

CITY OF WEST DES MOINES

COUNCIL AGENDA

date: March 19, 2018

time: 5:30 P.M.

MAYOR STEVEN K. GAER
COUNCILMEMBER AT LARGE RENEE HARDMAN
COUNCILMEMBER AT LARGE JIM SANDAGER
COUNCILMEMBER 1ST WARD KEVIN L. TREVILLYAN
COUNCILMEMBER 2ND WARD JOHN MICKELSON
COUNCILMEMBER 3RD WARD RUSS TRIMBLE

CITY MANAGER.....TOM HADDEN
CITY ATTORNEY.....RICHARD SCIESZINSKI
CITY CLERK.....RYAN JACOBSON

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

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

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

4. Consent Agenda

- a. Motion - Approval of Minutes of March 5, 2018 Meeting
- b. Motion - Approval of Bill Lists
- c. Motion - Approval of Liquor Licenses:
 - 1. Montelongo, Inc. d/b/a Abelardo's Mexican Food, 5525 Mills Civic Parkway, Suite 130 - Class BB Beer Permit with Sunday Sales - Renewal
 - 2. Chipotle Mexican Grill of Colorado, LLC d/b/a Chipotle Mexican Grill, 1551 Valley West Drive, Suite #224 - Class LC Liquor License with Sunday Sales and Outdoor Service Privileges - Renewal
 - 3. El Rey Corporation d/b/a El Rey Burritos, 1310 Grand Avenue - Class LC Liquor License with Sunday Sales - Renewal
 - 4. Silverwest-I WDM, LLC d/b/a Element West Des Moines, 575 South Prairie View Drive - Class LB Liquor License with Carryout Wine, Sunday Sales, and Outdoor Service - Renewal
 - 5. LVP FFI Des Moines Holding Corp. d/b/a Fairfield Inn West Des Moines, 7225 Vista Drive - Class BC Permit with Carryout Wine and Sunday Sales - Renewal
 - 6. Firecreek Grill, LLC d/b/a Fire Creek Grill, 800 South 50th Street, Suite 110 - Class LC Liquor License with Carryout Wine and Outdoor Service - New

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7. Windrum Enterprises, LLC d/b/a Fuddruckers, 6378 Mills Civic Parkway - Class BB Beer Permit with Sunday Sales - Renewal
 8. Hy-Vee, Inc. d/b/a Hy-Vee Food Store & Drug Center #2, 1990 Grand Avenue - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
 9. JLS Vending, Inc. d/b/a The Oasis, 2500 Grand Avenue (softball complex) - Class BB Beer Permit with Sunday Sales and Outdoor Service Privileges - Renewal
 10. Hy-Vee, Inc. d/b/a The Ron Pearson Center, 5820 Westown Parkway - Class LC Liquor License with Carryout Wine, Sunday Sales, and Catering Privileges - Renewal
 11. Plunkett Enterprises S&S d/b/a Scissors and Scotch, 440 South 68th Street, #105 - Class LC Liquor License with Sunday Sales - New
 12. Des Moines Wine Festival Foundation, d/b/a Winefest Des Moines, 1501 42nd Street, Suite 500 - 5-Day Class BW Permit - Effective March 22-26, 2018
- d. Motion - Approval of Extended Sound Permit - Glen Oaks Country Club, 1401 Glen Oaks Drive
- e. Motion - Approval of Special Event Lane Closures:
1. St. Patrick's 10K and 5K - Friendly Sons of St. Patrick
2. Lutheran Church of Hope Easter Services
- f. Motion - Approval of Appointment - Bicycle Advisory Commission
- g. Motion - Approval of Contract - Electrical Repair Services
- h. Motion - Approval of Agreement Amendment - Veterans Parkway Enhancements
- i. Resolution - Order Construction:
1. 2017 ADA Sidewalk Improvements
2. 2018 PCC Reconstruction Project
3. Holiday Park Parking Lot Repairs
4. Veterans Parkway, SE Maffitt Lake Road to SE Adams Street
- j. Resolution - Accept Work:
1. 2017 PCC Reconstruction Program
2. Valley Junction Alley Improvements, Phase 4
3. South 88th Street Improvements, Booneville Road to Sugar Creek Drive
- k. Resolution - Approval and Acceptance of Purchase Agreements and Property Interests - Project Osmium Public Infrastructure
- l. Resolution - Approval and Acceptance of Purchase Agreement - 5 Hamilton Court
- m. Resolution - Approval of First Amendment to Agreement Regarding the Installation of a Private Access Road - 9040 University Avenue
- n. Resolution - Approval of Settlement and Release - South 60th Street Improvements Project - Dennis and Vicki Swallow
- o. Resolution - Approval of Resolution of Support - Sergeant Shawn Miller Memorial Bridge

5. Old Business

- a. Covenant Cove, southeast corner of 98th Street and Bishop Drive - Approval of an Amendment to the 98th Street Planned Unit Development (PUD) to Change Zoning from Manufactured Housing to Residential Medium Density and Establish Development Regulations - Covenant Cove, LLC
 - 1. Ordinance - Approval of Second, Third Readings and Final Adoption

- b. Amendment to City Code - Title 9 (Zoning), Chapter 2 (Zoning Rules and Definitions), Chapter 6 (Commercial, Office and Industrial Zoning District), and Chapter 14 (Accessory Structures) - Update Regulations Pertaining to Small Wind and Solar Energy Generating Systems and Define and Regulate Electric Vehicle Charging Stations - City Initiated
 - 1. Ordinance - Approval of Second, Third Readings and Final Adoption

- c. Amendment to City Code - Title 9 (Zoning), Chapter 6 (Commercial, Office and Industrial Zoning District) - Allow within Industrial Zoning Districts Uses Related to Garbage Collection and Transport, Unattended Fuel Pumps and Public Safety and Order - City Initiated
 - 1. Ordinance - Approval of Second, Third Readings and Final Adoption

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

- a. Termination of Easements, 8184 South Orilla Road - Terminate a Private Utility Easement and Two Shared Driveway and Utility Easements - City Initiated
 - 1. Resolution - Approval of Termination of Easements

- b. Miscellaneous Repairs at Parks Restrooms/Shelters - City Initiated
 - 1. Resolution - Approval of Plans and Specifications
 - 2. Motion - Receive and File Report of Bids
 - 3. Resolution - Award Contract

- c. Woodland Hills Park Loop Trail - City Initiated
 - 1. Resolution - Approval of Plans and Specifications
 - 2. Motion - Receive and File Report of Bids
 - 3. Resolution - Award Contract

- d. 2018 Concrete Trail Renovation - 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. New Horizon Day Care, 9040 University Avenue - Approval of Site Plat to Construct a 12,600 sq. ft. Day Care Building - New Horizon Real Estate Development, LLC
 - 1. Resolution - Approval of Site Plan

- b. Flynn Estates, 33513 335th Street - Subdivide Property into Two Single Family Lots - Pamela Flynn
 - 1. Resolution - Approval and Release of Plat of Survey

- c. Amendment to City Code - Title 4 (Health and Safety Regulations), Chapter 5 (Solid Waste Control) - Remove the Licensing Requirements for Haulers of Solid Waste - City Initiated
 - 1. Ordinance - Approval of First Reading

8. Receive, File and/or Refer

9. Other Matters

- a. Legislative Updates
 - 1. Motion - Approval of Subcommittee Recommendations

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.

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West Des Moines City Council Proceedings
Monday, March 5, 2018

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, March 5, 2018 at 5:30 PM. Council members present were: R. Hardman, J. Mickelson, J. Sandager, and K. Trevillyan. Council member R. Trimble participated via telephone.

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

Vote 18-103: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 2. Public Forum

Gayle Perbera, 837 23rd Street, expressed concerns about issues with her West Des Moines Water Works account.

Mayor Gaer requested that City staff reach out West Des Moines Water Works staff to address Ms. Perbera's concerns.

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

Fire Chief Craig Leu introduced Fire Lieutenant Neil Weglarz and Firefighters Joshua Brady and Jordan Hedrick, who were then sworn in by Mayor Gaer.

The West Des Moines Robotics Club presented an update on their activities and demonstrated some of the features of the robot they constructed. They also expressed appreciation to the City for its support of their club.

Michael McCoy, Executive Director of the Metro Waste Authority, provided a presentation on the organization's current operations and facilities.

Council member Sandager reported the Finance and Administration Subcommittee met and held discussion on funding options for potential roadway projects. The Legislative Subcommittee also met and discussed SF 2081, which would eliminate the state backfill for cities. He also reported he attended a ribbon cutting ceremony at KCL Engineering.

Council member Mickelson reported the Development and Planning Subcommittee met, where a presentation was given on proposed entrance signs around the city. He also reported he spoke on behalf of the City at Valley Southwoods Freshman High School for diversity week.

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Council member Hardman congratulated KCL Engineering on a successful ribbon cutting ceremony. She also reported she participated in a conference at Drake University that taught young girls about how to brand themselves.

City Manager Tom Hadden reported the special election for a Polk County local option sales and service tax will be held tomorrow, and there is further information available on the City's website.

On Item 4. Consent Agenda.

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

- a. Approval of Minutes of February 20, 2018 and February 23, 2018 Meetings
- b. Approval of Bill Lists
- c. Approval of Liquor Licenses:
 1. Revenge Is a Dish, LLC d/b/a Blue Moon Dueling Piano Bar and Restaurant, 5485 Mills Civic Parkway - Class LC Liquor License with Sunday Sales and Outdoor Service - New
 2. Century Theatres, Inc. d/b/a Century 20 Jordan Creek and XD, 101 Jordan Creek Parkway, Unit 2000 - Class BW Permit with Sunday Sales - Renewal
 3. Git N Go Convenience Stores, Inc. d/b/a Git N Go Convenience Store #4, 1325 Grand Avenue - Class BC Beer Permit with Sunday Sales - Renewal
 4. C.C.W., LLC d/b/a Huhot Mongolian Grill, 4100 University Avenue, Suite 101 - Class BW Permit with Sunday Sales - Renewal
 5. Hy-Vee, Inc. d/b/a Hy-Vee Meeting Room, 1725 Jordan Creek Parkway - Transfer Location Temporarily to 1236 Jordan Creek Parkway (SpringHill Suites) - April 11-12, 2018
 6. Sri Ganesh, LLC d/b/a Paradise Biryani Pointe, 6630 Mills Civic Parkway, Suite 3102 - Class BW Permit with Native Wine and Sunday Sales - Renewal
 7. Quik Trip Corporation d/b/a Quik Trip #517, 1451 22nd Street - Class LE Liquor License with Carryout Wine, Carryout Beer and Sunday Sales - Renewal
 8. Scotty's Pub 1, LLC d/b/a Scotty's Pub & Grill, 3781 EP True Parkway - Class LC Liquor License Extension of Outdoor Service - March 16-18, 2018
 9. BarleyBay, LLC d/b/a Twisted Vine Brewery, 3320 Westown Parkway - Class BB Beer Permit with Sunday Sales and Outdoor Service - Renewal
 10. W West Investments, LLC d/b/a Wellman's West, 597 Market Street - Class LC Liquor License with Sunday Sales and Outdoor Service Privileges - Renewal
 11. W West Investments, LLC d/b/a Wellman's West Rooftop, 597 Market Street (Rooftop) - Class LC Liquor License with Sunday Sales and Outdoor Service Privileges - Renewal
 12. Cost Plus, Inc. d/b/a World Market, 4100 University Avenue, Suite 210 - Class BC Beer Permit with Carryout Wine and Sunday Sales - Renewal
- d. Approval of Extended Sound Permit - Scotty's Pub and Grill, 3781 EP True Parkway

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- e. Approval of Contract Agreement - 2018 Street and Pavement Repair Supplemental Retainer Contract
- f. Approval of Mayor to Sign Application to Iowa Economic Development Authority for Nomination as an Opportunity Zone
- g. Approval of 28E Agreements:
 - 1. Des Moines Metropolitan Wastewater Reclamation Authority - Middle Creek Trunk Sewer Extension
 - 2. Youth Justice Initiative
- h. Order Construction:
 - 1. Raccoon River Drive Culvert near South Jordan Creek Parkway
 - 2. Valley Junction Activity Center Fire Escape Stairs
- i. Establish Public Hearing - Amendment #1 to Midtown Urban Renewal Area
- j. Approval of Lease Agreement for 3476 Adams Street, Cumming - Iowa Landscaping, LLC
- k. Approval and Acceptance of Purchase Agreements and Property Interests - Project Osmium Public Infrastructure

Vote 18-104: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 5(a) Amendment to City Code - Title 9 (Zoning), Chapter 7 (Setback and Bulk Density Regulations) - Update Setback Regulations Pertaining to Accessory Structures in Residential Estate Districts, initiated by the City of West Des Moines

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

Vote 18-105: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 18-106: Hardman, 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 18-107: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

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On Item 5(b) Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 5 (All Night Parking Prohibited) - Elm Street, 4th Street to Alley between 6th Street and 7th Street, initiated by the City of West Des Moines

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

Vote 18-108: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 18-109: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

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

Vote 18-110: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 5(c) Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 6 (Four Hour Limited Parking) - Elm Street, 4th Street to Alley between 6th Street and 7th Street, initiated by the City of West Des Moines

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

Vote 18-111: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 18-112: Hardman, 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 18-113: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

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On Item 5(d) Future Funding for Redevelopment Incentive Programs in Historic West Des Moines, initiated by the City of West Des Moines

Mayor Gaer noted the Finance and Administration Subcommittee was split on this issue, so staff is seeking direction from the Council on how much funding, if any, should be allocated to this program in FY 2018-19.

It was moved by Trevillyan, second by Hardman to allocate \$250,000 from the City's reserve fund for this program in FY 2018-19 and to expand the eligible area to include other parts of the city.

Council members Sandager and Trimble expressed opposition to allocating additional funding at this time for FY 2018-19, citing concerns about the sustainability of a program and the uncertainty of the state backfill.

Council member Mickelson expressed support for allocating \$250,000 in FY 2018-19, as long as the eligible area is expanded to include other parts of the city.

Council member Hardman also expressed support for allocating \$250,000 in FY 2018-19.

Council member Sandager suggested this decision on funding for FY 2018-19 be deferred for two months, because the current legislative session will have ended by then.

The Council members held further discussion on the possibility of allocating additional funds to these programs.

Vote 18-114: Hardman, Trevillyan ... 2 yes
Mickelson, Sandager, Trimble ... 3 no

Motion failed.

Mayor Gaer directed staff to bring this item back for reconsideration on a future agenda of the Finance and Administration Subcommittee after the 2018 legislative session has ended.

On Item 6(a) Mayor Gaer indicated this was the time and place for a public hearing to consider Covenant Cove, southeast corner of 98th Street and Bishop Drive - Approval of a Comprehensive Plan Land Use Amendment to Amend the Land Use Map from Manufactured Housing to Medium Density Residential and an Amendment to the 98th Street Planned Unit Development (PUD) to Change Zoning from Manufactured Housing to Residential Medium Density and Establish Development Regulations, initiated by Covenant Cove, LLC (continued from February 20, 2018). He asked for the date the notice was published and the City Clerk indicated the notice was published on February 26, 2018 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated on a vote of 7-0, the Plan and Zoning Commission recommended City Council approval of the ordinance

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amendment, and one correspondence was received which was included with the council communication.

Mayor Gaer asked if there were any public comments.

Brent Culp, Snyder & Associates, speaking on behalf of the applicant, presented an overview of the proposed project.

Nick Jensen, 15614 Wilden Drive, Urbandale, stated his company owns property to the south and west of this proposed project. His property to the west is named Cove at Kettlestone, which some people shorten and refer to it as “the Cove”, so he is requesting that consideration be given to change the name of this proposed project from Covenant Cove to something without the word “cove” to avoid any confusion.

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

City Attorney Scieszinski suggested that Mr. Jensen communicate his request directly to the applicant.

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

Council member Trimble expressed concerns about the possibility of having too many townhomes in the city. He inquired if the townhomes in the proposed project would be owner-occupied or rented.

David Albright, 3100 White Pine Court, Waukee, responded the proposed project is intended to be owner-occupied, and the price range will be approximately \$180,000 to \$260,000.

Vote 18-115: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

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

Vote 18-116: Hardman, 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 first reading of the ordinance.

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Vote 18-117: Hardman, 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 Amendment to City Code - Title 9 (Zoning), Chapter 2 (Zoning Rules and Definitions), Chapter 5 (Agricultural/Open Space and Residential Zoning District), Chapter 6 (Commercial, Office and Industrial Zoning District), and Add Chapter 20 (Medical Cannabidiol) - Establish Regulations and Allowances Related to Medical Cannabidiol, 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 February 26, 2018 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated on a vote of 6-0, with one member abstaining, the Plan and Zoning Commission recommended City Council approval of the ordinance amendment.

Mayor Gaer asked if there were any public comments.

Jeremy Christiani, 1100 50th Street, Unit 1102, expressed opposition to the proposed ordinance, citing concerns that the language is confusing and contradictory, and he believes it could result in a monopoly on the wholesale and retail distribution of medical cannabidiol.

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

The Mayor and Council held discussion on the proposed ordinance and a majority expressed support for amending it to delete the separation requirement from childcare facilities for dispensaries and to allow dispensaries in general industrial zoning districts.

Council member Trimble expressed support for keeping the separation requirement from childcare facilities in the ordinance, due to the similar nature of a school and a daycare with children present.

It was moved by Trevillyan, second by Sandager to consider the first reading of the ordinance, with an amendment to allow dispensaries in general industrial zoning districts and to delete the separation requirement from childcare facilities for dispensaries.

Vote 18-118: Hardman, Mickelson, Sandager, Trevillyan ... 4 yes
Trimble ... 1 no

Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Trevillyan, second by Sandager to approve the first reading of the ordinance, with an amendment to allow dispensaries in general industrial zoning districts and to delete the separation requirement from childcare facilities for dispensaries.

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Vote 18-119: Hardman, Mickelson, Sandager, Trevillyan ... 4 yes
Trimble ... 1 no

Motion carried.

It was moved by Trevillyan, second by Sandager, in accordance with Rule 36 of the City Council Procedural Rules to waive the second and third readings of the ordinance.

Vote 18-120: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

It was moved by Trevillyan, second by Sandager to adopt the ordinance in final form, with an amendment to allow dispensaries in general industrial zoning districts and to delete the separation requirement from childcare facilities for dispensaries.

Vote 18-121: Hardman, Mickelson, Sandager, Trevillyan ... 4 yes
Trimble ... 1 no

Motion carried.

On Item 6(c) Mayor Gaer indicated this was the time and place for a public hearing to consider Amendment to City Code - Title 9 (Zoning), Chapter 2 (Zoning Rules and Definitions), Chapter 6 (Commercial, Office and Industrial Zoning District), and Chapter 14 (Accessory Structures) - Update Regulations Pertaining to Small Wind and Solar Energy Generating Systems and Define and Regulate Electric Vehicle Charging Stations, 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 February 17, 2018 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated on a vote of 7-0, the Plan and Zoning Commission recommended City Council approval of the ordinance amendment.

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

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

Vote 18-122: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 18-123: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

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On Item 6(d) Mayor Gaer indicated this was the time and place for a public hearing to consider Amendment to City Code - Title 9 (Zoning), Chapter 6 (Commercial, Office and Industrial Zoning District) - Allow within Industrial Zoning Districts Uses Related to Garbage Collection and Transport, Unattended Fuel Pumps and Public Safety and Order, 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 February 17, 2018 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated on a vote of 7-0, the Plan and Zoning Commission recommended City Council approval of the ordinance amendment.

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

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

Vote 18-124: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 18-125: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(e) Mayor Gaer indicated this was the time and place for a public hearing to consider Amendment #1 to the Osmium Urban Renewal Area, 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 February 23, 2018 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 Trevillyan, second by Hardman to adopt Resolution - Approval of Urban Renewal Plan Amendment.

Vote 18-126: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(f) Mayor Gaer indicated this was the time and place for a public hearing to consider 2018-19 FY Operating and Capital Budget, initiated by the City of West Des Moines (continued from February 20, 2018). He asked for the date the notice was published and the City Clerk

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indicated the notice was published on February 16, 2018 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated.

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

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

The Council members expressed support for this proposed budget, as it will lower the property tax levy and add 17 new positions that are needed.

Vote 18-127: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(g) Mayor Gaer indicated this was the time and place for a public hearing to consider Issuance of Not to Exceed \$13,000,000 General Obligation Urban Renewal Bonds, initiated by the City of West Des Moines (continued from February 20, 2018). He asked for the date the notice was published and the City Clerk indicated the notice was published on February 16, 2018 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

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

It was moved by Trimble, second by Sandager to adopt Resolution - Instituting Proceedings to Take Additional Action.

Vote 18-128: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(h) Mayor Gaer indicated this was the time and place for a public hearing to consider Issuance of Not to Exceed \$6,100,000 Essential Corporate Purpose General Obligation Bonds (ECP), initiated by the City of West Des Moines (continued from February 20, 2018). He asked for the date the notice was published and the City Clerk indicated the notice was published on February 16, 2018 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.

On Item 6(i) Mayor Gaer indicated this was the time and place for a public hearing to consider Issuance of Not to Exceed \$675,000 General Corporate Purpose General Obligation Bonds (GCP-1), initiated by the City of West Des Moines (continued from February 20, 2018). He

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asked for the date the notice was published and the City Clerk indicated the notice was published on February 16, 2018 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.

On Item 6(j) Mayor Gaer indicated this was the time and place for a public hearing to consider Issuance of Not to Exceed \$700,000 General Corporate Purpose General Obligation Bonds (GCP-2), initiated by the City of West Des Moines (continued from February 20, 2018). He asked for the date the notice was published and the City Clerk indicated the notice was published on February 16, 2018 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.

On Item 6(k) Mayor Gaer indicated this was the time and place for a public hearing to consider Issuance of Not to Exceed \$700,000 General Corporate Purpose General Obligation Bonds (GCP-3), initiated by the City of West Des Moines (continued from February 20, 2018). He asked for the date the notice was published and the City Clerk indicated the notice was published on February 16, 2018 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.

On Item 6(l) Mayor Gaer indicated this was the time and place for a public hearing to consider Issuance of Not to Exceed \$500,000 General Corporate Purpose General Obligation Bonds (GCP-4), initiated by the City of West Des Moines (continued from February 20, 2018). He asked for the date the notice was published and the City Clerk indicated the notice was published on February 16, 2018 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 - Instituting Proceedings to Take Additional Action and Authorizing the Issuance and Levying a Tax for Items 6(h) through 6(l).

Vote 18-129: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

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On Item 6(m) Mayor Gaer indicated this was the time and place for a public hearing to consider Woodland Hills Park Tennis and Basketball Courts, 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 February 23, 2018 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 Minturn, Inc.

Vote 18-130: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(n) Mayor Gaer indicated this was the time and place for a public hearing to consider 2017 Intake Repair 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 February 23, 2018 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 Trevillyan, second by Hardman to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Hill Contracting.

Vote 18-131: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(o) Mayor Gaer indicated this was the time and place for a public hearing to consider Valley View and Holiday Aquatic Centers VFD Replacements, 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 February 23, 2018 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.

March 5, 2018

It was moved by Trevillyan, second by Hardman to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Commonwealth Electric.

Vote 18-132: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 7(a) Property Tax Rebate Program - Request for Reconsideration of Application, initiated by Ballenger Real Estate, LLC

Mayor Gaer noted the applicants for Items 7(a) and 7(b) had submitted property tax rebate program applications after starting construction on their projects, and the program rules require the application to be submitted prior to construction. Both applicants requested reconsideration at a meeting of the Finance and Administration Subcommittee, but the subcommittee members recommended denial of their applications.

Council member Trimble reported the Finance and Administration Subcommittee recommended denial, because the project was well underway before they submitted their applications for the property tax rebate program, therefore the subcommittee believed the projects did not need the incentive. He noted the intent of the program was to provide an incentive for development projects that would not otherwise be able to happen without such an incentive.

Dr. Luke Ballenger, Ballenger Chiropractic and Acupuncture, stated he chose to locate his business in West Des Moines because he and his family love the community. He acknowledged that they did not comply with the application requirements, but he stated they did not have an attorney to help them through the process, so he was unaware that the application needed to be submitted prior to construction. He noted Downing Construction owned the land at the time the building permits were obtained. He also stated he believes these projects are what the property tax rebate program was intended for.

Dr. Ballenger responded to questions from the Council, stating the budget for this project was put together by his accountant, his broker, and his bank, and the project was fully-financed. He also stated his business' project budget that was submitted to the bank does include the property tax rebate.

Council member Mickelson inquired if the Council were to grant an exception in this case, would that set a precedent for the program going forward.

City Attorney Dick Scieszinski responded it would not set a binding precedent, as each application is discretionary to the Council. He also stated the applicant does not have any legal entitlement, so there would be no grounds to sue the City if any future application is denied.

March 5, 2018

Council member Mickelson expressed support for granting an exception in this case, but he would not intend for it to set a precedent.

Council member Sandager also expressed support for granting an exception, as he believes the property tax rebate program was an incentive for their business to choose to locate in West Des Moines.

Kari Burns, Jordan Creek Pediatric Dentistry, the applicant for Item 7(b), reported her business has outgrown its current space, and they learned of the property tax rebate program from their bank. She requested forgiveness from the City Council, as they were unaware that the application needed to be submitted prior to construction. She also stated her business' project budget that was submitted to the bank does include the property tax rebate.

Council member Hardman expressed concerns that granting an exception in this case could set a precedent for other entities that don't comply with requirements to assume the Council should grant them an exception as well.

Council member Trimble arrived at 7:49 p.m. The attendance was re-taken. Council members present were: R. Hardman, J. Mickelson, J. Sandager, K. Trevillyan, and R. Trimble.

The Council members held further discussion on how to address these applications and whether or not this would set a precedent.

It was moved by Trevillyan, second by Trimble to adopt Resolution - Denial of Application.

Vote 18-133: Hardman, Trevillyan, Trimble ... 3 yes
Mickelson, Sandager ... 2 no

Motion carried.

On Item 7(b) Property Tax Rebate Program - Request for Reconsideration of Application, initiated by LTR Pointe, LLC

It was moved by Trevillyan, second by Trimble to adopt Resolution - Denial of Application.

Vote 18-134: Hardman, Trevillyan, Trimble ... 3 yes
Mickelson, Sandager ... 2 no

Motion carried.

On Item 7(c) 2018-19 FY Hotel/Motel Tax Allocations, initiated by the City of West Des Moines

Council member Trevillyan suggested the hotel/motel tax allocation for the Historic Valley Junction Foundation should be increased from \$125,000 to \$150,000.

March 5, 2018

The Council members held discussion on the appropriate amount to allocate to the Historic Valley Junction Foundation.

City Manager Tom Hadden clarified the allocation for the Sister Cities Commission should be \$32,000. The number listed in the council communication is incorrect, so it needs to be amended.

Jim Miller, Executive Director of the Historic Valley Junction Foundation, responded to questions from the Council, stating the additional \$25,000 would be used to fund the District Improvement Grant (DIG) program.

It was moved by Trevillyan, second by Hardman to adopt Motion - Approval of Subcommittee Recommendation, with amendments to increase the allocation for the Historic Valley Junction Foundation from \$125,000 to \$150,000 and decrease the allocation for the Sister Cities Commission from \$68,000 to \$32,000.

Vote 18-135: Hardman, Trevillyan ... 2 yes
Mickelson, Sandager, Trimble ... 3 no
Motion failed.

Council member Mickelson noted his vote had nothing to do with what was proposed for the Historic Valley Junction Foundation. He voted no because he is uncomfortable with the City's layout for determining hotel/motel tax allocations.

It was moved by Trimble, second by Sandager to adopt Motion - Approval of Subcommittee Recommendation, with an amendment to decrease the allocation for the Sister Cities Commission from \$68,000 to \$32,000.

Vote 18-135: Sandager, Trimble ... 2 yes
Hardman, Mickelson, Trevillyan ... 3 no
Motion failed.

The Council members held discussion on the layout of the hotel/motel tax program.

Council member Mickelson expressed concerns that many worthy organizations in West Des Moines are not applying because they are unaware of the program, and he would like the program to be evaluated comprehensively.

It was moved by Sandager, second by Trimble to adopt Motion - Approval of Subcommittee Recommendation, with amendments to decrease the allocation for the Sister Cities Commission from \$68,000 to \$32,000 and to exclude the Historic Valley Junction Foundation from the list with the intention of voting on it under a separate motion.

March 5, 2018

Vote 18-134: Hardman, Sandager, Trevillyan, Trimble ... 4 yes
Mickelson ... 1 no

Motion carried.

It was moved by Trimble, second by Sandager to adopt Motion - Approval of Subcommittee Recommendation on the \$125,000 allocation for the Historic Valley Junction Foundation.

Vote 18-135: Mickelson, Sandager, Trimble ... 3 yes
Hardman, Trevillyan ... 2 no

Motion carried.

Mayor Gaer directed staff to review the hotel/motel tax process to address the Council concerns before the process starts again next year.

On Item 8 - Receive, File and/or Refer: no items

On Item 9(a) Legislative Updates

Julie Smith and Tim Coonan, Davis Brown Law Firm, provided an update on pending legislation, such as SF 2081 which would eliminate the state backfill for cities. They also expressed appreciation for the opportunity to represent the City as its lobbyist.

Council member Sandager, stated as a member of the Legislative Subcommittee, he would be willing to come speak in front of the legislature on any issue that could benefit from it.

Council member Trevillyan, stated as the other member of the Legislative Subcommittee, he would be willing to come speak in front of the legislature as well.

Mayor Gaer stated he is receiving requests for status updates on roadway construction projects, and he inquired if that information could be made available on the City website.

Council member Trimble noted there is already a "construction updates" page on the City website that provides that information.

The meeting was adjourned at 8:49 p.m.

Respectfully submitted,

Ryan T. Jacobson, CMC
City Clerk

March 5, 2018

ATTEST:

Steven K. Gaer, Mayor

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4(b)

CITY OF WEST DES MOINES
CITY COUNCIL ACTION ITEM

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

Regular Bi-Weekly Claims	03/19/18		\$ 2,271,236.68
			Total \$ Amount
EFT Claims	03/19/18		\$ 883,802.23
			Total \$ Amount
Control Pay	03/19/18		\$ 504,495.92
			Total \$ Amount
End of Month & Off-Cycle	02/21/18 to 04/01/18		\$ 3,066.89

Approved by the West Des Moines City Council
this 19th day of March, 2018.

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: 03/19/2018

Type	Date	Number Source	Payee Name	Transaction Amount
Bank Account: WB VENDOR DISB - WB Vendor Disbursement				
Check	03/19/2018	307398 Accounts Payable	ADOBE CREATIVE CLOUD	67.26
Check	03/19/2018	307399 Accounts Payable	AMERICAN SECURITY LLC	1,501.71
Check	03/19/2018	307400 Accounts Payable	APWA- MINNESOTA CHAPTER	300.00
Check	03/19/2018	307401 Accounts Payable	AUREON NETWORK SERVICES	5,097.24
Check	03/19/2018	307402 Accounts Payable	BIG CHAIR LLC	225.00
Check	03/19/2018	307403 Accounts Payable	BJ STORAGE	150.00
Check	03/19/2018	307404 Accounts Payable	BOLTON & MENK INC	23,717.00
Check	03/19/2018	307405 Accounts Payable	BOUND TREE MEDICAL LLC	2,264.39
Check	03/19/2018	307406 Accounts Payable	BOWEN , GARY	4,600.00
Check	03/19/2018	307407 Accounts Payable	BROWN , MATTHEW ROBERT	65.00
Check	03/19/2018	307408 Accounts Payable	BUELOW , LISA	253.00
Check	03/19/2018	307409 Accounts Payable	CAMPBELL , MEREDITH	69.00
Check	03/19/2018	307410 Accounts Payable	CARPENTER UNIFORM CO	4,247.76
Check	03/19/2018	307411 Accounts Payable	CHIAFOS , BRAD	69.00
Check	03/19/2018	307412 Accounts Payable	CINTAS CORP FIRST AID & SAFETY	135.12
Check	03/19/2018	307413 Accounts Payable	CITY OF DES MOINES	531,596.34
Check	03/19/2018	307414 Accounts Payable	CLIENTFIRST CONSULTING GROUP	12,370.85
Check	03/19/2018	307415 Accounts Payable	COMMUNICATION CENTER SPECIALISTS INC	2,800.00
Check	03/19/2018	307416 Accounts Payable	CONFLUENCE INC	13,617.69
Check	03/19/2018	307417 Accounts Payable	CORY , TARRY	52.00
Check	03/19/2018	307418 Accounts Payable	CUSTOM AWARDS	59.50
Check	03/19/2018	307419 Accounts Payable	DENNIS SUPPLY CO	103.69
Check	03/19/2018	307420 Accounts Payable	DES MOINES GOLF & COUNTRY CLUB	190.95
Check	03/19/2018	307421 Accounts Payable	DES MOINES PERFORMING ARTS	16,500.00
Check	03/19/2018	307422 Accounts Payable	DIGITAL ALLY	545.00
Check	03/19/2018	307423 Accounts Payable	DOUGLAS , LENA	138.00
Check	03/19/2018	307424 Accounts Payable	DOWLING , CONNIE	297.00
Check	03/19/2018	307425 Accounts Payable	DUVALL , JULIA	100.00
Check	03/19/2018	307426 Accounts Payable	ELDER CORPORATION	17,166.03
Check	03/19/2018	307427 Accounts Payable	EMBARC	175.00
Check	03/19/2018	307428 Accounts Payable	EMBARKIT INC	5,782.75
Check	03/19/2018	307429 Accounts Payable	EMS TECHNOLOGY SOLUTIONS	459.00
Check	03/19/2018	307430 Accounts Payable	EMSLRC	233.00

City of West Des Moines
City Council Report
 Bank Account: WB VENDOR DISB - WB Vendor Disbursement
 Batch Date: 03/19/2018

Type	Date	Number Source	Payee Name	Transaction Amount
Check	03/19/2018	307431 Accounts Payable	FASTENAL COMPANY	493.87
Check	03/19/2018	307432 Accounts Payable	FERRELLGAS	48.00
Check	03/19/2018	307433 Accounts Payable	FIRE DEPARTMENT SAFETY OFFICER	385.00
Check	03/19/2018	307434 Accounts Payable	FLOGEL , DANA	55.00
Check	03/19/2018	307435 Accounts Payable	GBA SYSTEMS INTEGRATORS LLC	6,657.10
Check	03/19/2018	307436 Accounts Payable	GENUS LANDSCAPE ARCHITECTS	5,022.50
Check	03/19/2018	307437 Accounts Payable	GEORGE BUTLER ASSOCIATES INC	14,790.00
Check	03/19/2018	307438 Accounts Payable	GOLDEN VALLEY SUPPLY OF IA	1,030.34
Check	03/19/2018	307439 Accounts Payable	GRAINGER INC	270.41
Check	03/19/2018	307440 Accounts Payable	GREAT PLAINS NURSERY	14,846.00
Check	03/19/2018	307441 Accounts Payable	GRIMES ASPHALT & PAVING	893.20
Check	03/19/2018	307442 Accounts Payable	HAHN , JENNIFER	2,954.33
Check	03/19/2018	307443 Accounts Payable	HARADA , JOHN	104.00
Check	03/19/2018	307444 Accounts Payable	HARRISON TRUCK CENTERS	65.58
Check	03/19/2018	307445 Accounts Payable	HAWKEYE TRUCK EQUIPMENT	3,992.73
Check	03/19/2018	307446 Accounts Payable	HDR ENGINEERING INC	28,105.24
Check	03/19/2018	307447 Accounts Payable	HEARTLAND CO-OP	1,424.80
Check	03/19/2018	307448 Accounts Payable	HERITAGE MICROBIAL CONTROL LLC	250.00
Check	03/19/2018	307449 Accounts Payable	HILL CONTRACTING	1,611.30
Check	03/19/2018	307450 Accounts Payable	HOME DEPOT CREDIT SERVICES	29.97
Check	03/19/2018	307451 Accounts Payable	HY VEE INC	116.69
Check	03/19/2018	307452 Accounts Payable	IAAP	150.00
Check	03/19/2018	307453 Accounts Payable	INVISION ARCHITECTURE LTD	5,257.50
Check	03/19/2018	307454 Accounts Payable	IOWA DEPARTMENT OF PUBLIC HEALTH	490.00
Check	03/19/2018	307455 Accounts Payable	IOWA DEPARTMENT OF TRANSPORTATION	165,974.38
Check	03/19/2018	307456 Accounts Payable	IOWA INTERSTATE RAILROAD LTD	524.05
Check	03/19/2018	307457 Accounts Payable	IOWA PRISON INDUSTRIES	1,426.55
Check	03/19/2018	307458 Accounts Payable	IOWA STATE RESERVE ASSOCIATION	222.00
Check	03/19/2018	307459 Accounts Payable	ITERIS INC	625.00
Check	03/19/2018	307460 Accounts Payable	J LAURENZO SPECIALTY PRODUCTS	25.00
Check	03/19/2018	307461 Accounts Payable	JACKSON , KOURTHIN	450.00
Check	03/19/2018	307462 Accounts Payable	JIM'S JOHNS	291.00
Check	03/19/2018	307463 Accounts Payable	JORDAN CREEK CAR WASH	96.00
Check	03/19/2018	307464 Accounts Payable	KLAHN , RICHARD	69.00

City of West Des Moines
City Council Report
 Bank Account: WB VENDOR DISB - WB Vendor Disbursement
 Batch Date: 03/19/2018

Type	Date	Number Source	Payee Name	Transaction Amount	
Check	03/19/2018	307465	Accounts Payable	KRIEGER , MONICA	92.00
Check	03/19/2018	307466	Accounts Payable	KRIS ENGINEERING INC	2,070.46
Check	03/19/2018	307467	Accounts Payable	LACINA , WENDY	575.00
Check	03/19/2018	307468	Accounts Payable	LOWE'S HOME CENTER INC	1,330.68
Check	03/19/2018	307469	Accounts Payable	LUGO , DELIA I	70.00
Check	03/19/2018	307470	Accounts Payable	MARTIN'S FLAG COMPANY LLC	99.00
Check	03/19/2018	307471	Accounts Payable	MERCEDES-BENZ OF DES MOINES	183.12
Check	03/19/2018	307472	Accounts Payable	MIDAMERICAN ENERGY	90,713.49
Check	03/19/2018	307473	Accounts Payable	MIDAMERICAN-WDM-WAUKEE TL	167.15
Check	03/19/2018	307474	Accounts Payable	MIDWEST BREATHING AIR LLC	1,866.69
Check	03/19/2018	307475	Accounts Payable	MTI DISTRIBUTING, INC.	61,785.04
Check	03/19/2018	307476	Accounts Payable	MUNICIPAL COLLECTIONS OF AMER	113.46
Check	03/19/2018	307477	Accounts Payable	NESTINGEN INC	5,720.00
Check	03/19/2018	307478	Accounts Payable	NINE23, LLC	9,960.00
Check	03/19/2018	307479	Accounts Payable	NORTHERN TOOL & EQUIPMENT	930.95
Check	03/19/2018	307480	Accounts Payable	O'HALLORAN INTERNATIONAL INC	841.47
Check	03/19/2018	307481	Accounts Payable	O'HERN , KINSEY	138.00
Check	03/19/2018	307482	Accounts Payable	PALMER GROUP	462.00
Check	03/19/2018	307483	Accounts Payable	PEAK DISTRIBUTING	488.00
Check	03/19/2018	307484	Accounts Payable	PETHEALTH SERVICES (USA) INC	3,050.00
Check	03/19/2018	307485	Accounts Payable	PETTY CASH	490.51
Check	03/19/2018	307486	Accounts Payable	POLK COUNTY EMERGENCY MGT	22,604.50
Check	03/19/2018	307487	Accounts Payable	PROVANTAGE LLC	1,211.80
Check	03/19/2018	307488	Accounts Payable	QUESTCDN.COM	370.00
Check	03/19/2018	307489	Accounts Payable	REYNOLDS URBAN DESIGN PC	5,287.70
Check	03/19/2018	307490	Accounts Payable	RHYTHM ENGINEERING, LLC	3,950.00
Check	03/19/2018	307491	Accounts Payable	ROBERT HALF TECHNOLOGY	3,223.92
Check	03/19/2018	307492	Accounts Payable	ROY'S TOWING AND RECOVERY	175.00
Check	03/19/2018	307493	Accounts Payable	SANDVIG , ERIN	175.00
Check	03/19/2018	307494	Accounts Payable	SILVERS BUILDING LLC	28,715.16
Check	03/19/2018	307495	Accounts Payable	SIMPLEX GRINNELL	795.80
Check	03/19/2018	307496	Accounts Payable	SIXTA , ANDREW	138.00
Check	03/19/2018	307497	Accounts Payable	SKOLD DOOR & FLOOR CO	1,266.75
Check	03/19/2018	307498	Accounts Payable	SM HENTGES & SONS INC	350,445.78
Check	03/19/2018	307499	Accounts Payable	SNAP-ON TOOLS- MARK STUCHEL	117.95

City of West Des Moines
City Council Report
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Type	Date	Number Source	Payee Name	Transaction Amount
Check	03/19/2018	307500 Accounts Payable	STIVERS FORD	227,408.25
Check	03/19/2018	307501 Accounts Payable	STORAGE MART 1052	310.98
Check	03/19/2018	307502 Accounts Payable	STOREY-KENWORTHY CO	6,819.40
Check	03/19/2018	307503 Accounts Payable	THOMAS , CHRIS	78.00
Check	03/19/2018	307504 Accounts Payable	TRIZETTO PROVIDER SOLUTIONS	245.73
Check	03/19/2018	307505 Accounts Payable	TRUE VALUE & V&S VARIETY STORE	153.98
Check	03/19/2018	307506 Accounts Payable	UNITYPOINT CLINIC	74.00
Check	03/19/2018	307507 Accounts Payable	VAN METER INC	164.70
Check	03/19/2018	307508 Accounts Payable	VANWALL EQUIPMENT	2,729.83
Check	03/19/2018	307509 Accounts Payable	VEENSTRA & KIMM INC	68,456.08
Check	03/19/2018	307510 Accounts Payable	VERIZON WIRELESS	4,892.86
Check	03/19/2018	307511 Accounts Payable	VISION SERVICE PLAN	1,028.10
Check	03/19/2018	307512 Accounts Payable	WAHLTEK INC	158.00
Check	03/19/2018	307513 Accounts Payable	WARREN COUNTY OIL COOPERATIVE ASSOCIATION	1,063.16
Check	03/19/2018	307514 Accounts Payable	WARREN COUNTY RECORDER	442.00
Check	03/19/2018	307515 Accounts Payable	WEST DES MOINES WATER WORKS	9.26
Check	03/19/2018	307516 Accounts Payable	WEST UNIFIED COMMUNICATIONS SERVICES INC	25.74
Check	03/19/2018	307517 Accounts Payable	WEX BANK	1,917.68
Check	03/19/2018	307518 Accounts Payable	YOUTH TECH INC	368.00
Check	03/19/2018	307519 Accounts Payable	ZIEGLER INC	1,195.97
Check	03/19/2018	307520 Accounts Payable	MAK INVESTMENTS INC	94,397.80
Check	03/19/2018	307521 Accounts Payable	MAK INVESTMENTS INC	234,714.20
Check	03/19/2018	307522 Accounts Payable	POLK COUNTY TREASURER	121.00
Check	03/19/2018	307523 Accounts Payable	POLK COUNTY TREASURER	1,490.08
Check	03/19/2018	307524 Accounts Payable	THOMAS , RONALD P	74,547.00
Check	03/19/2018	307525 Accounts Payable	WARREN COUNTY TREASURER	59.00
Check	03/19/2018	307526 Accounts Payable	WARREN COUNTY TREASURER	953.00
Check	03/19/2018	307527 Accounts Payable	WASKER DORR WIMMER & MARCOUILLER PC	44,043.92
Check	03/19/2018	307528 Accounts Payable	SPRINT	49.76
EFT	03/19/2018	1621 Accounts Payable	ARNOLD MOTOR SUPPLY LLP	652.51
EFT	03/19/2018	1622 Accounts Payable	BAYLESS , RON	69.00
EFT	03/19/2018	1623 Accounts Payable	BROWNELLS INC	305.49
EFT	03/19/2018	1624 Accounts Payable	CAREERBUILDER GOVERNMENT	4,430.00

City of West Des Moines
City Council Report
 Bank Account: WB VENDOR DISB - WB Vendor Disbursement
 Batch Date: 03/19/2018

Type	Date	Number Source	Payee Name	Transaction Amount
			SOLUTIONS LLC	
EFT	03/19/2018	1625 Accounts Payable	CDW GOVERNMENT INC	3,228.36
EFT	03/19/2018	1626 Accounts Payable	CITY OF CLIVE	84,456.80
EFT	03/19/2018	1627 Accounts Payable	COMMUNITY HOUSING INITIATIVES	440,016.05
EFT	03/19/2018	1628 Accounts Payable	DONIELSON , ERIC	209.98
EFT	03/19/2018	1629 Accounts Payable	DUMERMUTH , JEFF	599.77
EFT	03/19/2018	1630 Accounts Payable	EMC RISK SERVICES	19,172.63
EFT	03/19/2018	1631 Accounts Payable	EVS CONSULTING	3,920.00
EFT	03/19/2018	1632 Accounts Payable	EXCEL MECHANICAL INC	9,152.53
EFT	03/19/2018	1633 Accounts Payable	FBG SERVICE CORPORATION	2,798.00
EFT	03/19/2018	1634 Accounts Payable	FOTH INFRASTRUCTURE & ENVIRONMENT LLC	61,253.47
EFT	03/19/2018	1635 Accounts Payable	HAWN , KIMBERLY	138.00
EFT	03/19/2018	1636 Accounts Payable	HOWARD R GREEN CO	70,268.80
EFT	03/19/2018	1637 Accounts Payable	HYDRO KLEAN LLC	2,514.00
EFT	03/19/2018	1638 Accounts Payable	IOWA COMMUNITIES ASSURANCE POOL	35.00
EFT	03/19/2018	1639 Accounts Payable	KECK INC	16,183.64
EFT	03/19/2018	1640 Accounts Payable	KELTEK INC	4,048.79
EFT	03/19/2018	1641 Accounts Payable	LAIDLAW JR , WILLIAM	1,204.11
EFT	03/19/2018	1642 Accounts Payable	MCCLURE ENGINEERING COMPANY	54,504.50
EFT	03/19/2018	1643 Accounts Payable	MCCUBBIN , COURTNEY	144.00
EFT	03/19/2018	1644 Accounts Payable	MIDWEST WHEEL	591.36
EFT	03/19/2018	1645 Accounts Payable	MILES CAPITAL	5,812.67
EFT	03/19/2018	1646 Accounts Payable	MOBOTREX INC	330.00
EFT	03/19/2018	1647 Accounts Payable	PERRY , MELANIE	162.41
EFT	03/19/2018	1648 Accounts Payable	RELIABLE MAINTENANCE	8,285.00
EFT	03/19/2018	1649 Accounts Payable	REMOTE ADMIN INC	4,000.00
EFT	03/19/2018	1650 Accounts Payable	ROUNDS , MATES	78.00
EFT	03/19/2018	1651 Accounts Payable	SHIELDS , CHARLES	138.00
EFT	03/19/2018	1652 Accounts Payable	SHIVE-HATTERY INC	81,748.32
EFT	03/19/2018	1653 Accounts Payable	SWINTON , ASHLEE	1,174.50
EFT	03/19/2018	1654 Accounts Payable	TYLER TECHNOLOGIES INC	630.00
EFT	03/19/2018	1655 Accounts Payable	WITTGRAF , JASON	36.45
EFT	03/19/2018	1656 Accounts Payable	YEAGER , LEMAR	1,457.00
EFT	03/19/2018	1657 Accounts Payable	RIVAS , WHITNEY	24.53

City of West Des Moines
City Council Report

Bank Account: WB VENDOR DISB - WB Vendor Disbursement

Batch Date: 03/19/2018

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
EFT	03/19/2018	1658 Accounts Payable	VAUGHAN , DANELL		28.56
WB VENDOR DISB WB Vendor Disbursement Totals:			Transactions: 169		<u>\$3,155,038.91</u>
	Checks:	131	\$2,271,236.68		
	EFTs:	38	\$883,802.23		

