time and place for a public hearing to consider Fox Valley, generally north of SE Fox Valley Drive and approx. 900 ft. west of SE Beaverbrook Trail - Amend the Comprehensive Plan Land Use Map Designation from Medium Density Residential to Single Family Residential and Rezone from Medium Density Residential to Single Family Residential, initiated by Charles I. and Ruth Colby National Development Trust. He asked for the date the notice was published and the City Clerk indicated the notice was published on December 9, 2016 in the Des Moines Register. Mayor Pro tem Sandager asked if any written comments had been received. The City Clerk stated on a vote of 6-0, with one member absent, the Plan and Zoning Commission recommended City Council approval of the Comprehensive Plan Amendment and Rezoning Request.

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

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

Vote 16-550: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

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

Vote 16-551: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

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The City Clerk read the preamble to the ordinance.

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

Vote 16-552: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 6(c) Osmium Annexation (approximately 350.62 acres) - Voluntary Annexation, initiated by the City of West Des Moines

It was moved by Trevillyan, second by Messerschmidt to adopt Motion - Continue Public Hearing to January 23, 2017.

Vote 16-553: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 6(d) Amendment to City Code - Title 7 (Public Ways and Property) and Title 9 (Zoning), Chapter 10 (Performance Standards) and Chapter 18 (Signs) - Adopt New Regulations for the Placement of Signs within the Corporate City Limits, initiated by the City of West Des Moines

It was moved by Trevillyan, second by Messerschmidt to adopt Motion - Continue Public Hearing Indefinitely.

Vote 16-554: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 6(e) Mayor Pro tem Sandager indicated this was the time and place for a public hearing to consider Grand Avenue West Segment 6F Sewer Extension, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on December 16, 2016 in the Des Moines Register. Mayor Pro tem Sandager asked if any written comments had been received. The City Clerk stated none had been received.

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

It was moved by Messerschmidt, second by Trevillyan to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Valley Plumbing Company, Inc.

Vote 16-555: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

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On Item 6(f) Mayor Pro tem Sandager indicated this was the time and place for a public hearing to consider Public Safety Station 21 HVAC Improvements, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on December 16, 2016 in the Des Moines Register. Mayor Pro tem Sandager asked if any written comments had been received. The City Clerk stated none had been received.

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

It was moved by Messerschmidt, second by Trevillyan to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Defer Award of Contract to January 9, 2017.

Vote 16-556: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 7(a) Westport Preliminary Plat 1, 33346 V Court - Subdivide Property into 55 Lots for Single Family Development, Five Public Street Lots, and Four Outlots, initiated by Westport Development, LLC

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

Vote 16-557: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 7(b) Reed Warehouse, 1611 Fuller Road - Construction of a 5,940 sq. ft. Warehouse for Vehicle Storage, initiated by Kendall Reed

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

Vote 16-558: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 7(c) Deer Hunter's Run Plat 2, adjacent to 36862 Hunters Point Van Meter - Approval of a Plat of Survey to Divide Outlot Y into Two Parcels, initiated by NW 77 JV (Vista Real Estate)

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

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requirements.

Vote 16-559: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 8(a) Grand Valley, northeast corner of South 35th Street and Grand Avenue - Amend the Planned Unit Development (PUD) to Modify Parcel Boundaries - Russell Ver Ploeg - Referred to Plan and Zoning

On Item 8(b) West Des Moines Water Works - 2017 Budget - Received and Filed

On Item 9 - Other Matters: none

The meeting was adjourned at 5:57 p.m.

Respectfully submitted,

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Ryan T. Jacobson, CMC  
City Clerk

ATTEST:

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Jim Sandager, Mayor Pro tem