City of West Des Moines
City Council Report
 Bank Account: WB CONTROLPAY - WB ControlPay
 Batch Date: 03/19/2018

Type	Date	Number Source	Payee Name	Transaction Amount
Bank Account: WB CONTROLPAY - WB ControlPay				
EFT	03/19/2018	2300 Accounts Payable	ALTEC INDUSTRIES INC	695.75
EFT	03/19/2018	2301 Accounts Payable	ARAMARK UNIFORM SERVICES	873.69
EFT	03/19/2018	2302 Accounts Payable	BUSINESS PUBLICATIONS CORP	74.95
EFT	03/19/2018	2303 Accounts Payable	CAPITAL SANITARY SUPPLY CO INC	1,629.71
EFT	03/19/2018	2304 Accounts Payable	CENTURYLINK	5,039.91
EFT	03/19/2018	2305 Accounts Payable	CLIVE POWER EQUIPMENT	151.56
EFT	03/19/2018	2306 Accounts Payable	COMPETITIVE EDGE	1,719.40
EFT	03/19/2018	2307 Accounts Payable	CORE AND MAIN LP	41.62
EFT	03/19/2018	2308 Accounts Payable	CORN STATES METAL	2,580.00
EFT	03/19/2018	2309 Accounts Payable	DES MOINES REGISTER MEDIA	5,024.61
EFT	03/19/2018	2310 Accounts Payable	ELECTRONIC ENGINEERING	32.00
EFT	03/19/2018	2311 Accounts Payable	EMPLOYEE & FAMILY RESOURCES	1,982.40
EFT	03/19/2018	2312 Accounts Payable	FELD FIRE	1,970.00
EFT	03/19/2018	2313 Accounts Payable	G&L CLOTHING	1,653.87
EFT	03/19/2018	2314 Accounts Payable	GALLS LLC	2,849.89
EFT	03/19/2018	2315 Accounts Payable	IMAGETEK INC	7,871.25
EFT	03/19/2018	2316 Accounts Payable	INGERSOLL-RAND CO	72.00
EFT	03/19/2018	2317 Accounts Payable	INLAND TRUCK PARTS	8,586.81
EFT	03/19/2018	2318 Accounts Payable	INTERFLEET INC	2,214.00
EFT	03/19/2018	2319 Accounts Payable	INTERNATIONAL CODE COUNCIL	1,206.80
EFT	03/19/2018	2320 Accounts Payable	IOWA FIRE EQUIPMENT	171.60
EFT	03/19/2018	2321 Accounts Payable	IOWA WATER MANAGEMENT CORP	561.82
EFT	03/19/2018	2322 Accounts Payable	ISG	64,677.25
EFT	03/19/2018	2323 Accounts Payable	JERICO SERVICES	13,984.77
EFT	03/19/2018	2324 Accounts Payable	JOHNSTONE SUPPLY	26.72
EFT	03/19/2018	2325 Accounts Payable	KONE INC	314.50
EFT	03/19/2018	2326 Accounts Payable	LEXISNEXIS RISK SOLUTIONS	68.75
EFT	03/19/2018	2327 Accounts Payable	MEDIACOM	11.47
EFT	03/19/2018	2328 Accounts Payable	MENARDS	70.43
EFT	03/19/2018	2329 Accounts Payable	METHODIST OCCUPATIONAL HEALTH	506.00
EFT	03/19/2018	2330 Accounts Payable	METRO WASTE AUTHORITY	289,147.22
EFT	03/19/2018	2331 Accounts Payable	O'KEEFE ELEVATOR COMPANY INC	326.33
EFT	03/19/2018	2332 Accounts Payable	PAY-LESS OFFICE PRODUCTS INC	2,713.36
EFT	03/19/2018	2333 Accounts Payable	PRAXAIR	2,379.11

City of West Des Moines
City Council Report
 Bank Account: WB CONTROLPAY - WB ControlPay
 Batch Date: 03/19/2018

Type	Date	Number Source	Payee Name	Transaction Amount
EFT	03/19/2018	2334 Accounts Payable	PREFERRED PEST CONTROL	641.50
EFT	03/19/2018	2335 Accounts Payable	PRIORITY DISPATCH	900.00
EFT	03/19/2018	2336 Accounts Payable	PROCTOR MECHANICAL CORP	60.00
EFT	03/19/2018	2337 Accounts Payable	RAINBOW TREECARE	3,251.49
EFT	03/19/2018	2338 Accounts Payable	RELIABLE PROPERTY SERVICES	27,452.18
EFT	03/19/2018	2339 Accounts Payable	SECURITY EQUIPMENT CORP	279.59
EFT	03/19/2018	2340 Accounts Payable	SNYDER & ASSOCIATES	21,152.80
EFT	03/19/2018	2341 Accounts Payable	SPECIALTY GRAPHICS INC	950.00
EFT	03/19/2018	2342 Accounts Payable	SPINDUSTRY SYSTEMS INC	6,937.00
EFT	03/19/2018	2343 Accounts Payable	STIVERS FORD (CONTROL PAY)	12,268.89
EFT	03/19/2018	2344 Accounts Payable	THOMSON REUTERS-WEST PAYMENT	731.41
EFT	03/19/2018	2345 Accounts Payable	VAISALA INC	1,980.00
EFT	03/19/2018	2346 Accounts Payable	WASTE MANAGEMENT OF IOWA	62.40
EFT	03/19/2018	2347 Accounts Payable	WORLDPOINT ECC INC	815.00
EFT	03/19/2018	2348 Accounts Payable	ZOLL MEDICAL	5,784.11
WB CONTROLPAY WB ControlPay Totals:			Transactions: 49	\$504,495.92
EFTs:	49	\$504,495.92		

Payment Register

From Payment Date: 2/21/2018 - To Payment Date: 04/01/2018

Number	Date	Payee Name	Transaction Amount
25	03/02/2018	WEST BANK	\$2,327.89
1617	03/18/2018	IOWA DEPARTMENT OF REVENUE & FINANCE	\$739.00
			<hr/>
			\$3,066.89

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

ITEM: Approval of Liquor Licenses

DATE: March 19, 2018

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. Montelongo, Inc. d/b/a Abelardo's Mexican Food, 5525 Mills Civic Parkway, Suite 130 - Class BB Beer Permit with Sunday Sales - Renewal
2. Chipotle Mexican Grill of Colorado, LLC d/b/a Chipotle Mexican Grill, 1551 Valley West Drive, Suite #224 - Class LC Liquor License with Sunday Sales and Outdoor Service Privileges - Renewal
3. El Rey Corporation d/b/a El Rey Burritos, 1310 Grand Avenue - Class LC Liquor License with Sunday Sales - Renewal
4. Silverwest-I WDM, LLC d/b/a Element West Des Moines, 575 South Prairie View Drive - Class LB Liquor License with Carryout Wine, Sunday Sales, and Outdoor Service - Renewal
5. LVP FFI Des Moines Holding Corp. d/b/a Fairfield Inn West Des Moines, 7225 Vista Drive - Class BC Permit with Carryout Wine and Sunday Sales - Renewal
6. Firecreek Grill, LLC d/b/a Fire Creek Grill, 800 South 50th Street, Suite 110 - Class LC Liquor License with Carryout Wine and Outdoor Service - New
7. Windrum Enterprises, LLC d/b/a Fuddruckers, 6378 Mills Civic Parkway - Class BB Beer Permit with Sunday Sales - Renewal
8. Hy-Vee, Inc. d/b/a Hy-Vee Food Store & Drug Center #2, 1990 Grand Avenue - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
9. JLS Vending, Inc. d/b/a The Oasis, 2500 Grand Avenue (softball complex) - Class BB Beer Permit with Sunday Sales and Outdoor Service Privileges - Renewal
10. Hy-Vee, Inc. d/b/a The Ron Pearson Center, 5820 Westown Parkway - Class LC Liquor License with Carryout Wine, Sunday Sales, and Catering Privileges - Renewal
11. Plunkett Enterprises S&S d/b/a Scissors and Scotch, 440 South 68th Street, #105 - Class LC Liquor License with Sunday Sales - New
12. Des Moines Wine Festival Foundation, d/b/a Winefest Des Moines, 1501 42nd Street, Suite 500 - 5-Day Class BW Permit - Effective March 22-26, 2018

OUTSTANDING ISSUES (if any): None

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

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

STAFF REVIEWS

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

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

ITEM: Approval of Extended Sound Permit
Glen Oaks Country Club
Various Outdoor Events for 2018

DATE: March 19, 2018

FINANCIAL IMPACT: None

BACKGROUND:

On June 28, 2010, the City Council approved several amendments to the Noise Control Ordinance including the provision that City Council approval is required for any sound permit issued for an event going past 10:00 P.M.

Glen Oaks Country Club has submitted a sound permit application to cover their various outdoor events during 2018, of which many are scheduled until midnight.

This sound permit request was forwarded to the West Des Moines Police Department for their review and they have no objections to this request. As this request is being proposed to end at midnight, City staff is forwarding this to the City Council for review and approval. Glen Oaks Country Club has been issued sound permits of this same nature since 2011.


OUTSTANDING ISSUES (if any): None

RECOMMENDATION: Motion - Approval of Extended Sound Permit Request made by Glen Oaks Country Club

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	

SOUND PERMIT FEES

- ❖ 1-48 hrs event = \$22.00
- ❖ 2-7 days event = \$44.00
- ❖ Multiple events in one calendar year = \$82.50

The City Council
MUST approve any
sound permit request
that extends past ten
o'clock (10:00) P.M.

Permit applications received **less**
 than two (2) weeks before the event
may not be processed by the City in
time for the event.

CITY OF WEST DES MOINES
SOUND PERMIT
For the Amplification of a Live Performance

*Denotes required field

Date _____ Fee Received: _____ Permit No. _____

*Applicant's Name: Glen Oaks Country Club *Phone No. 515-221-9000

*Applicant's Complete Address: 1401 Glen Oaks Drive, West Des Moines, IA 50266

*Applicant's E-mail Address: mallory.huff@glenoaksc.com

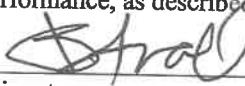
Have you, the applicant, ever been cited for a violation of the West Des Moines Noise Ordinance? Y/

If yes, explain: _____

*Property owner name: Glen Oaks Country Club LLC

*Property owner address: 1401 Glen Oaks Drive, West Des Moines, IA 50266

I, the undersigned, hereby acknowledge and certify that I am the record fee title holder of the property for which this sound permit is requested, and I hereby consent to this application for a sound permit, for the amplification of a live performance, as described on this application.

 2/24/18
 *Signature Date

Address of proposed activity: 1401 Glen Oaks Drive, West Des Moines, IA 50266
 (if this is a City park, please indicate name of park)

Describe proposed activity, including time(s), date(s), and number of people attending: please see attached sheet for performance dates (weddings/events). Bands and DJs hired for event entertainment.

How will the parking for this event be handled? On premise parking lot available

Please refer to Page 2, Paragraph J of this application form regarding wattage requirements for the proposed sound equipment as a sound permit may not be deemed necessary.

***Attach an 8½" x 11½" sketch plan of the proposed layout of the sound amplification equipment, including the orientation to and approximate distances from the adjoining properties.**

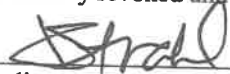
Have the adjoining property owners/residents been notified of the event for which this permit is requested? Y/

If so, please list addresses notified (attach additional sheets if necessary): _____

Describe what measures will be taken, if any, to minimize the effects of this performance on surrounding property owners. All Sound Equipment is setup facing the Clubhouse to avoid sound projection toward nearby homes. Decibel meter onsite to measure decibel levels throughout evenings.

Provide any additional information that pertains to this application for a Sound Permit.

APPLICANT'S CERTIFICATION - I hereby certify under penalty of perjury that the statements furnished including the drawing, present all information required for this application, and that the facts, statements and information presented are true and correct, and based upon my personal knowledge. I hereby acknowledge my obligation to comply with the West Des Moines Municipal Code as it pertains to this activity and to obtain any and all necessary City, County, State and Federal permits, approvals and/or clearances, if applicable. Further, I hereby certify that I have read, understand and have received a copy of the conditions for the operation of the Sound Permit, and hereby agree to comply with such conditions. I also understand that should I fail to comply with the agreed upon conditions, my permit may be immediately revoked and that all other applicable penalties, including criminal prosecution may be pursued.


*Applicant's Signature

2/24/18
Date

FOR STAFF USE ONLY

APPROVAL OF SOUND PERMIT

Approved by: _____

Date:

City Council Approval Date:

This sound permit is approved subject to the following exhibits and conditions.

Exhibits:

Conditions:

Expiration Date:

DENIAL OF SOUND PERMIT

Denied by: _____

Date:

This sound permit is denied based upon the following findings.

Findings:

Copies of this permit have been distributed to the following departments:

- Development Services Department
- City Clerk's Office
- Police Department
- Parks and Recreation Department

2018 Weddings & Events

<p>January</p>	<p>April</p> <p>Sat - 14 5pm-12am: Wedding 200 Sat - 21 5pm-12am: Wedding 200 Sat - 28 5pm-12am: Wedding 200</p>	<p>July</p> <p>Sun - 1 5pm-12am: Wedding 100 Sat - 7 10am-12am: Wedding 200 Fri - 13 3pm-12am: Club Event 200 Sat - 14 6am-12am: Club Event 100 Sat - 21 5pm-12am: Wedding 200 Fri - 27 3pm-12am: Club Event 200 Sat - 28 4pm-12am: Wedding 250</p>	<p>October</p> <p>Fri - 5 4pm-12am: Wedding 150 Sat - 6 4pm-12am: Wedding 200 Sun - 7 1pm-8pm: Club Event 200 Fri - 12 11am-12pm: Wedding 200 Sat - 13 4pm-12am: Wedding 250 Fri - 19 1pm-10pm: Club Event 200 Sat - 20 4pm-12am: Wedding 250 Sat - 27 4pm-12am: Wedding 250</p>
<p>February</p>	<p>May</p> <p>Sat - 5 9am-12am: Wedding 200 Fri - 11 4pm-12am: Club Event 100 Thu - 17 3pm-12am: Wedding 75 Sat - 19 4pm-12am: Wedding 250 Fri - 25 4pm-12am: Club Event 200 Sat - 26 4pm-12am: Wedding 200 Sun - 27 3pm-12am: Wedding 275</p>	<p>August</p> <p>Fri - 3 6pm-12am: Club Event 150 Sat - 4 4pm-12am: Wedding 250 Sat - 11 3pm-12am: Wedding 200 Fri - 17 3pm-12am: Club Event 100 Sat - 18 4pm-12am: Wedding 250 Fri - 24 4pm-12am: Club Event 100 Sat - 25 6pm-12am: Wedding 300 Fri - 31 5pm-12am: Wedding 200</p>	<p>November</p> <p>Sat - 3 3pm-12am: Wedding 225 Sat - 10 3pm-12am: Wedding 225 Sun - 11 4pm-12am: Wedding 275 Sat - 17 4pm-12am: Wedding 200</p>
<p>March</p>	<p>June</p> <p>Fri - 1 3pm-12am: Wedding 100 Sat - 2 3pm-12am: Wedding 250 Sat - 9 4pm-12am: Wedding 300 Fri - 15 3pm-12am: Wedding 200 Sat - 16 4pm-12am: Wedding 200 Sat - 23 5pm-12am: Wedding 200 Sat - 30 4pm-12am: Wedding 300</p>	<p>September</p> <p>Sat - 1 3pm-12am: Wedding 250 Sun - 2 4pm-12am: Wedding 150 Sat - 8 3pm-12am: Wedding 250 Fri - 14 5pm-12am: Club Event 100 Sat - 15 3pm-12am: Wedding 250 Fri - 21 4pm-12am: Club Event 100 Sat - 22 4pm-12am: Wedding 200 Fri - 28 4pm-12am: Wedding 150 Sat - 29 4pm-12am: Wedding 300</p>	<p>December</p> <p>Sat - 1 4pm-12am: Event 200 Fri - 7 4pm-12am: Event 200 Sat - 8 4pm-12am: Event 200 Fri - 14 4pm-12am: Event 200 Sat - 15 4pm-12am: Event 200 Sat - 29 4pm-12am: Event 100 Sun - 30 4pm-1am: Event 300</p>

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

ITEM: Approval of Special Event Lane Closures
St. Patrick's 10K and 5K - Friendly Sons of St. Patrick

DATE: March 19, 2018

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.

The Friendly Sons of St. Patrick is hosting their 35th annual 10K and 5K running events on Sunday, March 25, 2018. The route will require the closure of one lane on each of the following arterial/collector streets:

- Railroad Avenue (outer westbound lane) from Grand Avenue to 4th Street
- E.P. True Parkway (outer westbound lane) from Maple Street to Grand Avenue
- Grand Avenue (outer eastbound lane) from Vine Street to just west of 1st Street

Note: Many of the other streets along the route are classified as minor collector streets and will have the travel portion reduced in width as the route will utilize the outer edge of one lane throughout those segments; however both lanes will remain open to vehicular traffic.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION: Motion - Approval of Request made by the Friendly Sons of St. Patrick

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

STAFF REVIEWS

Department Director	Ryan T. Jacobson, City Clerk
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	<i>RTJ</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	
Date Reviewed	

FRIENDLY SONS OF ST. PATRICK 2 MI & 10 KM

Measured: 3-25-2000

Start: In a line with the west edge of the drive, just west of Dairy Queen at 308 Grand.

Mile 1: 10 feet east of the black light pole on the NE corner of 5th and Railroad Ave.

Mile 2: 22 feet west of the 1st telephone pole west of Holiday Cl.

Mile 3: 6 feet west of the mail box at 3008 Maple.

5 km: 22 feet south of the mail box at 204 33rd.

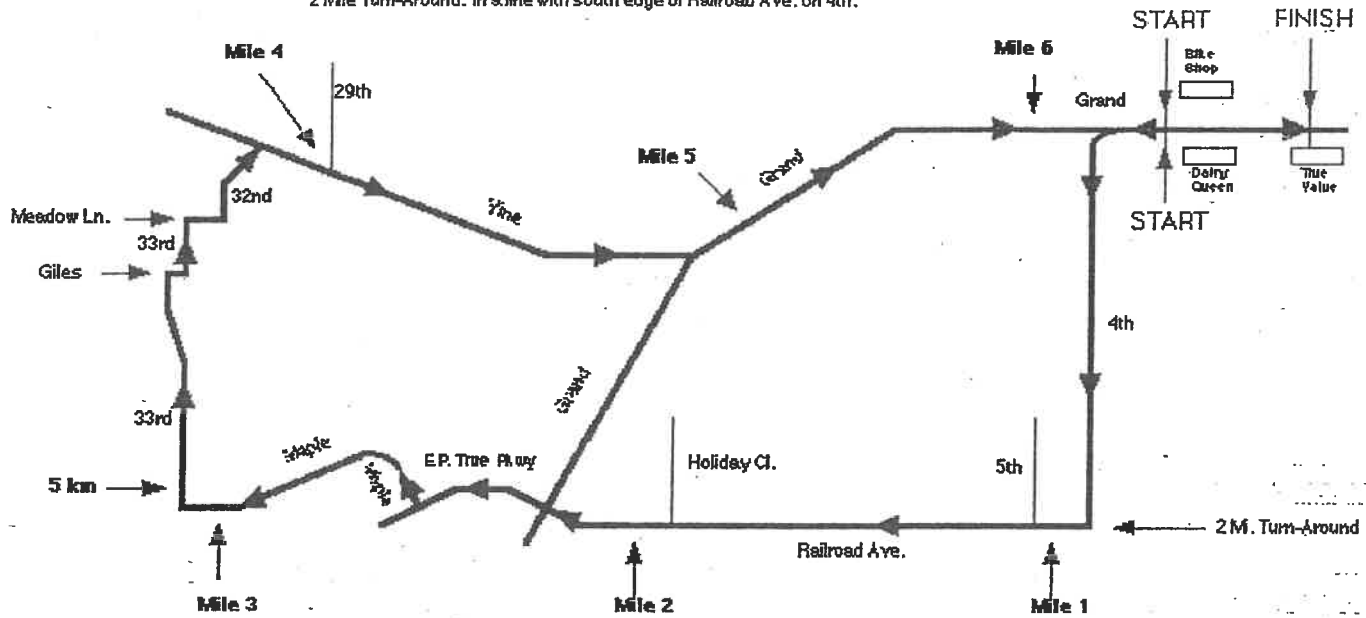
Mile 4: In a line with the west corner of 29th on Yine.

Mile 5: 83 feet east of the "School Speed Limit 25 When Flashing" sign, just east of Vine on the south side of Grand.

Mile 6: In a line with the middle of the driveway at 416 Grand.

Finish: At the expansion joint 25 feet west of the telephone pole with the No Parking symbol, in front of TrueValue Hardware, 63 & Grand

2 Mile Turn-Around: In a line with south edge of Railroad Ave. on 4th.



3/7/02

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

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

DATE: March 19, 2018

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 Easter services on Saturday, March 31 and Sunday, April 1. The proposed traffic plan for the event includes partial lane closures on Jordan Creek Parkway, 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 *RTJ*

STAFF REVIEWS

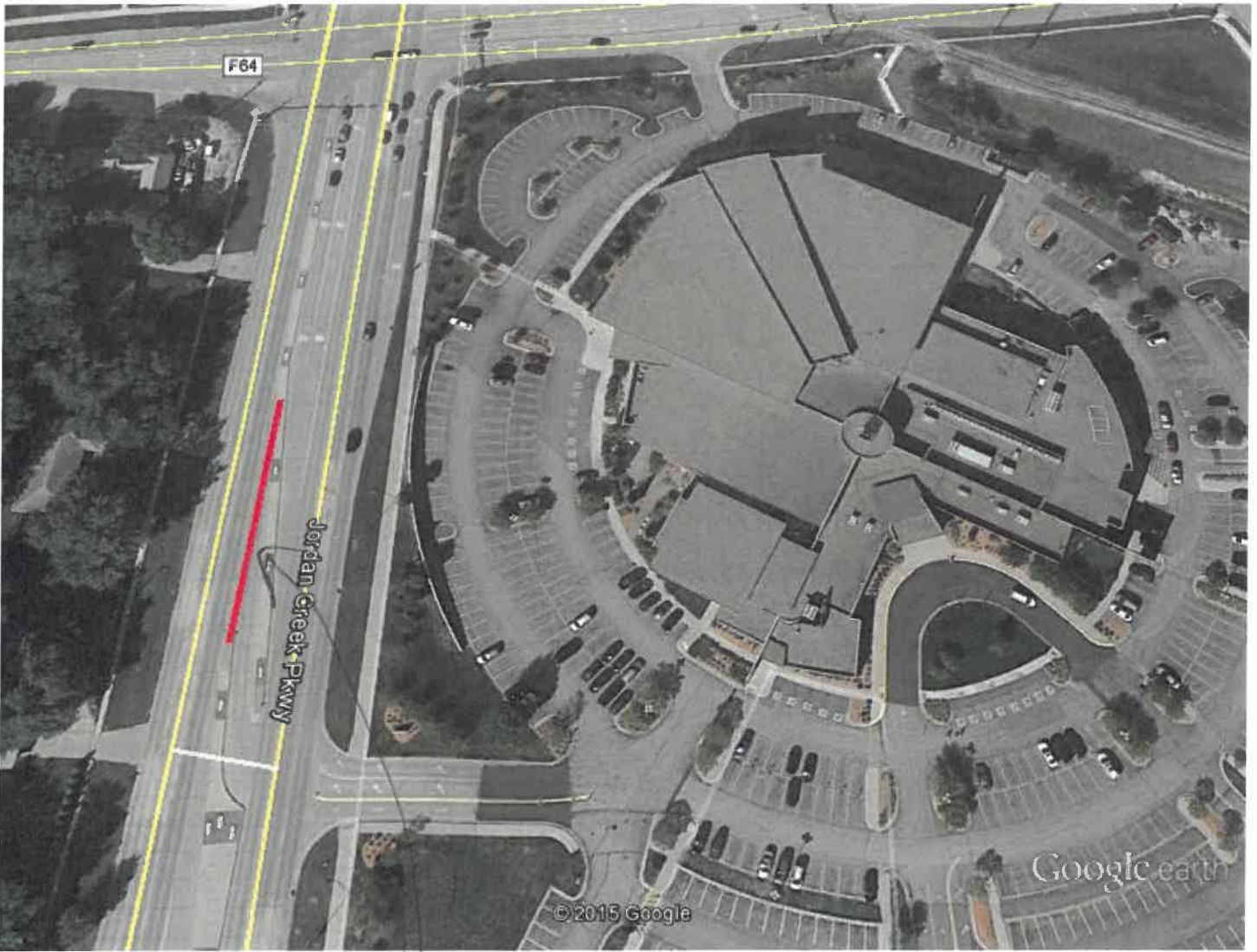
Department Director	Ryan T. Jacobson, City Clerk
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	<i>RTJ</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	
Date Reviewed	



Google earth

feet
meters



lane closure of our slip left
from Sat Noon - Sun 1pm

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

ITEM: Approval of Appointment - Bicycle Advisory Commission

DATE: March 19, 2018

FINANCIAL IMPACT: None

BACKGROUND:

Joel Wolcott has served on the Bicycle Advisory Commission since April 2011, and the Mayor and City Council thank him for his service to the community. Mayor Gaer would like to appoint Nicholas Welter to serve on the Bicycle Advisory Commission for a three-year term with an expiration of March 31, 2021.

Nicholas Welter 3910 Aspen Drive 689-8496 (c)

OUTSTANDING ISSUES (if any): None

RECOMMENDATION:

Approval of appointment to Bicycle Advisory Commission.

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

STAFF REVIEWS

Department Director	Sally Ortgies, Director of Parks and Recreation
Appropriations/Finance	
Legal	
Agenda Acceptance	<i>RTJ</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, IOWA

APPLICATION FOR APPOINTMENT TO BOARDS AND COMMISSIONS

The City of West Des Moines appreciates your interest in serving the community and welcomes your application. Please complete all sections of this application. If you have any questions, please contact the City Clerk's Office at (515) 222-3600 or TDD (Hearing Impaired) (515) 222-3334. The City of West Des Moines is committed to providing equal opportunity for citizen involvement.

Please indicate those Boards and/or Commissions on which you would be willing to serve by checking below:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Board of Adjustment | <input type="checkbox"/> Water Works Board of Trustees |
| <input type="checkbox"/> Civil Service Commission | <input type="checkbox"/> Human Services Advisory Board |
| <input type="checkbox"/> Library Board of Trustees | <input type="checkbox"/> Human Rights Commission |
| <input checked="" type="checkbox"/> Plan & Zoning Commission | <input type="checkbox"/> Public Arts Advisory Commission |
| <input type="checkbox"/> Sister Cities Commission | <input type="checkbox"/> Valley Junction Events Committee |
| <input checked="" type="checkbox"/> Bicycle Advisory Commission | <input checked="" type="checkbox"/> Other <u>Park & Rec Board</u> |

Name: Welter Nicholas John
Last First Middle

Address: 3910 Aspen Dr West Des Moines Iowa 50265
Street City State Zip

Occupation: Construction Project Manager

Employer's Name & Address

Henning Companies

5800 Merle Hay Rd., Suite 14, Johnston, Iowa 50131-0394

Work Phone: (515) 689-8496 When can you be reached at this number?: _____ Business hours and evenings. This is my cell number.

Home Phone: _____ When can you be reached at this number?: _____

E-mail address: nwelter@webild.com

Length of residence in West Des Moines: 8 years

Please list any previous Board membership positions (City, Church, School, Professional, etc.) and dates of service:

Design Council, College of Design, Iowa State University (Council Member '04-'05, President '05-'06)

Please indicate below the reasons why you would like to be appointed to a Board or Commission and any specific skills or experience that you believe support your application.

My wife and I have been living in WDM for 8 years and have had the pleasure of starting our family in WDM.

The community of WDM has given a lot to our family through community events, the parks system, the public library, our great neighborhood and the WDM Schools. I feel I should get more involved as a citizen of WDM and give back to my community by using the knowledge base and training I received in college obtaining a BA in Urban Planning.

Please list two references other than a family member:

Name: Mike Carroll Relationship: Co-Worker Phone: 515.669.3095

Name: Mike Foss Relationship: Church Pastor Phone: 515.223.4208

Do you sell to, or are you in any manner a part to, any contract to furnish supplies, material, or labor to the City of West Des Moines? No If so, please list: _____

Have you ever been employed by the City? No If so, please list dates of employment and positions held.

Do you have relatives working for the City? No If so, please give name and relationship.

Are you being sponsored by a community organization(s)? No If so, please list the following and attach a confirmation letter from said organization:

Organization: _____ Contact: _____

Phone Number: _____ Email: _____

Applicant Signature: _____ Date: _____

Please mail completed application to the office of the City Clerk at the following address:

City of West Des Moines
P.O. Box 65320
West Des Moines, Iowa 50265-0320
ATTN: Ryan Jacobson

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

DATE: March 19, 2018

ITEM:

Motion – Approval of Renewal Contract Agreement – Electrical Repair Services
ABC Electrical Services, LLC

FINANCIAL IMPACT:

This is a renewal contract with ABC Electrical Services, LLC, effective from April 9, 2018, to April 8, 2019, to provide electrical repair services to various City facilities for the City of West Des Moines. The average annual amount of electrical repair services for various City facilities is approximately \$125,000. The costs for this service will be paid from each respective facility's building maintenance account.

BACKGROUND:

The electrical repair services contract was bid in 2014, with the initial term of the contract being April 9, 2014, to April 8, 2015. This contract agreement provides labor and material rates for requested electrical repair services required on an as-needed basis at various City facilities. The specifications allow renewal on an annual basis by written mutual consent of both the City and the Contractor and also includes a 2% services increase for every year the contract is in effect.

OUTSTANDING ISSUES: None

RECOMMENDATION:

- That the City Council approve the renewal contract agreement with ABC Electrical Services, LLC.

Lead Staff Member: Gary L. Rank, Facilities Manager



STAFF REVIEWS

Department Director	Bret Hodne, Public Services Director <i>RPH</i>
Appropriations/Finance	Tim Stiles, Finance Director <i>TS</i>
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	<i>PR</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed	March 12, 2018		
Recommendation	Yes	No	Split

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

DATE: March 19, 2018

ITEM: Motion – Approval of Agreement Amendment – Veteran’s Parkway Enhancements (Construction Documents for Phase 1)

FINANCIAL IMPACT: Additional expense of \$33,000 to be paid from funds budgeted in the Veteran’s Parkway Enhancements CIP account (0510 022 2017).

BACKGROUND: The Council is asked to approve an amendment to an existing agreement with Shive Hattery to develop construction documents for Phase 1 of Veteran’s Parkway Enhancements located between 1st/63rd Street and Highway 5 Bypass. Under the original agreement, Shive Hattery completed conceptual and preliminary design for the roadway enhancements along the entire Veteran’s Parkway corridor. They have used approximately \$75,000 of the original contract amount of \$120,500. The remaining balance of \$45,500 is being applied to the Phase 1 construction documents total of \$78,500. This amendment of \$33,000 would raise the total contract amount to \$153,500.

The scope of services includes additional public outreach, construction documents, bid phase services, and construction phase services.



The amendment to the agreement with Shive Hattery is attached.

OUTSTANDING ISSUES: None

RECOMMENDATION: That the City Council approve the agreement amendment with Confluence

Lead Staff Member: David Sadler, Superintendent of Parks 

STAFF REVIEWS

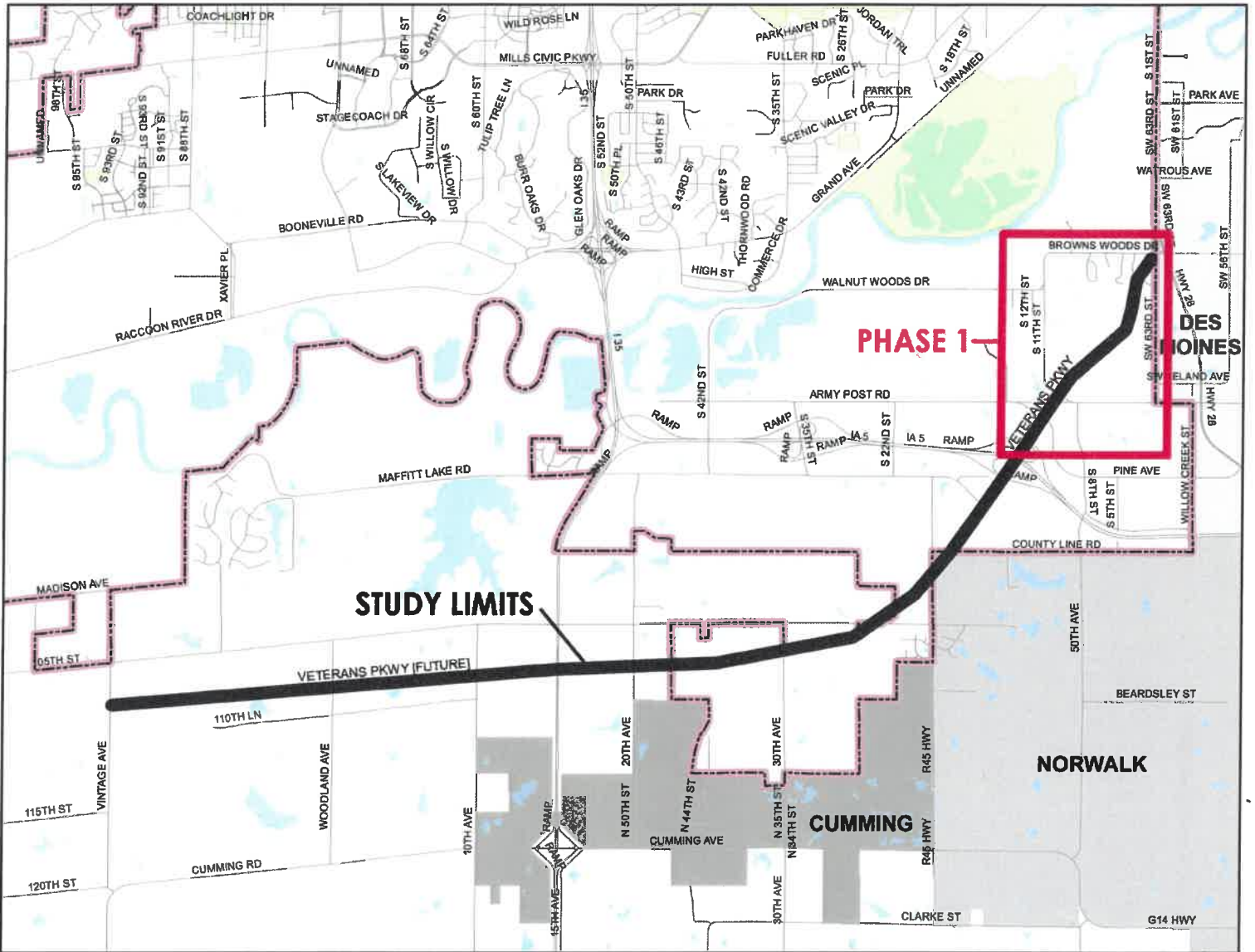
Department Director	Sally Ortgies, Director of Parks and Recreation 
Appropriations/Finance	Tim Stiles, Finance Director 
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	

PUBLICATION(S) (if applicable)

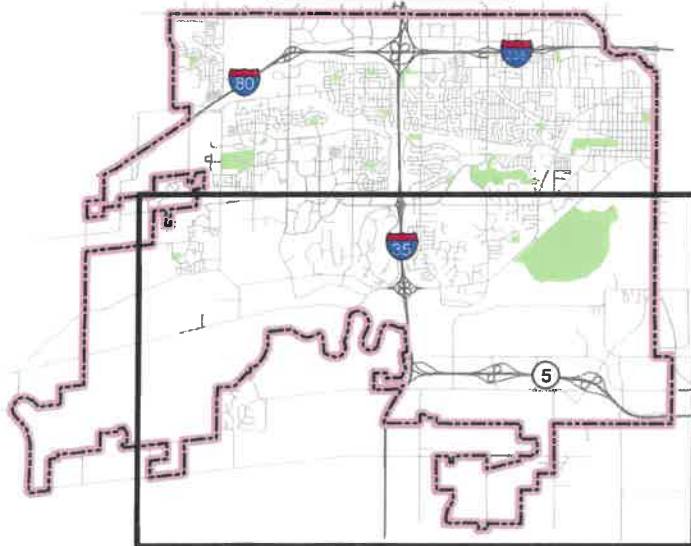
Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split



VICINITY MAP



LEGEND

- Road
- City Park
- City Limit



PROJECT: **PROFESSIONAL SERVICES AGREEMENT - VETERANS PKWY ENHANCEMENTS**

LOCATION: **VETERANS PKWY**

DRAWN BY: MAA

DATE: 03/15/18

PROJECT NO.:

SHT. 1 of 1

AMENDMENT TO AGREEMENT
between SHIVE-HATTERY, INC. AND THE CLIENT

PROJECT NAME: City of West Des Moines – Veterans Parkway Enhancements

CLIENT NAME: City of West Des Moines

AMENDMENT NO.: 1

ORIGINAL AGREEMENT DATE: October 11, 2016

AMENDMENT DATE: January 8, 2018; *Revised February 26, 2018*

The City of West Des Moines and Shive-Hattery, Inc. (S-H) agree to amend the Original Agreement as follows:

- A. PROJECT DESCRIPTION:** Additional design and engineering services are required to develop construction documents for the purpose of soliciting competitive bids and to govern installation of landscape enhancements including plantings and signage features for the Phase 1 project area (see Exhibit A). **We are assuming two bid packages will be developed – one for landscaping and one for signage elements.** Services will also include development of communication exhibits for public outreach as defined in item #3.
- B. SCOPE OF SERVICES:**
1. Veteran's Parkway / Great Western Trail Coordination associated with trail proximity to road alignment; *20 hours of effort was provided and is reflected in the total effort provided towards the original contract noted below.*
 2. Veterans monument coordination in association with Polk County Conservation and the Brown's Wood site; *16 hours of effort was provided and is reflected in the total effort provided towards the original contract noted below.*
 3. Public Outreach: Meet with the City to define needs for communicating with the public. Develop up to three communication pieces such as postcards, flyers and graphics to be utilized for electronic distribution or social media posts.
 4. Construction Documents for Landscaping:
 - a. Refine landscape plans including plant schedule, plant locations, recommended species and details.
 - b. Develop unit bid items, estimate reference notes and quantities.
 - c. Provide traffic control standard details.
 - d. Develop technical specification and coordinate with and modify Client-provided front-end specifications to scale to the scope of this project.
 - e. Develop an opinion of probable construction costs.
 5. Construction Documents for Signage Elements:
 - a. Develop unit bid items, estimate reference notes and quantities.
 - b. Develop preliminary electrical site plans and details plans
 - c. Develop details for the fabrication of the signage features to include: gateway, median and folded flags. Excludes details related to the red ribbons.
 - d. Provide traffic control standard details.



- e. Develop technical specification and coordinate with and modify Client-provided front-end specifications to scale to the scope of this project.
 - f. Develop an opinion of probable construction costs.
6. Bid Phase Services:
- a. Assist the Client with a two (2) pre-bid conferences.
 - b. Respond to questions and issue addenda if necessary
 - c. Develop a bid tabulation and recommendation for award for each bid package.
7. Construction Phase Services:
- a. Conduct two (2) preconstruction meetings and construction progress meetings.
 - b. Review and coordinate Client review/approval of submittals and mock-ups.
 - c. Prepare, review, and process paperwork for the project including change orders, requests for information, pay requests, etc.
 - d. Provide construction observation. We anticipate providing up to ten (10) observation visits in total, including initial acceptance/punch-list inspection and follow-up/confirmation inspection.
 - e. Issue certificates of substantial completion.
 - f. Process close-out paperwork.

C. CLIENT RESPONSIBILITIES: NO CHANGE

D. SCHEDULE: Begin April 1, 2018 and complete all deliverables by August 1, 2018.

E. COMPENSATION: At the time of this amendment, \$75,000 of effort towards the original contract sum of \$120,500 has been provided. This includes the additional services noted in scope item #1 and #2. The remaining fee available is \$45,500.

The following effort is estimated for Scope Items #3 - #7:

#3 Public Outreach:	\$2,900
#4 Construction Documents for Landscaping:	\$9,800
#5 Construction Documents for Signage Elements:	\$42,900
#6 Bid Phase Services:	\$4,700
#7 Construction Phase Services:	\$18,200
Subtotal	\$78,500
Deduct Remaining Fee from Original Contract	(\$45,500)
Net Increase to the Contract amount	\$33,000

Increase the fixed fee amount by \$33,000 to equal \$153,500.

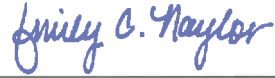
F. EXHIBITS: Exhibit A defining Phase 1.

G. AGREEMENT: This Amendment is subject to all other terms and conditions of the Original Agreement. Return one executed copy to S-H.

H. **ACKNOWLEDGEMENT OF APPROVAL AND OF AMENDMENT:**

SHIVE-HATTERY, INC.

By:



Emily C. Naylor Project Manager

Title:

Date Accepted:

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

DATE: March 19, 2018

ITEM:

Resolution - Ordering Construction
2017 ADA Sidewalk Improvements

FINANCIAL IMPACT:

The Engineering Estimate of Construction Cost for the 2017 ADA Sidewalk Improvements is \$279,131.00. Payments will be made from account no. 500.000.000.5250.490 with the ultimate funding intended to come from Road Use Tax.

BACKGROUND:

A Bid Letting should be scheduled for 2:00 p.m. on Wednesday, April 11, 2018 and a Public Hearing on the project should be scheduled for 5:35 p.m. on Monday, April 16, 2018. The contract would be awarded on Monday, April 16, 2018 and work will begin shortly thereafter.

This project consists of replacement of approximately 70 sidewalk ramps at various locations throughout the City. The sidewalk ramps being replaced as part of this project are mostly adjacent to streets in the City's 2016 & 2017 HMA Resurfacing Programs to bring them into compliance with the Americans with Disabilities Act (ADA). The project is anticipated to be completed by September 30, 2018.

OUTSTANDING ISSUES: None.

RECOMMENDATION:

City Council Adopt:

- Resolution Ordering Construction of the 2017 ADA Sidewalk Improvements.
- Fixing 2:00 p.m. on Wednesday, April 11, 2018 as the time and date for project Bid Letting.
- Ordering the City Clerk to publish notice of Letting and Public Hearing.

Lead Staff Member: Brian J. Hemesath, P.E., Interim City Engineer *pro*

STAFF REVIEWS

Department Director	Brian J. Hemesath, P.E., Interim City Engineer
Appropriations/Finance	Tim Stiles, Finance Director <i>CA for TS</i>
Legal	Richard Scieszinski, City Attorney <i>J</i>
Agenda Acceptance	<i>BO</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Services		
Date Reviewed	March 12, 2018		
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:

**2017 ADA Sidewalk Improvements
Project No. 0510-063-2017**

is hereby ordered to be constructed according to the Plans and Specifications prepared by Bolton & Menk, Inc. of Des Moines, Iowa 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, April 16, 2018 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, April 11, 2018.

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, April 11, 2018 and the results of said bids shall be considered at a meeting of this Council on Monday, April 16, 2018 at 5:35 p.m. and acted upon at said time, or such time as may then be fixed.

PASSED AND APPROVED 19th day of March, 2018.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

**CITY OF WEST DES MOINES, IOWA
2017 ADA Sidewalk Improvements**

March 14, 2018

Opinion of Probable Construction Costs

H:\WDSM\IA\13114864_2017 ADA Sidewalk\3_Design\A_Calculations\A13114864_QUANTITIES.xls)OPC

ITEM NO.	DESCRIPTION	UNIT	APPROX. QUANTITY	UNIT PRICE	AMOUNT
1	TRAFFIC CONTROL	LS	1	\$15,000.00	\$15,000.00
2	TOPSOIL, OFF-SITE	LS	1	\$6,000.00	\$6,000.00
3	EXCAVATION, CLASS 10 (CUT)	CY	75	\$75.00	\$5,625.00
4	MANHOLE ADJUSTMENT, MINOR	EA	6	\$1,000.00	\$6,000.00
5	CURB AND GUTTER, PCC	LF	1044	\$45.00	\$46,980.00
6	REMOVAL OF SIDEWALK	SY	969	\$20.00	\$19,380.00
7	REMOVAL OF TRAIL	SY	47	\$20.00	\$940.00
8	REMOVAL OF CURB	LF	1016	\$20.00	\$20,320.00
9	TRAIL, REINFORCED, PCC, 6"	SY	36	\$125.00	\$4,500.00
10	SIDEWALK, PCC, 4"	SY	557	\$90.00	\$50,130.00
11	SIDEWALK, PCC, 6"	SY	377	\$120.00	\$45,240.00
12	DETECTABLE WARNING	SF	784	\$40.00	\$31,360.00
13	PAINTED PAVEMENT MARKINGS, SOLVENT/WATERBORNE	LS	1	\$1,000.00	\$1,000.00
14	HYDRAULIC SEEDING, SEEDING, FERTILIZING, AND MULCHING	SF	1620	\$2.90	\$4,698.00
15	SOD	SQ	73	\$150.00	\$10,950.00
16	FILTER SOCK	LF	1044	\$2.00	\$2,088.00
17	TEMPORARY RECP	SF	8920	\$1.00	\$8,920.00
OPINION OF PROBABLE CONSTRUCTION COST:					\$279,131.00

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

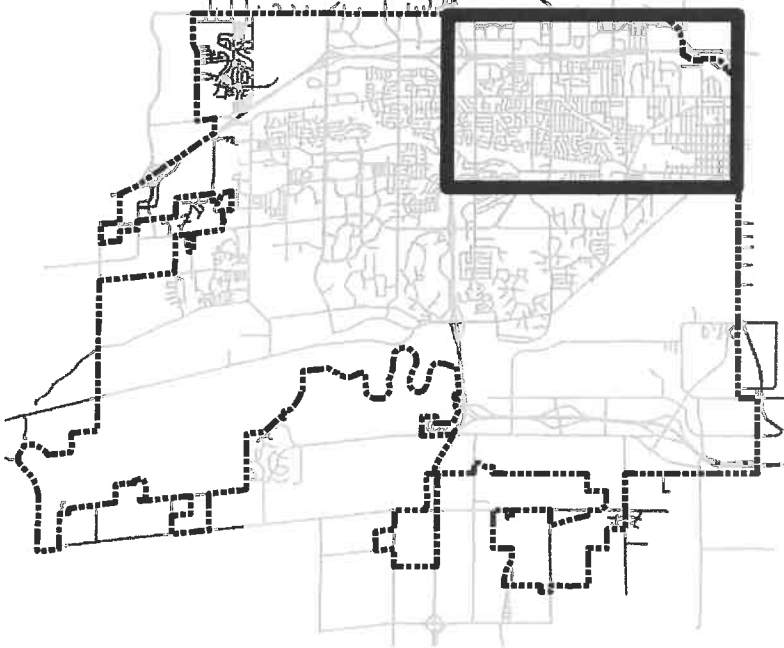

Charles N. Kahlsdorf, P.E.
Reg. No. 23243

14 MAR 2018
Date





VICINITY MAP



LEGEND

PROJECT LOCATION ●



PROJECT:

2017 ADA Sidewalks Program

LOCATION:

Exhibit "A"

DRAWN BY: JDR

DATE: 3/14/2018

PROJECT NUMBER: 0510-063-2017
SUBDIVISION NAME:

SHT. 1 of 1

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

DATE: March 19, 2018

ITEM:

Resolution - Ordering Construction
2018 PCC Reconstruction Program

FINANCIAL IMPACT:

The Engineering Estimate of Construction Cost for the 2018 PCC Reconstruction Program is \$595,800.00. Payments will be made from account no. 500.000.000.5250.490 with the ultimate funding intended to come from Road Use Tax. Funds for the project are available in the FY 18-19 budget, but due to timing of the construction season, this project will begin on an accelerated schedule.

BACKGROUND:

A Bid Letting should be scheduled for 2:00 p.m. on Wednesday, April 11, 2018 and a Public Hearing on the project should be scheduled for 5:35 p.m. on Monday, April 16, 2018. The contract would be awarded on Monday, April 16, 2018 and work will begin shortly thereafter.

This project involves complete reconstruction of 3rd Street from Walnut Street to Vine Street and includes pavement removal, grading, necessary storm sewer construction, and other related miscellaneous work required to reconstruct these streets. The project is anticipated to be completed by August 10, 2018.

OUTSTANDING ISSUES: None.

RECOMMENDATION:

City Council Adopt:

- Resolution Ordering Construction of the 2018 PCC Reconstruction Program.
- Fixing 2:00 p.m. on Wednesday, April 11, 2018 as the time and date for project Bid Letting.
- Ordering the City Clerk to publish notice of Letting and Public Hearing.

Lead Staff Member: Brian J. Hemesath, P.E., Interim City Engineer *BJA*

STAFF REVIEWS

Department Director	Brian J. Hemesath, P.E., Interim City Engineer
Appropriations/Finance	Tim Stiles, Finance Director <i>TS</i>
Legal	Richard Scieszinski, City Attorney <i>RS</i>
Agenda Acceptance	<i>A</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Services		
Date Reviewed	March 12, 2018		
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:

**2018 PCC Reconstruction Program
Project No. 0510-001-2018**

is hereby ordered to be constructed according to the Plans and Specifications prepared by Bolton & Menk, Inc. of Des Moines, Iowa 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, April 16, 2018 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, April 11, 2018.

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, April 11, 2018 and the results of said bids shall be considered at a meeting of this Council on Monday, April 16, 2018 at 5:35 p.m. and acted upon at said time, or such time as may then be fixed.

PASSED AND APPROVED 19th day of March, 2018.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

**CITY OF WEST DES MOINES, IOWA
2018 P.C.C. Reconstruction**

March 14, 2018

Opinion of Probable Construction Costs

H:\WDSMAIA13114665_2018 PCC Recon\3_Design\A_Calculations\A13114665_QUANTITY.xls\OPC

ITEM NO.	DESCRIPTION	UNIT	APPROX. QUANTITY	UNIT PRICE	AMOUNT
1	TRAFFIC CONTROL	LS	1	\$10,000.00	\$10,000.00
2	CLEARING AND GRUBBING	LS	1	\$30.00	\$30.00
3	TOPSOIL, ON-SITE	CY	200	\$20.00	\$4,000.00
4	EXCAVATION, CLASS 10	CY	743	\$15.00	\$11,145.00
5	BELOW GRADE EXCAVATION (CORE OUT)	CY	100	\$15.00	\$1,500.00
6	SUBGRADE PREPARATION	SY	3420	\$4.00	\$13,680.00
7	SUBGRADE TREATMENT, FLYASH	SY	3420	\$10.00	\$34,200.00
8	SUBBASE, MODIFIED SUBBASE, 6"	SY	3420	\$15.00	\$51,300.00
9	REPLACEMENT OF UNSUITABLE BACKFILL MATERIAL	CY	100	\$25.00	\$2,500.00
10	STORM SEWER, TRENCHED, RCP, 15"	LF	380	\$110.00	\$41,800.00
11	STORM SEWER, TRENCHED, RCP, 12"	LF	26	\$100.00	\$2,600.00
12	STORM SEWER, TRENCHED, DIP, 12"	LF	26	\$135.00	\$3,510.00
13	SUBDRAIN, TYPE 1, CASE B, 6"	LF	1241	\$20.00	\$24,820.00
14	SUBDRAIN CLEANOUT, TYPE A-1, 6"	EA	6	\$1,500.00	\$9,000.00
15	SUBDRAIN OUTLETS AND CONNECTIONS, CMP, 6"	EA	6	\$1,000.00	\$6,000.00
16	WATER SERVICE STUB, COPPER, 1"	EA	9	\$1,700.00	\$15,300.00
17	VALVE BOX EXTENSION	EA	6	\$650.00	\$3,900.00
18	FIRE HYDRANT ADJUSTMENT	EA	1	\$1,800.00	\$1,800.00
19	INTAKE TYPE, SW-501	EA	4	\$3,200.00	\$12,800.00
20	CONNECTION TO EXISTING INTAKE	EA	2	\$1,500.00	\$3,000.00
21	PAVEMENT, PCC, 6"	SY	2967	\$55.00	\$163,185.00
22	REMOVAL OF SIDEWALK AND DRIVEWAY	SY	1010	\$20.00	\$20,200.00
23	SIDEWALK, PCC, 6"	SY	30	\$65.00	\$1,950.00
24	DRIVEWAY, PAVED, PCC, 6"	SY	1099	\$65.00	\$71,435.00
25	PAVEMENT REMOVAL	SY	2967	\$10.00	\$29,670.00
26	SOD	SQ	400	\$55.00	\$22,000.00
27	SWPPP PREPARATION	LS	1	\$1,000.00	\$1,000.00
28	SWPPP MANAGEMENT	LS	1	\$4,000.00	\$4,000.00
29	FILTER SOCK, 8", INSTALL AND REMOVE	LF	3150	\$4.50	\$14,175.00
30	EROSION CONTROL MULCHING, HYDROMULCHING	AC	1	\$2,000.00	\$2,000.00
31	INLET PROTECTION DEVICE, INSTALL, MAINTAIN, AND REMOVE	EA	20	\$140.00	\$2,800.00
32	CONSTRUCTION SURVEY	LS	1	\$7,500.00	\$7,500.00
33	MAINTENANCE OF SOLID WASTE COLLECTION	LS	1	\$3,000.00	\$3,000.00
OPINION OF PROBABLE CONSTRUCTION COST:					\$595,800.00

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

Charles N. Kahlsdorf

14 MAR 2018

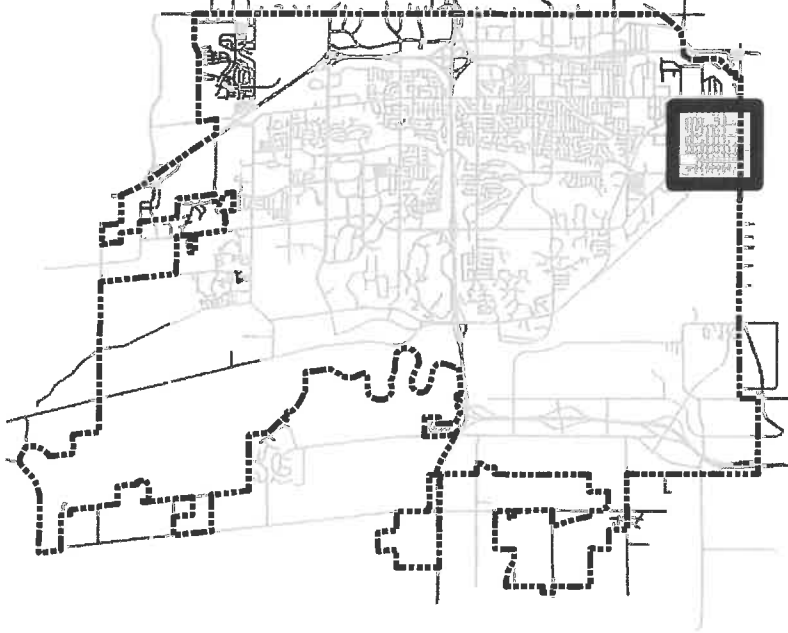
Charles N Kahlsdorf, P.E.
Reg. No. 23243

Date





VICINITY MAP



LEGEND

PROJECT LOCATION



PROJECT:

2018 PCC Reconstruction Program

LOCATION:

3rd St, Walnut St to Vine St

DRAWN BY: JDR

DATE: 8/7/2017

PROJECT NUMBER : 0510-001-2018
SUBDIVISION NAME:

SHT. 1 of 1

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

DATE: March 19, 2018

ITEM: Resolution - Order Construction and Notice of Public Hearing on Plans, Specifications, Form of Contract, Estimate of Cost, and Direct Advertisement of Bids – Holiday Park Parking Lot Repairs

FINANCIAL IMPACT: None at this time. The preliminary estimated cost of the project is \$106,554. Project expenses will be paid with budgeted funds in the Concrete Renovations in Parks C.I.P. account (0510 069 2017). There is a total of \$50,000 available in FY 17-18, and \$60,000 available in FY 18-19. The project will be constructed this summer in two phases over two fiscal years.

BACKGROUND: A Bid Letting should be scheduled for 2:00 p.m. on Wednesday, April 11, 2018, and a Public Hearing on the project scheduled for 5:35 p.m. on Monday, April 16, 2018. The contract would be awarded on Monday, April 16, 2018, and work would begin shortly thereafter. This project is scheduled to be completed by October 2018.

This Resolution is for repair and replacement of portions of existing concrete parking lot paving located in Holiday Park. Portions of the repairs will be done this spring prior to opening of the Holiday Park Aquatic Center, with other repairs later this fall after the busy pool and ballfield season has concluded. One add-alternate is being included for paving of drainage flumes connecting parking lots to the larger existing concrete flume running through the park.

The majority of defects in the paving involve cracking and settlement issues. Defective areas of the paving are being replaced with reinforced concrete to help prevent future problems. This will further extend the life of the new pavement.

OUTSTANDING ISSUES: None.

RECOMMENDATION: That the Council approve the Resolution.

Lead Staff Member: David Sadler, Superintendent of Parks 

STAFF REVIEWS

Department Director	Sally Orgies, Director of Parks and Recreation 
Appropriations/Finance	Tim Stiles, Finance Director 
Legal	Richard Scieszinski, City Attorney
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:

Holiday Park Parking Lot Repairs

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

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

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to publish notice of hearing on the Plans and Specifications, Form of Contract, Bid Security and Estimate of Costs for said project to be held at 5:35 p.m. on **Monday, April 16, 2018** 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 o'clock p.m. on **Wednesday, April 11, 2018**.

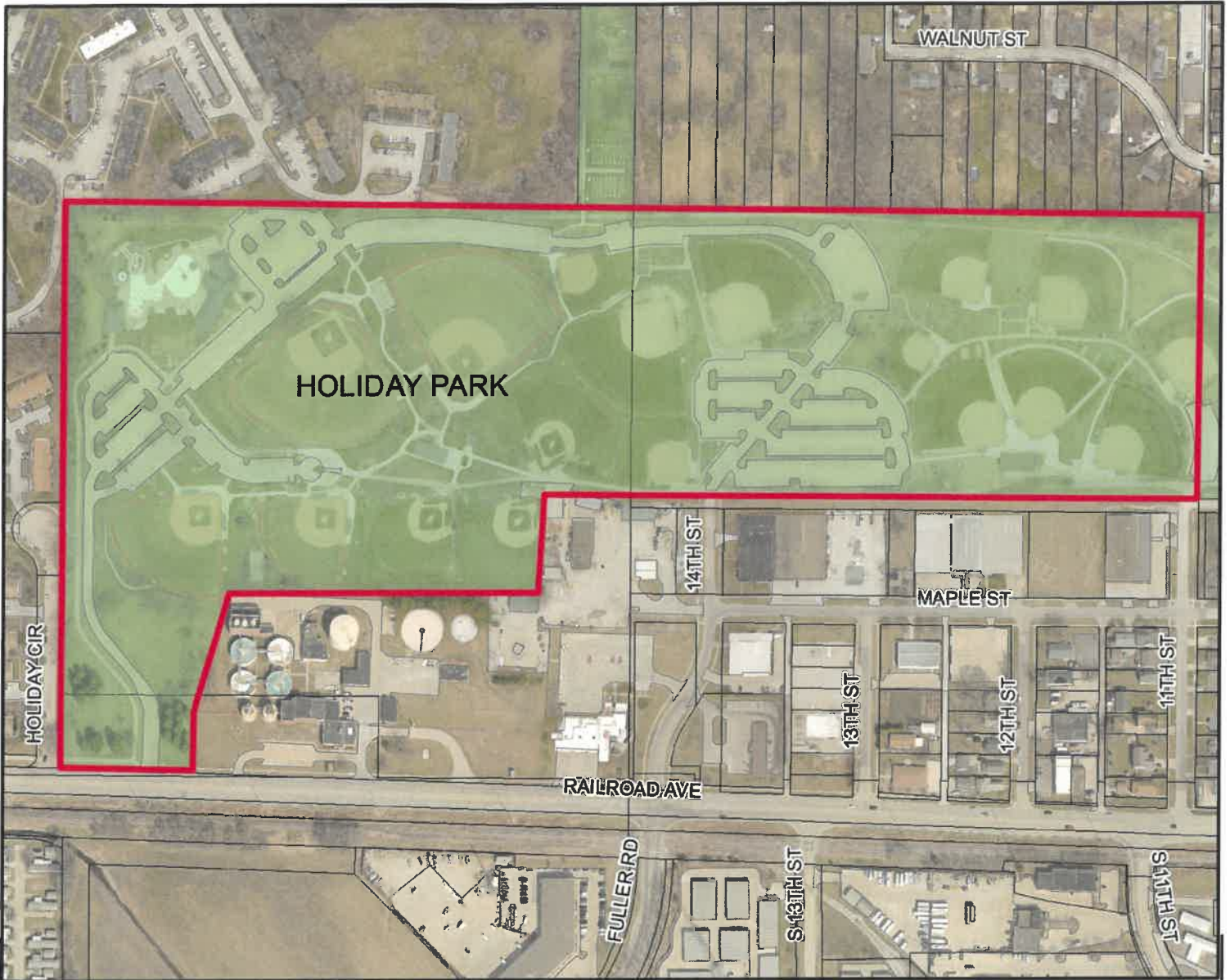
BE IT FURTHER RESOLVED, that bids received for construction of said improvements will be opened, publicly read and tabulated by the City Clerk, Deputy City Clerk, or City Clerk designee at 2:00 o'clock p.m. on **Wednesday, April 11, 2018** and the results of said bids shall be considered at a meeting of this Council on **Monday, April 16, 2018** at 5:35 p.m. and acted upon at said time, or such time as may then be fixed.

PASSED AND APPROVED this 19th day of **March, 2018**.

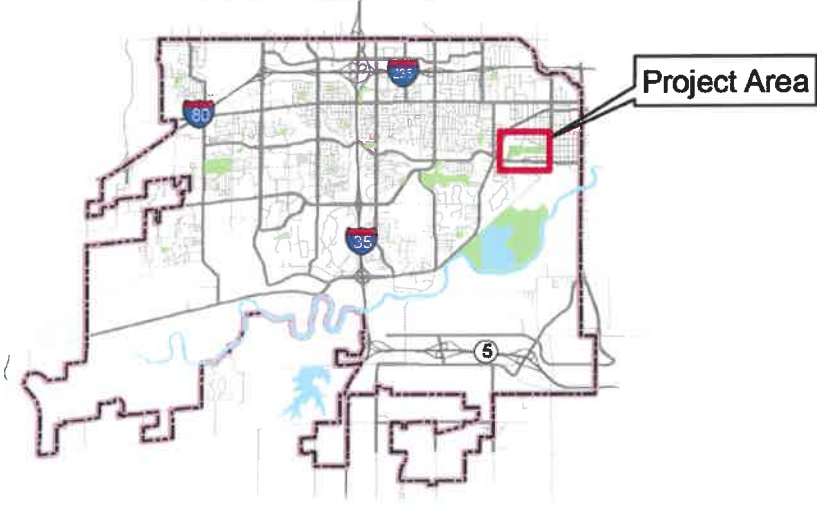
Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk



VICINITY MAP



LEGEND

 Project Location



PROJECT:	HOLIDAY PARK PARKING LOT REPAIRS		
LOCATION:	1701 RAILROAD AVE		
DRAWN BY:	MAA	DATE:	3/15/2018
		PROJECT NO.:	0510 069 2017
			SHT. 1 of 1

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

DATE: March 19, 2018

ITEM:

Resolution - Ordering Construction
Veterans Parkway – SE Maffitt Lake Road to SE Adams Street

FINANCIAL IMPACT:

The Engineering Estimate of Construction Cost for Veterans Parkway – SE Maffitt Lake Road to SE Adams Street is \$6,761,175.00. Payments will be made from account no. 500.000.000.5250.490 with the ultimate funding intended to come from Alluvion Urban Renewal Area TIF.

BACKGROUND:

A Bid Letting should be scheduled for 2:00 p.m. on Wednesday, April 11, 2018 and a Public Hearing on the project should be scheduled for 5:35 p.m. on Monday, April 16, 2018. The contract would be awarded on Monday, April 16, 2018 and work will begin shortly thereafter.

The project will extend Veterans Parkway from SE Maffitt Lake Road near IA-5 to approximately 1,000 feet southwest of SE Adams Street. The project includes grading and drainage improvements to support an ultimate 6-lane urban arterial street and paving of a 3-lane interim section. The project is anticipated to be completed by November 16, 2018.

OUTSTANDING ISSUES:

None.

RECOMMENDATION:

City Council Adopt:

- Resolution Ordering Construction of the Veterans Parkway – SE Maffitt Lake Road to SE Adams Street.
- Fixing 2:00 p.m. on Wednesday, April 11, 2018 as the time and date for project Bid Letting.
- Ordering the City Clerk to publish notice of Letting and Public Hearing.

Lead Staff Member: Brian J. Hemesath, P.E., Interim City Engineer *for*

STAFF REVIEWS

Department Director	Brian J. Hemesath, P.E., Interim City Engineer
Appropriations/Finance	Tim Stiles, Finance Director <i>Q for TS</i>
Legal	Richard Scieszinski, City Attorney <i>JBW</i>
Agenda Acceptance	<i>(initials)</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Services		
Date Reviewed	March 12, 2018		
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:

**Veterans Parkway – SE Maffitt Lake Road to SE Adams Street
Project No. 0510-007-2017**

is hereby ordered to be constructed according to the Plans and Specifications prepared by the HR Green, 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, April 16, 2018 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, April 11, 2018.

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, April 11, 2018 and the results of said bids shall be considered at a meeting of this Council on Monday, April 16, 2018 at 5:35 p.m. and acted upon at said time, or such time as may then be fixed.

PASSED AND APPROVED 19th day of March, 2018.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk



OPINION OF PROBABLE CONSTRUCTION COST

Veterans Parkway
SE Maffitt Lake Road to Adams Street
WEST DES MOINES, IOWA
0510-007-2017



ITEM NO.	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT COST	TOTAL
DIVISION 2 - EARTHWORK					
2.1	Clearing and Grubbing	LS	1	\$75,000.00	\$75,000.00
2.2	Topsoil, Strip, Salvage and Respread	CY	40200	\$8.00	\$321,600.00
2.3	Excavation, Class 10	CY	75000	\$11.00	\$825,000.00
2.4	Class 10, Contractor Furnished Borrow	CY	12500	\$20.00	\$250,000.00
2.5	Subgrade Preparation, 12"	SY	36600	\$3.00	\$109,800.00
2.6	Removal of Pipe Culvert, Less Than or Equal to 36"	LF	170	\$30.00	\$5,100.00
2.7	Removals as Per Plan	LS	1	\$1,000.00	\$1,000.00
DIVISION 4 - SEWERS AND DRAINS					
4.1	Storm Sewer, Trenched, RCP 3750D, 15"	LF	2451	\$70.00	\$171,570.00
4.2	Storm Sewer, Trenched, RCP 3750D, 18"	LF	1564	\$80.00	\$125,120.00
4.3	Storm Sewer, Trenched, RCP 2000D, 24"	LF	715	\$90.00	\$64,350.00
4.4	Storm Sewer, Trenched, RCP 2000D, 30"	LF	947	\$110.00	\$104,170.00
4.5	Storm Sewer, Trenched, RCP 2000D, 36"	LF	233	\$130.00	\$30,290.00
4.6	Storm Sewer, Trenched, RCP 2000D, 48"	LF	162	\$190.00	\$30,780.00
4.7	Storm Sewer, Trenched, RCP 2000D, 54"	LF	233	\$220.00	\$51,260.00
4.8	Storm Sewer, Trenched, RCAP 3000D, 65" x 40"	LF	27	\$250.00	\$6,750.00
4.9	Pipe Apron, RCP, 15"	LF	2	\$2,000.00	\$4,000.00
4.10	Pipe Apron, RCP, 24"	EA	1	\$2,500.00	\$2,500.00
4.11	Pipe Apron, RCP, 30"	EA	4	\$3,000.00	\$12,000.00
4.12	Pipe Apron, RCP, 36"	EA	1	\$3,500.00	\$3,500.00
4.13	Pipe Apron, RCP, 48"	EA	1	\$4,500.00	\$4,500.00
4.14	Pipe Apron, RCP, 54"	EA	1	\$6,000.00	\$6,000.00
4.15	Pipe Apron, RCAP, 65" x 40"	EA	1	\$6,000.00	\$6,000.00
4.16	Clean Out Pipe Culvert	LS	1	\$2,500.00	\$2,500.00
4.17	Subdrain, Type 1 (Longitudinal), PVC 6"	LF	8675	\$15.00	\$130,125.00
4.18	Subdrain Cleanout, Type A-1	EA	34	\$600.00	\$20,400.00
4.19	Subdrain Outlet and Connections	EA	30	\$500.00	\$15,000.00
4.20	Locating Tile Lines	STA	20	\$200.00	\$4,000.00
4.21	Subdrain, Tile, 12"	LF	500	\$40.00	\$20,000.00
DIVISION 5 - WATER MAINS AND APPURTENANCES					
5.1	Water Main, Trenched, PVC, 24" Unrestrained Joint	LF	2395	\$105.00	\$251,475.00
5.2	Water Main, Trenched, PVC, 24" Restrained Joint	LF	877	\$175.00	\$153,475.00
5.3	Water Main, Trenched, PVC, 16" Unrestrained Joint	LF	2195	\$85.00	\$186,575.00
5.4	Water Main, Trenched, PVC, 16" Restrained Joint	LF	879	\$120.00	\$105,480.00
5.5	Water Main, Trenched, PVC, 12" Restrained Joint	LF	135	\$100.00	\$13,500.00
5.6	Water Main Fittings, Ductile Iron	LBS	5433	\$10.00	\$54,330.00
5.7	Valve, DI MJ, Resilient Wedge with Valve Box, 24"	EA	3	\$20,000.00	\$60,000.00
5.8	Valve, DI MJ, Resilient Wedge with Valve Box, 16"	EA	5	\$8,000.00	\$40,000.00
5.9	Valve, DI MJ, Resilient Wedge with Valve Box, 12"	EA	1	\$3,500.00	\$3,500.00
5.10	Tapping Valve Assembly, 16"x16" Sleeve with 16" RW Gate Valve and Box	EA	2	\$15,000.00	\$30,000.00
5.11	Fire Hydrant Assembly	EA	10	\$7,000.00	\$70,000.00

ITEM NO.	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT COST	TOTAL
DIVISION 6 - STRUCTURES FOR SANITARY AND STORM SEWERS					
6.1	Intake Type SW-501, Modified	EA	14	\$3,500.00	\$49,000.00
6.2	Intake Type SW-503	EA	14	\$4,500.00	\$63,000.00
6.3	Intake Type SW-503, Modified	EA	2	\$4,500.00	\$9,000.00
6.4	Intake Type SW-505, Modified	EA	2	\$4,500.00	\$9,000.00
6.5	Intake Type SW-506	EA	3	\$7,000.00	\$21,000.00
6.6	Intake Type SW-506, Modified 1	EA	1	\$20,000.00	\$20,000.00
6.7	Intake Type SW-506, Modified 2	EA	3	\$10,000.00	\$30,000.00
6.8	Intake Type SW-506, Modified 3	EA	2	\$15,000.00	\$30,000.00
6.9	Intake Type SW-512	EA	1	\$2,500.00	\$2,500.00
6.10	Intake Type SW-513	EA	1	\$6,000.00	\$6,000.00
6.11	Manhole Adjustment, Major	EA	2	\$1,800.00	\$3,600.00
6.12	Orifice Plate, Furnish and Install	LS	1	\$2,500.00	\$2,500.00
6.13	Storm Sewer Plug	EA	1	\$600.00	\$600.00
DIVISION 7 - STREETS AND RELATED WORK					
7.1	Pavement, PCC, 10"	SY	1500	\$70.00	\$105,000.00
7.2	Pavement, PCC, 9" Reinforced	SY	26500	\$70.00	\$1,855,000.00
7.3	Pavement, PCC, 8" Reinforced	SY	1550	\$60.00	\$93,000.00
7.4	Pavement, PCC, 7" Reinforced	SY	1950	\$55.00	\$107,250.00
7.5	Concrete Median	SY	250	\$100.00	\$25,000.00
7.6	PCC Pavement Samples and Testing	LS	1	\$8,500.00	\$8,500.00
7.7	Temporary Pavement, 6"	SY	450	\$60.00	\$27,000.00
7.8	Shared Use Path, Recreational Trail, PCC, 6" Reinforced	SY	800	\$50.00	\$40,000.00
7.9	Special Subgrade Preparation for Shared Use Path	SY	1120	\$2.50	\$2,800.00
7.10	Detectable Warning	SF	50	\$45.00	\$2,250.00
7.11	Driveway, Paved, PCC, 6"	SY	120	\$60.00	\$7,200.00
7.12	Granular Roadway, Class "C" Gravel	TON	250	\$35.00	\$8,750.00
7.13	Pavement Removal	SY	6700	\$15.00	\$100,500.00
7.14	Engineering Fabric	SY	850	\$5.00	\$4,250.00
7.15	Granular Roadway, Class "A" Crushed Stone	TON	600	\$35.00	\$21,000.00
7.16	Granular Shoulder	TON	100	\$40.00	\$4,000.00
DIVISION 8 - TRAFFIC CONTROL					
8.1	Painted Pavement Markings, Solvent/Waterborne	STA	160	\$50.00	\$8,000.00
8.2	Painted Symbols and Legends, Solvent/Waterborne	EA	30	\$100.00	\$3,000.00
8.3	Traffic Control	LS	1	\$80,000.00	\$80,000.00
8.4	Temporary Traffic Signal	EA	1	\$40,000.00	\$40,000.00
8.5	Safety Closure	EA	10	\$150.00	\$1,500.00
8.6	Flaggers	DAY	10	\$400.00	\$4,000.00
DIVISION 9 - SITE WORK AND LANDSCAPING					
9.1	Seeding and Fertilizing, Urban	AC	9	\$1,000.00	\$9,000.00
9.2	Seeding and Fertilizing, Rural	AC	26	\$800.00	\$20,800.00
9.3	Stabilize Crop, Seeding and Fertilizing	AC	32	\$500.00	\$16,000.00
9.4	Mulching	AC	75	\$1,800.00	\$135,000.00
9.5	Roadside Spray for Weed Control	AC	30	\$1,000.00	\$30,000.00
9.6	SWPPP Management	LS	1	\$10,000.00	\$10,000.00
9.7	Wattle, Straw, 12"	LF	5000	\$3.00	\$15,000.00
9.8	Wattle, Removal	LF	5000	\$1.00	\$5,000.00
9.9	Rip-Rap, Erosion Stone	TON	200	\$50.00	\$10,000.00
9.10	Rip-Rap, Class E	TON	600	\$70.00	\$42,000.00
9.11	Silt Fence	LF	10000	\$2.00	\$20,000.00
9.12	Silt Fence Ditch Check	LF	10000	\$2.00	\$20,000.00
9.13	Silt Fence and Silt Fence for Ditch Check, Removal of Sediment	LF	10000	\$0.10	\$1,000.00

ITEM NO.	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT COST	TOTAL
9.14	Silt Fence and Silt Fence for Ditch Check, Removal of Device	LF	10000	\$0.10	\$1,000.00
9.15	Turf Reinforcement Mats, Type I	SQ	15	\$75.00	\$1,125.00
9.16	Inlet Protection Device, Drop In	EA	52	\$150.00	\$7,800.00
9.17	Inlet Protection Device, Maintenance	EA	52	\$50.00	\$2,600.00
DIVISION 10 - DEMOLITION					
10.1	Demolition Work	LS	1	\$150,000.00	\$150,000.00
DIVISION 11 - MISCELLANEOUS					
11.1	Construction Survey	LS	1	\$75,000.00	\$75,000.00
11.2	Maintenance of Postal Service	LS	1	\$5,000.00	\$5,000.00
11.3	Maintenance of Solid Waste Collection	LS	1	\$10,000.00	\$10,000.00
11.4	Concrete Washout	LS	1	\$10,000.00	\$10,000.00
TOTAL PROBABLE CONSTRUCTION COSTS					\$6,761,175.00



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.

David J. Moermond

DAVID J. MOERMOND, P.E.

Date: March 14, 2018

License No. **12261**

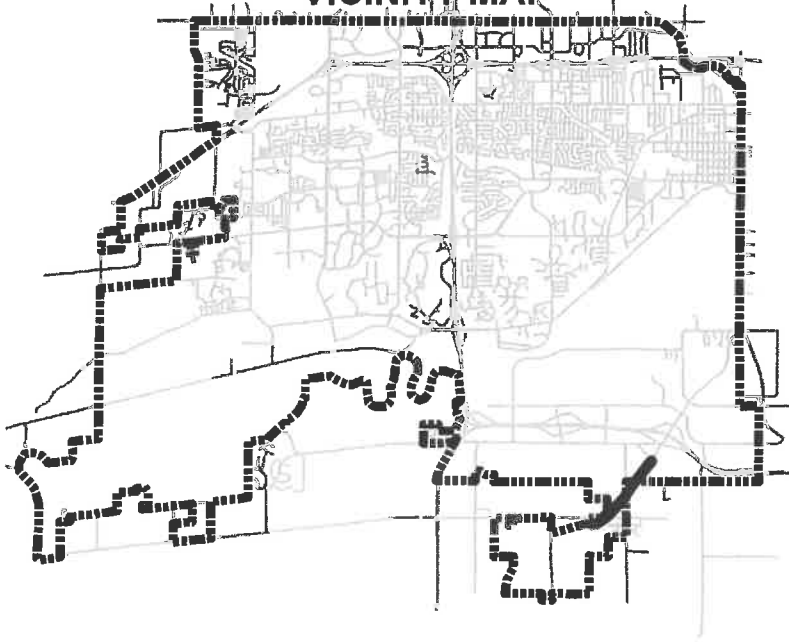
My renewal date is **December 31, 2019**

Pages or sheets covered by this seal:

 Opinion of Probable Construction Cost



VICINITY MAP



LEGEND

PROJECT LOCATION 



PROJECT:

Veterans Parkway

LOCATION:

SE Maffitt Lake Road to Adams Street

DRAWN BY: JDR

DATE: 8/31/16

PROJECT: 0510-007-2017

SHT. 1 of 1

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

DATE: March 19, 2018

ITEM:

Resolution - Accepting Work
2017 PCC Reconstruction Program

FINANCIAL IMPACT:

The total construction cost for the 2017 PCC Reconstruction Program was \$536,634.30 which was paid from account no. 500.000.000.5250.490 with ultimate funding intended to come from Road Use Tax. The original cost of the project was \$591,716.90. There was one (1) Change Order on the project that totaled (\$55,082.60).

BACKGROUND:

Alliance Construction Group, LLC was working under an agreement dated April 17, 2017 for construction services for the 2017 PCC Reconstruction Program. Work on this project included reconstruction of 3rd Street from Railroad Avenue to Walnut Street.

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 for 2017 PCC Reconstruction Program.

Lead Staff Member: Brian J. Hemesath, P.E., Interim City Engineer *BH*

STAFF REVIEWS

Department Director	Brian J. Hemesath, P.E., Interim City Engineer
Appropriations/Finance	Tim Stiles, Finance Director <i>TS</i>
Legal	Richard Scieszinski, City Attorney <i>RS</i>
Agenda Acceptance	<i>BH</i>

SUBCOMMITTEE REVIEW (if applicable)

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

Committee	Public Services		
Date Reviewed	March 12, 2018		
Recommendation	Yes	No	Split

RESOLUTION ACCEPTING WORK

WHEREAS, on April 17, 2017, the City Council entered into a contract with Alliance Construction Group, LLC of Grimes, Iowa for the following described public improvement:

**2017 PCC Reconstruction Program
Project No. 0510-001-2017**

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 March 19, 2018; and,

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 \$536,634.30 as shown in said report, and that the Finance Director is hereby authorized to make payment to the Contractor in the amount of \$26,831.71, 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 19th day of March, 2018.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson
City Clerk



Contractor: **Alliance Construction Group LLC**
3000 SE Grimes Blvd. Suite 800
Grimes, IA 50111

Project Title	2017 PCC Reconstruction	
WDM Project File Number	0510-001-2017	
Purchase Order Number	2017-00000601	
Orig. Contract Amount & Date	\$591,716.90	04/17/17
Estimated Completion Date	10/13/17	
Pay Period	01/19/2018 - 04/19/18	
Pay Request Number	RETAINAGE	
Date	04/16/18	

BID ITEMS							
Item No.	Description	Unit	Est. Qty	Unit Price	Extended Price	Quantity Completed	Value Completed
1	TRAFFIC CONTROL	LS	1	\$4,000.00	\$4,000.00	1.00	\$4,000.00
2	TOPSOIL, ON-SITE	CY	265	\$10.00	\$2,650.00	265.00	\$2,650.00
3	EXCAVATION, CLASS 10	CY	395	\$13.00	\$5,135.00	1,245.00	\$16,185.00
4	BELOW GRADE EXCAVATION (CORE OUT)	CY	100	\$4.00	\$400.00		\$0.00
5	SUBGRADE PREPARATION	SY	4,460	\$3.25	\$14,495.00	4,460.00	\$14,495.00
6	SUBGRADE TREATMENT, AG LIME	SY	4,460	\$9.50	\$42,370.00		\$0.00
7	SUBBASE, MODIFIED SUBBASE, 6"	SY	4,460	\$10.00	\$44,600.00	4,593.00	\$45,930.00
8	REPLACEMENT OF UNSUITABLE BACKFILL MATERIAL	CY	150	\$20.00	\$3,000.00		\$0.00
9	STORM SEWER, TRENCHED, RCP, 18"	LF	270	\$70.00	\$18,900.00	268.00	\$18,760.00
10	STORM SEWER, TRENCHED, RCP, 15"	LF	150	\$65.00	\$9,750.00	142.00	\$9,230.00
11	STORM SEWER, TRENCHED, RCP, 12"	LF	223	\$55.00	\$12,265.00	217.00	\$11,935.00
12	REMOVAL OF STORM SEWER, RCP, 15"	LF	26	\$20.00	\$520.00	26.00	\$520.00
13	SUBDRAIN, TYPE 1, CASE B, 6"	LF	2056	\$14.00	\$28,784.00	2,056.00	\$28,784.00
14	SUBDRAIN CLEANOUT, TYPE A-1, 6"	EA	13	\$800.00	\$10,400.00	13.00	\$10,400.00
15	SUBDRAIN OUTLETS AND CONNECTIONS, CMP, 6"	EA	13	\$500.00	\$6,500.00	13.00	\$6,500.00
16	WATER SERVICE STUB, COPPER, 1"	EA	10	\$2,000.00	\$20,000.00		\$0.00
17	FIRE HYDRANT ADJUSTMENT	EA	1	\$800.00	\$800.00	1.00	\$800.00
18	INTAKE TYPE, SW-501	EA	7	\$3,300.00	\$23,100.00	7.00	\$23,100.00
19	INTAKE TYPE, SW-504	EA	3	\$4,750.00	\$14,250.00	3.00	\$14,250.00
20	INTAKE ADJUSTMENT, MINOR	EA	2	\$800.00	\$1,600.00	2.00	\$1,600.00
21	CONNECTION TO EXISTING INTAKE	EA	2	\$1,450.00	\$2,900.00	2.00	\$2,900.00
22	REMOVE INTAKE	EA	2	\$750.00	\$1,500.00	2.00	\$1,500.00
23	PAVEMENT, PCC, 6"	SY	3866	\$45.40	\$175,516.40	3,897.00	\$176,923.80
24	REMOVAL OF SIDEWALK AND DRIVEWAY	SY	1675	\$4.50	\$7,537.50	1,675.00	\$7,537.50
25	REMOVAL OF CURB	LF	20	\$30.00	\$600.00		\$0.00
26	SIDEWALK, PCC, 6"	SY	30	\$57.00	\$1,710.00	20.00	\$1,140.00
27	DETECTABLE WARNINGS	SF	32	\$35.00	\$1,120.00	32.00	\$1,120.00
28	DRIVEWAY, PAVED, PCC, 6"	SY	1,610	\$45.00	\$72,450.00	1,716.00	\$77,220.00
29	PAVEMENT REMOVAL	SY	3,866	\$4.00	\$15,464.00	4,022.00	\$16,088.00
30	SOD	SQ	451	\$45.00	\$20,295.00	487.00	\$21,915.00
31	SWPPP PREPARATION	LS	1	\$350.00	\$350.00	1.00	\$350.00
32	SWPPP MANAGEMENT	LS	1	\$3,500.00	\$3,500.00	1.00	\$3,500.00
33	FILTER SOCKS, 8", INSTALL AND REMOVE	LF	3,000	\$3.00	\$9,000.00	1,742.00	\$5,226.00
34	INLET PROTECTION DEVICE, INSTALL, MAINTAIN, AND REMOVE	EA	30	\$125.00	\$3,750.00	16.00	\$2,000.00
35	EROSION CONTROL MULCHING, HYDROMULCHING	AC	2	\$1,200.00	\$2,400.00		\$0.00
36	CONSTRUCTION SURVEY	LS	1	\$5,000.00	\$5,000.00	1.00	\$5,000.00
37	MAINTENANCE OF POSTAL SERVICE	LS	1	\$2,000.00	\$2,000.00		\$0.00
38	MAINTENANCE OF SOLID WASTE COLLECTION	LS	1	\$3,000.00	\$3,000.00	1.00	\$3,000.00
39	CONCRETE WASHOUT	LS	1	\$1,500.00	\$1,500.00	1.00	\$1,500.00
CO1.1	CURB CUTTING, UP TO 20 LF	EA	2	\$287.50	\$575.00	2.00	\$575.00
TOTAL					\$593,686.90		\$536,634.30

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

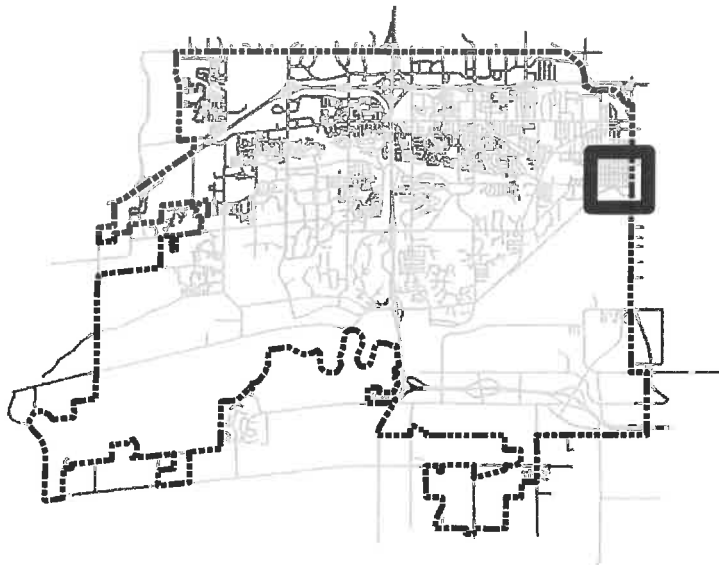
PAY REQUEST SUMMARY		
	Total Approved	Total Completed
Contract Price	\$591,716.90	\$536,634.30
Approved Change Order 1	-\$55,082.60	
Approved Change Order 2		
Revised Contract Price	\$536,634.30	\$536,634.30
Materials Stored		\$0.00
Retainage (5%)		\$0.00
Liquidated Damages		
	Total Earned Less Retainage	\$536,634.30
Total Previously Approved (list each)	Pay Request 1	\$60,585.78
	Pay Request 2	\$153,646.15
	Pay Request 3	\$94,442.06
	Pay Request 4	\$55,969.93
	Pay Request 5	\$56,616.19
	Pay Request 6	\$48,194.08
	Pay Request 7	\$35,089.20
	Pay Request 8	\$5,259.20
	Total Previously Approved	\$509,802.59
	Amount Due This Request	\$26,831.71
	Percent Complete	100%
	Percent of Contract Period Utilized	100%

The amount **\$26,831.71** is recommended for approval for payment in accordance with the terms of the Contract

Contractor: Alliance Construction Group LLC	Recommended By: Bolton & Menk, Inc.	Checked By: <i>CJE JMR</i> City of West Des Moines
Signature: Name: Ryan McKinney	Signature: Name: Chadd Kahisdorf, P.E., P.M.P.	Signature: <i>[Signature]</i> Name: Brian J. Hemesath, P.E.
Title: Project Manager	Title: Project Manager	Title: Interim City Engineer
Date:	Date:	Date: <i>3-14-18</i>

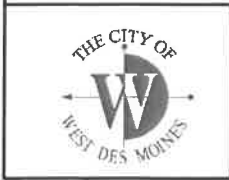


VICINITY MAP



LEGEND

PROJECT LOCATION 



PROJECT:	2017 Street Reconstruction		
LOCATION:	3rd Street from Railroad to Walnut		
DRAWN BY: JDR	DATE: 3/8/2017	PROJECT: 0510-001-2017	SHT. 1 of 1

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

DATE: March 19, 2018

ITEM:

Resolution - Accepting Work
Valley Junction Alley Improvements Phase 4

FINANCIAL IMPACT:

The total construction cost for the Valley Junction Alley Improvements Phase 4 was \$362,979.50 which was paid from account no. 500.000.000.5250.490 with ultimate funding intended to come from Stormwater Utility Fees and General Obligation Bonds. The original cost of the project was \$315,264.00. There were three (3) Change Orders on the project that totaled (\$47,715.50).

BACKGROUND:

Alliance Construction Group, LLC was working under an agreement dated July 10, 2017 for construction services for the Valley Junction Alley Improvements Phase 4. Work on this project included the 100 block between 8th & 9th Streets and the 400 block between 3rd & 4th Streets, 5th & 6th Streets, and 7th & 8th Streets.

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 for Valley Junction Alley Improvements Phase 4.

Lead Staff Member: Brian J. Hemesath, P.E., Interim City Engineer *BJA*

STAFF REVIEWS

Department Director	Brian J. Hemesath, P.E., Interim City Engineer
Appropriations/Finance	Tim Stiles, Finance Director <i>TS</i>
Legal	Richard Scieszinski, City Attorney <i>RS</i>
Agenda Acceptance	<i>RS</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Services		
Date Reviewed	March 12, 2017		
Recommendation	Yes	No	Split

RESOLUTION ACCEPTING WORK

WHEREAS, on July 10, 2017, the City Council entered into a contract with Alliance Construction Group, LLC of Grimes, Iowa for the following described public improvement:

**Valley Junction Alley Improvements Phase 4
Project No. 0510-003-2015**

and,

WHEREAS, said contractor has substantially completed the construction of said improvement in accordance with plans and specifications as shown by the report of the City Engineer filed with the City Clerk on March 19, 2018; and,

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 \$362,979.50 as shown in said report, and that the Finance Director is hereby authorized to make payment to the Contractor in the amount of \$18,148.97, 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 19th day of **March, 2018**.

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

RETAINAGE

Contractor: **Alliance Construction Group, LLC**
3000 SE Grimes Boulevard
Suite 800
Grimes, Iowa 50111

Project Title	Valley Junction Alleys Phase 4	
WDM Project File Number	0510-003-2015	
Purchase Order Number	2018-00000120	
Orig. Contract Amount & Date	\$315,264.00	07/25/17
Estimated Completion Date	10/15/17	
Pay Period End Date	01/13/2018 Thru 03/15/2018	
Pay Request Number	Retainage	
Date	04/16/18	

BID ITEMS							
Item No.	Description	Unit	Est. Qty	Unit Price	Extended Price	Quantity Completed	Value Completed
1	Traffic Control	LS	1.0	\$5,500.00	\$5,500.00	1.0	\$5,500.00
2	Construction Staking	LS	1.0	\$4,000.00	\$4,000.00	1.0	\$4,000.00
3	Clearing and Grubbing	LS	1.0	\$3,500.00	\$3,500.00	1.0	\$3,500.00
4	Topsoil, Off-Site	CY	321.0	\$25.00	\$8,025.00	321.0	\$8,025.00
5	Excavation, Class 10	CY	1823.0	\$22.00	\$40,106.00	1,823.0	\$40,106.00
6	Below Grade Excavation	CY	0.0	\$25.00	\$0.00	0.0	\$0.00
7	Subgrade Preparation, 6"	SY	2483.0	\$6.00	\$14,898.00	2483.0	\$14,898.00
8	Subgrade Treatment, Geotextile Fabric	SY	0.0	\$11.00	\$0.00	0.0	\$0.00
9	Subbase, Granular, 6"	SY	1577.0	\$12.00	\$18,924.00	1577.0	\$18,924.00
10	Surfacing, Granular, 6"	SY	2193.5	\$12.00	\$26,322.00	2193.5	\$26,322.00
11	Subdrain, Perforated Pipe, 8"	LF	1567.0	\$38.00	\$59,546.00	1567.0	\$59,546.00
12	Subdrain, Perforated Pipe, 10"	LF	364.0	\$44.00	\$16,016.00	364.0	\$16,016.00
13	Subdrain, Non Perforated Pipe, 12"	LF	142.0	\$55.00	\$7,810.00	142.0	\$7,810.00
14	Subdrain Cleanout, Type A-1, 8"	EA	6.0	\$850.00	\$5,100.00	6.0	\$5,100.00
15	Subdrain Service Stub, PVC, 6"	EA	48.0	\$950.00	\$45,600.00	48.0	\$45,600.00
16	Subdrain Outlet to Existing Structure or Pipe	EA	3.0	\$1,500.00	\$4,500.00	3.0	\$4,500.00
17	Subdrain Connection to Proposed Structure	EA	9.0	\$500.00	\$4,500.00	9.0	\$4,500.00
18	Intake, Storm, SW-511	EA	3.0	\$4,000.00	\$12,000.00	3.0	\$12,000.00
19	Removal of Recreational Trail, Sidewalk or Driveway	SY	224.6	\$20.00	\$4,492.00	224.6	\$4,492.00
20	Driveway, Paved, PCC, 6"	SY	190.4	\$55.00	\$10,472.00	190.4	\$10,472.00
21	Driveway, Paved, Reinforced PCC, 6"	SY	817.6	\$60.00	\$49,056.00	817.6	\$49,056.00
22	Hydraulic Seeding, Seeding, Fertilizer, and Mulching	AC	0.32	\$10,000.00	\$3,200.00	0.32	\$3,200.00
23	Sod	SQ	22.5	\$175.00	\$3,937.50	22.5	\$3,937.50
24	Inlet Protection Device, Inserts	EA	3.0	\$175.00	\$525.00	3.0	\$525.00
25	Inlet Protection Device, Maintenance	EA	3.0	\$50.00	\$150.00	3.0	\$150.00
26	Remove and Reinstall Chain Link Fence	LF	88.0	\$20.00	\$1,760.00	88.0	\$1,760.00
27	Remove and Reinstall Wood Fence	LF	152.0	\$40.00	\$6,080.00	152.0	\$6,080.00
CO.1 (28)	30" RCP Cleanout	EA	0.0	\$2,240.00	\$0.00	0.0	\$0.00
CO.1 (29)	Remove Existing RAP (100 Block)	CY	130.0	\$22.00	\$2,860.00	130.0	\$2,860.00
CO.1 (30)	Backfill (100 Block)	LS	1.0	\$500.00	\$500.00	1.0	\$500.00
CO.1 (31)	Traffic Control (100 Block)	LS	1.0	\$250.00	\$250.00	1.0	\$250.00
CO.2 (32)	Backfill	LS	1.0	\$1,000.00	\$1,000.00	1.0	\$1,000.00
CO.2 (33)	Traffic Control	LS	1.0	\$500.00	\$500.00	1.0	\$500.00
CO.3 (34)	Traffic Control (Hollensbe)	LS	1.0	\$500.00	\$500.00	1.0	\$500.00
CO.3 (35)	PCC Cold Weather Service	LS	1.0	\$700.00	\$700.00	1.0	\$700.00
CO.3 (36)	Removals/Export	LS	1.0	\$650.00	\$650.00	1.0	\$650.00
TOTAL					\$362,979.50		\$362,979.50

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

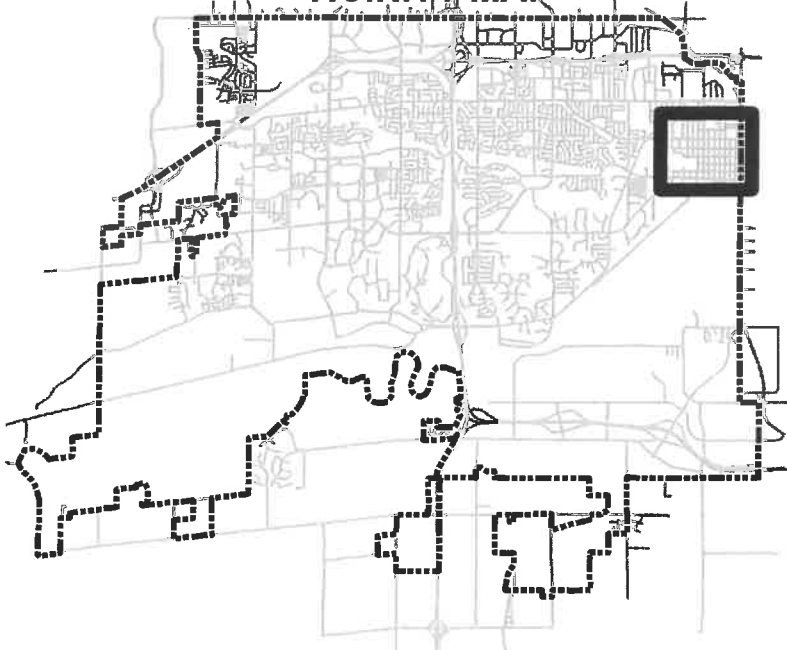
PAY REQUEST SUMMARY			
		Total Approved	Total Completed
Contract Price		\$315,264.00	\$362,979.50
Approved Change Order 1		\$30,454.00	
Approved Change Order 2		\$32,140.00	
Approved Change Order 3		-\$14,878.50	
Revised Contract Price		\$362,979.50	\$362,979.50
Materials Stored			\$0.00
Retainage (5% of Completed Work)			\$0.00
Total Earned Less Retainage			\$362,979.50
Total Previously Approved (list each)	Pay Request 1	\$142,103.85	
	Pay Request 2	\$61,757.13	
	Pay Request 3	\$38,861.74	
	Pay Request 4	\$48,093.75	
	Pay Request 5	\$11,402.38	
	Pay Request 6	\$36,603.50	
	Pay Request 7	\$4,250.68	
	Pay Request 8	\$1,757.50	
Total Previously Approved			\$344,830.53
Amount Due This Request			\$18,148.97
Percent Complete			100%
Percent of Contract Period Utilized			100%

The amount **\$18,148.97** is recommended for approval for payment in accordance with the terms of the Contract

Contractor: Alliance Construction Group, LLC	Recommended By: H.R. Green, Inc.	Checked By: <i>CSG JMR</i> City of West Des Moines
Signature:	Signature:	Signature:
Name: Ryan McKinney	Name: David J. Moermond, P.E.	Name: Brian Hemasath, P.E.
Title: Project Manager	Title: Project Manager	Title: Interim City Engineer
Date:	Date:	Date:



VICINITY MAP



LEGEND

PROJECT LOCATION



PROJECT:

Valley Junction Alley Improvements, Phase 4

LOCATION:

'Exhibit A'

DRAWN BY: JDR

DATE: 3/14/2018

PROJECT NUMBER : 0510-003-2015
SUBDIVISION NAME:

SHT. 1 of 1

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

DATE: March 19, 2018

ITEM:

Resolution - Accepting Work
South 88th Street Improvements – Booneville Road to Sugar Creek Drive

FINANCIAL IMPACT:

The total construction cost for the South 88th Street Improvements – Booneville Road to Sugar Creek Drive was \$2,767,656.31 which was paid from account no. 500.000.000.5250.490 with ultimate funding intended to come from Mills Urban Renewal Area TIF. The original cost of the project was \$2,739,544.30. There were ten (10) Change Orders on the project that totaled \$28,112.01.

BACKGROUND:

Hawkeye Paving Corporation was working under an agreement dated April 4, 2016 for construction services for the South 88th Street Improvements – Booneville Road to Sugar Creek Drive. Work on this project included grading, storm sewer, and paving of two lanes of South 88th Street from Booneville Road to Sugar Creek Drive.

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 for South 88th Street Improvements – Booneville Road to Sugar Creek Drive.

Lead Staff Member: Brian J. Hemesath, P.E., Interim City Engineer *BJK*

STAFF REVIEWS

Department Director	Brian J. Hemesath, P.E., Interim City Engineer
Appropriations/Finance	Tim Stiles, Finance Director <i>TS</i>
Legal	Richard Scieszinski, City Attorney <i>RJS</i>
Agenda Acceptance	<i>W</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Services		
Date Reviewed	March 12, 2018		
Recommendation	Yes	No	Split

RESOLUTION ACCEPTING WORK

WHEREAS, on April 4, 2016, the City Council entered into a contract with Hawkeye Paving Corporation of Bettendorf, Iowa for the following described public improvement:

**South 88th Street Improvements – Booneville Road to Sugar Creek Drive
Project No. 0510-020-2014**

and,

WHEREAS, said contractor has substantially completed the construction of said improvement in accordance with plans and specifications as shown by the report of the City Engineer filed with the City Clerk on March 19, 2018; and,

WHEREAS, the City has retained \$40,000.00 (1.45%) 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 \$2,767,656.31 as shown in said report, and that the Finance Director is hereby authorized to make payment to the Contractor in the amount of \$40,000.00, 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 19th day of March, 2018.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson
City Clerk



Engineering Services
4200 Mills Civic Parkway
West Des Moines, IA 50265-0320
Phone (515) 222-3475
Fax (515) 273-0802

RETAINAGE

Contractor: **Hawkeye Paving**
801 42nd St
Bettendorf, IA 52722

Project Title	South 88th Street Improvements Booneville Road to Sugar Creek Drive	
WDM Project File Number	0510-020-2014	
Purchase Order Number	2016-00000091	
Orig. Contract Amount & Date	\$2,739,544.30	04/05/16
Estimated Completion Date	12/16/16	
Pay Period	11/24/17 - 3/16/2018	
Pay Request Number	Retainage	
Date	04/16/18	

BID ITEMS							
Item No.	Description	Unit	Est. Qty	Unit Price	Extended Price	Quantity Completed	Value Completed
1	TRAFFIC CONTROL	LS	1	\$100,000.00	\$100,000.00	1.00	\$100,000.00
2	CLEARING AND GRUBBING	LS	1	\$21,000.00	\$21,000.00	1.00	\$21,000.00
3	TOPSOIL, STRIPPING & SALVAGING	CY	7800	\$4.00	\$31,200.00	7,800.00	\$31,200.00
4	TOPSOIL RESPREAD 8"	CY	7800	\$12.00	\$93,600.00	7,800.00	\$93,600.00
5	EXCAVATION, CLASS 13	CY	77331	\$6.00	\$463,986.00	77,331.00	\$463,986.00
6	SUBGRADE PREPARATION, 12"	SY	10676	\$4.00	\$42,704.00	10,615.00	\$42,460.00
7	SUBGRADE TREATMENT, FLY ASH, TYPE C	SY	10676	\$11.00	\$117,436.00	10,317.19	\$113,489.09
8	MODIFIED SUBBASE, 6"	SY	10676	\$11.00	\$117,436.00	10,615.00	\$116,765.00
9	TEMPORARY HAUL ROAD	LS	1	\$30,000.00	\$30,000.00	1.00	\$30,000.00
10	WATERMAIN PROTECTION MEASURES	LS	1	\$12,000.00	\$12,000.00	1.00	\$12,000.00
11	STORM SEWER, TRENCHED, RCP CLASS III, 15-INCH	LF	1323	\$54.00	\$71,442.00	1,269.00	\$68,526.00
12	STORM SEWER, TRENCHED, RCP CLASS III, 18-INCH	LF	143	\$57.00	\$8,151.00	143.00	\$8,151.00
13	STORM SEWER, TRENCHED, RCP CLASS III, 24-INCH	LF	466	\$80.00	\$38,880.00	475.00	\$38,000.00
14	REMOVAL OF STORM SEWER PIPE & STRUCTURES, PER PLAN	LS	1	\$30,000.00	\$30,000.00	1.00	\$30,000.00
15	PIPE CULVERT, TRENCHED, RCP CLASS III, 30"	LF	49	\$95.00	\$4,655.00	48.00	\$4,560.00
16	PIPE APRON, RCP, 15", CLASS III	EA	1	\$2,300.00	\$2,300.00	1.00	\$2,300.00
17	PIPE APRON, RCP, 30", CLASS III	EA	2	\$3,100.00	\$6,200.00	2.00	\$6,200.00
18	SUBDRAIN, PERFORATED, 6-INCH	LF	759	\$18.00	\$13,662.00	707.00	\$12,726.00
19	SUBDRAIN CLEANOUT, 6-INCH	EA	4	\$600.00	\$2,400.00	3.00	\$1,800.00
20	SUBDRAIN OUTLET AND CONNECTION, 6-INCH	EA	4	\$500.00	\$2,000.00	4.00	\$2,000.00
21	VIDEO INSPECTION OF STORM SEWER	LS	1	\$4,000.00	\$4,000.00	1.00	\$4,000.00
22	10'x8' PRE-CAST BOX CULVERT W/HEADWALLS	LS	1	\$105,000.00	\$105,000.00	1.00	\$105,000.00
23	FIELD TILE REPAIR, PVC, UNSPECIFIED DIAMETER	EA	6	\$1,000.00	\$6,000.00		\$0.00
24	WATER MAIN, TRENCHED, 16-INCH, PVC C-900	LF	725	\$68.00	\$50,025.00	725.00	\$50,025.00
25	FITTINGS, WATERMAIN, BY WEIGHT	LBS	1088	\$5.00	\$5,440.00	1,088.00	\$5,440.00
26	VALVE, MJ GATE, 12"	EA	1	\$7,400.00	\$7,400.00	1.00	\$7,400.00
27	VALVE, MJ GATE, 16"	EA	2	\$7,800.00	\$15,600.00	2.00	\$15,600.00
28	FIRE HYDRANT ASSEMBLY	EA	3	\$7,100.00	\$21,300.00	3.00	\$21,300.00
29	INTAKE, SW-501	EA	2	\$4,300.00	\$8,600.00	2.00	\$8,600.00
30	INTAKE, SW-503	EA	19	\$7,000.00	\$133,000.00	18.00	\$126,000.00
31	INTAKE, SW-505	EA	1	\$6,300.00	\$6,300.00	1.00	\$6,300.00
32	INTAKE, SW-506	EA	1	\$10,500.00	\$10,500.00	1.00	\$10,500.00
33	MANHOLE ADJUSTMENT, MAJOR	EA	1	\$3,000.00	\$3,000.00	1.00	\$3,000.00
34	CONNECTION TO EXISTING MANHOLE	EA	1	\$3,500.00	\$3,500.00	1.00	\$3,500.00
35	CONNECTION TO EXISTING STORM SEWER PIPE	EA	1	\$5,000.00	\$5,000.00	1.00	\$5,000.00
36	PAVEMENT, PCC, 10", CLASS C REINFORCED W/8" CURB	SY	9295	\$90.00	\$836,550.00	9,317.00	\$838,530.00
37	PAVEMENT, PCC, 12", CLASS C DOUBLE REINFORCED W/8" CURB	SY	329	\$150.00	\$49,350.00	328.00	\$49,350.00
38	PORTLAND CEMENT CONCRETE PAVEMENT SAMPLES AND TESTING	LS	1	\$15,000.00	\$15,000.00	1.00	\$15,000.00
39	DRIVEWAY, PAVED, PCC, 6"	SY	574	\$87.00	\$38,458.00	629.00	\$42,143.00
40	GRANULAR ROADWAY, CLASS A ROADSTONE, 6"	SY	337	\$25.00	\$8,425.00	337.00	\$8,425.00
41	DRIVEWAY, UNPAVED, CLASS A ROADSTONE, 6"	SY	555	\$25.00	\$13,875.00	468.50	\$11,712.50
42	TEMPORARY ACCESS DRIVE, CLASS A ROADSTONE, 4"	SY	333	\$50.00	\$16,650.00	333.00	\$16,650.00
43	PAVEMENT REMOVAL	SY	1326	\$14.00	\$18,564.00	1,258.00	\$17,584.00
44	SEEDING, TYPE 1 PERMANENT LAWN MIX	ACRE	5	\$1,400.00	\$6,850.00	5.81	\$8,134.00
45	SEEDING, TYPE 2 PERMANENT COOL-SEASON MIX	ACRE	13	\$1,100.00	\$14,025.00	12.75	\$14,025.00

46	SEEDING, TYPE 4 TEMPORARY EROSION CONTROL MIX	ACRE	10	\$550.00	\$5,500.00		\$0.00
47	SWPPP	LS	1	\$4,000.00	\$4,000.00	1.00	\$4,000.00
48	FILTER SOCKS, 8" DIA., INSTALL, MAINTAIN & REMOVE	LF	5250	\$1.50	\$7,875.00	2,219.00	\$3,328.50
49	TEMPORARY RECP, TYPE 2.D	SY	1075	\$1.20	\$1,290.00		\$0.00
50	TEMPORARY RECP, TYPE 4	SY	1175	\$1.70	\$1,997.50		\$0.00
51	RIP RAP, CLASS 'D'	TON	160	\$90.00	\$9,600.00	158.98	\$9,538.80
52	SILT FENCE, INSTALL, MAINTAIN & REMOVE	LF	5250	\$1.50	\$7,875.00	1,898.00	\$2,847.00
53	STABILIZED CONSTRUCTION ENTRANCE	SY	350	\$25.00	\$8,750.00		\$0.00
54	EROSION CONTROL MULCHING, CONVENTIONAL	ACRE	10	\$400.00	\$4,000.00	11.90	\$4,760.00
55	INLET PROTECTION DEVICE, INSTALL, MAINTAIN & REMOVE	EA	33	\$120.00	\$3,960.00	17.00	\$2,040.00
56	FIELD FENCE	LF	2170	\$7.00	\$15,190.00		\$0.00
57	RE-INSTALL FIELD GATE	EA	2	\$1,200.00	\$2,400.00	2.00	\$2,400.00
58	REMOVAL OF FENCE	LF	1047	\$3.00	\$3,141.00	947.00	\$2,841.00
59	DEMOLITION WORK	LS	1	\$30,000.00	\$30,000.00	1.00	\$30,000.00
60	CONSTRUCTION SURVEY	LS	1	\$15,000.00	\$15,000.00	1.00	\$15,000.00
61	PAINTED PAVEMENT MARKING, WATERBORNE	STA	52	\$60.00	\$3,139.80	57.74	\$3,464.40
62	PAINTED SYMBOL, WATERBORNE	EA	14	\$115.00	\$1,610.00	5.00	\$675.00
63	CONCRETE WASHOUT	LS	1	\$3,500.00	\$3,500.00	1.00	\$3,500.00
64	ELECTRICAL SERVICE CONNECTION	LS	1	\$5,000.00	\$5,000.00	1.00	\$5,000.00
CO1.1	ASBESTOS ABATEMENT & DISPOSAL - 8705 BOONEVILLE ROAD	LS	1	\$3,602.50	\$3,602.50	1.00	\$3,602.50
CO2.1	INTERCEPTOR DRAIN LINE, 6"	LF	305	\$31.00	\$9,455.00	300.00	\$9,300.00
CO2.2	INTERCEPTOR DRAIN LINE OUTLET	EA	1	\$400.00	\$400.00	2.00	\$800.00
CO2.2	INTERCEPTOR DRAIN LINE CLEANOUT	EA	1	\$500.00	\$500.00	2.00	\$1,000.00
CO2.3	REGRADE SLOPE	LS	1	\$2,750.00	\$2,750.00	1.00	\$2,750.00
CO4.1	TEMPORARY TRAFFIC CONTROL	LS	1	\$4,840.00	\$4,840.00	1.00	\$4,840.00
CO4.2	TEMPORARY BARRIER RAIL	LF	204	\$31.00	\$6,324.00	204.00	\$6,324.00
CO4.2	TEMPORARY PAVEMENT MARKINGS	STA	2.97	\$66.00	\$198.02	2.97	\$198.02
CO4.3	WINTER MAINTENANCE OF PROJECT	LS	1.00	\$5,000.00	\$5,000.00	1.00	\$5,000.00
CO4.4	RE-MOBILIZATION IN SPRING 2017	LS	1	\$5,000.00	\$5,000.00	1.00	\$5,000.00
CO5.1	STABILIZE SLOPE (ADDITIONAL MEANS AND METHODS)	LS	1	\$6,095.00	\$6,095.00	1.00	\$6,095.00
CO6.1	REMOVAL OF CURB	LF	23	\$60.00	\$1,380.00	23.00	\$1,380.00
CO6.2	STORM SEWER, TRENCHED, CMP, 15"	LF	43	\$46.00	\$1,978.00	43.00	\$1,978.00
CO6.3	PIPE APRON, CMP, 15"	EA	2	\$221.00	\$442.00	2.00	\$442.00
CO7.1	MOWING	EA	2	\$825.00	\$1,650.00	2.00	\$1,650.00
CO8.1	ASBESTOS SURVEY	LS	1	\$1,540.00	\$1,540.00	1.00	\$1,540.00
CO8.2	DEMOLITION OF SHED	LS	1	\$5,280.00	\$5,280.00	1.00	\$5,280.00
CO8.3	DEMOLITION OF TREE HOUSE	LS	1	\$1,650.00	\$1,650.00	1.00	\$1,650.00
CO9.1	REMOBILIZATION	LS	1	\$2,750.00	\$2,750.00	1.00	\$2,750.00
CO9.2	CLASS 'D' RIP-RAP	TON	190	\$60.00	\$11,400.00	181.00	\$10,860.00
CO9.3	HYDRO SEED (BONDED FIBER MATRIX MULCH)	ACRE	3	\$3,575.00	\$10,725.00	3.90	\$13,942.50
				TOTAL	\$2,628,049.82		\$2,767,656.31

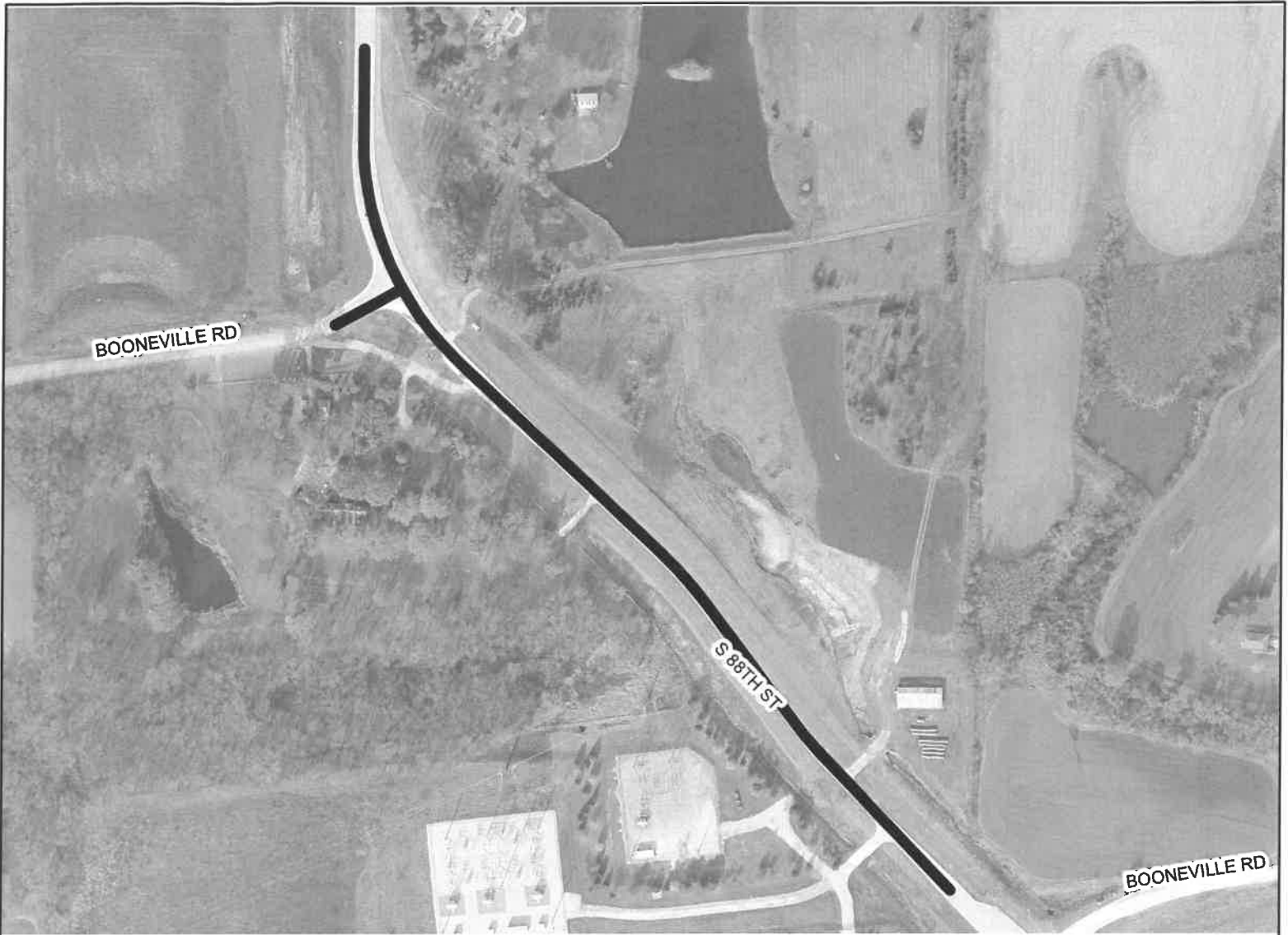
MATERIALS STORED SUMMARY				
	Description	# of Units	Unit Price	Extended Cost
	None			\$0.00
TOTAL				\$0.00

PAY REQUEST SUMMARY		
	Total Approved	Total Completed
Contract Price	\$2,739,544.30	\$2,767,656.31
Approved Change Order 1	\$3,602.50	
Approved Change Order 2	\$13,105.00	
Approved Change Order 3	\$0.00	
Approved Change Order 4	\$21,360.02	
Approved Change Order 5	\$6,095.00	
Approved Change Order 6	\$9,348.00	
Approved Change Order 7	\$1,650.00	
Approved Change Order 8	\$6,470.00	
Approved Change Order 9	\$24,875.00	

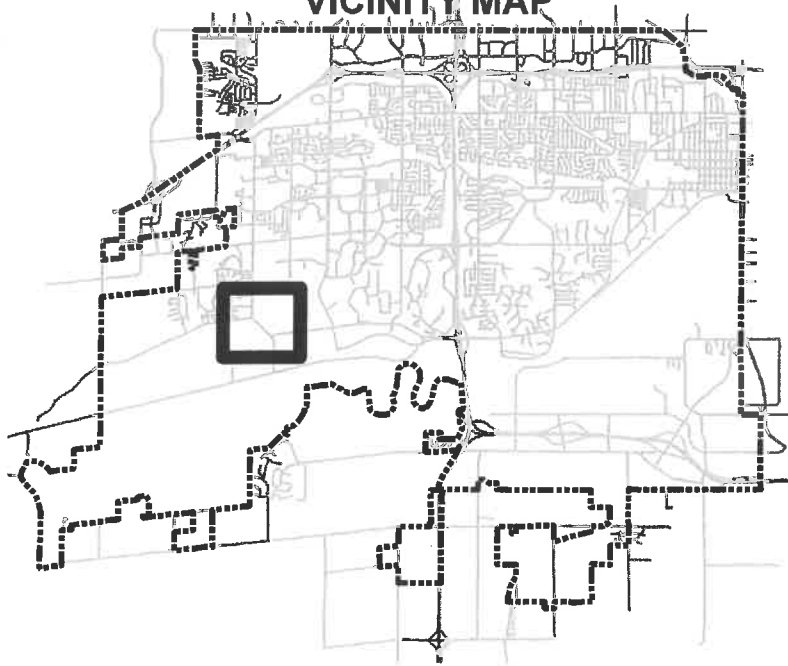
	Approved Change Order 10	\$	(60,393.51)	
	Revised Contract Price		\$2,767,656.31	\$2,767,656.31
			Materials Stored	\$0.00
			Retainage (5%)	\$0.00
			Total Earned Less Retainage	\$2,767,656.31
Total Previously Approved (list each)	Pay Request 1		\$198,935.70	
	Pay Request 2		\$122,611.25	
	Pay Request 3		\$32,432.12	
	Pay Request 4		\$41,457.05	
	Pay Request 5		\$293,884.59	
	Pay Request 6		\$82,412.50	
	Pay Request 7		\$191,068.09	
	Pay Request 8		\$314,783.16	
	Pay Request 9		\$239,722.82	
	Pay Request 10		\$456,633.84	
	Pay Request 11		\$256,367.00	
	Pay Request 12		\$217,170.69	
	Pay Request 13		\$22,653.90	
	Pay Request 14		\$53,188.99	
	Pay Request 15		\$45,167.27	
	Pay Request 16		\$3,562.50	
		Partial Retainage Reduction		\$65,366.91
	Pay Request 17		\$59,918.13	
			Total Previously Approved	\$2,727,656.31
			Amount Due This Request	\$40,000.00
			Percent Complete	100%
			Percent of Contract Period Utilized	100%

The amount **\$40,000.00** is recommended for approval for payment in accordance with the terms of the Contract

Contractor: Hawkeye Paving	Recommended By: Bolton & Menk, Inc	Checked By: City of West Des Moines
Signature:	Signature:	Signature:
Name:	Name: Charles N Kahlsdorf, P.E.	Name: Brian J Hemeseth, P.E.
Title:	Title: Project Engineer	Title: Interim City Engineer
Date:	Date:	Date: 3.14.18



VICINITY MAP



LEGEND

PROJECT LOCATION 



PROJECT: **South 88th Street Improvements**

LOCATION: **Booneville Road to Sugar Creek Drive**

DRAWN BY: JDR	DATE: 3/14/2018	PROJECT NUMBER/NAME: 0510-020-2014	SHT. 1 of 1
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**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: March 19, 2018

ITEM: Resolution - Approval and Acceptance of Purchase Agreements and Conveyance of Property Interests for Project Osmium Public Infrastructure (Veterans Parkway: SE Maffitt Lake Road to SE Adams Street)

FINANCIAL IMPACT: \$405,300.00 (previously budgeted)

SYNOPSIS: Property interests necessary for the Project Osmium Public Infrastructure (Veterans Parkway: SE Maffitt Lake Road to SE Adams Street) have been acquired through negotiated purchase agreements at the appraised fair market value from the owners shown on **Exhibit "A"**, with additional comments and/or additional costs not reflected in the appraisals shown in bold, if any. The attached resolution approves the purchase agreements and, for policy and title purposes, formally accepts the property interests and authorizes the filing of all relevant documents. Costs associated with acquisition of the property interests will be paid from Account No. 500.000.000.5550.730, Project No. 0510 007 2017.

OUTSTANDING ISSUES (if any): None.

RECOMMENDATION:

Adopt Resolution Approving and Accepting Purchase Agreements and Conveyance of Property Interests to the City of West Des Moines for the Project Osmium Public Infrastructure.

Lead Staff Member: Brian J. Hemesath, P.E., Interim City Engineer

STAFF REVIEWS

Department Director	Richard J. Scieszinski, City Attorney <i>RJS</i>
Appropriations/Finance	
Legal	<i>OK for TS</i>
Agenda Acceptance	<i>OK</i>

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
CONVEYANCE OF PROPERTY INTERESTS FOR THE CONSTRUCTION OF THE PROJECT
OSMIUM PUBLIC INFRASTRUCTURE (VETERANS PARKWAY: SE MAFFITT LAKE
ROAD TO SE ADAMS STREET, PROJECT NO. 0510-007-2017)**

WHEREAS, on June 26, 2017, the City Council of the City of West Des Moines, Iowa established the fair market value and authorized the acquisition of property and easements, including any leasehold interests, necessary for the construction of the Project Osmium Public Infrastructure (Veterans Parkway: SE Maffitt Street to SE Adams Street, Project No. 0510-007-2017); 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 purchase agreements for the acquisition of property interests necessary for the Project; and

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

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

PASSED AND ADOPTED this 19th day of **March, 2018**.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson
City Clerk

Exhibit "A"

PROJECT OSMIUM PUBLIC INFRASTRUCTURE
VETERANS PARKWAY:
SE MAFFITT LAKE ROAD TO SE ADAMS STREET, PROJECT NO. 0510-007-2017

PARCEL#	PROPERTY OWNER	ACQUIRED PRICE-FMV	
"007-05"	M A K Investments, Inc. southwest corner of County Line Road and S. Orilla Road Warren Co. Parcel Nos. 93025040220 and 93025040285	\$94,600.00	
"007-11"	Ronald and Donna Thomas 4373 S Orilla Road	\$75,500.00	*partial and total acquisition (bare land); additional \$6,502 for administrative settlement
"007-16"	M A K Investments, Inc. East of S Orilla Road, between Maffitt Lake Road and County Line Road Polk Co. Parcel No. 32000681508000	\$78,000.00	
"007-18"	M A K Investments, Inc. East of S Orilla Road, between Maffitt Lake Road and County Line Road Polk Co. Parcel No. 32000681504004	\$157,200.00	
	TOTAL	\$405,300.00	

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

DATE: March 19, 2018

ITEM: Resolution - Approval and Acceptance of Purchase Agreement for 5 Hamilton Court, West Des Moines, Iowa.

FINANCIAL IMPACT: Property Acquisition - \$46,200.00 (Woodland Hills TIF)

SYNOPSIS: The City has offered to pay the assessed property value for 5 Hamilton Court in West Des Moines to combine this property with the two (2) adjoining vacant lots the City already owns. Acquiring the 5 Hamilton Court property will enable the three (3) combined parcels to become two (2) buildable residential lots. The purchase of this property and the demolition of the house currently located on this property can be paid with Woodland Hills TIF funds. If the City purchases this property and demolishes the existing house with these funds, then the City must place housing back on the properties for low/moderate income households. Alternatively, the City can use general funds to pay for the acquisition and demolition if it wishes to subsequently sell the lots to the highest bidder.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION:

Adopt Resolution Approving and Accepting Purchase Agreement for 5 Hamilton Court and Conveyance of Property Interest to the City of West Des Moines.

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

STAFF REVIEWS

Department Director	
Appropriations/Finance	Tim Stiles, Finance Director <i>CA ARTS</i>
Legal	Jason B. Wittgraf, Assistant City Attorney <i>JBW</i>
Agenda Acceptance	<i>JA</i>

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 AGREEMENT FOR 5 HAMILTON COURT, WEST DES MOINES, IOWA

WHEREAS, the City has negotiated the acquisition of the property located at 5 Hamilton Court in West Des Moines from the property owners; and

WHEREAS, it is in the best interests of the City of West Des Moines to acquire this property since the City already owns the two (2) vacant lots adjacent to 5 Hamilton Court; and

WHEREAS, combining the 5 Hamilton Court property with the two adjoining vacant lots the City already owns will enable the development of two (2) buildable residential lots; 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, documents conveying property interests necessary to complete the acquisition have been presented to the City for approval; and

WHEREAS, a copy of the purchase agreement has been signed by the property owners and has been attached hereto and made a part of this resolution; and

WHEREAS, it is in the best interests 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. The City Attorney is authorized to take all steps necessary and consistent with the Purchase Agreements to acquire the property interests.
3. The documents shall be filed with the county recorder as appropriate.
4. The Director of Finance is authorized to make payment to the property owners according to the terms and conditions of the purchase agreement.

PASSED AND ADOPTED this 19th day of **March, 2018**.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

REVISED OFFER TO PURCHASE AND AGREEMENT

PARCEL NO. 320/04330-000-000
PROJECT NO. _____

COUNTY: Polk
ROAD NO. 5 Hamilton Court, West Des Moines, Iowa

TO: ESTATE OF DAVID J. KUFNER AND ANGELA M. KUFNER

On this 20th day of February, 2018, the City of West Des Moines, Iowa, a municipal corporation organized under the laws of the State of Iowa (hereinafter referred to as "CITY" or "BUYER") acting by and through the undersigned, its authorized Agent, hereby offers to buy the real estate situated in Polk County, Iowa, and legally described as:

The West 48 1/3 feet of the East 96 2/3 feet of Lots 15 and 16 in Block 8, in Valley Junction, now included in and forming a part of the City of West Des Moines, Polk County, Iowa, locally known as 5 Hamilton Court, West Des Moines, Iowa, subject to and together with any and all easements, covenants and restrictions of record, if any.

If accepted by SELLER, as evidenced by SELLER'S signature below, the parties agree as follows:

1. SELLER AGREES to sell and furnish to BUYER a Warranty Deed, on form(s) furnished by BUYER, and BUYER agrees to buy the following real estate, hereinafter referred to as the premises as described above and which include the following improvements and other property: Any improvements located on property. The premises also include all estates, rights, title and interests, including all easements.
2. Possession of the premises is the essence of this contract and BUYER may enter and assume full use and enjoyment of the premises per the terms of this contract.
3. BUYER agrees to pay and SELLER AGREES to grant the right of possession, convey title and surrender physical possession of the premises as shown on or before the dates listed below.

PAYMENT AMOUNT

\$ _____
\$ _____
\$ _____
\$46,200.00

on right of possession
on conveyance of title
on surrender of possession
on possession and conveyance

AGREED PERFORMANCE

\$46,200.00

TOTAL LUMP SUM

BREAKDOWN:

Land by Fee Title .111 acres m/l as legally described above

4. SELLER WARRANTS that there are no tenants on the premises holding under lease except: None

DISTRIBUTION: ONE COPY RETURNED TO BUYER -- ONE COPY RETAINED BY SELLER

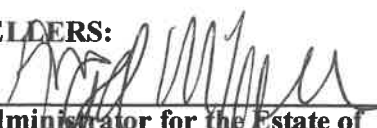
5. This contract shall apply to and bind the legal successors in interest of the SELLER. SELLER AGREES to pay all liens and assessments against the premises, including all taxes and special assessments payable until surrender of possession as required by the Code of Iowa, and agrees to warrant good and sufficient title. Names and addresses of lienholders are: None

6. BUYER may include mortgagees, lienholders, encumbrancers and taxing authorities as payees on warrants as contract payment. SELLER WILL furnish at SELLER'S cost and deliver to the City of West Des Moines an abstract of title continued to date showing merchantable title to the premises in SELLER. SELLER AGREES to obtain court approval of this contract, if requested by BUYER, if title to the premises becomes an asset of any estate, trust, conservatorship or guardianship.
7. If SELLER holds title to the premises in joint tenancy with full rights of survivorship and not as tenants in common at the time of this contract, BUYER will pay any remaining proceeds to the survivor of that joint tenancy and will accept title solely from that survivor, provided the joint tenancy has not been destroyed by operation of law or acts of SELLER.
8. SELLER states and warrants that there is no well, solid waste disposal site, hazardous substances or underground storage tanks on the premises described and sought herein, except: _____

9. This written contract constitutes the entire agreement between BUYER and SELLER and there is no agreement to do or not to do any act or deed except as specifically provided for herein.
10. SELLER or BUYER may enforce this instrument by appropriate action, and the prevailing party shall recover as part of its costs the reasonable attorney's fees incurred in such enforcement.
11. This contract is subject to the approval of the West Des Moines City Council and neither the City nor its representatives in this matter shall be bound by the contract until said approval is given and is public record.
12. Each page and each attachment is by this reference made part hereof and the entire agreement consists of 3 pages.

SELLER'S SIGNATURE AND CLAIMANT'S CERTIFICATION: Upon due approval and execution by the Buyer, we the undersigned claimants certify the total lump sum payment shown herein is just and unpaid.

SELLERS:



Administrator for the Estate of
David J. Kufner



Angela M. Kufner

STATE OF IOWA)
) ss
COUNTY OF POLK)

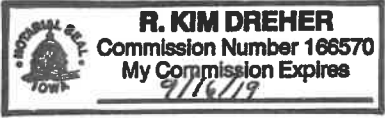
This record was acknowledged before me on February 23rd, 2018, by Angela M. Kufner, as Administrator of the Estate of David J. Kufner.



R. Kim Dreher
Notary Public

STATE OF IOWA)
) ss
COUNTY OF POLK)

This record was acknowledged before me on February 23rd, 2018, by Angela M. Kufner, individually.



R. Kim Dreher
Notary Public

BUYER'S APPROVAL

By: Jason B Wittgraf

STATE OF IOWA)
) ss
COUNTY OF POLK)

This record was acknowledged before me on February 23rd, 2018, by Jason Wittgraf as agent of the City of West Des Moines, Iowa, on behalf of whom the record was executed.

Katie Johnson
Notary Public



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

DATE: March 19, 2018

ITEM: Resolution - Approval of First Amendment to Agreement with Hubbell Metropolitan Development Fund I, LLC regarding installation of private access road at 9040 University Avenue

FINANCIAL IMPACT: None

BACKGROUND: On February 5, 2018, the City Council approved an agreement with Hubbell Metropolitan Development Fund I, LLC (“Hubbell”) in which Hubbell will construct a private access road to Lot 3, Greenway Crossing Plat 1, Dallas County, Iowa, as part of New Horizon's site plan approval. New Horizon is under contract with Hubbell to purchase the lot.

The parties have agreed to amend the Agreement to revise Exhibit “A” depicting the Private Access Road and the Temporary Access Road.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION: Adopt a resolution approving the First Amendment to the Agreement with Hubbell Metropolitan Development Fund I, LLC regarding installation of a private access road at 9040 University Avenue.

Lead Staff Member: Lynne Twedt, Director of Development Services

STAFF REVIEWS

Department Director	Lynne Twedt, Director of Development Services
Appropriations/Finance	
Legal	Richard J. Scieszinski, City Attorney <i>RJS</i>
Agenda Acceptance	<i>(initials)</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Not reviewed		
Date Reviewed			
Recommendation			

RESOLUTION NO. _____

**RESOLUTION APPROVING FIRST AMENDMENT TO AGREEMENT WITH
HUBBELL METROPOLITAN DEVELOPMENT FUND I, LLC REGARDING THE
INSTALLATION OF A PRIVATE ACCESS ROAD**

WHEREAS, on February 5, 2018, the City of West Des Moines approved an agreement with Hubbell Metropolitan Development Fund I, LLC (“Hubbell”) in which Hubbell will construct a private access road to Lot 3, Greenway Crossing Plat 1, Dallas County, Iowa; and

WHEREAS, Hubbell is under contract to sell the lot to New Horizon Real Estate Development-Iowa LLP (“New Horizon”); and

WHEREAS, New Horizon is in the process of obtaining site plan approval from the City that will require construction of a second access road to Lot 3 (the “Private Access Road”); and

WHEREAS, the attached First Amendment to the Agreement deletes and replaces Exhibit “A” depicting the Private Access Road and the Temporary Access Road; and

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

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

1. The First Amendment to the Agreement with Hubbell Metropolitan Development Fund I, LLC for the installation of a Private Access Road is hereby approved.
2. The Mayor is authorized to sign the Agreement and the City Clerk is directed to attest to the Mayor’s signature.

PASSED AND ADOPTED this 19th day of March, 2018.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

Prepared by and return to: B.J. Miller, 6900 Westown Parkway, West Des Moines, IA 50266 (515) 280-2057

FIRST AMENDMENT TO AGREEMENT REGARDING THE INSTALLATION OF PRIVATE
ACCESS ROAD

This First Amendment to Agreement Regarding the Installation of Private Access Road (“Amendment”) is made this 9th day of March, 2018 between Hubbell Metropolitan Development Fund I, LLC (Series B) (“Hubbell”) and the City of West Des Moines, Iowa (the “City”).

WHEREAS, Hubbell is the owner of the properties legally described as Lot 1 (“Lot 1”), Lot 2 (“Lot 2”), Lot 3 (“Lot 3”), Lot 10 (“Lot 10”), and Lot 11 (“Lot 11”), all in Greenway Crossing Plat 1, an Official Plat, now included in and forming a part of the City of West Des Moines, Dallas County, Iowa.

WHEREAS, Hubbell has Lot 3 under contract to sell Lot 3 to New Horizon Real Estate Development-Iowa, LLP (“New Horizon”).

WHEREAS, New Horizon is in the process of obtaining site plan approval for Lot 3 from the City of West Des Moines (the “City”) and the City is requiring as part of New Horizon’s site plan approval that a second approved fire access road be available to serve Lot 3 (the “Private Access Road”);

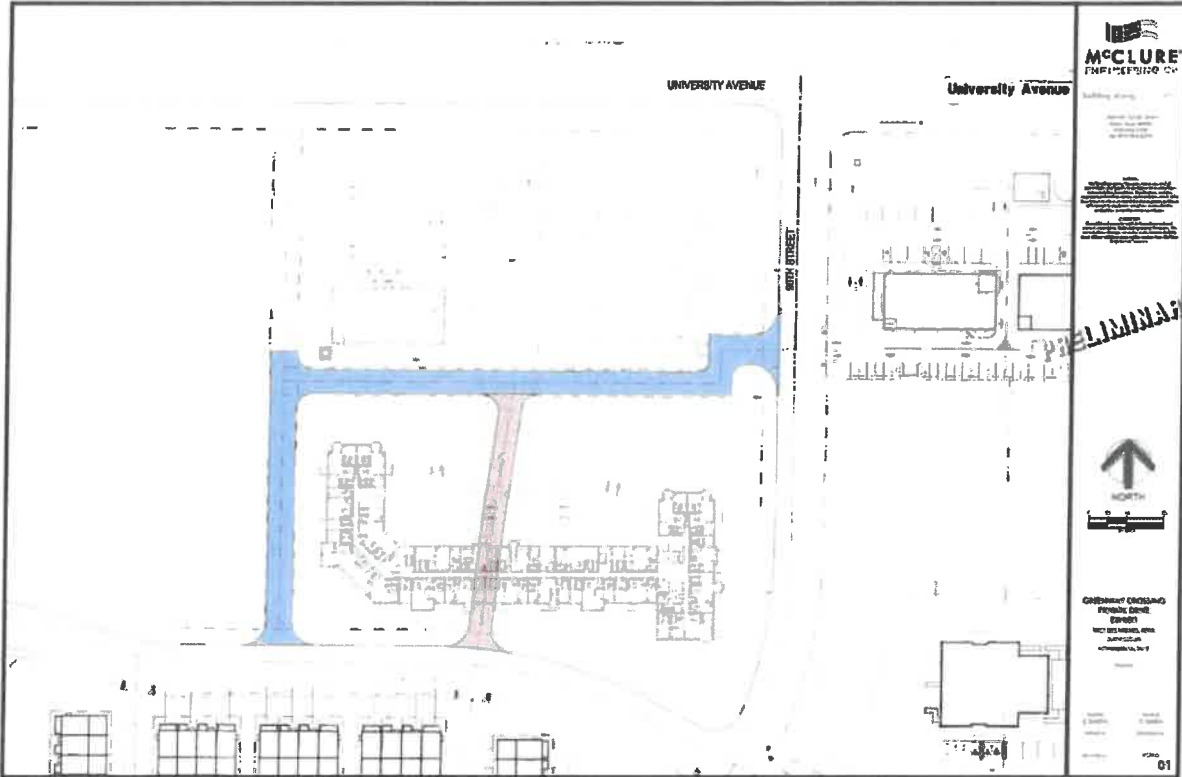
WHEREAS, Hubbell has agreed to construct the Private Access Road pursuant to an Agreement Regarding the Installation of Private Access Road dated February 5th, 2018 (the “Agreement”);

WHEREAS, the parties have agreed to amend the Agreement to revise Exhibit A depicting the Private Access Road and the Temporary Access Road.

THEREFORE, in consideration of approval of New Horizon’s site plan by the City, the parties agree as follows:

1. Exhibit A. Exhibit A to the Agreement depicting the Private Access Road and the Temporary Access Road is deleted and replaced with the Exhibit A attached to this Amendment.
2. Effect. To the extent not inconsistent herewith, all other terms and provisions of the Agreement shall remain in full force and effect and are ratified by the parties hereto.

EXHIBIT A



CITY COUNCIL MEETING COMMUNICATION

DATE: March 19, 2018

ITEM: Resolution – Claim for reimbursement – South 60th Street Improvement Project

FINANCIAL IMPACT: \$2,500.00

SYNOPSIS: As part of the South 60th Street Improvement Project, the City acquired property from Dennis and Vicki Swallow, 1505 S. 60th Street. Following construction of the street but prior to completion of the Project, the Swallows contacted the City to complain about the amount of weeds growing in the Project area. The weeds were the natural result of the work being done on the Project and a consequence of the unsuccessful first seeding done by the City’s contractor, which failed due to the harsh summer weather. The Swallows were informed that another round of seeding would take place on or after August 15, when the growing conditions would be better. In response to their inquiry, the Swallows were told that if they did not wait for the City’s contractor to reseed their lawn as scheduled, any reseeding done by the Swallows would be at the Swallows’ expense.


In conjunction with several other claims resulting from the South 60th Street Project, all of which have been addressed, the Swallows also made a claim for reimbursement of \$4100.00 for the labor and materials spent on grading and seeding their lawn, which was done prior to August 15. They have indicated that they would settle the claim for \$2500.00 and drop any further claims related to the manner in which the area of their property affected by the Project was restored, which they allege was a breach of their agreement with the City. Based on the facts, City staff denied the claim. The Public Services subcommittee, however, has recommended payment of \$2500.00 to the Swallows in exchange for a full release from the Swallows regarding restoration of their property.

OUTSTANDING ISSUES (if any): None.

RECOMMENDATION: Approve the Release and Settlement Agreement between the City of West Des Moines and Dennis and Vicki Swallow

Lead Staff Member: Richard J. Scieszinski, City Attorney 

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	Public Services		
Date Reviewed	March 12, 2018		
Recommendation	Yes		

RESOLUTION APPROVING SETTLEMENT AND RELEASE BY AND BETWEEN DENNIS AND VICKI SWALLOW AND THE CITY OF WEST DES MOINES, IOWA

WHEREAS, in conjunction with the South 60th Street Improvement Project, Project No. 0510-021-2014, Dennis and Vicki Swallow have made a claim for damages related to the restoration of their property at 1505 South 60th Street; and

WHEREAS, the City of West Des Moines and Dennis and Vicki Swallow have reached an agreement that provides payment of the claim and release of any and all future claims; and

WHEREAS, approval of the Settlement and Release is in the best interest of the City of West Des Moines.

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

1. The Agreement by and between Vicki and Dennis Swallow and the City of West Des Moines is hereby approved.
2. The Mayor is authorized to sign the Agreement and the City Clerk is directed to attest to the Mayor's signature.
3. The West Des Moines Finance Department is authorized to make appropriate payment as provided by the terms of the Agreement.

PASSED AND ADOPTED this 19th day of March, 2018.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson
City Clerk

**SETTLEMENT AND RELEASE BY AND BETWEEN VICKI AND DENNIS SWALLOW
AND THE CITY OF WEST DES MOINES, IOWA**

This Settlement and Release is made this _____ day of March, 2018 by and between Vicki and Dennis Swallow and the City of West Des Moines, an Iowa municipal corporation.

Dennis and Vicki Swallow, as owners of property located at 1505 South 60th Street, West Des Moines, Iowa ("Property"), in consideration of receipt of \$2500.00, hereby release and forever discharge the City of West Des Moines, its officials, employees, contractors and assigns from any and all claims of any type whatsoever related to or arising from the design, construction, reconstruction, grading, regrading, seeding, reseeding or any other matter done in conjunction with restoration of the Property related to the South 60th Street Improvement Project, Project No.0510-021-2014.

Vicki Swallow

Dennis Swallow

STATE OF IOWA)
) ss
COUNTY OF POLK)

This record was executed before me on March ____, 2018 by Vicki and Dennis Swallow.

Notary

STATE OF IOWA)
) ss
COUNTY OF POLK)

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

STATE OF IOWA)
) SS:
COUNTY OF POLK)

On this _____ day of _____, 2015, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Steven K. Gaer and Ryan T. Jacobson, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of West Des Moines, Iowa, an Iowa municipal corporation; that the record was signed on behalf of the corporation, by authority of its City Council as contained in Resolution __ approved on the 19th day of March, 2018 and that Steven K. Gaer and Ryan T. Jacobson acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation by it voluntarily executed.

Notary Public in and for the State of Iowa

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

ITEM: Resolution of Support
Sergeant Shawn Miller Memorial Bridge

DATE: March 19, 2018

FINANCIAL IMPACT: None

BACKGROUND: Shawn Miller served as a police officer for the West Des Moines Police Department. He was killed in the line of duty in a motorcycle accident on August 3, 2016, and he was then promoted posthumously to the rank of Sergeant.

The City of West Des Moines is seeking to honor Sergeant Shawn Miller by designating the I-35 bridge over the Raccoon River as the Sergeant Shawn Miller Memorial Bridge. One of the requirements for the submittal to the Iowa Department of Transportation is a Resolution of Support from the City Council.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION:

Approval of Resolution of Support

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

STAFF REVIEWS

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

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	

**RESOLUTION OF SUPPORT FOR DESIGNATING THE
INTERSTATE 35 BRIDGE OVER THE RACCOON RIVER AS
THE “SERGEANT SHAWN MILLER MEMORIAL BRIDGE”**

Whereas, Sergeant Shawn Miller was first hired as a West Des Moines Police Officer on August 28, 1995, and;

Whereas, Sergeant Shawn Miller fulfilled the duties of a Police Officer with great professionalism and dedication, and;

Whereas, Sergeant Shawn Miller was an ambassador for the City of West Des Moines and exemplified leadership within the police department and the community, and;

Whereas, Sergeant Shawn Miller was killed in the line of duty in a motorcycle accident on August 3, 2016, and his loss has been felt very deeply across the West Des Moines Police Department, the City of West Des Moines, and the law enforcement community across the State of Iowa;

Whereas, the Mayor and City Council of West Des Moines wish to express their appreciation to Sergeant Shawn Miller and to honor his legacy in a significant way;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of West Des Moines fully supports designating the Interstate 35 bridge over the Raccoon River as the “Sergeant Shawn Miller Memorial Bridge.

PASSED AND APPROVED this 19th day of March, 2018.

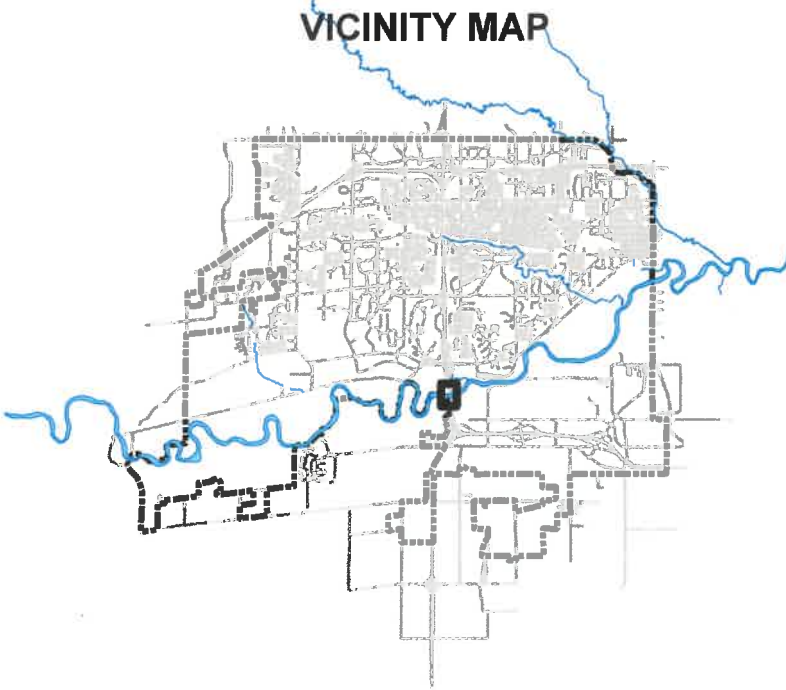
Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson
City Clerk



VICINITY MAP



LEGEND

PROJECT LOCATION



PROJECT:

Resolution: Sergeant Shawn Miller Memorial Bridge

LOCATION:

I-35 Bridge over Raccoon River Between Grand Ave and SouthEast Army Post Road

DRAWN BY: REF

DATE: 3-19-2018

PROJECT: Dedicating Bridge over Raccoon River as Sergeant Shawn Miller Memorial Bridge

SHT. 1 of 1

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION
NO CHANGE FROM PREVIOUS READING**

Date: March 19, 2018

ITEM: 98th Street Planned Unit Development, Southeast Corner of 98th Street and Bishop Drive - Amend the 98th Street Planned Unit Development to Change Zoning from Manufactured Housing to Residential Medium Density (RM-8) and establish development regulations (/ZC-003711-2017)

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

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, Covenant Cove LLC, with permission from the property owner, M E & E LLC, is requesting a zone change for approximately 28.94 acres lying in the southeast corner of 98th Street and Bishop Drive. The applicant proposes to change the 98th Street Planned Unit Development (PUD) for an equal portion of PUD Parcel C to change the zoning from Manufactured Housing to Residential Medium Density (RM-8) and establish development regulations for the parcel (see Exhibit I - 98th Street PUD Ordinance Amendment and PUD Sketch).

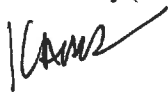
Previous City Council Action:

Vote: 5-0 approval.
Date: March 5, 2018
Motion: Approve First Reading of Ordinance


OUTSTANDING ISSUES: There are no outstanding issues.

ZONE CHANGE RECOMMENDATION: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive plan, Staff recommends the City Council approve the second reading of the ordinance, waive the third reading and adopt the ordinance in final form to change the zoning of the property from Manufactured Housing to Residential Medium Density (RM-8).

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	February 2, 2018 and February 23, 2018
Letter sent to surrounding property owners	February 26, 2018

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	October 2, 2017		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

ATTACHMENTS:

- Exhibit I - Proposed Ordinance
- Exhibit A – PUD Sketch

Prepared by: K Tragesser, City of West Des Moines, PO 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
Tax Statement: Not Applicable

ORDINANCE # _____

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 9, PLANNED UNIT DEVELOPMENT DISTRICT, PERTAINING TO PUD (PLANNED UNIT DEVELOPMENT) DISTRICT REGULATIONS AND GUIDELINES FOR THE 98TH STREET (#35) PUD

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

SECTION 1. AMENDMENT: Amend Ordinances, 1095, 1253, 1277, 1402, and 2077, to amend Section 2, Sketch Plan by deleting the entire section text and replacing it with the following:

Attached hereto and made a part of this rezoning approval, for concept description and delineation is the Sketch Plan Document for the 98th Street PUD marked Exhibit "A". Wherever conflict occurs between the written text in this document and the notations on the Sketch Plan, the written text shall prevail. The Sketch Plan is a graphic representation of the property included in the PUD delineating the approximate location and configuration of the Parcels for the purpose of easier reference for the applicable regulations of this Ordinance.

SECTION 2. AMENDMENT: Amend Ordinances, 1095, 1253, 1277, 1402, and 2077, to amend Section 3, Conditions, Subsection B, Land Use Design Criteria by adding text in bold lettering and deleting text in strikethrough and highlighted text as follows:

B. Land Use Design Criteria: In addition to the general conditions as stated in subsection A above, the following land use design criteria shall apply to the development areas designated by parcel on the sketch plan. The sketch plan document which is made a part of this rezoning action per section 035-02 of this ordinance, delineates ~~identifies three~~ **(3) four** parcels of the PUD as parcels A, B, **C and D** for application of specific standards of land use and development regulations. The following development standards and use regulations shall apply to each of the individual parcels as applicable.

Access roadway connection between PUD Parcel C and D: Each development site in the PUD is required to have two access locations for emergency services that are distanced apart according to the West Des Moines Fire Code. The site plan for the original PUD Parcel C, now to be split creating a new Parcel C and a new Parcel D, provided a roadway access location in the southwest corner of what is now PUD Parcel D as a continuation of the mobile home park development planned for PUD Parcel C. With the change in zoning contained herein and the predictable change in development of new PUD Parcel C, the planned access at the southeast corner shall either be extended to Bishop Drive or 98th Street prior to or in conjunction with the development of new PUD Parcel C. A cross access ingress/egress easement will be required to enable the free access of vehicles between the two PUD Parcels. This access shall be provided within 180 days of the adoption of this PUD, unless an alternative time frame is approved by the City Council.

SECTION 3. AMENDMENT: Amend Ordinances, 1095, 1253, 1277, 1402, and 2077, to amend Section 3, Conditions, Subsection B, Land Use Design Criteria, Paragraph 2 Parcel C by renumbering that paragraph from Paragraph 2, Parcel C to Paragraph 3, Parcel D and inserting a new Paragraph 2, Parcel C as follows:

2. Parcel C: All general use regulations and provisions set forth in Title 9, Zoning of the West Des Moines City Code for Medium Density Residential (RM-8) shall apply to any development proposal for the property and as provided for in the following regulations.

- a. Required Plans: In conjunction with development of any portion of Parcel C, the following plans are required:
 - 1) Preliminary Plat and Final Plat: Parcel C shall be platted in accordance with the City's Subdivision Ordinance. Parcels created via the Plat-of-Survey process and platted Outlots identified on a plat shall be unbuildable until such time that the plat-of-survey parcel and/or Outlot is re-platted into a developable lot via the Preliminary and Final Platting processes.
 - 2) Site Plan: Prior to the development of Parcel C, site plan approval shall be obtained by the appropriate approval body through the development process.
- b. Parkland Dedication: Parkland Dedication is required by City Code for all residential plats and residential site plans. The calculated dedication amount includes the use of a factor per dwelling unit to determine the amount of park and greenway land. A Parkland Dedication Agreement, acceptable to the Parks and Recreation Department, detailing the specifics related to the park and greenway dedication requirements for the development of Parcel C will be required prior to site plan approval.
- c. Mailboxes: The Developer shall be responsible for installation of any required Cluster Box Units (CBUs / mailboxes) as per the local U.S. Postal Service. The CBUs shall be located no closer than 100 feet from the curbs of 98th Street and Bishop Drive in order to minimize the probability of vehicles queuing back onto adjacent public streets. No CBUs will be allowed on 98th Street or Bishop Drive.
- d. Street Lighting: The Developer shall be responsible for all costs associated with the installation of public street lights within or adjacent to any area proposed to be platted or included within a development.
- e. Sanitary Sewer: A master sanitary sewer analysis has been conducted for this parcel. A specific sanitary sewer analysis with the platting of the property or a residential site plan and any future change in approved land use densities for the PUD will require an analysis of the downstream sanitary sewer capacity to assure that adequate capacity is available for the proposed change in approved land use densities.
- f. Signage: Signage shall comply with all provisions and standards of Title 9, Chapter 18 for the Residential Medium Density (RM) Zoning District. Under the authority of the City's Fire Marshal, Development Directory Boards may be required. Said boards shall be of a design as specified by the Fire Marshal and shall be located per the Fire Marshal in a location on private property outside of public street rights-of-way and utility easements.
- g. Traffic Study: A traffic study was prepared for the amendment to the PUD to allow Residential Medium Density in December 2017. Average weekday trips for the PUD parcel are 120 PM Peak and 102 AM Peak trips. Further traffic studies will be required for development proposals to verify that the provisions in the December 2017 study still are valid and determine if the study's recommendations need to be changed.
- h. Streets and Right-of-way: The developer will be responsible for construction of public or private streets within the development. Public streets will be constructed to West Des Moines design standards. Private streets constructed within the development shall be constructed to public street standards, with the exception that rolled curbs will be allowed on the private street.

98th Street is classified as a major collector which requires 100 feet of total right-of-way or 50 feet from the center of the right-of-way adjacent to the subject property. The developers will be obligated to provide any additional right-of-way by fee title in conjunction with the approval of any development or subdivision.

- i. Storm Water Management Plan: A master storm water management plan was completed in December 2017. Storm water management plans will be required for platting or site plans for Parcel C. Upon implementation of

storm water management facilities, a Storm Water Management Facility Maintenance Agreement is required to be executed and as-built drawings are required to be submitted.

- j. Sidewalks: The development of Parcel C will be required to include construction of the public sidewalks along all public streets, including 98th Street and Bishop Drive. Sidewalks along private streets are encouraged to provide pedestrian connection to the public sidewalks bordering the property.
- k. Public Improvements: Any proposed public improvement will require submittal of separate detailed construction plans to staff for review and approval by the City Engineer prior to installation of any improvements. The City charges an hourly fee for site inspection/observation during the installation of all public improvements. In addition, 4-year maintenance bonds will need to be provided for any installed public improvements. Easements, when required, will be required for public improvements for access and maintenance. Adequate easement widths will need to be provided in accordance with DSM Metro Design Standards and WDM Addendums (minimum 30' or twice the depth, whichever is greater).
- l. Parking requirements: Number of parking stalls to be provided shall be compliant with City Code, Title 9, Chapter 15. For any residential dwelling intended as owner occupied and/or for which a condominium regime is established, a minimum of one (1) of the required spaces for each unit shall be as an enclosed parking space. This parking space shall be a minimum of 19' x 9' and may be designed as a free standing garage, attached garage or multiple garage spaces within an enclosure. A specific covered parking space shall be designated for and legally tied to each dwelling unit. The covered space must be for the exclusive use of the occupant of the dwelling unit and cannot be rented or purchased by a 3rd party, even if the dwelling unit is rented.
- m. Land Use Design Criteria: All general use regulations and provisions set forth in Title 9, Zoning of the West Des Moines City Code for Medium Density Residential (RM-8) shall apply to any development proposal for the property, unless noted otherwise in this ordinance.
 - 1) Building Setbacks: Setbacks for parcel C shall be as follows:
 - a. Perimeter setback (to adjacent properties and public street right of way): A minimum of thirty five feet (35') from the property line. Covered porches, decks, patios, accessory structures, etc., shall not encroach into the required perimeter setback.
 - b. Front yard setback (adjacent to private streets): A minimum of twenty five feet (25') from the face of the garage to the curb of the private street or sidewalk if such is provided, whichever is closer. Porches, decks or patios are allowed to encroach up to eight feet (8') into the twenty five foot (25') front yard setback.
 - c. Side yard setback (adjacent to private streets): Fifteen feet (15') to curb of private streets, if no driveway is present; no porches, decks or patios can encroach into the fifteen foot (15') side yard setback.
 - d. The required thirty five foot (35') perimeter building setback and the required landscape buffers are allowed to overlap.
 - 2) Building Separation:
 - a. For two-story attached townhomes with four (4) units or less in a row, there shall be a minimum building separation of fourteen feet (14') between buildings or outdoor spaces (patios, decks, etc.), if such is provided.
 - b. For two-story attached townhomes with more than four (4) units per building, including back-to-back structures or three-story or greater attached townhomes with four (4) units or less, there shall be a minimum building separation of twenty feet (20') between buildings or outdoor spaces (patios, decks, etc.), if such is provided.
 - c. For three-story or greater attached townhomes with more than four (4) units per building, there shall be a minimum building separation of thirty feet (30') between buildings or outdoor spaces (patios, decks, etc.), if such is provided.
- n. Buffers: A 30 foot buffer is required adjacent to 98th Street for the development of Parcel C. A 30 foot buffer is required adjacent to the right-of-way for the railroad line running along the southern boundary of Parcel C. If the density of PUD Parcel C is greater than 50 percent of the density of PUD Parcel D, then a 30 foot buffer will be required between PUD Parcel C and D. If the development of PUD Parcel C results in the rear façade of dwelling units to be facing Bishop Drive, then a 30 foot buffer is required along Bishop Drive. The landscape and berming standards of Title 9, Chapter 19, Landscaping will be applied to all buffers, except for the buffer

along the property line adjacent to the railroad, which shall be planted at one-half (1/2) the landscape requirements of a 30 foot buffer.

- o. Architecture: The intent of the building design is to encourage a sense of place. Building facades throughout the development shall be varied and articulated to provide visual interest, human scale and to establish a unique identity for the development and the dwellings within a cohesive design theme. Building design should address the need for private space, promote interaction and connection within the development, yet balance the functional and security needs of the residents and visitors.
 - 1) In general, building design for multi-family buildings shall provide a creative presentation utilizing variations in massing, building materials, details and treatment of windows and doors. All facades of the building shall be treated with the same level of architectural style and detail (360 degree architecture), however, the level of detail can be reduced on the facades not visible from a street (public or private) or visible to adjacent property surrounding the development. The level of detail on a façade may also be reduced if a landscape buffer or other method is installed to break up building expanses and mitigate views from the street or adjacent property.
 - 2) Massing: Building form shall be articulated, dividing large buildings into smaller elements organized on the dwelling units. Changes in materials should be aligned with changes in plan or roof form to emphasize these changes in building mass. Building design that is repetitive in form and material use should be avoided.
 - 3) Materials: Materials, detail, and color choices shall be selected to provide continuity, resulting in a cohesive building appearance and to unite all structures within the development. Materials should be durable, substantial and of a quality that will maintain their appearance over a prolonged time. Unit masonry (brick or stone) shall be incorporated on all sides of the building visible from public and private streets, predominantly on the base (lowest) story of the building, organized with the other exterior materials along with trim and details to provide visual interest for these sides, emphasize variations in building mass, and reinforce the design theme. Non masonry finishes can encompass the remaining area, combining a variety of colors and textures along with trim and details to provide visual interest within the development and reinforce the human scale.
 - i. Use of natural materials is encouraged, composite materials such as fiber cement and wood composites are appropriate substitutions for non-masonry cladding.
 - ii. Vinyl or metal siding may be used only with appropriately scaled trim.
 - iii. Non-traditional materials such as metal panels or concrete masonry units and composite materials simulating the appearance of unit masonry may be utilized after review by the Director of Development Services to determine that the use of these alternate building materials enhances the physical appearance and accomplishes a compatible design within the residential context of the development.
 - iv. Materials should change with the change in building plane and be arranged to have the appearance of three-dimensional elements.
 - v. Variation in materials, material modules, expressed joints, textures, colors and details should be used to break up the mass of the buildings.
 - vi. Trim and structural elements such as posts or columns shall be sized to the scale of the building.
 - 4) Rooflines: Roof overhangs shall be of sufficient size and projection to be in proportion to the scale of the building.
 - 5) Entryways: Building entries serving the public should be designed as a visual focal point and provide human scale to a typically large-scale building. Secondary or unit entries for the building can be less prominent in design, yet still provide a recognizable entry point and shelter from the elements.
 - 6) Fenestration: Efforts should be made to place windows and doors to promote the linkage of the interior and exterior of buildings and provide natural light. Door and window openings shall be incorporated on all sides of the building.
 - 7) The architectural details of any common use buildings such as a clubhouse and detached accessory structures such as garages shall incorporate the same building forms, materials, treatments and the architectural style of the primary buildings. Portions of accessory buildings visible from any street or adjacent property shall incorporate same level of detail, including fenestration, as the primary buildings
 - 8) Garages facing any street should be set back from the entry façade (measured from the wall containing the entry door or front edge of the porch) or be designed to minimize their appearance. The following building design options to mitigate the dominant appearance of the garage shall be incorporated when the garage façade is in front of the entry facade:

- i. Limiting the dwelling unit arrangement to no more than 4 attached units with the garage fronting on a single façade or detached garage size to no more than 7 bays.
- ii. Providing side entry garages for the end units of a building.
- iii. Enhanced garage facade design such as the addition of engaged columns, secondary roof forms or decorative garage doors.

SECTION 4. AMENDMENT: Amend Ordinances, 1095, 1253, 1277, 1402, and 2077, to amend Section 3, Conditions, Subsection B, Land Use Design Criteria, Paragraph 3 Parcel D by finding and replacing all occurrences of the text “Parcel C” with “Parcel D” under this paragraph.

SECTION 5. AMENDMENT: Amend Ordinances, 1095, 1253, 1277, 1402, and 2077, to amend Section 3, Conditions, Subsection B, Land Use Design Criteria, Paragraph 3 Parcel D Subparagraph F. Buffers by deleting text in strikethrough and highlighted lettering and adding text in bold lettering, as follows:

~~F. Buffers: A thirty foot (30') buffer park shall be required for all lots bordering 98th Street and no driveway access to individual lots shall be permitted from 98th Street.~~ A fifteen foot (15') buffer park shall also be required for lots along the railroad right-of-way with planting requirements equal to seventy five percent (75%) of the total planting requirements of the thirty foot (30') buffer park requirements of the West Des Moines Buffer Ordinance. In addition, a thirty foot (30') buffer park shall be established along the east boundary line of Parcel C. Landscaping and berming of all buffer parks shall be provided in accordance with the West Des Moines ~~Buffer~~ **Buffer Landscape** Ordinance.

SECTION 6. AMENDMENT: Amend Ordinances, 1095, 1253, 1277, 1402, and 2077, to amend Section 3, Conditions, Subsection B, Land Use Design Criteria, Paragraph 3 Parcel D Subparagraph K. Perimeter Housing by deleting text in strikethrough and highlighted lettering and adding text in bold lettering, as follows:

~~K. Perimeter Housing: Any lots or dwelling unit sites adjacent to 98th Street and the adjoining property to the east, shall be sized and limited to a double wide (minimum building width of 28 feet) home so as to blend in with the other residential housing types within the City. Double wide lot widths shall not be required along Bishop Drive the east west public street to the north of Parcel C, provided that the widest width of the factory built home is parallel or facing the direction of the public street. No direct driveway access shall be allowed onto Bishop Drive said east west public street from the individual lots.~~

SECTION 7. 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 8. EFFECTIVE DATE: This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed and approved by the City Council on this ____ day of _____, 2018.

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 _____, 2018, and was published in the Des Moines Register on _____, 2018.

Ryan T. Jacobson
City Clerk

MINOR CHANGE FROM PREVIOUS READING

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

Date: March 19, 2018

ITEM: Amendment to City Code – Amend Title 9 (Zoning), Chapter 2 (Zoning Rules and Definitions), Chapter 6 (Commercial, Office and Industrial Zoning District), and Chapter 14 (Accessory Structures) to update regulations pertaining to small wind and solar energy generating systems and define and regulate electric vehicle charging stations. – City Initiated (AO-003769-2018)

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

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The City of West Des Moines requests an amendment to Title 9 (Zoning) to update the land use matrix for currently permitted solar energy systems, update definitions, setback distances, insurance and removal regulations pertaining to small wind energy generating systems and permit small wind energy generation systems in industrial, office and open space districts, define and regulate electric vehicle charging stations and permit them in all commercial, industrial and office zoning districts. (See Exhibit I – Ordinance)

Previous Council Action:

Vote: 5-0 Approval
Date: March 5, 2018
Motion: Approval of the First Reading of the Ordinance.

OUTSTANDING ISSUES: After the first reading of the ordinance, staff discovered a typographic error in a reference contained Table 6.1 for the two solar energy systems line items. The reference to Section 9-14-13 is incorrect and has been revised to Section 9-14-14 in the attached ordinance.

RECOMMENDATION: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, staff recommends the City Council approve the second reading, waive the third reading and adopt the Ordinance in final form, subject to the applicant meeting all City Code requirements.

Lead Staff Member: Linda Schemmel, AIA

LS

Staff Reviews:

Department Director	<i>JA</i>
Appropriations/Finance	
Legal	<i>JBW</i>
Agenda Acceptance	<i>(M)</i>

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Date(s) Published	February 17, 2018
Letter sent to surrounding property owners	N/A

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	February 20, 2018		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

ATTACHMENTS:

Exhibit I - Ordinance

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA 2014 BY AMENDING TITLE 9 (ZONING), CHAPTER 2 (ZONING RULES AND DEFINITIONS), CHAPTER 6 (COMMERCIAL, OFFICE AND INDUSTRIAL ZONING DISTRICT), AND CHAPTER 14 (ACCESSORY STRUCTURES) TO UPDATE REGULATIONS PERTAINING TO SMALL WIND AND SOLAR ENERGY GENERATION SYSTEMS, PERMIT SMALL WIND GENERATION SYSTEMS IN INDUSTRIAL, OFFICE AND OPEN SPACE DISTRICTS, DEFINE AND REGULATE ELECTRIC VEHICLE CHARGING STATIONS AND PERMIT THEM IN ALL COMMERCIAL, INDUSTRIAL AND OFFICE ZONING DISTRICTS.

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

Section 1. Amendment. Title 9 (*Zoning*), Chapter 2 (*Zoning Rules and Definitions*), Section 2 (*Definitions*) is hereby amended by adding the text in bold italic lettering in alphabetical order.

ELECTRIC VEHICLE CHARGING STATION: A machine that is considered a fuel pump providing electrical power, solely for charging electric vehicles on site.

ELECTRIC VEHICLE CHARGING STATION- RENEWABLE ENERGY: An electric vehicle charging station that generates the majority of the electrical power it provides by wind or solar generation.

Section 2. Amendment. Title 9 (*Zoning*), Chapter 6 (*Commercial, Office and Industrial Zoning District*), Section 6, (*Commercial, Office and Industrial Use Regulations*), Subsection C, Table 6.1 - Use Matrix is hereby amended by adding the text in bold italic lettering.

SIC CODES	RC	CMC	NC	CVC	SC	VJC	VJHB	WR	BP	VJLI	LI	GI	OF	PCP	OS
49 Electric, gas and sanitary services															
491 Electric services	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
- <i>Small Wind Energy Conversion System (See 9-14-13 of this title)</i>											<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>

- <i>Small Solar Energy System (See 9-14-14 of this title)</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>
- <i>Large Solar Energy System (See 9-14-14 of this title)</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>
- <i>Electric Vehicle Charging Station</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>
- <i>Renewable Energy Electric Vehicle Charging Station</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>

Section 3. Amendment. Title 9 (Zoning), Chapter 14 (Accessory Structures), Section 13 (Small Wind Energy Conversion Systems), Subsection B (Definitions), is hereby amended by adding the text in bold italic lettering:

SMALL WIND ENERGY CONVERSION SYSTEM (SWECS): A wind energy conversion system which has a nameplate rated capacity of up to fifteen (15) kilowatts for residential, **office, industrial and open space** uses and districts and which is incidental and subordinate to a principal use on the same parcel. A system is considered an SWECS only if it supplies electrical power solely for use by the owner on the site, except that when a parcel on which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed by the owner for on site use may be used by the utility company in accordance with section 199, chapter 15.11(5) of the Iowa administrative code, as amended from time to time.

Section 4. Amendment. Title 9 (Zoning), Chapter 14 (Accessory Structures), Section 13 (Small Wind Energy Conversion Systems), Subsection C (General Regulations), is hereby amended by adding the text in bold italic lettering, removing the text in highlighted strikethrough lettering and renumbering the remaining sections:

~~13. Maintenance: Facilities shall be well maintained in an operational condition that poses no potential safety hazard.~~ **Facilities shall be well maintained in an operational condition that poses no potential safety hazard. Should the SES fall into disrepair and be in such dilapidated condition that it poses a safety hazard or would be considered generally offensive to the senses of the general public, the SES may be deemed a public nuisance and may be abated in accordance with title 4, chapter 4, "Nuisances", of this code.**

~~23. Insurance: The owner/operator of an SWECS must demonstrate liability insurance of not less than one million dollars (\$1,000,000.00) coverage.~~

~~25. Removal: If the SWECS remains nonfunctional or inoperative for a continuous period of one year, the system shall be deemed to be abandoned. The owner/operator shall remove the abandoned system at their expense. Removal of the system includes the entire structure, transmission equipment and fencing from the property excluding foundations. Nonfunction or lack of operation may be proven by reports from the interconnected utility. For off grid systems the city shall have the right to enter the property at its sole discretion to determine if the off grid system is generating power. Such generation may be proven by use of an amp meter. The owner/operator and successors shall make available to the director of development services or their designee all reports to and from the purchaser of energy from the SWECS if requested. If removal of towers and appurtenant facilities is required, the director of development services or designee shall notify the owner/operator.~~ **If the SWECS remains nonfunctional or inoperative for a continuous period of one year, the system shall be deemed to be abandoned. The owner/operator shall remove the abandoned system at their expense. Removal of the system includes the entire structure, transmission equipment and fencing from the property excluding foundations. Should the**

owner/operator fail to remove the system, the SWECS will be considered a public nuisance and will be abated in accordance with title 4, chapter 4, "Nuisances", of this code.

~~26. Right Of Entrance: As a condition of approval of a permitted conditional use permit an applicant seeking to install SWECS shall be required to sign a petition and waiver agreement which shall be recorded and run with the land granting permission to the city of West Des Moines to enter the property to remove the SWECS pursuant to the terms of approval and to assure compliance with the other conditions set forth in the permit. Removal shall be at the expense of the owner/operator and the cost may be assessed against the property.~~

Section 5. Amendment. Title 9 (*Zoning*), Chapter 14 (*Accessory Structures*), Section 13 (*Small Wind Energy Conversion Systems*), Subsection D (*Bulk Regulations*), is hereby amended by adding the text in bold italic lettering and removing the text in highlighted strikethrough lettering:

~~1. Setbacks: The minimum distance between any SWECS and any property line shall be a distance that is equivalent to one hundred fifty percent (150%) of the total system height. The setback shall be measured from the property line to the point of the SWECS closest to the property line.~~ ***The minimum distance between any SWECS and any property line for residential uses, residential and open space zoned districts, or office and industrial zoned districts adjacent to dissimilar land uses shall be a distance that is equivalent to one hundred fifty percent (150%) of the total system height.***

The minimum distance between any SWECS and any property line within office and industrial zoned districts adjacent to a like zoning district shall be a distance that is equivalent to one hundred percent (100%) of the total system height.

The setback shall be measured from the property line to the point of the SWECS closest to the property line.

Section 6. Repealer. All ordinances or parts of ordinances in conflict with the provision of this ordinance are hereby repealed.

Section 7. 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 8. 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 9. 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 10. 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 _____, 2018, and approved this _____ day of _____, 2018.

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 _____, 2018, and was published in the Des Moines Register on _____, 2018.

Ryan T. Jacobson
City Clerk

NO CHANGE FROM PREVIOUS READING

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

Date: March 19, 2018

ITEM: Amendment to City Code – Amend Title 9 (Zoning), Chapter 6 (Commercial, Office and Industrial Zoning District) to allow within industrial zoning districts uses related to garbage collection and transport, unattended fuel pumps and public safety and order – City Initiated (AO-003768-2018)

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

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The City of West Des Moines requests an amendment to Title 9 (Zoning) to designate within the industrial zoning districts uses related to garbage collection and transport and unattended fuel pumps as Permitted Conditional (Pc) uses and designate uses related to public safety and order as Permitted (P) by incorporating these uses in Chapter 6 (Commercial, Office and Industrial Zoning District), Section 6 (Commercial, Office and Industrial Use Regulations), Table 6.1. (See Exhibit I – Ordinance)

Previous Council Action:

Vote: 5-0 Approval
Date: March 5, 2018
Motion: Approval of the First Reading of the Ordinance.

OUTSTANDING ISSUES: There are no outstanding issues.

RECOMMENDATION: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, staff recommends the City Council approve the second reading, waive the third reading and adopt the Ordinance in final form, subject to the applicant meeting all City Code requirements.

Lead Staff Member: Linda Schemmel, AIA 

Staff Reviews:

Department Director	
Appropriations/Finance	
Legal	JBW
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Date(s) Published	February 17, 2018
Letter sent to surrounding property owners	N/A

SUBCOMMITTEE REVIEW (if applicable)

Committee	Development & Planning		
Date Reviewed	February 20, 2018		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

ATTACHMENTS:

Exhibit I - Ordinance

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

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA 2014 BY AMENDING TITLE 9 (ZONING), CHAPTER 6 (COMMERCIAL, OFFICE AND INDUSTRIAL ZONING DISTRICT) TO ALLOW USES RELATED TO GARBAGE COLLECTION AND TRANSPORT, UNATTENDED FUEL PUMPS AND PUBLIC SAFETY AND ORDER WITHIN INDUSTRIAL ZONING 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*), Table 6.1 – Use Matrix, is hereby amended by adding the text in bold italic lettering:

C: TABLE 6.1 – Use Matrix:

SIC CODES	RC	CMC	NC	CVC	SC	VJC	VJHB	WR	BP	VJLI	LI	GI	OF	PCP	OS
42 Trucking and warehousing															
421 Trucking and courier services, except air								P	Pc	Pc	P	P			Pc
-Product transportation services, garbage collection and transport - not disposal											Pc	Pc			Pc

SIC CODES	RC	CMC	NC	CVC	SC	VJC	VJHB	WR	BP	VJLI	LI	GI	OF	PCP	OS
5962 Automatic merchandise machine operators								P	P	P	P	P			
Vending Machines (Not to include SIC 60 Automated Teller Machine (ATM's))															
-Unattended Fuel Pumps (See 9-14-9 of this title)	Pc	Pc	Pc	Pc	Pc	Pc	Pc				Pc	Pc			

SIC CODES	RC	CMC	NC	CVC	SC	VJC	VJHB	WR	BP	VJLI	LI	GI	OF	PCP	OS
9229 Public order and safety, not elsewhere classified (e.g., emergency management offices, public safety bureaus)	P	P			P	P	P	P	P		P	P	P	P	

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

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

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

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

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

Passed by the City Council on the _____ day of _____, 2018, and approved this _____ day of _____, 2018.

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 _____, 2018, and was published in the Des Moines Register on _____, 2018.

Ryan T. Jacobson
City Clerk

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

DATE: March 19, 2018

ITEM: Resolution - Termination of Shared Driveway and Utility Easements

FINANCIAL IMPACT: None



SYNOPSIS: As part of the development of the Osmium Public Infrastructure (Veterans Parkway: SE Maffitt Lake Road to SE Adams Street), the City is acquiring fee title to 8184 S. Orilla Road, which includes driveway and utility easements to that property's benefit. As part of the Offer to Purchase & Agreement, the City has agreed to terminate those easements.

RECOMMENDATION:

Adopt the resolution approving termination of the Shared Driveway Easement and Utility Easement benefiting the property at 8184 S Orilla Road, Cumming, Iowa, once the property is acquired by the City.

Lead Staff Member: Richard Scieszinski, City Attorney

STAFF REVIEWS

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

PUBLICATION(S) (if applicable)

Published In	N/Warren Town and County News
Dates(s) Published	March 15, 2018

SUBCOMMITTEE REVIEW (if applicable)

Committee	None		
Date Reviewed			
Recommendation	Yes	No	Split

RESOLUTION APPROVING THE TERMINATION OF SHARED DRIVEWAY AND UTILITY EASEMENTS BENEFITING 8184 S ORILLA ROAD, CUMMING, IOWA

WHEREAS, in conjunction with the development of the Osmium Public Infrastructure (Veterans Parkway: SE Maffitt Lake Road to SE Adams Street), the City is acquiring fee title to 8184 S. Orilla Road, Cumming, Iowa, which includes driveway and utility easements to that property's benefit; and

WHEREAS, the City agreed to terminate those easements as part of the Offer to Purchase and Agreement; and

WHEREAS, termination of the City's interest in the easements is in the best interest of the City of West Des Moines.

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

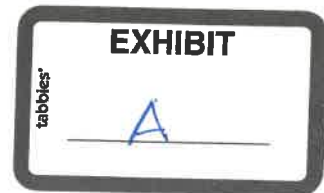
1. Pursuant to Code of Iowa Section 364.7, publication of notice regarding conveyance of the Property legally described on the attached Exhibit "A" has been properly made.
2. The public hearing regarding conveyance of the above legally-described Property is hereby closed.
3. Termination of the Easements on the attached Exhibit "A" is hereby approved.
4. The Mayor is authorized to sign the document necessary to terminate the Easements and the City Clerk is directed to attest to the Mayor's signature.
5. The document shall be filed with the county recorder as appropriate.

PASSED AND ADOPTED this ____ day of _____, 2018.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk



NOTICE OF PUBLIC HEARING

The West Des Moines City Council will hold a public hearing at 5:35 p.m. on March 19, 2018 at the West Des Moines City Hall Council Chambers, 4200 Mills Civic Parkway, West Des Moines, Iowa to consider the termination of the City's interest in easements located in Warren County and generally described as:

A Private Utility Easement on the North 10.00 feet of Parcel "N" of the survey in the NW ¼ of the NW ¼ of Section 3, Township 77 North, Range 25 West of the 5th P.M., Warren County, Iowa as shown in Irregular Plat Book 16, Page 3 of 77-25 in the office of the Warren County Recorder, and as shown in Book 2007, Page 2915 in the Office of the Warren County, Iowa Recorder.

A Shared Driveway Easement and Utility Easement on the North 10.00 feet of Parcel "P" of the survey in the NW ¼ of the NW ¼ of Section 3, Township 77 North, Range 25 West of the 5th P.M., Warren County, Iowa as shown in Irregular Plat Book 16, Page 3 of 77-25 in the office of the Warren County Recorder, and as shown in Book 2007, Page 4183 in the Office of the Warren County, Iowa Recorder.

A Shared Driveway Easement and Utility Easement on the South 10.00 feet of Parcel "N" of the survey in the NW ¼ of the NW ¼ of Section 3, Township 77 North, Range 25 West of the 5th P.M., Warren County, Iowa as shown in Irregular Plat Book 16, Page 3 of 77-25 in the office of the Warren County Recorder, as shown in Book 2007, Page 2916 in the Office of the Warren County, Iowa Recorder.

Any interested person may appear at the hearing and be heard regarding the proposed termination of the City's interest in the easement. A detailed location map and complete legal description showing the property may be obtained at the West Des Moines City Hall, 4200 Mills Civic Parkway, West Des Moines, Iowa.

CITY OF WEST DES MOINES, IOWA

By: _____
Ryan T. Jacobson, City Clerk

Published in the N. Warren Town and Country News on _____, 2018.

Prepared by and return to: Greta Truman, Assistant West Des Moines City Attorney
4200 Mills Civic Pkwy, W. Des Moines, IA 50265 (515) 222-3673

TERMINATION BY THE CITY OF WEST DES MOINES, IOWA OF THEIR INTEREST IN
SHARED DRIVEWAY AND UTILITY EASEMENTS

The undersigned, on behalf of the City of West Des Moines, Iowa, hereby states that the City's interest in the following Shared Driveway and Utility Easements is terminated by authority of the West Des Moines City Council as shown in Resolution _____ given _____.

A Private Utility Easement on the North 10.00 feet of Parcel "N" of the survey in the NW ¼ of the NW ¼ of Section 3, Township 77 North, Range 25 West of the 5th P.M., Warren County, Iowa as shown in Irregular Plat Book 16, Page 3 of 77-25 in the office of the Warren County Recorder, and as shown in Book 2007, Page 2915 in the Office of the Warren County, Iowa Recorder.

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CITY OF WEST DES MOINES, IOWA

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

STATE OF IOWA)
) ss
COUNTY OF POLK)

On this ___ day of _____, 2018, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Steven K. Gaer and Ryan T. Jacobson, to me known to be the Mayor and City Clerk, respectively, of the City of West Des Moines, Iowa; that the instrument was signed on behalf of the City by authority of its City Council as contained in Resolution _____ passed on the ___ day of _____, 2018 by the City Council of the City of West Des Moines, Iowa, and that the Mayor and City Clerk acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the City, by it voluntarily executed.

Notary Public

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

DATE: March 19, 2018

ITEM:

Public Hearing (5:35 p.m.)
Miscellaneous Repairs at Parks Restrooms / Shelters

FINANCIAL IMPACT:

The Engineering Estimate of construction cost was estimated to be \$186,000.00 for the Miscellaneous Repairs at Parks Restrooms / Shelters. There were four (4) bids submitted with the low bid of \$144,940.00 being submitted by Lang Construction of West Des Moines, Iowa. Payments will be made from account no. 500.000.000.5250.490 with the ultimate funding intended to come from General Funds.

BACKGROUND:

The project includes miscellaneous repairs to restrooms and shelters at seventeen (17) Park locations throughout the City. Miscellaneous repairs include cosmetic repairs, painting, masonry sealing, siding repairs, flashing work around structure exteriors, door repairs, and replacement of toilet partitions. The project is anticipated to be completed by August 31, 2018.

OUTSTANDING ISSUES:

None.

RECOMMENDATION:

City Council Adopt:

- Resolution adopting Plans, Specifications, Form of Contract, and Estimate of Costs for Miscellaneous Repairs at Parks Restrooms / Shelters;
- Motion receiving and filing Report of Bids;
- Resolution awarding the construction contract to Lang Construction.

Lead Staff Member: Brian J. Hemesath, P.E., Interim City Engineer *BH*

STAFF REVIEWS

Department Director	Brian J. Hemesath, P.E., Interim City Engineer
Appropriations/Finance	Tim Stiles, Finance Director <i>OK for TS</i>
Legal	Richard Scieszinski, City Attorney <i>JBW</i>
Agenda Acceptance	<i>(initials)</i>

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Dates(s) Published	March 9, 2018

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Services		
Date Reviewed	March 12, 2018		
Recommendation	Yes	No	Split

**RESOLUTION APPROVING ADOPTING PLANS, SPECIFICATIONS, FORM OF
CONTRACT, AND ESTIMATE OF COST**

WHEREAS, on February 20, 2018, Plans, Specifications, Form of Contract, and Estimate of Cost were filed with the City Clerk for the following described public improvement:

**Miscellaneous Repairs at Parks Restrooms / Shelters
Project No. 0510-060-2017**

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 19th day of March, 2018.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

RESOLUTION 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:

**Miscellaneous Repairs at Parks Restrooms / Shelters
Project No. 0510-060-2017**

and,

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

WHEREAS, the bid of Lang Construction, in the amount of \$144,940.00 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, that a contract for the Miscellaneous Repairs at Parks Restrooms / Shelters is hereby awarded to Lang Construction in the amount of \$144,940.00 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.

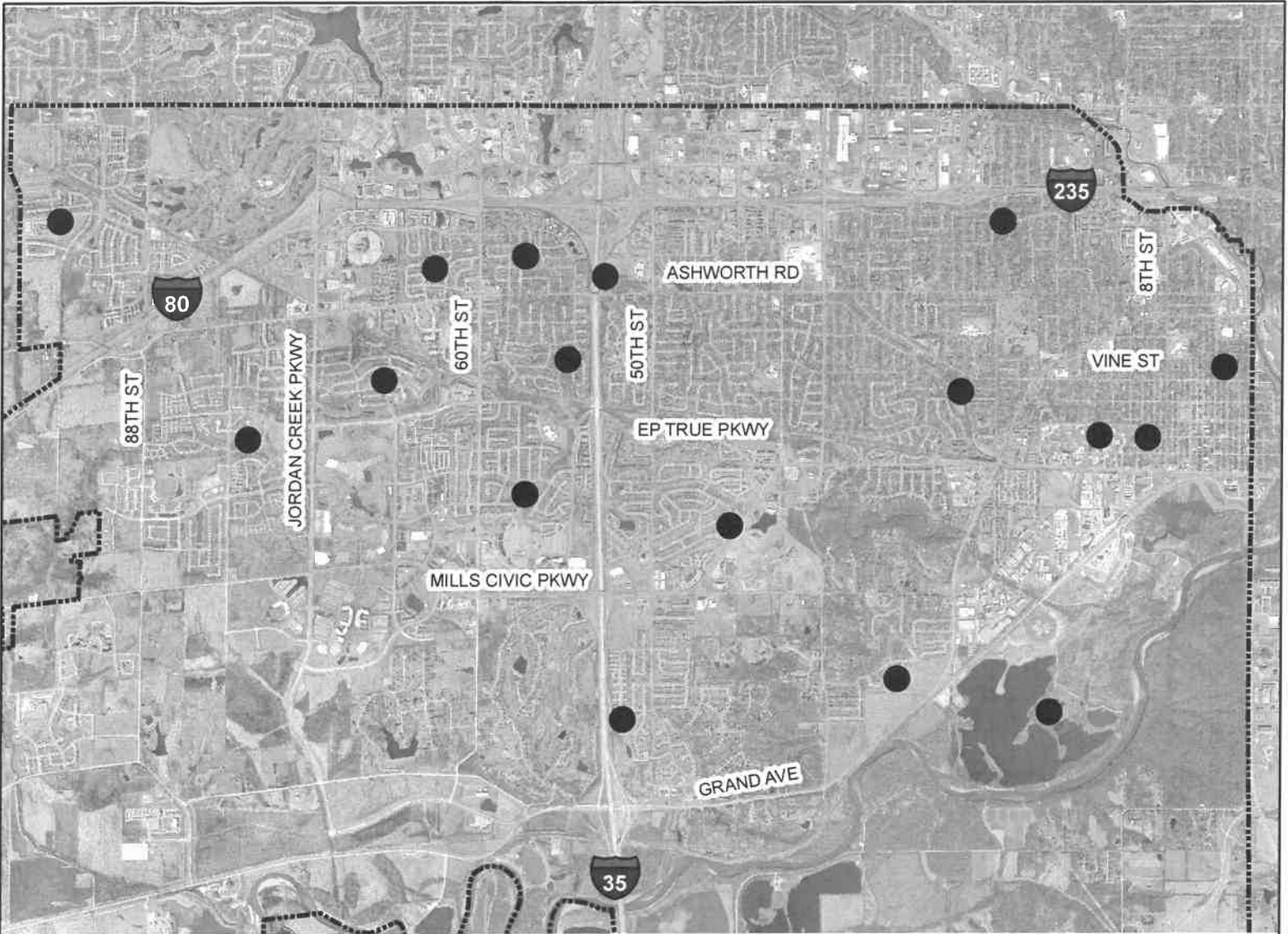
BE IT FURTHER RESOLVED that work on said project may commence as soon as the final contract and bond have been approved by the City Engineer and have been signed by the City Clerk and after the contractor is given a written notice to proceed by the City Engineer.

PASSED AND ADOPTED on this **19th** day of **March, 2018**.

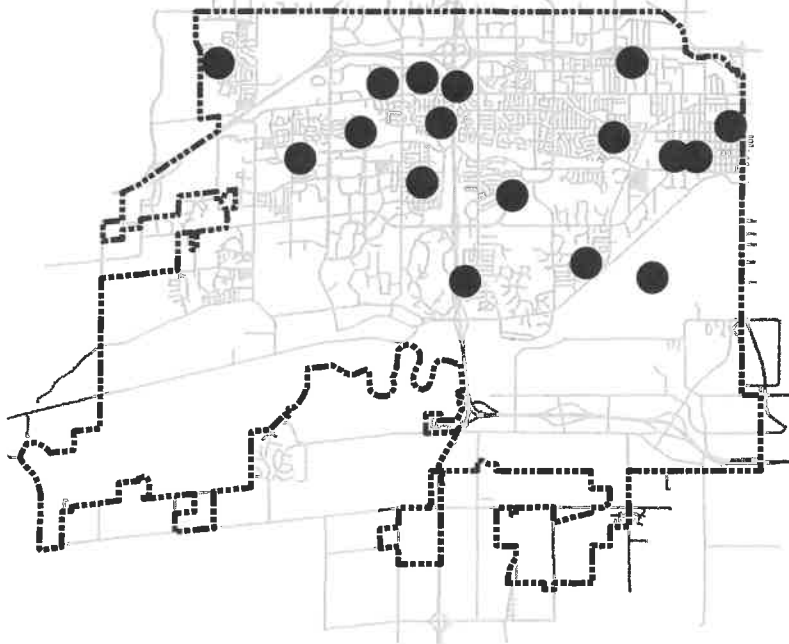
Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk



VICINITY MAP



LEGEND

PROJECT LOCATION ●



PROJECT:

Park Restrooms/Shelters Misc Repairs

LOCATION:

Various Locations

DRAWN BY: JDR

DATE: 2/13/2018

PROJECT NUMBER : 0510-060-2017
SUBDIVISION NAME:

SHT. 1 of 1

Benjamin Design Collaborative, P.C.
 401 Clark Ave., Suite 200
 Ames, Iowa 50010
 515-232-0888



Mach 14, 2018

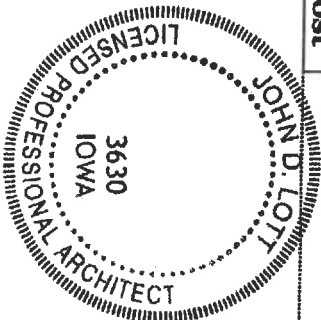
2:00 p.m.

Bid Tabulation Form

Miscellaneous Repairs at Parks Restrooms / Shelters
 West Des Moines, Iowa

Project No. 0510-060-2017

CONTRACTOR		Add No. 1	Bid Security - 10%	Bidder Status Form	Lump Sum Base Proposal	Unit Price No. 1	Unit Price No. 2
2f Construction, Inc.							
Azcon, Inc.							
Ball Team, LLC							
Bergstrom Construction, Inc.		X		X	\$218,000.00	\$160.00	\$180.00
Duncan Construction, LLC							
Edge Commercial		X	X	X	\$215,600.00	\$104.00	\$160.00
Iron Hill Construction, LLC							
Lang Construction		X	X	X	\$144,940.00	\$210.00	\$230.00
Minturn, Inc.							
Mohr Construction Services, LLC		X	X	X	\$178,400.00	\$175.00	\$155.00
OLP Construction, LLC							
Story Construction							
Trinity Construction Group							
Two Rivers Group							
Opinion of Probable Cost					\$186,000.00	\$240.00	\$280.00



Certified

14-Mar-18

[Handwritten Signature]

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

DATE: March 19, 2018

- ITEM:** Public Hearing – Woodland Hills Park Loop Trail
1. Resolution – Approval of Plans and Specifications
 2. Motion – Receive and File Report of Bids
 3. Resolution – Approve Contract


FINANCIAL IMPACT: Total expense of \$97,426.88. There is a total budget of \$218,253 (\$450,000 less design fees of \$17,800 less previously bid court project of \$213,947) available for this project. The project will be paid with budgeted CIP funds from Woodland Hills Park Account No. 500.000.000.5250.490, Project No. 0525 058.0510 089 2017.

BACKGROUND: The Council is asked to approve the plans and specifications for the Woodland Hills Park Loop Trail project and to receive and file the report of bids that is attached. Ten (10) bids were received for the project with the lowest responsible base bid submitted by JAS Construction, LLC of Altoona, Iowa. The consultant’s opinion of probable cost for the project was \$155,057



This resolution is for the construction of a concrete trail around the perimeter of Woodland Hills Park. Portions of the trail loop have been completed with other park projects along the southern and western side of the park, and this project would complete the loop. The project generally includes construction survey, excavation, subgrade preparation, 5” reinforced concrete trail, erosion control measures, site restoration and other related items.

OUTSTANDING ISSUES: None.

RECOMMENDATION: That the Council hold the public hearing and pass the resolution to approve the plans and specifications, move to receive and file the report of bids, and award the contract for the Woodland Hills Park Loop Trail in the amount of \$97,426.88.

Lead Staff Member: David Sadler, Superintendent of Parks 

STAFF REVIEWS

Department Director	Sally Orgies, Director of Parks and Recreation 
Appropriations/Finance	Tim Stiles, Finance Director <i>OK for TS</i>
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Dates(s) Published	March 9, 2018

SUBCOMMITTEE REVIEW (if applicable)

Committee	N/A		
Date Reviewed			
Recommendation	Yes	No	Split

**Resolution Adopting Plans,
Specifications, Form of Contract, and
Estimate of Cost**

WHEREAS, on February 20, 2018 Plans, Specifications, Form of Contract, and Estimate of Cost were filed with the City Clerk for the following described public improvement:

Woodland Hills Park Loop Trail

and,

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

therefore

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

PASSED AND APPROVED this 19th day of March, 2018.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

Resolution Approving Contract

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

Woodland Hills Park Loop Trail

and,

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

and,

WHEREAS, the bid of JAS Construction, LLC of Altoona, Iowa in the amount of \$97,426.88 is 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, that a contract for the Woodland Hills Park Loop Trail is hereby awarded to JAS Construction, LLC in the amount of \$97,426.88 and the bond of said bidder for the project is hereby fixed in the same amount.

BE IT FURTHER RESOLVED that the Director of Parks and Recreation is authorized and directed to return bid bonds and/or checks 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 Director of Parks and Recreation and have been signed by the Director of Finance and after the contractor is given a written notice to proceed by the Director of Parks and Recreation.

PASSED AND APPROVED this 19th day of March, 2018.

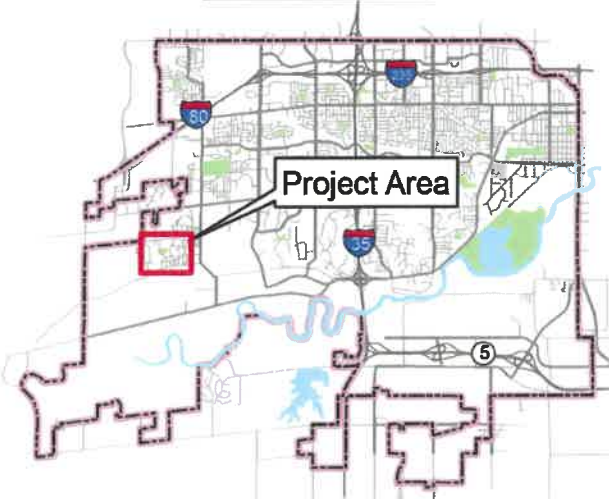
Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk



VICINITY MAP



LEGEND

- Project Location
- Proposed Trails
- Existing Trail



PROJECT:	WOODLAND HILLS PARK LOOP TRAIL		
LOCATION:	1230 S. 95TH STREET		
DRAWN BY:	MAA	DATE:	2/15/2018
PROJECT NO.:	-	SHT.	1 of 1

City of West Des Moines
 Woodland Hills Park Loop Trail
 Project No. 0510 089 2017
 Tabulation of Bids
 March 14, 2018
 Engineers Estimate: \$155,056.91

I hereby certify that this is a true and correct tabulation of bids received on
 March 14, 2018 for the Woodland Hills Park Loop Trail project in
 West Des Moines, Iowa.

Kevin Conn. PLA License # 00427 Date: 03/15/2018



Item #	Item	JAS Construction LLC Altoona, IA		Holzworth Construction WDM, IA		M/M Concrete Specialists Des Moines, IA		Concrete Professionals Altoona, IA		Howey Construction Rockwell City, IA	
		Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	MOBILIZATION	2,500.00	2,500.00	6,000.00	6,000.00	3,500.00	3,500.00	4,095.00	4,095.00	10,000.00	10,000.00
2	CONSTRUCTION SURVEY	3,250.00	3,250.00	3,800.00	3,800.00	4,500.00	4,500.00	2,365.00	2,365.00	2,000.00	2,000.00
3	CONCRETE WASHOUT, ROLLOFF	800.00	800.00	1,000.00	1,000.00	1,500.00	1,500.00	600.00	600.00	1,000.00	1,000.00
4	TOPSOIL, ON-SITE	9.20	7,748.40	5.00	4,210.00	11.00	9,262.00	6.17	5,195.14	8.50	7,157.00
5	EXCAVATION, CLASS 10	3.00	3,726.00	3.00	3,726.00	12.00	14,904.00	15.05	18,682.10	10.00	12,420.00
6	SUBGRADE PREPARATION	4.00	6,324.00	2.50	3,952.50	4.00	6,324.00	3.10	4,901.10	3.75	5,928.75
7	SHARED USE PATH, PCC REINFORCED, 5 IN	41.98	65,737.98	45.00	71,145.00	37.00	58,497.00	43.35	69,535.35	44.85	70,907.85
8	REMOVAL OF SIDEWALK	7.00	395.00	5.00	275.00	1.50	82.50	2.00	110.00	5.00	275.00
9	SILT FENCE OR SILT FENCE DITCH CHECK, INSTALL	2.25	213.75	5.00	475.00	2.00	190.00	7.10	674.50	3.25	308.75
10	SILT FENCE OR SILT FENCE DITCH CHECK, MAINTENANCE	1.25	118.75	3.00	285.00	1.00	95.00	3.55	337.25	1.00	95.00
11	SILT FENCE OR SILT FENCE DITCH CHECK, REMOVAL	1.25	100.00	3.00	240.00	1.00	80.00	3.55	284.00	1.00	80.00
12	CONVENTIONAL SEEDING, FERTILIZATION, MULCHING	6,726.00	6,525.00	4,500.00	4,365.00	7,000.00	6,790.00	5,914.00	5,736.58	4,200.00	4,074.00
TOTAL			\$ 97,428.88		\$ 99,473.50		\$ 105,724.50		\$ 111,527.02		\$ 114,246.35
Bid-Alternate #1: Seating Benches											
Item #	Item	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	BENCHES	1,550.00	7,900.00	3,000.00	15,000.00	2,300.00	11,500.00	1,913.80	9,569.00	-	No Bid

Item #	Item	Concrete Connection LLC Johnston, IA		Calliver Concrete LLC Adair, IA		Westward Properties Leon, IA		Hill Contracting Leon, IA		The Concrete Contracting Company - Grimes, IA	
		Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
5,000.00		5,000.00	5,000.00	4,425.00	4,425.00	4,000.00	4,000.00	4,000.00	4,000.00	5,000.00	5,000.00
6,000.00		6,000.00	6,000.00	4,000.00	4,000.00	2,000.00	2,000.00	2,000.00	2,000.00	3,500.00	3,500.00
1,500.00		1,500.00	1,500.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	1,000.00	1,000.00
10.00		6,420.00	64,200.00	16.13	13,581.46	12.00	10,704.00	12.50	10,525.00	17.50	14,735.00
14.00		17,388.00	243,432.00	11.80	14,655.60	14.50	18,009.00	12.50	15,525.00	18.50	22,977.00
3.00		4,743.00	14,229.00	2.70	4,268.70	7.50	11,857.50	9.00	14,229.00	25.00	39,525.00
41.00		64,821.00	2,659,861.00	52.38	82,781.16	60.50	79,840.50	55.00	86,955.00	68.50	109,298.50
25.00		1,375.00	34,375.00	9.10	500.50	3.00	165.00	2.00	110.00	20.00	1,100.00
6.00		570.00	3,420.00	3.00	285.00	3.00	285.00	5.00	475.00	2.00	190.00
5.00		475.00	2,375.00	0.50	47.50	2.00	190.00	5.00	475.00	2.00	190.00
2.00		180.00	360.00	0.50	40.00	1.00	80.00	5.00	400.00	2.00	160.00
5,000.00		4,850.00	24,250.00	3,500.00	17,500.00	3,000.00	15,000.00	5,000.00	25,000.00	12,500.00	62,500.00
TOTAL			\$ 115,302.00		\$ 129,979.92		\$ 131,441.00		\$ 144,044.00		\$ 211,900.50
2,000.00		10,000.00	20,000.00	800.00	4,000.00	1,700.00	8,500.00	2,000.00	10,000.00	1,768.00	8,840.00

Denotes math error on proposal
 Denotes bid submittal irregularity

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

DATE: March 19, 2018

- ITEM:** Public Hearing – 2018 Concrete Trail Renovation Project
1. Resolution – Approval of Plans and Specifications
 2. Motion – Receive and File Report of Bids
 3. Resolution – Approve Contract

FINANCIAL IMPACT: Total expense of \$98,775.30. There is a total budget of approximately \$263,000 available in FY 17-18 for both concrete and asphalt trail renovation. The project will be paid with budgeted CIP funds from 2017 Trail Renovation C.I.P. Account No. 500.000.000.5250.490, Project No. 0510 067 2017.

BACKGROUND: The Council is asked to approve the plans and specifications for the 2018 Concrete Trail Renovation Project and to receive and file the report of bids that is attached. Nine (9) bids were received for the project with the lowest responsible bid submitted by MNM Concrete Specialist of Des Moines, Iowa. The opinion of probable cost for the project was \$130,008.


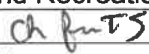

This Resolution is for repair and replacement of portions of existing concrete trail located primarily in the Westtown Parkway area between Interstate 80/35 and Jordan Creek Parkway. There is also a portion along 60th Street. The locations are shown on the attached map. The areas being addressed were identified as a higher priority following the inspection of the entire trail system by City staff.

OUTSTANDING ISSUES: None.

RECOMMENDATION: That the Council hold the public hearing and pass the resolution to approve the plans and specifications, move to receive and file the report of bids, and award the contract for the 2018 Concrete Trail Renovation Project in the amount of \$98,775.30.

Lead Staff Member: David Sadler, Superintendent of Parks 

STAFF REVIEWS

Department Director	Sally Ortgies, Director of Parks and Recreation 
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	March 9, 2018

SUBCOMMITTEE REVIEW (if applicable)

Committee	N/A		
Date Reviewed			
Recommendation	Yes	No	Split

**Resolution Adopting Plans,
Specifications, Form of Contract, and
Estimate of Cost**

WHEREAS, on February 20, 2018 Plans, Specifications, Form of Contract, and Estimate of Cost were filed with the City Clerk for the following described public improvement:

2018 Concrete Trail Renovation Project

and,

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

therefore

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

PASSED AND APPROVED this 19th day of March, 2018.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

Resolution Approving Contract

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

2018 Concrete Trail Renovation Project

and,

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

and,

WHEREAS, the bid of MNM Concrete Specialist of Des Moines, Iowa in the amount of \$98,775.30 is 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, that a contract for the Woodland Hills Park Loop Trail is hereby awarded to MNM Concrete Specialist in the amount of \$98,775.30 and the bond of said bidder for the project is hereby fixed in the same amount.

BE IT FURTHER RESOLVED that the Director of Parks and Recreation is authorized and directed to return bid bonds and/or checks to any unsuccessful bidder.

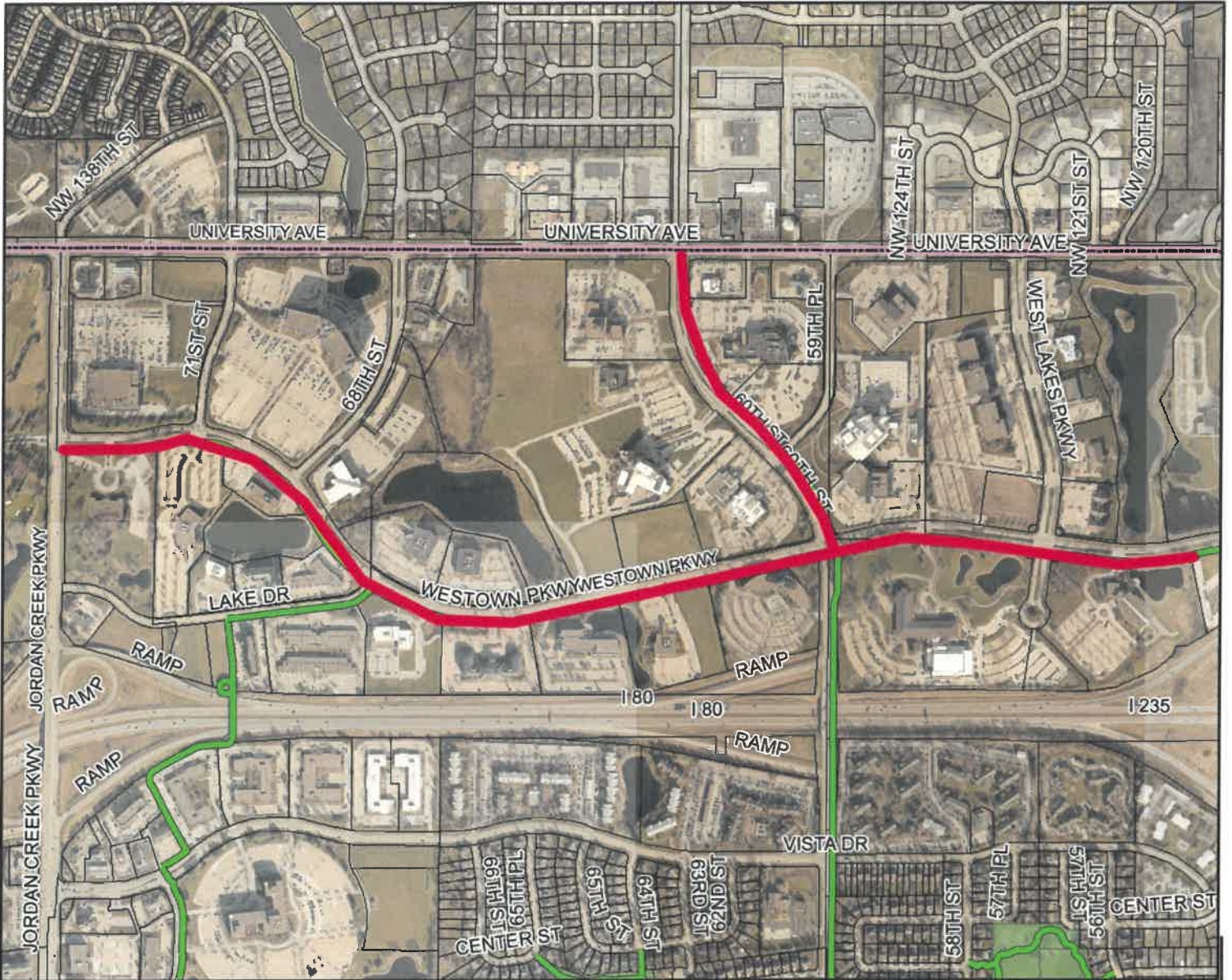
BE IT FURTHER RESOLVED that work on said project may commence as soon as the final contract and bond have been approved by the Director of Parks and Recreation and have been signed by the Director of Finance and after the contractor is given a written notice to proceed by the Director of Parks and Recreation.

PASSED AND APPROVED this 19th day of March, 2018.

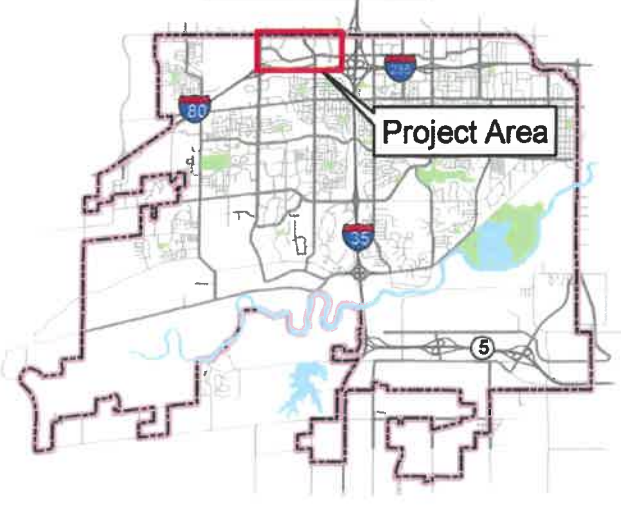
Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk



VICINITY MAP



LEGEND

- Project Location
- Existing Trail



PROJECT:	2018 CONCRETE TRAIL RENOVATIONS
LOCATION:	WESTOWN PKWY & 60TH STREET
DRAWN BY: MAA	DATE: 2/15/2018
PROJECT NO.: -	SHT. 1 of 1

City of West Des Moines
2018 Concrete Trail Renovation Project
Tabulation of Bids
March 14, 2018
Engineer's Estimate: \$130,419

I hereby certify that this is a true and correct tabulation of bids received on
 March 14, 2018 for the 2018 Concrete Trail Renovation Project in
 West Des Moines, Iowa.

Mercio Alvarez, PLA License # 684

Date: 03/14/18



Item #	Item	Unit	Quantity	MNM Concrete Specialist Des Moines, IA		Holzworth Construction WDM, IA		Howser Concrete Services Ankeny, IA		Concrete Connection LLC Johnston, IA		Westward Properties Leon, IA	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	Mobilization	LS	1	4,000.00	\$ 4,000.00	2,500.00	\$ 2,500.00	500.00	\$ 500.00	6,000.00	\$ 6,000.00	2,500.00	\$ 2,500.00
2	Traffic Control	LS	1	4,500.00	\$ 4,500.00	3,000.00	\$ 3,000.00	500.00	\$ 500.00	7,250.00	\$ 7,250.00	7,500.00	\$ 7,500.00
3	Concrete Removal	SF	11,557	0.90	\$ 10,401.30	2.00	\$ 23,114.00	2.00	\$ 23,114.00	1.40	\$ 16,179.80	1.25	\$ 14,446.25
4	Trail, Reinforced PCC, 6"	SF	11,404	5.50	\$ 62,722.00	5.50	\$ 62,722.00	6.00	\$ 68,424.00	5.25	\$ 59,871.00	6.50	\$ 74,126.00
5	Sidewalk, 4" PCC	SF	162	4.50	\$ 729.00	5.50	\$ 891.00	5.55	\$ 899.10	10.00	\$ 1,620.00	5.85	\$ 947.70
6	Curb & Gutter, PCC; remove & replace	LF	59	105.00	\$ 6,195.00	40.00	\$ 2,360.00	31.00	\$ 1,829.00	60.00	\$ 3,540.00	47.00	\$ 2,773.00
7	Detectable Warning Panels	SF	88	40.00	\$ 3,520.00	25.00	\$ 2,200.00	25.00	\$ 2,200.00	30.00	\$ 2,640.00	37.00	\$ 3,256.00
8	Site Restoration - Sod	SF	6,708	1.00	\$ 6,708.00	1.00	\$ 6,708.00	1.00	\$ 6,708.00	1.25	\$ 8,385.00	0.60	\$ 4,024.80
TOTAL				\$	\$ 98,775.30	\$	\$ 103,495.00	\$	\$ 104,174.10	\$	\$ 105,485.80	\$	\$ 109,573.75

continued...

Item #	Howrey Construction Rockwell City, IA		Callher Concrete Adair, IA		Hill Contracting Leon, IA		The Concrete Contracting Company, Leon, IA				
	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount			
1	8,000.00	\$ 8,000.00	5,500.00	\$ 5,500.00	3,500.00	\$ 3,500.00	8,500.00	\$ 8,500.00			
2	7,250.00	\$ 7,250.00	10,000.00	\$ 10,000.00	2,500.00	\$ 2,500.00	10,000.00	\$ 10,000.00			
3	1.15	\$ 13,290.55	1.14	\$ 13,174.98	2.00	\$ 23,114.00	2.50	\$ 28,892.50			
4	6.20	\$ 70,704.80	7.05	\$ 80,398.20	6.50	\$ 74,126.00	10.00	\$ 114,040.00			
5	8.75	\$ 1,417.50	7.81	\$ 1,265.22	8.00	\$ 1,286.00	9.00	\$ 1,458.00			
6	60.00	\$ 3,540.00	29.00	\$ 1,711.00	100.00	\$ 5,900.00	80.00	\$ 4,720.00			
7	27.50	\$ 2,420.00	32.50	\$ 2,860.00	45.00	\$ 3,960.00	45.00	\$ 3,960.00			
8	0.95	\$ 6,372.60	0.55	\$ 3,689.40	0.80	\$ 5,366.40	2.25	\$ 15,093.00			
TOTAL				\$	\$ 112,995.45	\$	\$ 118,598.80	\$	\$ 119,762.40	\$	\$ 186,663.50

Denotes math error on proposal

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

DATE: March 19, 2018

ITEM: New Horizon Day Care, 9040 University Avenue – Approval of Site Plan to Construct a 12,600 sq. ft. Day Care Building – New Horizon Real Estate Development LLP SP-003699-2017

RESOLUTION: Approval of Site Plan.

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, New Horizon Real Estate Development LLP, with permission from Hubbell Development Fund LLC, is requesting approval of a site plan to construct a 12,600 sq. ft. day care building at 9040 University Avenue (see Exhibit I - Attachments B – Location Map, Attachment C –Site Plan, and Attachment D – Elevations and Attachment E – Applicant Letter).

Plan and Zoning Commission Action:

Vote: 4-0 approval, Commissioners Costa, Crowley, Drake Absent

Date: March 12, 2018

Motion: Adopt a resolution recommending the City Council approve the site plan.

OUTSTANDING ISSUES: There are no outstanding issues.

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

- Applicant's Request
- History
- City Council Subcommittee – *Development and Planning (December 12, 2017)*
- Staff Review and Comments
 - *Board of Adjustment*
 - *Site Access*
 - *Entrance from 90th Street*
 - *Parking*
- 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 Site Plan for construction of a 12,600 sq. ft. day care building, subject to the applicant meeting all City Code requirements and the following:

1. Submit a storm water management plan which addresses remaining comments, prior to obtaining a building permit, including footing and foundation permits.
2. Provide screening of roof top mechanical units acceptable to the City, prior to obtaining final occupancy permits.
3. That site improvements proposed with the site plan are installed, inspected by the City, and determined complete, prior to final occupancy of the building.
4. That the access road is constructed west to a public street, according to the agreement with Hubbell Realty Company dated February 18, 2018, and recorded in the Dallas County Recorder's Office at Book 2018 Page 2467, with an amendment scheduled for approval at the City Council March 19, 2018 meeting, prior to any occupancy permit, including temporary occupancy for the child care center.

Lead Staff Member: Kara Tragesser, AICP



STAFF REVIEWS

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

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	December 12, 2017		
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 - Site Plan
 - Attachment D - Elevations
 - Attachment E - Applicant Letter
- Exhibit II - City Council Resolution
 - Exhibit A – Conditions of Approval

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

Meeting Date: March 12, 2018

Item: New Horizon Day Care, 9040 University Avenue – Approval of Site Plan to Construct a 12,600 sq. ft. Day Care Building – New Horizon Real Estate Development LLP SP-003699-2017 (**Deferred from February 26, 2018**)

Requested Action: Approval of Site Plan

Case Advisor: Kara V. Tragesser, AICP 

Applicant's Request: The applicant, New Horizon Real Estate Development LLP, is requesting approval of a site plan to construct a 12,600 sq. ft. day care building at 9040 University Avenue (see Attachments B – Location Map, Attachment C – Site Plan, and Attachment D – Elevations).

History: The property is undeveloped and is a part of the Greenway Crossing Planned Unit Development. The Plan and Zoning Commission reviewed the site plan at their February 26, 2018, meeting and deferred action on the site plan to give the applicant time to address concerns regarding access and parking that the Commission voiced at their meeting. Staff met with the applicant on February 28, 2018 to review the Commission's comments and explore options to the site plan which attempt to address the Commission's concerns. Below, under Staff Review and Comment, is explanation of the changes to the site plan and other information regarding the operation of the day care center.

City Council Subcommittee: This project was presented to Development and Planning Subcommittee on December 12, 2017. The Subcommittee is supportive of the project.

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

- **Board of Adjustment:** The day care is a Permitted Conditional Use in the Community Commercial zoning district in which the site is located. The Board of Adjustment at their regularly scheduled meeting on February 21, 2018, approved the permitted conditional use permit to operate a day care at this location.
- **Site Access:** All sites are required by City Code to have two points of access to the site for circulation and emergency service provision. There has been an agreement signed by the current owner of the property, Hubbell Realty Company, to construct an east to west drive and connect it south to Bishop Drive. This drive will be constructed prior to the occupancy of the day care building to provide two accesses into the site, the other is access is directly off of 90th Street (see Attachment C: site plan for information).
- **Entrance from 90th Street:** The Commission voiced concerns over the perceived awkwardness of the entrance onto the site from 90th Street in that as a driver moves onto the site and continues west that the required turns to make that movement seemed too harsh. In response to this concern the applicant's engineer adjusted the curvature of the drive to a smoother curve, instead of the angled turns to make entering the site and continuing west a less awkward movement (see Attachment C – Site Plan).
- **Parking:** The Commission also commented on the availability or parking for staff and clients for the center as the Commission questioned the number of spaces required by staff for all day parking and a suitable number of spaces to accommodate pick up and drop off times for clients. Again, this issue was discussed with the applicant on February 28, 2018 and we identified three more parking space opportunities. As presented to the Commission on February 26th, the site plan met current code requirements for a child care center. Please refer to Attachment E – Applicant Letter for explanation of anticipated operations of the center. As noted in the letter, it is a realistic anticipation that the center will have a staff of 17 or so caretakers at their average usage. Assuming that each staff member drives, that leaves the center with 15 stalls for the intermittent use of drop off and pick up of children. The letter also anticipates that the maximum staffing level will be 10a.m. to 3p.m. outside of the busy time of pick up or drop off.

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 Recommendations and Conditions of Approval: Based upon the preceding review and a finding of consistency with the Comprehensive Plan, staff recommends that the Plan and Zoning Commission adopt a resolution approving the site plan to construct a 12600 sq. ft. building for child care, subject to the applicant meeting all City Code requirements and the following:

1. Submit a storm water management plan which addresses remaining comments, prior to obtaining a building permit, including footing and foundation permits.
2. Provide screening of roof top mechanical units acceptable to the City, prior to obtaining final occupancy permits.
3. That site improvements proposed with the site plan are installed, inspected by the City, and determined complete, prior to final occupancy of the building.
4. That the access road is constructed west to a public street, according to the agreement with Hubbell Realty Company dated February 18, 2018, and recorded in the Dallas County Recorder's Office at Book 2018 Page 2467, prior to any occupancy permit, including temporary occupancy for the child care center.

Owner: Hubbell Metropolitan Development Fund, LLC
6900 University Avenue
West Des Moines IA 50266
515-276-2349

Applicant: New Horizon Real Estate Development LLP
23405 Annapolis Lane Suite 100
Plymouth, MN 55447
Alan Ruth
763-557-1111
aruth@nhacademy.net

Applicant Representative: Andrew Maurer
McClure Engineering Company
1360 NW 121st Street
Clive IA 50325
515-964-1229
amaurer@mecresults.com

Attachments:

Attachment A	-	Plan and Zoning Commission Resolution
Attachment B	-	Location Map
Attachment C	-	Site Plan
Attachment D	-	Elevations
Attachment E	-	Applicant Letter

RESOLUTION NO. PZC -18-011

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, APPROVING THE NEW HORIZON DAY CARE SITE PLAN (SP-003699-2017) TO CONSTRUCT AT 12,600 SQ. FT. DAY CARE BUILDING AT 9040 UNIVERSITY AVENUE

WHEREAS, pursuant to the provisions of Title 10, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, New Horizon Real Estate Development LLP, in cooperation with the property owner, Hubbell Realty has requested approval for a Site Plan (SP-003699-2017) to s construct a ~~16,000~~ ^{12,600} sq. ft. day care building at 9040 University Avenue;

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 March 12, 2018, this Commission held a duly-noticed public meeting to consider the application for a Site 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, March 12, 2018, or as amended orally at the Plan and Zoning Commission meeting, are adopted.


SECTION 2. The Site plan to construct a 12,600 sq. ft. child care building is hereby approved by the Plan and Zoning Commission, 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 March 12, 2018.



Craig Erickson, Chair
Plan and Zoning Commission

ATTEST:



Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting held on March 12, 2018


AYES: **Andersen, Christianson, Hatfield, Southworth**

NAYS:

ABSTENTIONS:

ABSENT: **Costa, Crowley, Drake**

ATTEST:

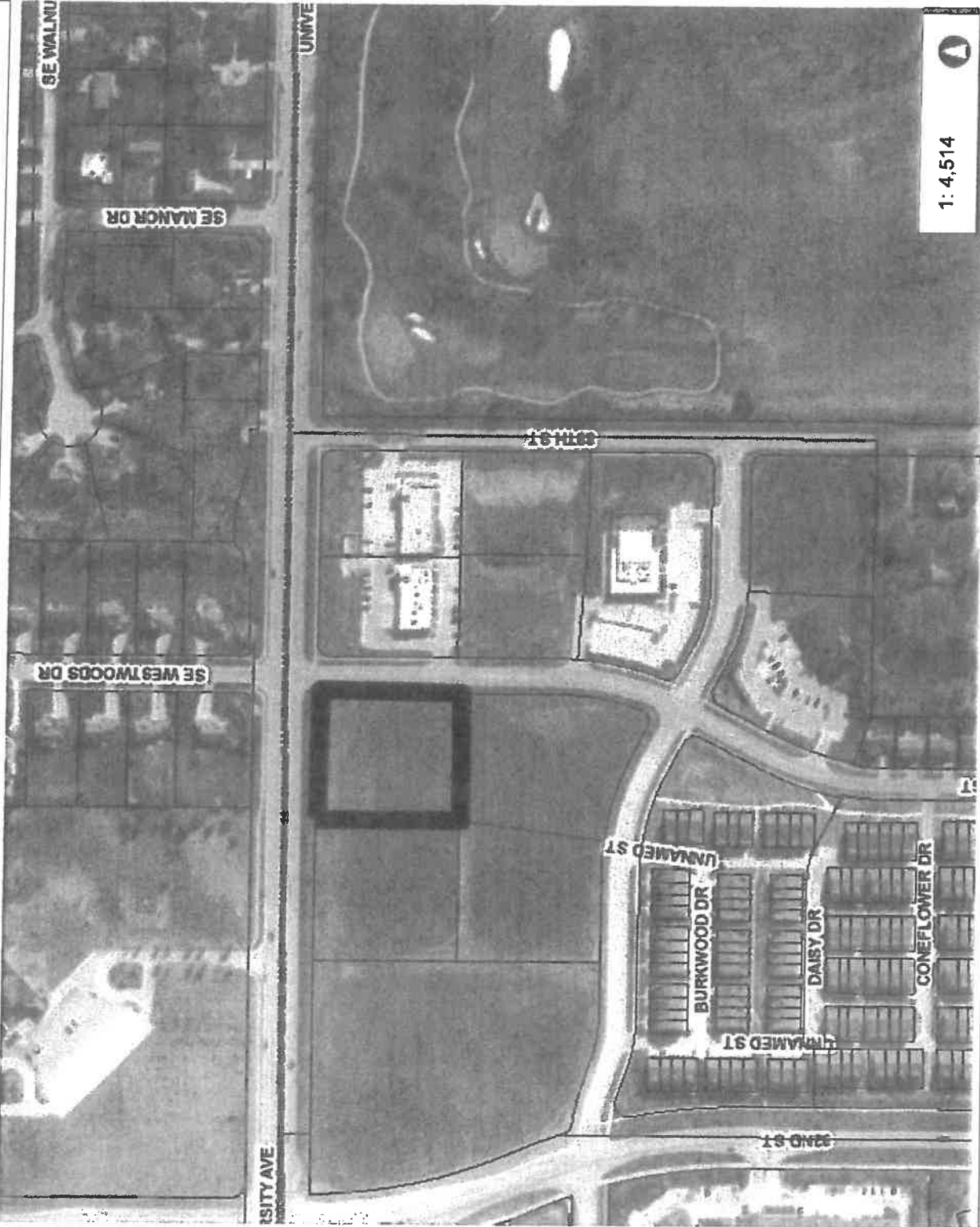


Recording Secretary

EXHIBIT A
CONDITIONS OF APPROVAL

1. Submit a storm water management plan which addresses remaining comments, prior to obtaining a building permit, including footing and foundation permits.
2. Provide screening of roof top mechanical units acceptable to the City, prior to obtaining final occupancy permits.
3. That site improvements proposed with the site plan are installed, inspected by the City, and determined complete, prior to final occupancy of the building.
4. That the access road is constructed west to a public street, according to the agreement with Hubbell Realty Company dated February 18, 2018, and recorded in the Dallas County Recorder's Office at Book 2018 Page 2467, prior to any occupancy permit, including temporary occupancy for the child care center.

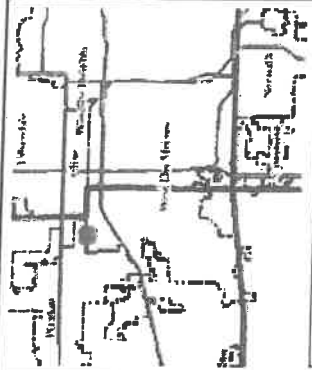
New Horizon Academy 9040 University Avenue



1: 4,514

Legend

-  Corporate Limits
-  Parcels



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

NEW HORIZON ACADEMY SITE PLAN

WEST DES MOINES, DALLAS COUNTY, IOWA



building strong communities

1310 NW 121st, New
 York, NY 10025
 Tel: 212-512-3000
 Fax: 212-512-3270

NOTES:
 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE IOWA DEPARTMENT OF TRANSPORTATION'S STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, LATEST EDITION.
 2. THE SUBMITTER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
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CALLER A. SMITH, PE NO. 7863
 MY LICENSE EXPIRES DATE IS
 DECEMBER 31, 2010
 I HEREBY CERTIFY THAT THIS
 ENGINEERING DOCUMENT WAS
 PREPARED BY ME OR UNDER MY
 SUPERVISION AND THAT I AM A DULY
 LICENSED PROFESSIONAL ENGINEER
 UNDER THE PROVISIONS OF
 THE STATE OF IOWA.

NEW HORIZON ACADEMY
 SITE PLAN
 CITY ID: SP-003499-2017
 WEST DES MOINES, IOWA
 NOVEMBER 15, 2017

JANUARY 10, 2018
 FEBRUARY 22, 2018
 MARCH 1, 2018

SHEET NO.	DRAWING NO.	COVER SHEET
1	OR-01	LEGEND
2	OR-02	LEGEND
3	UT-01	UTILITY PLAN
4	SP-01	GRAVING, PAVING AND CROSSING PLAN
5	OR-01	GRAVING, PAVING AND CROSSING PLAN
6	OR-02	GRAVING PLAN DETAILS
7	UT-01	UTILITY PLAN
8	LA-01	LANDSCAPING PLAN

DEVELOPMENT SUMMARY:
 GROSS LAND AREA: = 65,308 S.F. (1.50 AC.)
 DEVELOPED AREA: = 46,300 S.F. (1.05 AC.)
 DEVELOPED IMPERVIOUS AREA:
 = 12,500 S.F. (0.29 AC.)
 = 12,500 S.F. (0.29 AC.)
 = 34,300 S.F. (0.78 AC.)
 TOTAL
 OPEN SPACE:
 REQUIRED:
 PROVIDED:
 LANDSCAPING:
 REQUIRED:
 PROVIDED:
 BUFFER:
 REQUIRED:
 PROVIDED:
 PARKING:
 REQUIRED:
 PROVIDED:

APPLICANT:
 CONTACT: PETER MAUER
 COMPANY: RTVA, LLC
 2330 UNIVERSITY AVENUE, SUITE 200
 NORTH OAKS, MN
 PH: (612) 898-3689

PROPERTY OWNER:
 METROPOLITAN DEVELOPMENT FUND, LLC
 500 WEST MAIN AVENUE, SUITE 200
 WEST DES MOINES, IOWA 50306
 PH: (515) 775-3466

SWPPP CONTACT:
 TO BE DETERMINED

EXISTING ZONING:
 COMMUNITY COMMERCIAL (CMC) - UNLIVABLE ZONING
 PLANNED UNIT DEVELOPMENT (PUD) - PARCEL 'C'
 GREENWAY CROSSING (PWS)

SURROUNDING ZONING:
 PUD M4 - MAPLE GROVE NORTH (WEST)
 OPEN SPACE/AGRICULTURAL (OS) (EAST)
 RESIDENTIAL SINGLE FAMILY (RS) (SOUTH)

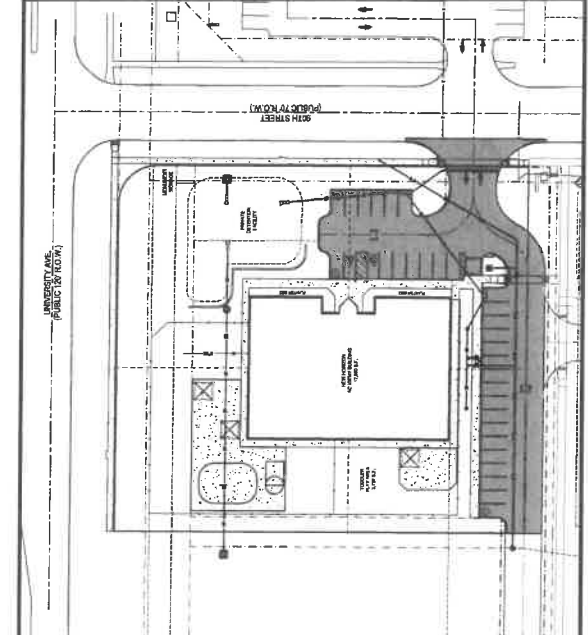
BUILDING SETBACKS:
 FRONT YARD: 10 FT.
 SIDE YARD: 5 FT.
 REAR YARD: 5 FT.

MAXIMUM BUILDING HEIGHT: 36 FT.

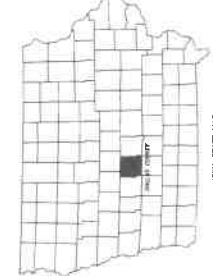
BUILDING ADDRESS:
 908 UNIVERSITY AVENUE, WEST DES MOINES, IA 50306-2920

BUILDING SUMMARY:
 TOTAL NO. BLDGS = 1
 TOTAL NO. UNITS PER BLDG = 8
 TOTAL BUILDING S.F. = 12,500 S.F.

LEGAL DESCRIPTION:
 GREENWAY CROSSING PART 1 LOT 1



VICINITY SKETCH
 NO SCALE



DMA STATE M-2

GN-01 01 /

McClure Engineering Co. is an Equal Opportunity Employer. Minorities and women are encouraged to apply. McClure Engineering Co. is an Equal Opportunity Employer. Minorities and women are encouraged to apply. McClure Engineering Co. is an Equal Opportunity Employer. Minorities and women are encouraged to apply.

UTILITY COMPANIES

SERVICE	SUPPLIER	PHONE
GAS	MO-AMERICAN ENERGY CO. 205 WEST 14TH STREET DES MOINES, IOWA 50304-0627	515-261-3000
TELEPHONE	WEST DES MOINES CABLE TELEVISION 317 WEST 14TH STREET WEST DES MOINES, IOWA 50306	800-533-4228
ELECTRIC	MO-AMERICAN ENERGY CO. 205 WEST 14TH STREET DES MOINES, IOWA 50304-0627	515-262-3000
CABLE TV	WEST DES MOINES CABLE TELEVISION 317 WEST 14TH STREET WEST DES MOINES, IOWA 50306	800-533-4228
WATER	WEST DES MOINES WATER WORKS 205 WEST 14TH STREET WEST DES MOINES, IOWA 50306	515-257-3440
SEWER	CITY OF WEST DES MOINES 205 WEST 14TH STREET WEST DES MOINES, IA 50306	515-257-3440
ALL	OWA ONE-CALL	800-252-9999

EXISTING UTILITIES NOTE

EXISTING UTILITIES HAVE BEEN LOCATED FROM AVAILABLE SURVEYS AND RECORDS AND INDICATORS MUST BE USED TO DETERMINE THEIR EXISTENCE AND EXACT LOCATION AND TO AVOID DAMAGE TO EXISTING UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE UTILITIES COMPANIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE UTILITIES COMPANIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE UTILITIES COMPANIES.

GENERAL LEGEND

EXISTING / PROPOSED	DESCRIPTION
	SANITARY SEWER MANHOLE
	SANITARY SEWER CLEANOUT
	AIR RELEASE MANHOLE/STORM MANHOLE
	STORM SEWER MANHOLE
	STORM SEWER CLEANOUT
	STORM SEWER INFLOW
	STORM SEWER INFLOW VALVE
	FLOODED DITCH SECTION
	WATER VALVE
	WATER METER MANHOLE
	CURB STOP
	YARD HYDRANT
	ELECTRIC TRENCH / TRANSFORMER
	OUTDOOR ELECTRIC POWER OUTLET
	STREET LIGHT POLE
	CITY METER
	TRAFFIC SIGNAL BOX
	TRAFFIC SIGNAL MANHOLE / VAULT
	RAILROAD CROSSING SIGNAL
	TELEPHONE MANHOLE / VAULT
	TELEPHONE F PEDestal
	CABLE TV MANHOLE / VAULT
	GAS VALVE
	SANITARY SEWER MANHOLE
	SANITARY SEWER CLEANOUT
	AIR RELEASE MANHOLE/STORM MANHOLE
	STORM SEWER MANHOLE
	STORM SEWER CLEANOUT
	STORM SEWER INFLOW
	STORM SEWER INFLOW VALVE
	FLOODED DITCH SECTION
	WATER VALVE
	WATER METER MANHOLE
	CURB STOP
	YARD HYDRANT
	ELECTRIC TRENCH / TRANSFORMER
	OUTDOOR ELECTRIC POWER OUTLET
	STREET LIGHT POLE
	CITY METER
	TRAFFIC SIGNAL BOX
	TRAFFIC SIGNAL MANHOLE / VAULT
	RAILROAD CROSSING SIGNAL
	TELEPHONE MANHOLE / VAULT
	TELEPHONE F PEDestal
	CABLE TV MANHOLE / VAULT
	GAS VALVE

GENERAL NOTES:

- ALL UTILITIES SHALL BE PROTECTED FROM DAMAGE TO UTILITIES AND STRUCTURES SHALL BE REPAIRED BY THE CONTRACTORS AT THE EXPENSE OF THE CITY AND THE OWNER.
- CONTRACTOR TO CONFINE OPERATIONS TO PERMANENT AND TEMPORARY CASEMENTS AND DEVELOPER OWNED PROPERTY.
- ALL TREES AND SHRUBS SHALL BE PROTECTED UNLESS DESIGNATED FOR REMOVAL IN THE PLANS.
- CONTRACTOR SHALL SUBMIT ALL SURGRADE AND PAVING MATERIAL TEST RESULTS TO THE PROJECT ENGINEER.
- THE CONTRACTOR IS RESPONSIBLE FOR KEEPING AND MAINTAINING A SET OF RECORD DRAWINGS. SECOND RECORD DRAWINGS SHALL SHOW ALL CHANGES TO PLANS, AND REPRESENT THE AS-BUILT CONDITION. ALL RECORD DRAWINGS SHALL BE MARKED WITH STEEL FENCE POSTS. ALL TYPE DUGS, UTILITY SERVICES AND CONDUIT DUGS SHALL BE MARKED WITH STEEL FENCE POSTS.
- THE PLANS SHOW UTILITIES LOCATED WITHIN THE LIMITS OF THE WORK UNDER THIS CONTRACT. THE COMPLETENESS OR ACCURACY OF THE INFORMATION SHOWN ON THE PLANS IS IN NO WAY IMPLIED OR GUARANTEED BY THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE UTILITIES COMPANIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE UTILITIES COMPANIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE UTILITIES COMPANIES.
- AT LEAST ONE WEEK PRIOR TO ANY CONSTRUCTION WITHIN PUBLIC ROW/CASEMENT AND/OR ANY CONNECTION TO PUBLIC SEWERS AND STREETS, THE CONTRACTOR SHALL CONTACT THE CITY OF WEST DES MOINES TO OBTAIN APPLICABLE CITY PERMITS THAT MAY BE NECESSARY.
- CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLING AND MAINTAINING TRAFFIC CONTROL IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
- RECONSTRUCT ANY FIELD TILE THAT ARE INTERFERED DURING UTILITY CONSTRUCTION.
- ALL DIMENSIONS TO FACE-OF-CURB UNLESS NOTED OTHERWISE. ALL DIMENSIONS TO BE FIELD VERIFIED.
- PROVIDE 1" EXPANSION MATERIAL WHERE CONCRETE IS POURED AGAINST BUILDING OR STRUCTURES. SET PRE-CASTED MATERIAL TIGHT AGAINST BUILDING AND/OR STRUCTURES TO GUARANTEE WEATHER.
- ALL H/V RAMP IN PUBLIC RIGHT OF WAY SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE ADA ACCESSIBILITY GUIDELINES FOR BUILDINGS AND FACILITIES (ADAAG), AND IOWA CODE.

GRADING NOTES:

- ALL SLOPES IN PAVEMENT SHALL BE UNIFORM TO AVOID POONDING.
- ALL DIMENSIONS TO ADJUST ALL TOP OF CASTING ELEVATIONS WITHIN THE PROJECT LIMITS TO THE FINAL ELEVATIONS SHOWN ON THE PLANS.
- ALL SLOPES IN UNPAVED AREAS SHALL BE GRADED TO DRAIN.

UTILITY NOTES:

- ALL UTILITIES ARE PRIVATE UNLESS NOTED OTHERWISE.
- CONTRACTOR TO ADJUST ALL TOP OF CASTING ELEVATIONS WITHIN THE PROJECT LIMITS TO THE FINAL ELEVATIONS SHOWN ON THE PLANS.
- ALL UTILITY SERVICES, INCLUDING ELECTRIC, TELEPHONE, AND CABLE TO BE UNDERGROUND.
- THE CONTRACTOR SHALL COORDINATE WITH ALL UTILITY COMPANIES TO DETERMINE EXACT POINT OF SERVICE CONNECTION AT EXISTING UTILITY. REFER TO THE BUILDING ELECTRICAL AND PLUMBING DRAWINGS FOR UTILITY SERVICE ENTRANCE LOCATIONS, SIZES, AND CROUING.
- ALL CONNECTIONS TO EXISTING PUBLIC SEWERS SHALL BE CORE DRILLED.
- SANITARY SEWER:
 - ALL SANITARY SEWER SERVICES SHALL BE SIZ 20.5 IN ACCORDANCE WITH URBAN STANDARD SPECIFICATIONS.
 - MANHOLE STEPS ARE REQUIRED IN ALL SANITARY SEWER MANHOLES.
 - MANHOLE COVERS SHALL HAVE RAISED DAMPING ROUNDCNESS PATTERN.
- STORM SEWER:
 - CONTRACTOR SHALL BE RESPONSIBLE FOR ALL ON-SITE PRIVATE STORM SEWER AND PRIVATE STORM WATER DETENTION / RETENTION AREAS.
- ALL INTAKE CASTINGS SHALL HAVE PHASE 2 ENVIRONMENTAL SYMBOLLOGY OR TEXT.
 - WATER MAIN TO HAVE 5-1/2" BIRTY TYP. EXCEPT AT CRITICAL CROSSINGS.
 - ALL VALVES SHALL HAVE A VALVE BOX ADAPTER INSTALLED TO MAINTAIN ALIGNMENT.
 - THE CONTRACTOR SHALL REDUCE CHANGES ON ALL HYDRANTS.
 - THE CONTRACTOR SHALL WORK WITH WEST DES MOINES WATER WORKS WHEN OPERATING EXISTING VALVES. WATER CAN NOT BE USED BY THE CONTRACTOR UNLESS IT IS PART OF THE PRE-CONSTRUCTION PROCESS OF THE NEW MAIN. WATER NEEDED FOR ANY REASON AFTER BACTERA TESTING HAS BEEN COMPLETED AND PASSED WILL NEED PRIOR APPROVAL FROM WEST DES MOINES WATER WORKS.
 - CONTRACTOR SHALL NOTIFY WEST DES MOINES WATER WORKS ONE (1) WEEK PRIOR TO CONSTRUCTION OF WATER MAIN.
 - ALL FIRE PROTECTION NEEDS SHALL UTILIZE THRUST BLOCCING AT ALL CHANGES IN DIRECTION AND ALL CHANGES IN SIZE. ALL FIRE PROTECTION SHALL BE FIELD VERIFIED. THE NEXT FULL LENGTH PIPE AND ANCHORED ON THE FIRE BALL OR MECHANICAL FITTING, SUBSEQUENTLY, AT ALL CONNECTIONS OF THRUST BLOCCING. WEA-UGS ARE NOT TO BE ALLOWED.
 - CONTRACTOR SHALL EXTEND THE WATER SERVICE INTO THE BUILDING TO DESIGNATED POINT IN BUILDING PLANS.



THE CONTRACTOR SHALL NOTIFY WEST DES MOINES WATER WORKS ONE (1) WEEK PRIOR TO CONSTRUCTION OF WATER MAIN. WATER CAN NOT BE USED BY THE CONTRACTOR UNLESS IT IS PART OF THE PRE-CONSTRUCTION PROCESS OF THE NEW MAIN. WATER NEEDED FOR ANY REASON AFTER BACTERA TESTING HAS BEEN COMPLETED AND PASSED WILL NEED PRIOR APPROVAL FROM WEST DES MOINES WATER WORKS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE UTILITIES COMPANIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE UTILITIES COMPANIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE UTILITIES COMPANIES.

NOTES

1. ALL CURB AND GUTTER SECTIONS TO BE 8-INCH STANDARD CURB.
2. CENTER OF SUBGRADE OR BILGATION HAS TO BE SHOWN IN ACCORDANCE WITH GEOTECHNICAL INSERTION. TO BE CONFIRMED ON-SITE AND APPROVED BY THE GEOTECHNICAL ENGINEER.
3. AN ON-SITE INSPECTION SHALL BE REQUIRED WITH THE BILGATION DIVISION AT 915/ 222-3880 PRIOR TO PLACEMENT OF ANY CONCRETE BARRIERS.
4. ALL LIGHTS ARE TO BE DOWNCAST OUTLET VARIETY. WALL PACKS ARE PROHIBITED. MINIMUM ILLUMINATION ALLOWED AT THE PROPERTY LINE IS 1 FOOT-CANDLE.
5. REFER TO ARCHITECTURAL DRAWINGS FOR TRASH ENCLOSURE DETAIL.

CONTRACT:
NEW HORIZON ACADEMY
12,000 SQ. FT.
1200 SW 121ST STREET
MIAMI, FL 33176
PROJECT NO. 17024
DATE: 01/10/2018

DATE:
NOVEMBER 15, 2017
NOVEMBER 15, 2018
FEBRUARY 2, 2019
MARCH 1, 2018

PROJECT:
A. NAUBER
C. SMITH
DATE: 03/08



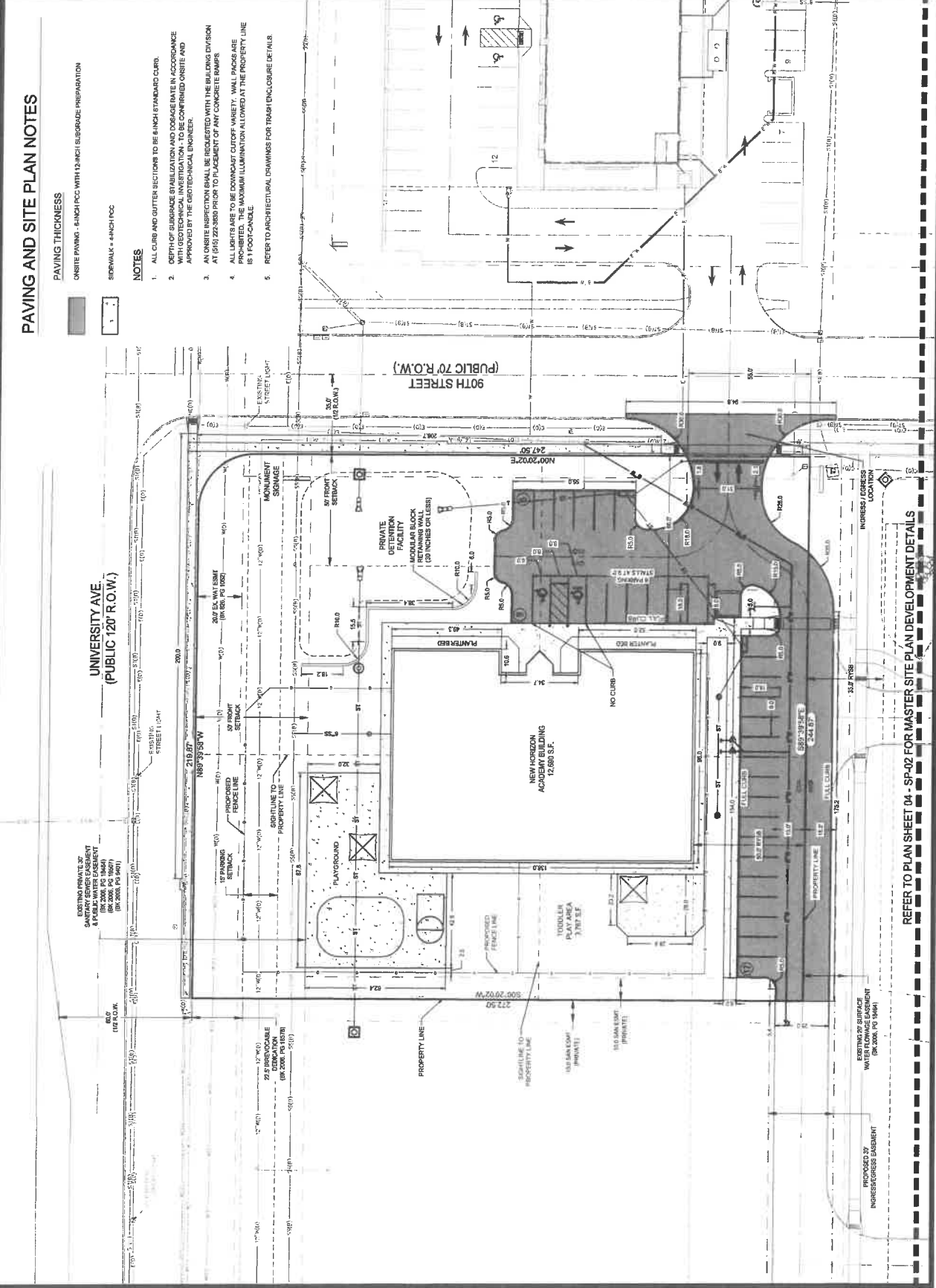
NEW HORIZON ACADEMY
SITE PLAN
CITY ID: SP-003699-2017
WEST FOR ARCHIVES, L.P.A.
VDM 20037024
NOVEMBER 15, 2017
JANUARY 10, 2018
FEBRUARY 2, 2019
MARCH 1, 2018

PAVING AND SITE PLAN NOTES

- PAVING THICKNESS**
- ON-SITE PAVING - 6-INCH PCC WITH 12-INCH SUBGRADE PREPARATION
 - SUBPAVING - 4-INCH PCC

NOTES

1. ALL CURB AND GUTTER SECTIONS TO BE 8-INCH STANDARD CURB.
2. CENTER OF SUBGRADE OR BILGATION HAS TO BE SHOWN IN ACCORDANCE WITH GEOTECHNICAL INSERTION. TO BE CONFIRMED ON-SITE AND APPROVED BY THE GEOTECHNICAL ENGINEER.
3. AN ON-SITE INSPECTION SHALL BE REQUIRED WITH THE BILGATION DIVISION AT 915/ 222-3880 PRIOR TO PLACEMENT OF ANY CONCRETE BARRIERS.
4. ALL LIGHTS ARE TO BE DOWNCAST OUTLET VARIETY. WALL PACKS ARE PROHIBITED. MINIMUM ILLUMINATION ALLOWED AT THE PROPERTY LINE IS 1 FOOT-CANDLE.
5. REFER TO ARCHITECTURAL DRAWINGS FOR TRASH ENCLOSURE DETAIL.



REFER TO PLAN SHEET 04 - SP-02 FOR MASTER SITE PLAN DEVELOPMENT DETAILS



McClure™
ENGINEERING CO.

building strong communities.

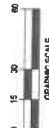
1360 NW 121st Street
Coral Gables, Florida 33156
Tel: 305-442-4270

NOTES:
1. All dimensions are given in feet and inches unless otherwise noted.
2. All dimensions are given to the centerline of the road unless otherwise noted.
3. All dimensions are given to the centerline of the road unless otherwise noted.
4. All dimensions are given to the centerline of the road unless otherwise noted.
5. All dimensions are given to the centerline of the road unless otherwise noted.
6. All dimensions are given to the centerline of the road unless otherwise noted.
7. All dimensions are given to the centerline of the road unless otherwise noted.
8. All dimensions are given to the centerline of the road unless otherwise noted.
9. All dimensions are given to the centerline of the road unless otherwise noted.
10. All dimensions are given to the centerline of the road unless otherwise noted.

**MASTER SITE
DEVELOPMENT PLAN**



NORTH



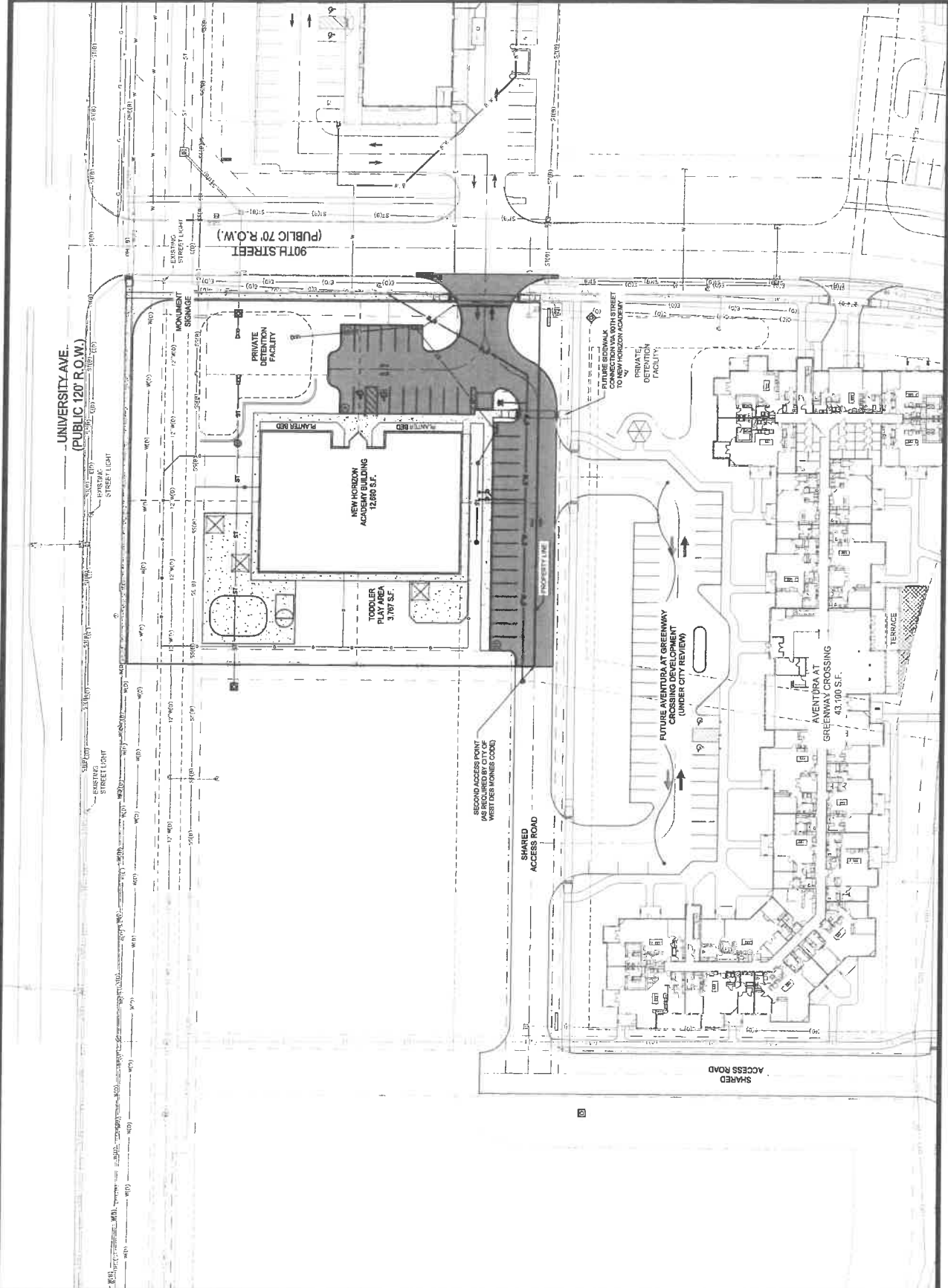
**NEW HORIZON ACADEMY
SITE PLAN**
CITY ID: SP-005899-2017
WEST DES MOINES, IOWA

DESIGNED BY:
NOVEMBER 15, 2017

REVISIONS:
JANUARY 10, 2018
JANUARY 23, 2018
FEBRUARY 1, 2018
MARCH 1, 2018

NUMBER: A. MAUBER
DRAWN BY: A. MAUBER
CHECKED BY: M. BOCKHOFF
DESIGNED BY: C. SMITH

DATE: 04 / 08
DRAWING NO.: SP-02

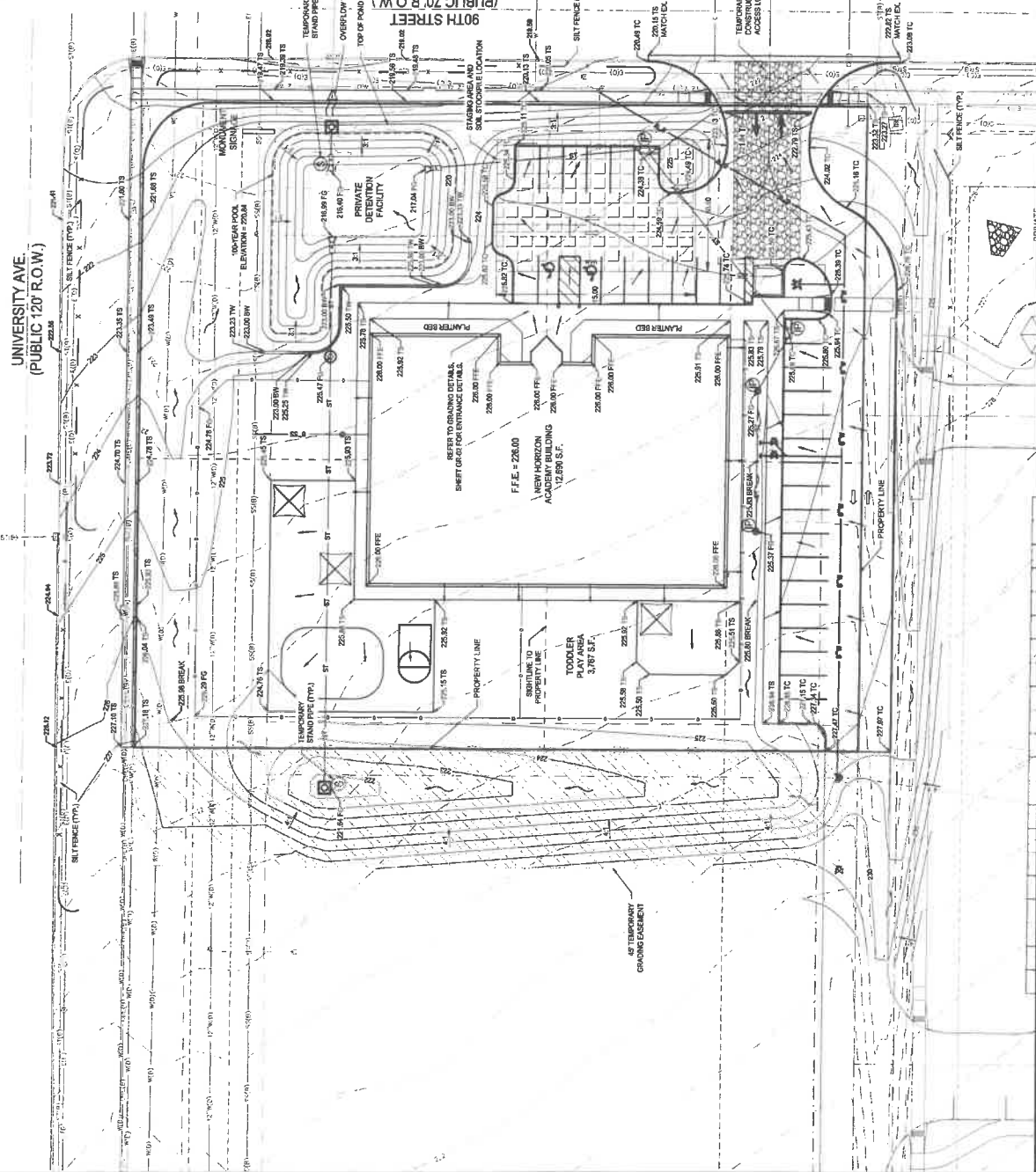




GRADING NOTES

NOTES

1. FOLLOWING THE COMPLETION OF THE PROJECT, THE PROJECT CIVIL ENGINEER SHALL PROVIDE AS-BUILT DOCUMENTATION THAT THE STORM WATER DRAINAGE SYSTEM HAS BEEN CONSTRUCTED AS DESIGNED. THE AS-BUILT SHALL BE PROVIDED TO THE CITY OF TAMPA, FLORIDA, AND SHALL INCLUDE ELEVATIONS, DETENTION AND RETENTION POND CAPACITY, PIPING RESTRICTIONS, AND ANY PERTINENT ASPECTS OF THE STORM WATER SYSTEM.
2. PRIOR TO ANY GRADING OR SITE WORK TAKING PLACE, A COPY OF THE STORM WATER PIPES GENERAL PERMIT NO. 2, AUTHORIZED BY THE CIVIL DEPARTMENT OF THE CITY OF TAMPA, FLORIDA, SHALL BE OBTAINED FROM THE CITY ENGINEERING SERVICES WITH THE CITY OF TAMPA. IF AN AUTHORIZED PIPES PERMIT ALREADY PROVIDES COVERAGE FOR THIS DEVELOPMENT AREA, PRIOR TO ANY GRADING OR SITE WORK, A COPY OF THE PERMIT SHALL BE PROVIDED TO THE CITY ENGINEERING SERVICES. THIS INCLUDES THE PROPOSED PROJECT SHALL BE SUBMITTED TO EITHER THE CHIEF BUILDING INSPECTOR OR ASSIGNED PLANNING CASE ADVISOR.
3. UPON COMPLETION OF THE PROJECT, THE CONSTRUCTION STAGING AREA WILL NEED TO BE RESTORED PRIOR TO FINAL BUILDING OCCUPANCY.
4. REMOVAL LIMITS FOR THE STAGING APPROACH SHALL BE 15 FEET FROM THE BACK OF CURB AND TO THE REARWARD, THE STAGING APPROACH SHALL BE 15 FEET FROM THE BACK OF CURB AND TO THE REARWARD. THE BOX OUT REMOVAL AT THE INTAKE (WITH STREET DRIVEWAY APPROACH) SHALL BE 3 FEET FROM THE BACK OF CURB.



NOTES:
1. All work shall be in accordance with the current edition of the Iowa Code and the current edition of the Iowa Administrative Code.
2. All work shall be in accordance with the current edition of the Iowa Code and the current edition of the Iowa Administrative Code.
3. All work shall be in accordance with the current edition of the Iowa Code and the current edition of the Iowa Administrative Code.
4. All work shall be in accordance with the current edition of the Iowa Code and the current edition of the Iowa Administrative Code.
5. All work shall be in accordance with the current edition of the Iowa Code and the current edition of the Iowa Administrative Code.
6. All work shall be in accordance with the current edition of the Iowa Code and the current edition of the Iowa Administrative Code.
7. All work shall be in accordance with the current edition of the Iowa Code and the current edition of the Iowa Administrative Code.
8. All work shall be in accordance with the current edition of the Iowa Code and the current edition of the Iowa Administrative Code.
9. All work shall be in accordance with the current edition of the Iowa Code and the current edition of the Iowa Administrative Code.
10. All work shall be in accordance with the current edition of the Iowa Code and the current edition of the Iowa Administrative Code.

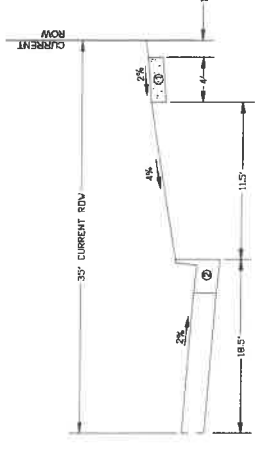
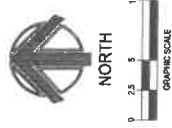
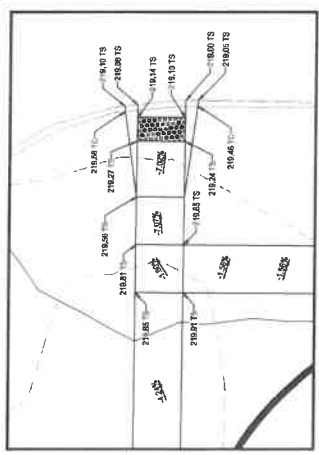
GRADING PLAN
DETAILS



NEW HORIZON ACADEMY
CITY ID: 15-008699-2017
HELD FOR PUBLIC HEARING
NOVEMBER 15, 2017
REVISIONS:
JANUARY 10, 2018
FEBRUARY 23, 2018
FEBRUARY 23, 2018
MARCH 1, 2018

DESIGNED BY
A. MAURER
CHECKED BY
C. SMITH
DRAWING NO.
CR-02
SHEET NO.
06 / 08

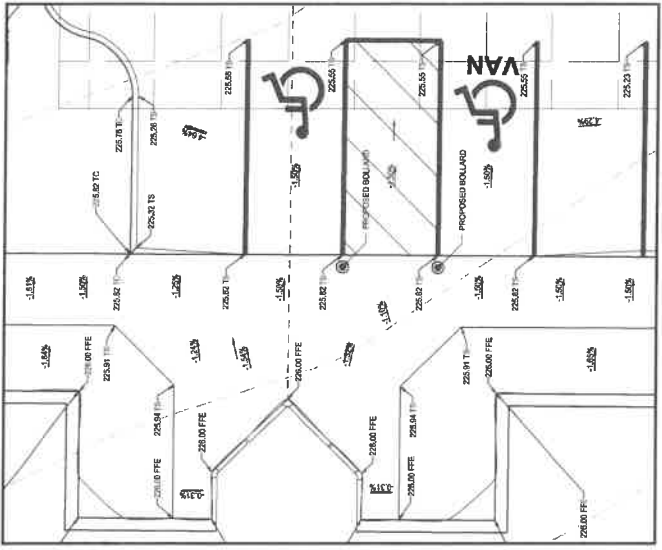
ADA SIDEWALK DETAIL (UNIVERSITY & 90TH)



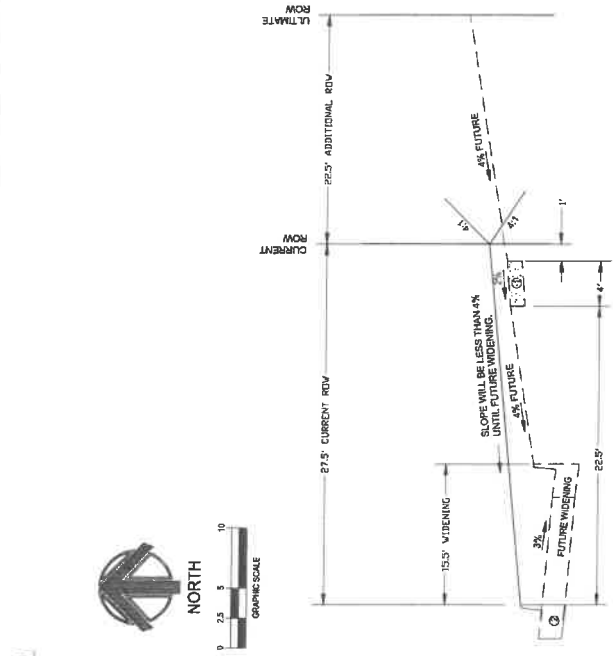
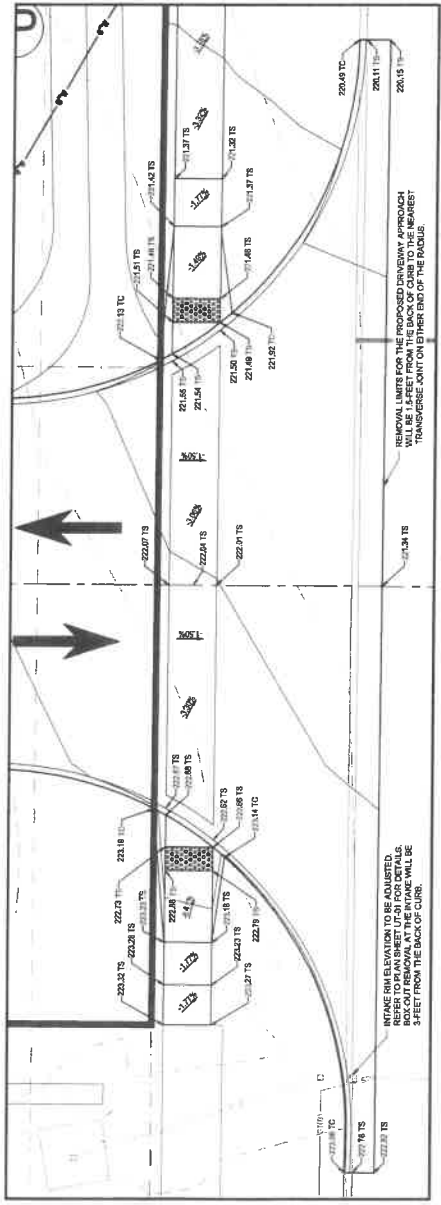
90TH STREET TYPICAL ROW GRADING CROSS SECTION
NO SCALE

① BIKE TRAIL / SIDEWALK
② EXISTING BACK OF CURB LOCATION

ADA BUILDING ENTRANCE DETAIL



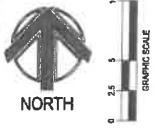
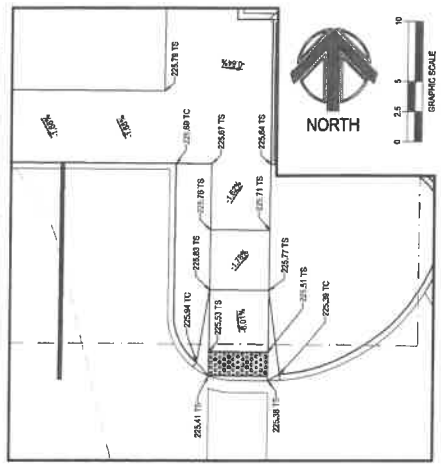
DRIVEWAY ENTRANCE DETAIL (90TH STREET)



UNIVERSITY AVENUE TYPICAL ROW GRADING CROSS SECTION
NO SCALE

① BIKE TRAIL / SIDEWALK
② EXISTING BACK OF CURB LOCATION

ADA SIDEWALK DETAIL (S. OF BUILDING)



NOTES:

- ALL WATER WORK SHALL BE PRIVATE UNLESS SPECIFICALLY NOTED OTHERWISE.
- CONTRACTOR SHALL NOTIFY WEST DES MOINES WATER WORKS AT LEAST ONE WEEK PRIOR TO BUILDING CONSTRUCTION.
- CONTACT BUILDING INSPECTION (815) 272-3469 A MINIMUM OF 24 HOURS IN ADVANCE FOR PRIVATE UTILITY INSTALLATION INSPECTIONS.
- THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLIANCE WITH THE WEST DES MOINES WATER WORKS AND THE CITY'S CROSS CONNECTION CONTAMINATION PROVISIONS.
- THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROPER INSTALLATION OF AN APPROVED BACKFLOW PREVENTION ASSEMBLY(IES) INSTALLED EXACTLY AS SHOWN ON THIS PLAN OR BACKFLOW PREVENTION TO BE INSTALLED EXACTLY AS SHOWN ON THIS PLAN. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLIANCE WITH THE WEST DES MOINES WATER WORKS, IAWA HEALTH, ENGINEERING, AND TESTING (H.E.I.T.S.) 225-5469 A MINIMUM OF 24 HOURS AFTER INSTALLATION AND TESTING OF ALL BACKFLOW DEVICES TO SCHEDULE FINAL INSPECTION.

UTILITY PLAN



NEW HORIZON ACADEMY
CITY ID: SP-003699-2017

WEST DES MOINES, IOWA
NOVEMBER 15, 2017
JANUARY 10, 2018
FEBRUARY 6, 2018
MARCH 1, 2018

DESIGNED BY: A. MAURER
CHECKED BY: C. SMITH
SCALE: AS SHOWN
DATE: 07 / 08

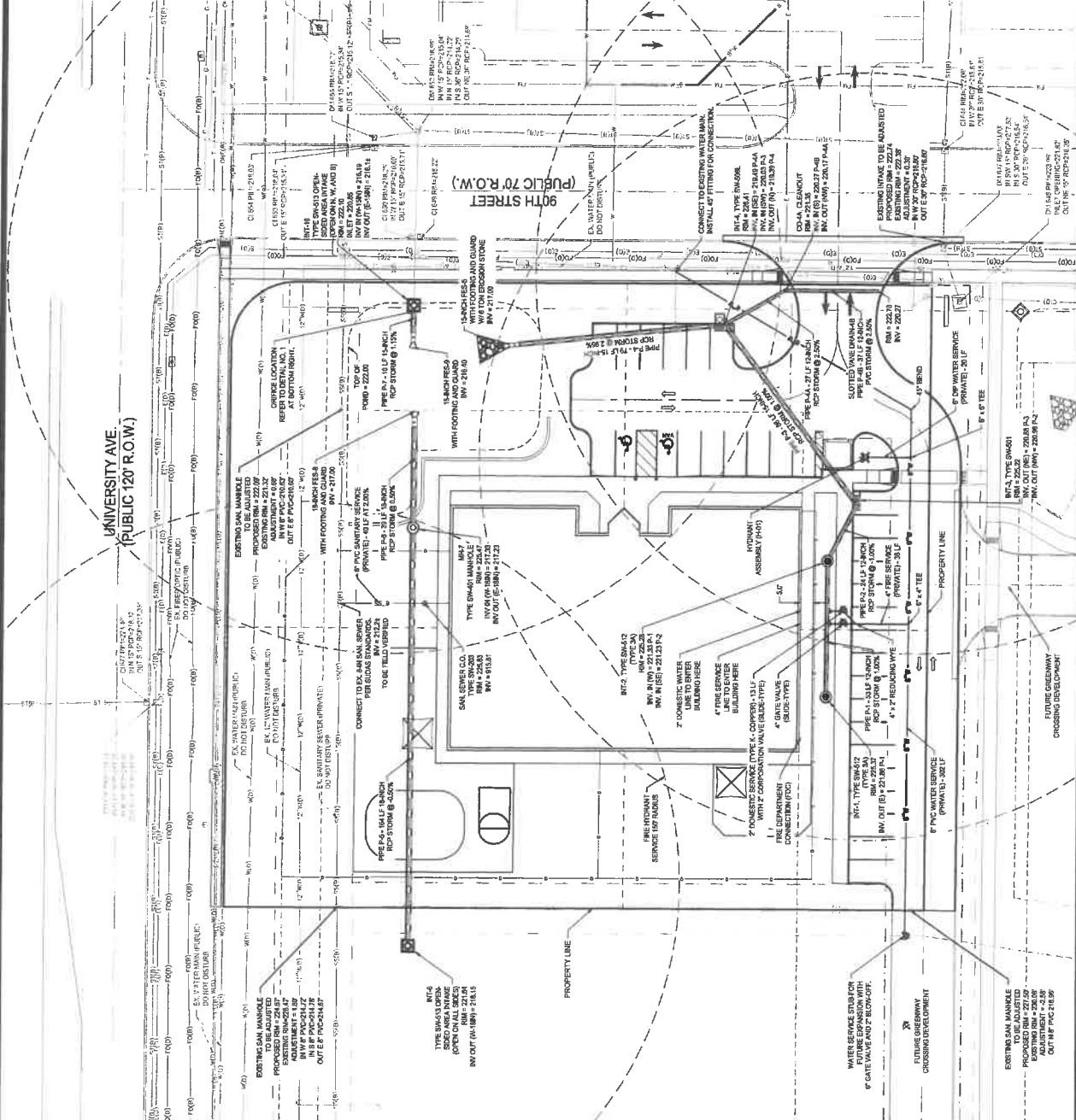
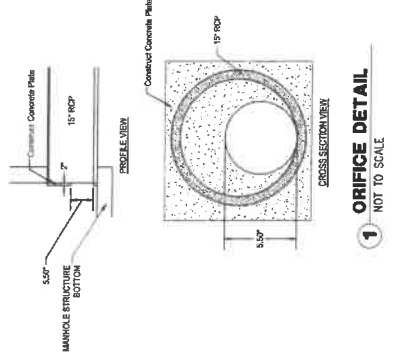
UTILITY NOTES

NOTES

- ALL WATER WORK SHALL BE PRIVATE UNLESS SPECIFICALLY NOTED OTHERWISE.
- CONTRACTOR SHALL NOTIFY WEST DES MOINES WATER WORKS AT LEAST ONE WEEK PRIOR TO BUILDING CONSTRUCTION.
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WATER QUANTITY TABLE (PRIVATE)

DESCRIPTION	QUANTITY	UNITS
6" WATER MAIN, PVC	322	LF
4" FIRE SERVICE LINE, PVC	38	LF
2" DOMESTIC WATER SERVICE	13	LF
8" GATE VALVE	1	EA
4" GATE VALVE (SLIDE-TYPE)	1	EA
2" CORPORATION VALVE (SLIDE-TYPE)	1	EA
45° BEND, 8"	2	EA
4" 2" WYE	1	EA
6" 4" TEE	1	EA
6" 6" TEE	1	EA
HYDRANT ASSEMBLY	1	EA



NOTICE:
This drawing is the property of McClure Engineering Co. and is not to be used, copied, or reproduced in any form without the written consent of McClure Engineering Co. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The contractor shall also be responsible for obtaining all necessary utility information and for protecting all existing utilities. The contractor shall also be responsible for obtaining all necessary information regarding the site conditions and for providing all necessary information regarding the site conditions to the owner. The contractor shall also be responsible for obtaining all necessary information regarding the site conditions and for providing all necessary information regarding the site conditions to the owner. The contractor shall also be responsible for obtaining all necessary information regarding the site conditions and for providing all necessary information regarding the site conditions to the owner.

LANDSCAPE PLAN



NORTH



**NEW HORIZON ACADEMY
SITE PLAN**
CITY ID: SP-003699-2017
WEST DES MOINES, IOWA

NOVEMBER 14, 2017
JANUARY 12, 2018
FEBRUARY 6, 2018
MARCH 1, 2018

DESIGNED BY
A. MAURER
CHECKED BY
C. SMITH
DRAWING NO.
LA-01
SHEET NO.
08 / 08

PLANT TABLE - OPEN SPACE

NO.	SYMBOL	PLANT NAME	QUANTITY	REMARKS
1	(Symbol)	AMERICAN BIRCH	10	10' DBH
2	(Symbol)	RED BUD	10	10' DBH
3	(Symbol)	DOGWOOD	10	10' DBH
4	(Symbol)	FRAXINUS	10	10' DBH
5	(Symbol)	QUERCUS	10	10' DBH
6	(Symbol)	NYCTAGINUS	10	10' DBH
7	(Symbol)	AMERICAN BIRCH	10	10' DBH
8	(Symbol)	RED BUD	10	10' DBH
9	(Symbol)	DOGWOOD	10	10' DBH
10	(Symbol)	FRAXINUS	10	10' DBH
11	(Symbol)	QUERCUS	10	10' DBH
12	(Symbol)	NYCTAGINUS	10	10' DBH
13	(Symbol)	AMERICAN BIRCH	10	10' DBH
14	(Symbol)	RED BUD	10	10' DBH
15	(Symbol)	DOGWOOD	10	10' DBH
16	(Symbol)	FRAXINUS	10	10' DBH
17	(Symbol)	QUERCUS	10	10' DBH
18	(Symbol)	NYCTAGINUS	10	10' DBH
19	(Symbol)	AMERICAN BIRCH	10	10' DBH
20	(Symbol)	RED BUD	10	10' DBH
21	(Symbol)	DOGWOOD	10	10' DBH
22	(Symbol)	FRAXINUS	10	10' DBH
23	(Symbol)	QUERCUS	10	10' DBH
24	(Symbol)	NYCTAGINUS	10	10' DBH
25	(Symbol)	AMERICAN BIRCH	10	10' DBH
26	(Symbol)	RED BUD	10	10' DBH
27	(Symbol)	DOGWOOD	10	10' DBH
28	(Symbol)	FRAXINUS	10	10' DBH
29	(Symbol)	QUERCUS	10	10' DBH
30	(Symbol)	NYCTAGINUS	10	10' DBH

SEED TABLE

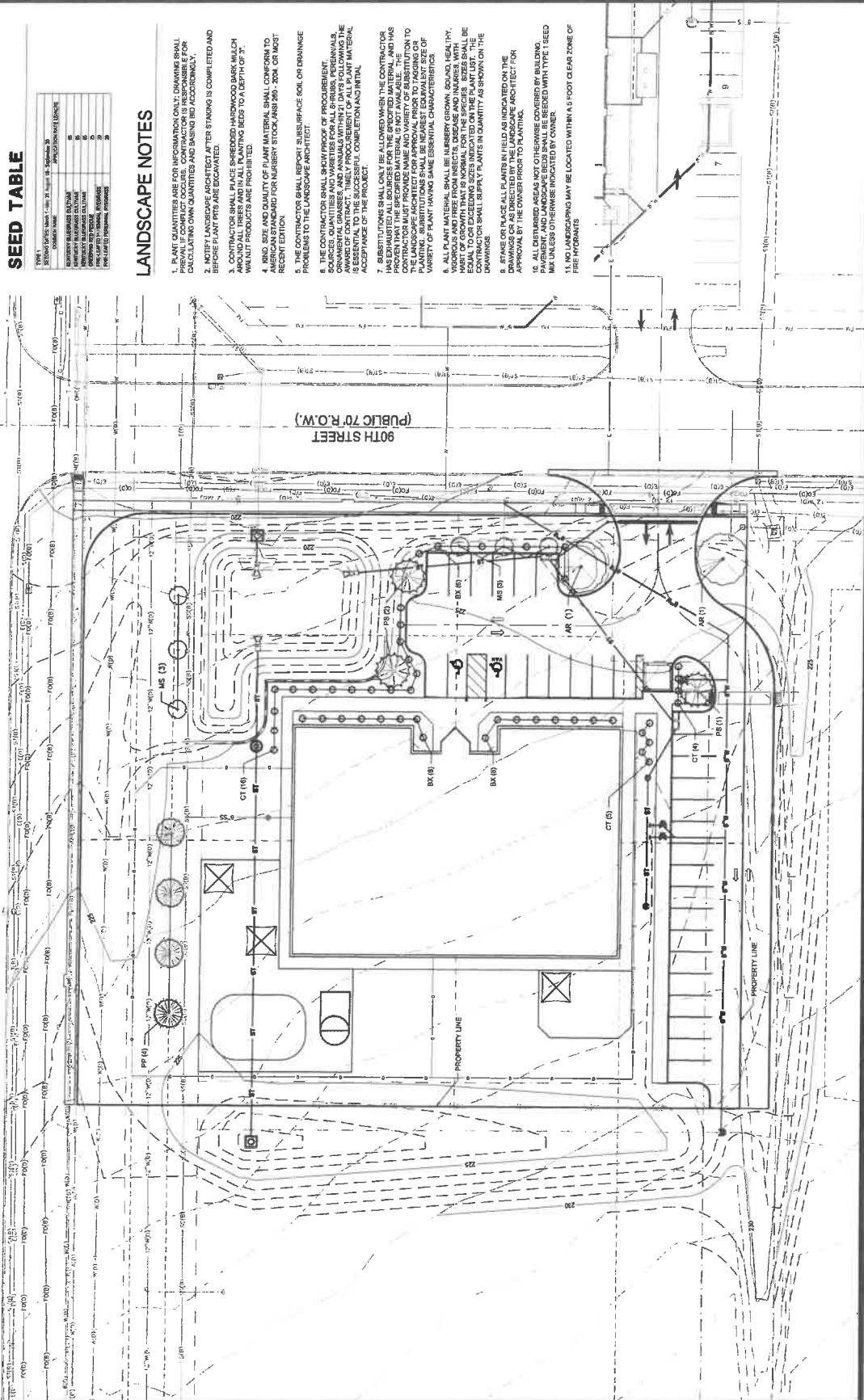
NO.	SYMBOL	SEED NAME	QUANTITY	REMARKS
1	(Symbol)	AMERICAN BIRCH	10	10' DBH
2	(Symbol)	RED BUD	10	10' DBH
3	(Symbol)	DOGWOOD	10	10' DBH
4	(Symbol)	FRAXINUS	10	10' DBH
5	(Symbol)	QUERCUS	10	10' DBH
6	(Symbol)	NYCTAGINUS	10	10' DBH
7	(Symbol)	AMERICAN BIRCH	10	10' DBH
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25	(Symbol)	AMERICAN BIRCH	10	10' DBH
26	(Symbol)	RED BUD	10	10' DBH
27	(Symbol)	DOGWOOD	10	10' DBH
28	(Symbol)	FRAXINUS	10	10' DBH
29	(Symbol)	QUERCUS	10	10' DBH
30	(Symbol)	NYCTAGINUS	10	10' DBH

LANDSCAPE NOTES

- PLANT QUANTITIES ARE FOR INFORMATION ONLY. DRAWING SHALL PREVAIL IF CONFLICT OCCURS. CONTRACTOR IS RESPONSIBLE FOR CALCULATING OWN QUANTITIES AND BEING SO ACCORDANT.
- CONTRACTOR SHALL REPORT SUBSURFACE SOIL OR DRAINAGE PROBLEMS TO THE LANDSCAPE ARCHITECT.
- THE CONTRACTOR SHALL VERIFY THE SPECIFICATIONS OF ORIGINATOR'S SOURCES, QUANTITIES AND WEIGHTS OF ORIGINATOR'S ORNAMENTAL GRASSES AND ANNUALS WITHIN 21 DAYS FOLLOWING THE DATE OF THE CONTRACT. THE CONTRACTOR SHALL VERIFY THAT THE MATERIAL IS ESSENTIAL TO THE SUCCESSFUL COMPLETION AND INITIAL ACCEPTANCE OF THE PROJECT.
- SUBSTITUTIONS SHALL ONLY BE ALLOWED WHEN THE CONTRACTOR HAS EXHAUSTED ALL SOURCES FOR THE SPECIFIED MATERIAL, AND HAS OBTAINED THE WRITTEN APPROVAL OF THE LANDSCAPE ARCHITECT. CONTRACTOR MUST PROVIDE NAME AND VARIETY OF SUBSTITUTION TO LANDSCAPE ARCHITECT PRIOR TO TAGGING OR PLANTING. SUBSTITUTIONS SHALL BE OF EQUAL OR BETTER QUALITY, VARIETY OF PLANT HAVING SAME ESSENTIAL CHARACTERISTICS.
- ALL PLANT MATERIAL SHALL BE NURSERY GROWN, SOUND, HEALTHY, VIGOROUS AND FREE FROM INSECTS, DISEASE AND INJURIES. WITH THE EXCEPTION OF PALMS, ALL PLANTS SHALL BE PLANTED AT THE SAME EQUAL TO OR EXCEEDING SIZES INDICATED ON THE PLANT LIST. THE CONTRACTOR SHALL APPLY PLANTS IN QUANTITY AS SHOWN ON THE DRAWINGS.
- SEEDS OR PLANTS SHALL BE PLANTED IN THE MANNER SHOWN ON THE DRAWINGS OR AS DIRECTED BY THE LANDSCAPE ARCHITECT FOR APPROVAL BY THE OWNER PRIOR TO PLANTING.
- ALL DISTURBED AREAS NOT OTHERWISE COVERED BY BUILDING, DRIVEWAY, AND LANDSCAPE BEDS SHALL BE SEEDED WITH TYPE 1 SEED MIXTURE AND SOIL COVERED WITH MULCH.
- ALL SOIL WORKING MAY BE LOCATED WITHIN A 5 FOOT CLEAR ZONE OF FREE HYDRANTS.

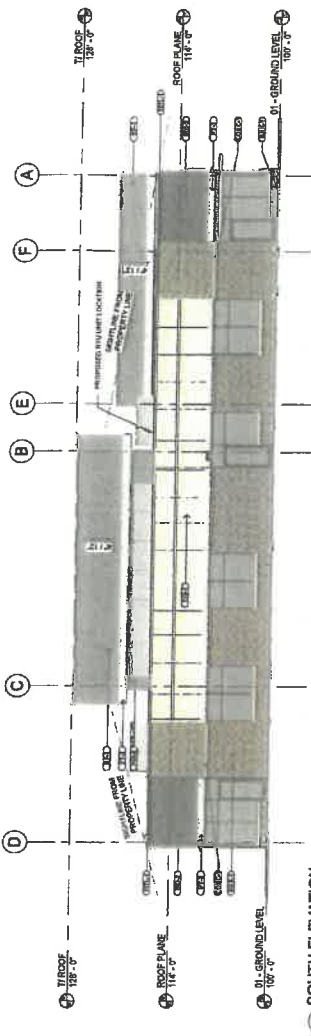
UNIVERSITY AVE.
(PUBLIC 120 R.O.W.)

90TH STREET
(PUBLIC 70 R.O.W.)

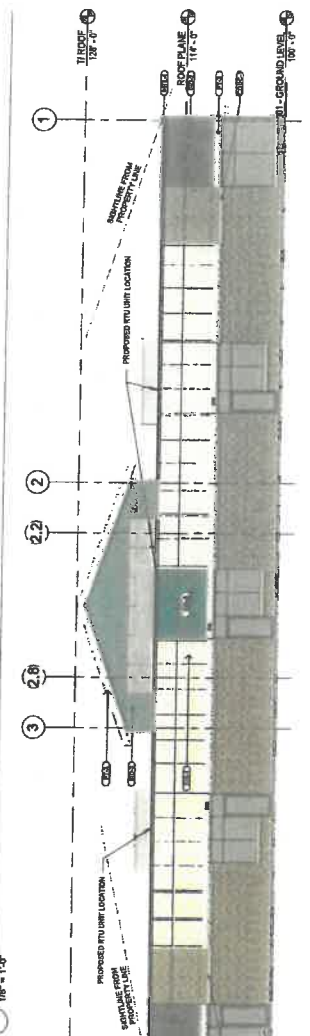


EXTERIOR MATERIAL ID

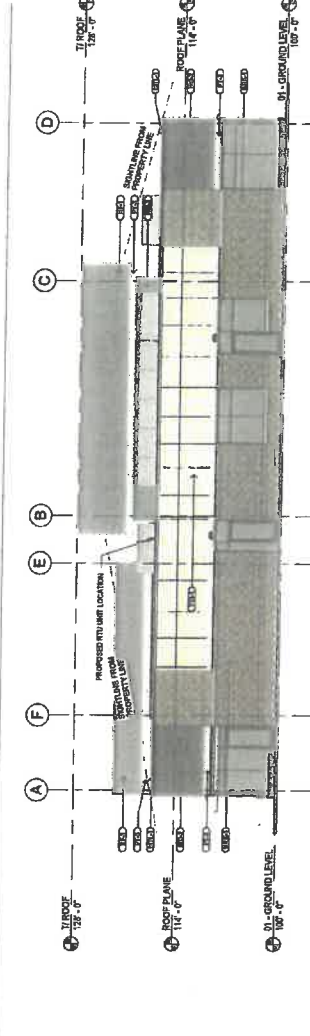
REV.	AMOUNT	DESCRIPTION
		BACK
		MANUFACTURER: SIOUX CITY BRICK MARCH COLOR
		PRODUCT: COLOR: SEE PLAN
		COMMENTS: 3" JOINTS
		CONCRETE
		CONCRETE: ALL
		MANUFACTURER: T&B
		COORDINATION: FINE COMPANION, 1/2" BUSHING AND EDGE
		FAÇON
		MANUFACTURER: H&B
		COLOR: ACETIC WHITE
		METAL
		MANUFACTURER: UNACAD
		STYLE: STONE COPING COLOR: DARK BRONZE
		COMMENTS: ALL EXTERIOR WALL PARAPETS
		PAINT
		MANUFACTURER: BROWN WALLS
		COLOR: ARTS WARE
		COMMENTS: ALL EXTERIOR FREEZE MARKS AND TRIM
		PAINT
		MANUFACTURER: BROWN WALLS
		COLOR: ARTS WARE (S&B) (S&B)
		COMMENTS: SANITIZED METAL
		METAL
		MANUFACTURER: UNACAD
		STYLE: STONE COPING COLOR: DARK BRONZE
		COMMENTS: ALL EXTERIOR WALL PARAPETS
		ROOF
		MANUFACTURER: JAMES HARDIE
		STYLE: SMOOTH COLOR: CORNELL BRONZE
		SEE PLAN 127
		ROOF
		MANUFACTURER: UNACAD
		STYLE: DELTA CONCRETE PATTERNS PANEL COLOR: DARK BRONZE
		SEE 3/17/17 PANELS
		ROOF
		MANUFACTURER: UNACAD
		STYLE: DELTA CONCRETE PATTERNS PANEL COLOR: FERN BLUE
		SEE 3/17/17 PANELS



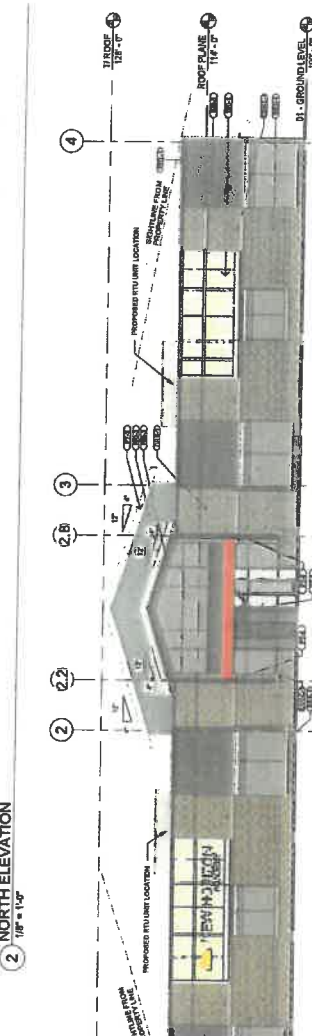
4 SOUTH ELEVATION
1/8" = 1'-0"



3 WEST ELEVATION
1/8" = 1'-0"



2 NORTH ELEVATION
1/8" = 1'-0"



1 EAST ELEVATION
1/8" = 1'-0"

RYLAUR
RYLAUR, LLC
1000 SOUTH LAUREL AVE
SOUTH LAUREL, MD 21157
P: 410-326-3813
rla@rylaur.com

PROJECT INFORMATION:
RYLAUR, LLC
NEW HORIZON ACADEMY
5040 UNIVERSITY AVENUE
WEST DES MONS, IA

CLIENT INFORMATION:
NEW HORIZON COMPANIES
3405 WINNAPOLIS LANE, STE 100
PLYMOUTH, MN

CITY SUBMITTAL

SIMONSON
SIMONSON & ASSOCIATES ARCHITECTS P.C.
1000 15TH AVE SW
SEASIDE, OR 97138
P: 503-325-1100
simonson.com

ISSUE SCHEDULE:
1. CITY SUBMITTAL
2. CITY SUBMITTAL
3. CITY SUBMITTAL
4. CITY SUBMITTAL
5. CITY SUBMITTAL
6. CITY SUBMITTAL

ATTACHMENT D

DRAWN: JH
CHECKED: JPH
PROJECT TITLE
COLOR EXTERIOR BLEK

A20



Ms. Kara V. Tragesser, AICP
Planner | Development Services
City of West Des Moines
4200 Mills Civic Parkway
West Des Moines, IA 50265

RE: 9040 University Avenue, West Des Moines – New Horizon Academy

Dear Ms. Tragesser:

We are submitting this letter in connection with our application to seek approvals to construct a New Horizon Academy school at the above-referenced location.

Executive Summary

New Horizon Academy would like to develop the proposed pad-site located at 9040 University Avenue in West Des Moines into a high quality early learning school licensed to care for children from 6 weeks through the completion of 4th grade.

About New Horizon Academy and This Location

New Horizon has been serving families since 1971. It started in Brooklyn Center, Minnesota with 8 children in the basement of a church. Today, New Horizon operates 75 schools in the country and serves over 8,000 children per day. All of New Horizon Academy eligible schools are accredited by the National Association for the Education of Young Children (“NAEYC”), the gold standard in early childhood education.

This property was specifically identified because of the demand for high quality early learning schools in your community. Having sought a location in your community for years, this property is conveniently located to where young families live making it an ideal location for your residents. As this area continues to grow with new families and homes, we believe that the need for early learning services will only continue to be in high demand. As such, we believe that a New Horizon Academy would be a great amenity to offer the residents of your community for many years to come.

The benefits of providing high quality early childhood education programs also provide significant societal and economic returns. Studies confirm that children who have access to high quality early childhood education programs are more likely to stay in school, receive a post-secondary education, commit less crimes, have lower teenage pregnancy rates and be financially independent. In fact, studies have shown

that the return on investment in early childhood education has been calculated to be as high as \$17 for every dollar invested, making early childhood development one of the best investments possible.

The new building will be a 12,690 square foot one-story childcare facility with 2 outdoor play areas and 32 parking stalls. It will have a licensed capacity of approximately 182 children as follows:

The classroom disposition is as follows:

Infant (2 rooms)	24 children
Ones (2 rooms)	24 children
Twos (2 rooms)	24 children
Threes (2 rooms)	32 children
Pre K (2 rooms)	48 children
<u>School Age (1 room)</u>	<u>30 children</u>
Total Capacity	182 licensed capacity

Hours of Operation

Our hours of operation are Monday thru Friday from 6:15 a.m. to 6:30 p.m. New Horizon Academy is open year round with the exception of seven (7) legal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Columbus Day (Professional Development Day), Thanksgiving and Christmas Day. On Christmas Eve, we close at 3:00 p.m. If a holiday falls on a weekend, it will be observed on the nearest business day.

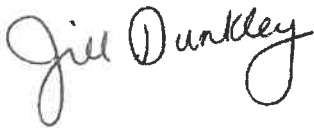
Parking Management

Pursuant to City code, we are required to have 1.5 parking stalls per 10 children or 27 stalls. The original plan that we submitted had 29 parking stalls which exceeds the code requirements. As a follow up to the Planning and Zoning meeting on Monday February 26th, we met with the City on February 28th to review our site plan to address any concerns from Planning and Zoning. As a result, we have revised our site plan to modify the entrance of the road into our property. In addition, we were able to add 3 additional parking stalls bringing our total to 32.

It should be noted that the number of parking stalls required by families and staff will vary depending on the occupancy level of the school and the schedules of the families with a maximum number at one time to not exceed 182 children (our licensed capacity). However, it is extremely rare for a child center to be 100% occupied. In fact, the average occupancy levels of a child care center are 63%. Under this scenario, this school will average about 115 children a day which would require at most 17 full-time staff at any one-time. Staff schedules stagger throughout the day with staff arriving between 7:00 a.m. and 10:00 a.m. and leaving between 3:00 and 6:30 p.m.. Drop off and pick up times also stagger throughout the day depending on the schedules of our families with peak times typically between 7:00 and 9:00 a.m. for drop

off and between 3:30 and 6:00 p.m. for pickup. Most of the families are only parked for only a few minutes during each of these times. In the extremely rare and virtually implausible case that we would reach 100% capacity, the absolute highest number of staff on-site at any one-time would be 27 staff (which would occur between the hours of 11:00 a.m. and 3:00 p.m. when few parents are dropping off or picking up). Assuming that each staff would drive their own car and would not ride share, use mass transit, bike, walk or other means to get to and from work, staff would need 27 parking stalls. However, this would also be extremely rare. Many of staff use alternate transportation methods and we anticipate that this trend will only continue. Even under this worst case scenario, we would still have 5 parking stalls for parents to use for non-peak drop off and pick up times and for our 2 small buses. We feel the number of parking stalls is more than adequate for our use and respectfully request approval of our project.

Sincerely,

A handwritten signature in black ink that reads "Jill Dunkley". The signature is written in a cursive, flowing style.

Jill Dunkley
Vice President of Business Development

EXHIBIT II

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 SITE PLAN (SP-003699-2017) TO CONSTRUCT A 12,600 SQ. FT. OFFICE BUILDING AT 9040 UNIVERSITY AVENUE FOR NEW HORIZON DAY CARE

WHEREAS, pursuant to the provisions of Title 9, Zoning, Chapter 1 et seq, of the West Des Moines Municipal Code, New Horizon Real Estate Development LLP, with permission from Hubbell Metropolitan Development Fund LLC requests site plan approval to construct a 12,600 sq. ft. day care building on property locally known as 9040 University Avenue

Legal Description of Property

Lot 3 Greenway Crossing Plat 1, 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 March 12, 2018, the Plan and Zoning Commission recommend to the City Council approval of the Site Plan; and

WHEREAS, on March 19, 2018, this City Council held a duly-noticed meeting to consider the application for a Site Plan;

WHEREAS, the City Council assigns the address of 9040 University Avenue to this site;

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 site plan, or as amended orally at the City Council meeting on this date, are adopted.

SECTION 2. The Site Plan (SP-003699-2017) to construct a 12,600 sq. ft. day care building 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 March 19, 2018

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson
City Clerk

EXHIBIT "A"
CONDITIONS OF APPROVAL

1. Submit a storm water management plan which addresses remaining comments, prior to obtaining a building permit, including footing and foundation permits.
2. Provide screening of roof top mechanical units acceptable to the City, prior to obtaining final occupancy permits.
3. That site improvements proposed with the site plan are installed, inspected by the City, and determined complete, prior to final occupancy of the building.
4. That the access road is constructed west to a public street, according to the agreement with Hubbell Realty Company dated February 18, 2018, and recorded in the Dallas County Recorder's Office at Book 2018 Page 2467, prior to any occupancy permit, including temporary occupancy for the child care center.

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

Date: March 19, 2018

ITEM: Flynn Plat of Survey, 33513 335th Street – Subdivide property into 2 single family lots – Pamela Flynn– POS-003766-2018

RESOLUTION: Approval and Release of Plat-of-Survey

FINANCIAL IMPACT: Undetermined.

BACKGROUND: The applicant, Patrick Shepard of Civil Engineering Consultants, on behalf of Pamela Flynn, is requesting an extraterritorial approval of a Plat of Survey for 10.5 acres located at 33513 335th Street (the north side of Mills Civic Parkway approximately an half mile west of the S 88th street intersection). The property is not within the city's corporate boundaries. The plat-of-survey will create a second lot for construction of a single-family home.

CITY COUNCIL SUBCOMMITTEE: This item was presented to the Development and Planning City Council Subcommittee on February 20, 2018 as an informational item only. The Subcommittee expressed support of the development.

OUTSTANDING ISSUES: There are no outstanding issues. Staff would note the following:

- **Sewer and Water:** This property is located within 400 feet of existing sewer and water lines. City Code would require connection to both services since they are this close; however, since the property is outside of the city limits, the County Sanitarian can authorize the use of a well and septic system. In this case, the County sanitarian is allowing the existing dwelling to continue to use their well and septic and allowing the second future home to implement the same. Staff is recommending that the applicant acknowledge that if the property is ever annexed into the city and the properties private systems fail, connection would then be required.

Although the properties are located within both a Sanitary Sewer and Water Connection Fee District, since the property will not be connecting to these lines at this time, the fees for the Sanitary Sewer and Water Connection Fee Districts cannot be collected. If connections are ever made in the future, either due to failure of the well and septic system, or the property owners desire to connect, fees will be collected at the time of connection in accordance with the fee district policy.

A sanitary sewer trunk line has been installed along Fox Creek. A sewer line will need to cross the northern portion of this property to serve properties to the east. Staff has requested, and the property owner has provided a Collector Sewer Agreement which provides that at such time that a sewer line is needed across the property to serve the east, the applicant will construct such within 60 days of notification of the need. Staff recommends the City Council accept the agreement and defer the installation of the connector sewer line until such time that it is needed.

- **Sidewalks and Streetlights:** Mill Civic Parkway is a two lane asphalt road adjacent to this property. The property is located outside of the corporate limits and street lights and sidewalks are not required per County regulations. The Comprehensive Plan designates Mills Civic Pkwy as a Major Arterial. When traffic warrants, Mills Civic Pkwy will be improved. West Des Moines' city code does require sidewalks along all public streets and street lighting in accordance with lighting standards. The applicant is requesting deferral of the installation of the sidewalk because Mills Civic Pkwy has not been improved and the right-of-way is not at ultimate grading and there are no other sidewalks on either side of the property to which to connect to. Staff is supportive of the deferral for the reasons the applicant indicated; however, staff recommends a condition of approval outlining triggers for the future installation. A similar argument can be made for the installation of street lights and therefore the applicant is requesting deferral. Staff supports the deferral but recommends a condition of approval outlining future obligations of the properties.

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 the Plat-of-Survey to create 2 single family lots, subject to the applicant complying with all applicable City Code requirements and the following:

1. Applicant acknowledging and agreeing that if the property is annexed into the city and the private sewer and water systems fail, connection to city utilities would then be required at the property owner's expense.
2. Applicant acknowledging that the property is within Sanitary Sewer and Water Connection Fee Districts and agreeing that if connections are made to public water and sanitary lines, the connection fee district fees applicable at the time the connection is made will need to be paid. The applicant further acknowledging, all costs to extend service lines between the collector mains and the dwelling structures will be the responsibility of each property owner.
3. The City Council deferring the installation of a dry sanitary sewer line across the northern portion of the property at this time. In lieu of installation, the applicant has provided an executed agreement that provides that they will participate in the construction of the sewer line within 60 days of notification of need of the sewer to serve property to the east.
4. The City Council granting a deferral for the installation of public sidewalks adjacent to the applicant's property along Mills Civic Parkway, until such time that the property is annexed into the city and development occurs on either side (east or west) of property which results in the installation of sidewalks, unless otherwise required to be installed per City direction as part of any of the following:
 - The City's Sidewalk Improvement Program;
 - For pedestrian safety reasons; or
 - In conjunction with the development of any portion of the remainder of the property, excluding additions to residential structures and accessory structures.
5. The City Council granting a deferral of the installation of streetlights adjacent to the applicant's property along Mills Civic Parkway, until such time that the property is annexed into the City and the City directs installation as part of any of the following:
 - At the order of the City Council;
 - For safety reasons; or
 - When streetlights are installed along Mills Civic Parkway on either side (east or west) of the subject property.

Lead Staff Member: J. Bradley Munford

Staff Reviews:

Department Director	JK
Appropriations/Finance	
Legal	
Agenda Acceptance	(N) JS

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)

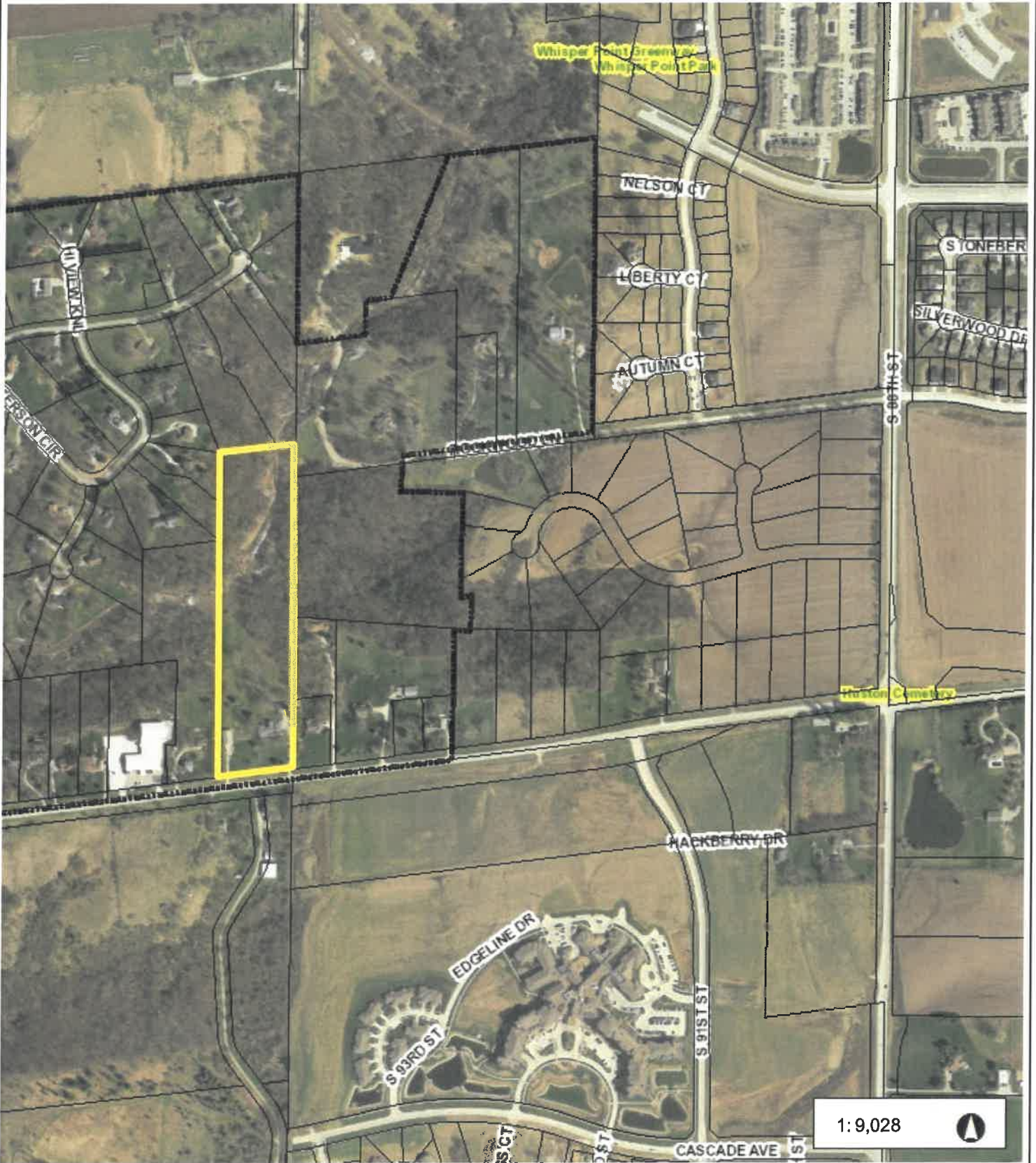
Committee	Development & Planning		
Date Reviewed	February 20, 2018		
Recommendation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Split <input type="checkbox"/>

ATTACHMENTS:

- Exhibit I - Location Map
- Exhibit II - Plat-of-Survey
- Exhibit III - Executed Collector Sewer Agreement
- Exhibit IV - Resolution: Approval and Release of Plat-of-Survey
- Exhibit A - Conditions of Approval



Flynn Plat-of-Survey



1:9,028

1,504.7 0 752.33 1,504.7 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
© 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

PLAT OF SURVEY

PARCELS 18-7 & 18-8

NW 1/4 SECTION 15-78-26

DALLAS COUNTY, IOWA

APPLICANT / PREPARED FOR:
 DAN FLYNN
 740 NE BOWMAN
 WAUKEE, IA 50263
 515-710-4524

PROFESSIONAL LAND SURVEYOR:
 CIVIL ENGINEERING CONSULTANTS, INC.
 ATTN: PATRICK J. SHEPARD, PLS
 2400 66TH STREET, SUITE 12
 URBANDALE, IA 50322
 PHONE: 515-276-4884
 FAX: 515-276-1084
 EMAIL: SHEPARD@CECLAC.COM

PROPERTY OWNER:
 PAMELA K. FLYNN
 39519 335TH STREET
 WAUKEE, IA 50263
 515-487-4068

PROPERTY ADDRESS:
 33519 335TH STREET
 WAUKEE, IA 50263

LEGAL DESCRIPTIONS

ENTIRE PROPERTY (WARRANTY DEED BK. 2002, P. 3414, CHANGE OF TITLE BK. 2016, P. 1166)
 COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION FIFTEEN (15), TOWNSHIP SEVENTY-EIGHT (78) NORTH, RANGE TWENTY-SIX (26) WEST OF THE FIFTH P.M., DALLAS COUNTY, IOWA, THENCE SOUTH 00°19'06" EAST ALONG THE EAST LINE OF SAID NORTHWEST QUARTER (NW 1/4) A DISTANCE OF 1114.61 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 02°48'06" WEST A DISTANCE OF 332.24 FEET; THENCE SOUTH 00°19'06" EAST TO THE SOUTH LINE OF SAID NORTHWEST QUARTER (NW 1/4); THENCE EAST ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER (NW 1/4) TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER (NW 1/4); THENCE NORTH ON THE EAST LINE OF SAID NORTHWEST QUARTER (NW 1/4) TO THE POINT OF BEGINNING.
 PROPERTY CONTAINS 11.0 ACRES INCLUDING 0.34 ACRES OF EASEMENT FOR PUBLIC HIGHWAY.

PARCEL 18-7

A PARCEL OF LAND IN THE NW 1/4 OF SECTION 15, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE CENTER OF SAID SECTION 15; THENCE S83°43'12"N, 164.96 FEET ALONG THE SOUTH LINE OF SAID NW 1/4 TO A POINT; THENCE N00°27'19"E, 784.17 FEET TO A POINT; THENCE S84°32'41"E, 168.74 FEET TO A POINT ON THE EAST LINE OF SAID NW 1/4; THENCE S00°27'19"N, 784.24 FEET ALONG THE EAST LINE OF SAID NW 1/4 TO THE POINT OF BEGINNING AND CONTAINING 3.00 ACRES INCLUDING 0.30 ACRES OF EASEMENT FOR PUBLIC HIGHWAY.

PARCEL 18-8

A PARCEL OF LAND IN THE NW 1/4 OF SECTION 15, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AS A POINT OF REFERENCE AT THE CENTER OF SAID SECTION 15; THENCE S83°43'12"N, 164.96 FEET ALONG THE SOUTH LINE OF SAID NW 1/4 TO THE POINT OF BEGINNING; THENCE CONTINUING S83°43'12"N, 162.60 FEET ALONG SAID SOUTH LINE TO A POINT, SAID POINT ALSO BEING THE SE CORNER OF LOT 2, MUSSELMAN SUBDIVISION, AN OFFICIAL PLAT RECORDED IN BOOK 116, PAGE 328; THENCE N00°23'26"E, 1458.71 FEET ALONG THE EAST LINE OF SAID LOT 2 AND THE EAST LINE OF LOT 29, FOX CREEK, AN OFFICIAL PLAT RECORDED IN BOOK 3, PAGE 378, TO THE SW CORNER OF LOT 33 IN SAID FOX CREEK; THENCE N88°25'54"E, 894.42 FEET ALONG THE SOUTH LINE OF SAID LOT 33 AND LOT 34 IN SAID FOX CREEK, TO THE SE CORNER OF SAID LOT 34; SAID POINT ALSO BEING ON THE EAST LINE OF SAID NW 1/4; AND THE WEST LINE OF HICKORY KNOLLS PLACE REPLAT, AN OFFICIAL PLAT RECORDED IN BOOK 5, PAGE 214, 648.05 FEET ALONG SAID EAST LINE OF THE NW 1/4 AND SAID WEST LINE OF HICKORY KNOLLS PLACE REPLAT TO A POINT; THENCE N84°32'41"N, 168.74 FEET TO A POINT; THENCE S00°27'19"N, 784.17 FEET TO THE POINT OF BEGINNING AND CONTAINING 8.10 ACRES INCLUDING 0.19 ACRES OF EASEMENT FOR PUBLIC HIGHWAY.

PURPOSE OF SURVEY

- THIS IS A PLAT OF SURVEY FOR THE PURPOSE OF CREATING 2 SINGLE FAMILY RESIDENTIAL PARCELS.

LAND SURVEYOR NOTES:

- THE ALLOWABLE ERROR OF CLOSURE FOR THE BOUNDARY IS 1:10,000 AND THE ALLOWABLE ERROR OF CLOSURE FOR EACH LOT IS 1:5,000.
- THIS PARCEL MAY BE SUBJECT TO EASEMENTS OF RECORD. NO TITLE WORK WAS PERFORMED BY THIS SURVEYOR.
- MONUMENTS TO BE SET WITHIN 1 YEAR OF RECORDING DATE.
- ALL BEARINGS ARE BASED ON IOWA STATE PLANE 1825 SOUTH ZONE GRID NORTH AS DETERMINED FROM IOWA DEPARTMENT OF TRANSPORTATION REAL TIME NETWORK.

DEDICATION OF FUTURE STREET RIGHT-OF-WAY:

AN IRREVOCABLE OFFER OF DEDICATION OF RIGHT-OF-WAY FOR MILLS CIVIC PARKWAY WILL BE RECORDED IN CONJUNCTION WITH THIS SURVEY, AND MEASURES 45.00 FEET PERPENDICULAR TO THE SOUTH LINE OF PARCELS 18-7 AND 18-8 ACROSS THE ENTIRE WIDTH OF SAID PARCELS.

ZONING: DALLAS COUNTY R-1 (SUBURBAN RESIDENTIAL)

COMPREHENSIVE PLAN LAND USE: LOW DENSITY RESIDENTIAL

FLOOD ZONE DESIGNATION

A PORTION OF THE SUBJECT PROPERTY IS IN ZONE A ON THE FEMA FLOOD INSURANCE RATE MAP 18049C 0365E WITH AN EFFECTIVE DATE OF DECEMBER 4, 2007.

ZONING REQUIREMENTS

DALLAS COUNTY R-1	WEST DES MOINES RE-1A (IF ANNEXED)
AREA - 2 AC. MINIMUM WITH	AREA - 40,000 S.F. SINGLE-FAMILY
WELL AND SEPTIC	WIDTH - 100' SINGLE-FAMILY
FRONT YARD SETBACK - 50'	FRONT YARD SETBACK - 50' AT ROW
WIDTH - 100' SINGLE-FAMILY	FRONT YARD SETBACK - 100' AT SETBACK
FRONT YARD SETBACK - 50'	SIDE YARD SETBACK - 12' EACH
SIDE YARD SETBACK - 12' EACH	REAR YARD SETBACK - 30'
REAR YARD SETBACK - 30'	REAR YARD SETBACK - 30'
MAXIMUM BUILDING HEIGHT - 35'	MAXIMUM BUILDING HEIGHT - 35'

CERTIFICATIONS



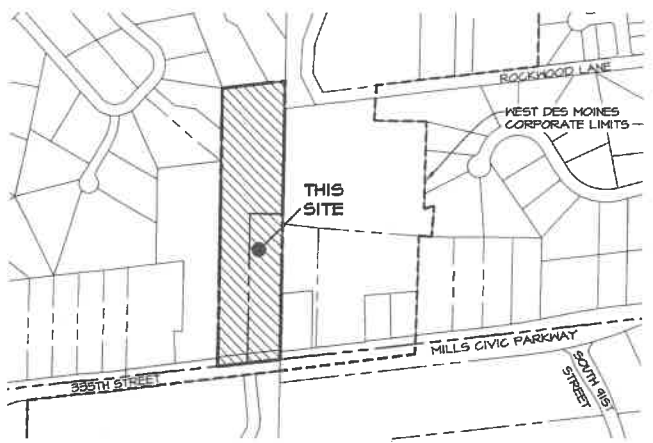
I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.
 PATRICK J. SHEPARD, IOWA LICENSE NO. 12265 DATE MY LICENSE RENEWAL DATE IS DECEMBER 31, 2011
 PAGES OR SHEETS COVERED BY THIS SEAL:
 SHEET 1 OF 1

INDEX LEGEND

COUNTY: DALLAS					
ALLOT PART:	SECTION	TOWNSHIP	RANGE	1/4	1/4
	15	78	26	NE 1/4	NW 1/4
	15	78	26	SE 1/4	NW 1/4
PROPRIETOR:	PAMELA K. FLYNN				
REQUESTED BY:	DAN FLYNN				
COMPANY:	CIVIL ENGINEERING CONSULTANTS, INC				
RETURN TO:	ATTN: PATRICK J. SHEPARD 2400 66TH STREET, SUITE 12, URBANDALE, IA 50322				

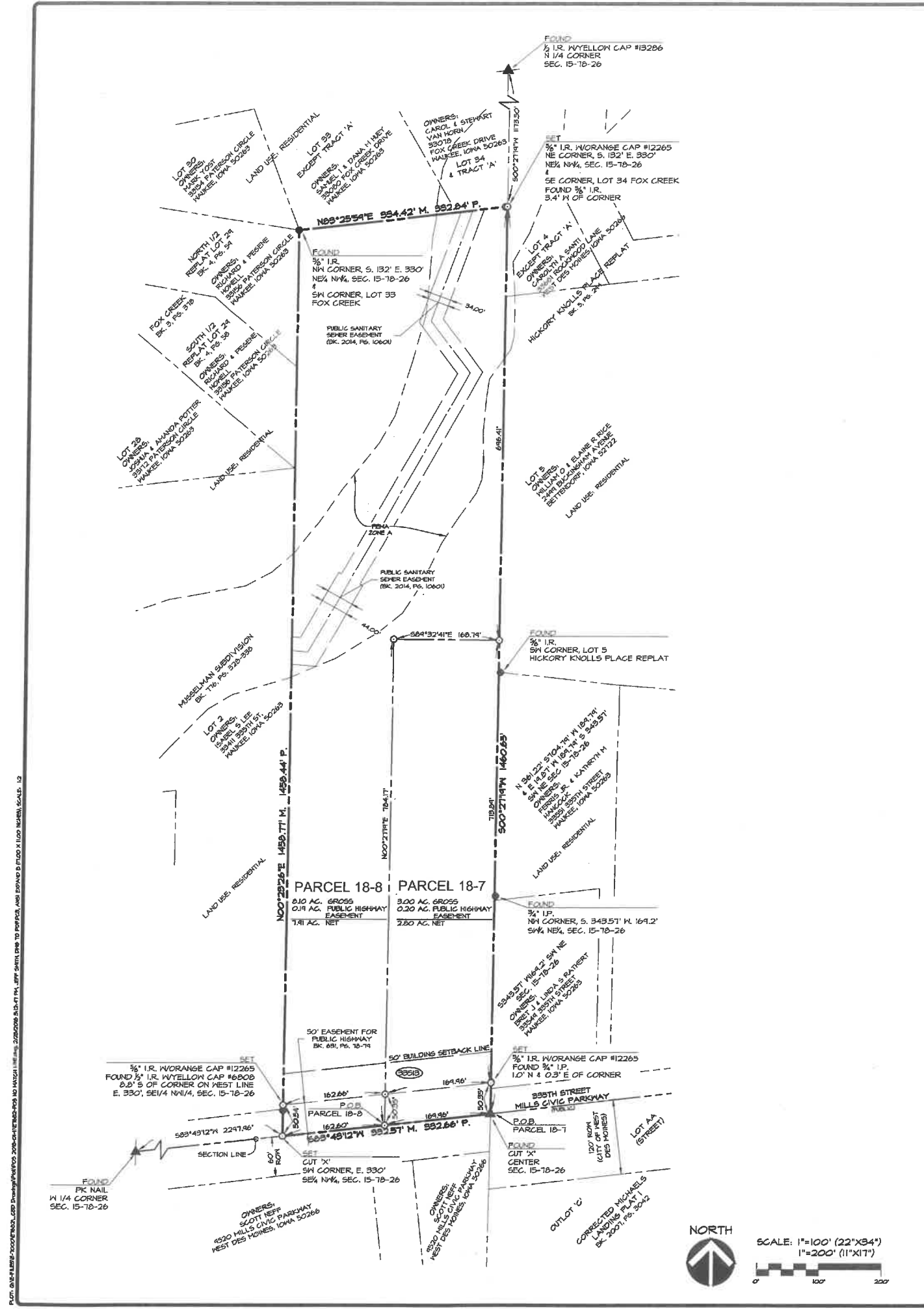
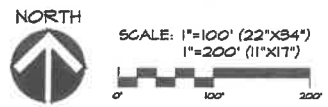
SHEET INDEX

1	COVER
2	PLAT OF SURVEY



LEGEND

●	FOUND CORNERS
○	SET PROPERTY CORNER (5/8" I.R. W/ ORANGE CAP #12265 UNLESS OTHERWISE NOTED)
---	RETRACEMENT BOUNDARY
---	EXISTING PROPERTY LINES
---	BUILDING SETBACK LINES
---	EASEMENT LINES
---	CENTERLINE STREET
D.	DEEDED BEARINGS & DISTANCE
P.	PREVIOUSLY RECORDED BEARING & DISTANCE
M.	MEASURED BEARINGS & DISTANCE
I.R.	IRON ROD
I.P.	IRON PIPE
BK. XXX P. XXX	COUNTY RECORDER'S INDEXING BOOK
R.O.W.	RIGHT-OF-WAY
P.U.E.	PUBLIC UTILITY EASEMENT
(TT)	ADDRESS



Civil Engineering Consultants, Inc.
 2400 66th Street, Unit 12, Des Moines, Iowa
 515.276.4884 Fax: 515.276.7084 mail@ceclac.com



DATE:	REVISIONS	COMMENTS
FEB. 15, 2018	1	
	2	
	3	
	4	
	5	PJS
	6	JDS

PARCELS 18-7 & 18-8
 NW 1/4 SECTION 15-78-26
 DALLAS COUNTY, IOWA
 PLAT OF SURVEY
 SHEET 1 OF 1
 E-7682

Prepared by: J.B. Munford 4200 Mills Civic Parkway, 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
Address Tax Statement to: Not applicable

COLLECTOR SEWER AGREEMENT

This Agreement is made and entered into this 2nd day of March 2018 by and between Pamela K. Flynn (hereinafter known as the "Property Owner") and the City of West Des Moines, Iowa, an Iowa municipal corporation (the "City").

WITNESSETH:

WHEREAS, Pamela K. Flynn is the owner of 33513 335th Street located in Waukee, Dallas County, Iowa (hereinafter "Property Owner") legally described as:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION FIFTEEN (15), TOWNSHIP SEVENTY-EIGHT (78) NORTH, RANGE TWENTY-SIX (26) WEST OF THE FIFTH P.M., DALLAS COUNTY, IOWA, THENCE SOUTH 00°13'06" EAST ALONG THE EAST LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 1174.61 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 82°48'06" WEST A DISTANCE OF 332.84 FEET; THENCE SOUTH 00°13'06" EAST TO THE SOUTH LINE OF SAID NORTHWEST QUARTER, THENCE EAST ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER TO THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER, THENCE NORTH ON THE EAST LINE OF SAID NORTHWEST QUARTER TO THE POINT OF BEGINNING.

WHEREAS, on _____, 2018, an extraterritorial approval of a Plat-of-Survey to subdivide the above legally-described 11.10 acre property into 2 residential lots was approved by the West Des Moines City Council; and

WHEREAS, the City desires to encourage orderly community development and provide for the regulation and control of the extension of public improvements, public services and utilities consistent with the City's Comprehensive Plan, as adopted in December 1993 and as amended in September, 2010, and in accordance with Iowa Code Chapter 354, Platting, Division and Subdivision of Land; and

WHEREAS, properties immediately east to the aforementioned property currently do not have accessibility to sewer; and

WHEREAS, per City Code, the installation of a collector sewer from the existing trunk sewer located on the aforementioned property, east to the adjacent property is required; and

WHEREAS, in lieu of installing a sewer on the aforementioned property or bonding for the performance of such improvement at a date uncertain, and in accordance with Title 10 of the City Code, the City Council may defer the construction of said sewer.

NOW, THEREFORE, in consideration of the premises, the mutual covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which is expressly acknowledged by all parties, the City and the Property Owner hereby agree that the Property Owner shall install a collector sewer line from the existing trunk sewer located on the property, east to the adjacent property within sixty (60) days after a sewer on the adjacent property to the east has the need for sewers or the City reasonably deems the sewer improvement necessary. Said sewer shall comply with City of West Des Moines design standards.

Assessment by City. The Property Owner acknowledges and agrees that failure to install the sewer pursuant to the terms of this Agreement will allow the City to install the sewer and assess the reasonable cost of installation against the Property.

Representations and Warranties. The Property Owner covenants with the City that it holds the above described legal property by good and marketable title, free and clear of liens, easements and encumbrances, except as noted hereon, and that the Property Owner has a good right and lawful authority to make and execute this Agreement.

Running of Benefits and Burdens. The terms and conditions of this Agreement are binding upon the Property Owner including, but not limited to, future owners, successors-in-interest, lessees or occupants. All provisions of this instrument, including benefits and burdens, run with the land and are binding upon and inure to the heirs, assigns, successors, tenants and personal representatives of the parties hereto.

Jurisdiction and Venue. The City and the Property Owner agree that the District Court in and for the State of Iowa shall have exclusive jurisdiction over the subject matter and enforcement of the terms and conditions of this Agreement and said parties shall consent to the jurisdiction of Dallas County, Iowa.

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

Paragraph Headings. The paragraph headings in this Agreement are included solely for convenience and shall not affect, or be used in connection with, the interpretation of this Agreement.

Recording. This instrument shall be recorded in the Office of the Dallas County Recorder. Cost of recording shall be the responsibility of the Property Owner.

IN WITNESS WHEREOF, the parties hereto have executed this instrument as of the date first written above.

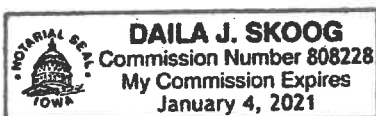
PROPERTY OWNER:

Pamela K. Flynn
Pamela K. Flynn

STATE OF IOWA)
) SS:
COUNTY OF DALLAS)

On this 2nd day of March, 2018, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Pamela K. Flynn, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.

Dale J. Skoog
Notary Public in and for the State of Iowa



prepared by: J. Bradley Munford 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 FLYNN PLAT-OF-SURVEY (POS-003766-2018)
FOR THE PURPOSE OF CREATING TWO SINGLE FAMILY LOTS**

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, the applicant, Pamela Flynn, has requested approval of a Plat of Survey (POS-003766-2018) for property located at 33513 335th Street to create a 3.00 acre parcel and a 8.10 acre parcel for the purpose of construction of an additional single family home;

Legal Description

ORIGINAL LEGAL DESCRIPTION

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW1/4) OF SECTION FIFTEEN (15), TOWNSHIP SEVENTY-EIGHT (78) NORTH, RANGE TWENTY-SIX (26) WEST OF THE FIFTH P.M., DALLAS COUNTY, IOWA, THENCE SOUTH 00°13'06" EAST ALONG THE EAST LINE OF SAID NORTHWEST QUARTER (NW1/4) A DISTANCE OF 1174.61 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 82°48'06" WEST A DISTANCE OF 332.84 FEET; THENCE SOUTH 00°13'06" EAST TO THE SOUTH LINE OF SAID NORTHWEST QUARTER (NW1/4), THENCE EAST ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER (NW1/4) TO THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER (NW1/4), THENCE NORTH ON THE EAST LINE OF SAID NORTHWEST QUARTER (NW1/4) TO THE POINT OF BEGINNING

NEW PARCEL 18-7

A PARCEL OF LAND IN THE NW ¼ OF SECTION 15, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SAID SECTION 15; THENCE S83°43'12"W, 169.96 FEET ALONG THE SOUTH LINE OF SAID NW ¼ TO A POINT; THENCE N00°27'19"E, 784.17 FEET TO A POINT; THENCE S89°32'41"E, 168.79 FEET TO A POINT ON THE EAST LINE OF SAID NW 1/4; THENCE S00°27'19"W, 764.24 FEET ALONG THE EAST LINE OF SAID NW ¼ TO THE POINT OF BEGINNING AND CONTAINING 3.00 ACRES INCLUDING 0.20 ACRES OF EASEMENT FOR PUBLIC HIGHWAY.

NEW PARCEL 18-8

A PARCEL OF LAND IN THE NW ¼ OF SECTION 15, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE CENTER OF SAID SECTION 15; THENCE S83°43'12"W, 169.96 FEET ALONG THE SOUTH LINE OF SAID NW ¼ TO THE POINT OF BEGINNING; THENCE CONTINUING S83°43'12"W, 162.60 FEET ALONG SAID SOUTH LINE TO A POINT, SAID POINT ALSO BEING THE SE CORNER OF LOT 2, MUSSELMAN SUBDIVISION, AN OFFICIAL PLAT RECORDED IN BOOK 776, PAGE 328; THENCE N00°23'26"E, 1458.77 FEET ALONG THE EAST LINE OF SAID LOT 2 AND THE EAST LINE OF LOT 29, FOX CREEK, AN OFFICIAL PLAT RECORDED IN BOOK 3, PAGE 378, TO THE SW CORNER OF LOT 33 IN SAID FOX CREEK; THENCE N83°25'59"E, 334.42 FEET ALONG THE SOUTH LINE OF SAID LOT 33 AND LOT 34 IN SAID FOX CREEK, TO THE SE CORNER OF SAID LOT 34, SAID POINT ALSO BEING ON THE EAST LINE OF SAID NW ¼ AND THE WEST LINE OF HICKORY KNOLLS PLACE REPLAT, AN OFFICIAL PLAT RECORDED IN BOOK 5, PAGE 294; THENCE S00°27'19"W, 646.06 FEET ALONG SAID EAST LINE OF THE NW ¼ AND SAID WEST LINE OF HICKORY KNOLLS PLACE REPLAT TO A POINT; THENCE N89°32'41"W, 168.79 FEET TO A POINT; THENCE S00°27'19"W, 784.17 FEET TO THE POINT OF BEGINNING AND CONTAINING 8.10 ACRES INCLUDING 0.19 ACRES OF EASEMENT FOR PUBLIC HIGHWAY.

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 March 19, 2018, this City Council held a duly-noticed meeting to consider the application for Plat-of-Survey (POS-003766-2018) and;

WHEREAS, the West Des Moines City Council adopted a resolution which approved the Plat-of-Survey at their meeting on March 19, 2018, subject to any conditions of approval, and;

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, dated March 19, 2018, or as amended orally at the City Council meeting of March 19, 2018, are adopted.

SECTION 2. Plat-of-Survey, (POS-003766-2018) is approved, subject to compliance with all the conditions in the staff report, dated March 19, 2018, including conditions added at the meeting, if any, 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.

SECTION 3. This resolution does release the Plat-of-Survey (POS-003766-2018) for recordation. The City Council of West Des Moines directs the City Clerk to release said Plat-of-Survey for recordation in accordance with said City Council approval of the Plat-of-Survey on March 19, 2018 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 March 19, 2018, among other proceedings, Roll Call No. _____ approved said Plat-of-Survey on March 19, 2018, and released said Plat-of-Survey for recordation.

Ryan T. Jacobson
City Clerk

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of March, 2018.

Steven K. Gaer
Mayor

ATTEST:

Ryan T. Jacobson
City Clerk

**EXHIBIT A:
CONDITIONS OF APPROVAL**

1. Applicant acknowledging and agreeing that if the property is annexed into the city and the private sewer and water systems fail, connection to city utilities would then be required at the property owner's expense.
2. Applicant acknowledging that the property is within Sanitary Sewer and Water Connection Fee Districts and agreeing that if connections are made to public water and sanitary lines, the connection fee district fees applicable at the time the connection is made will need to be paid. The applicant further acknowledging, all costs to extend service lines between the collector mains and the dwelling structures will be the responsibility of each property owner.
3. The City Council deferring the installation of a dry sanitary sewer line across the northern portion of the property at this time. In lieu of installation, the applicant has provided an executed agreement that provides that they will participate in the construction of the sewer line within 60 days of notification of need of the sewer to serve property to the east.
4. The City Council granting a deferral for the installation of public sidewalks adjacent to the applicant's property along Mills Civic Parkway, until such time that the property is annexed into the city and development occurs on either side (east or west) of property which results in the installation of sidewalks, unless otherwise required to be installed per City direction as part of any of the following:
 - The City's Sidewalk Improvement Program;
 - For pedestrian safety reasons; or
 - In conjunction with the development of any portion of the remainder of the property, excluding additions to residential structures and accessory structures.
5. The City Council granting a deferral of the installation of streetlights adjacent to the applicant's property along Mills Civic Parkway, until such time that the property is annexed into the City and the City directs installation as part of any of the following:
 - At the order of the City Council;
 - For safety reasons; or
 - When streetlights are installed along Mills Civic Parkway on either side (east or west) of the subject property.

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

ITEM:

DATE: March 19, 2018

First reading of proposed Ordinance to amend Title 4, Chapter 5, of the Municipal Code to remove the licensing requirements for haulers of solid waste.

FINANCIAL IMPACT:

This proposed Ordinance amendment should have little financial impact to the City because the City only charges a nominal fee for the issuance of solid waste hauler permits.

BACKGROUND:

This proposed Ordinance amendment would remove the requirement that solid waste haulers obtain a permit from the City. The current fee is only \$5.00 per vehicle, which does not cover the cost of City staff time expended in processing the permits. There is also a lack of compliance and enforcement associated with these permits, plus the City does not typically act on the information received. The City will continue to oversee its solid waste haulers through contract provisions, but the City will no longer directly oversee solid waste haulers for purposes of private collection through the permit and reporting process.

The Public Services City Council subcommittee recommended approval of this item at its March 12, 2018, meeting.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION:

It is recommended that the City Council approve the first reading of this proposed Ordinance.

Lead Staff Member: Bret Hodne, Public Services Director

STAFF REVIEWS

Department Director	
Appropriations/Finance	
Legal	Jason B. Wittgraf, Assistant City Attorney <i>JTW</i>
Agenda Acceptance	<i>JA</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Services		
Date Reviewed	March 12, 2018		
Recommendation	Yes	No	Split

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2014, BY AMENDING TITLE 4, "HEALTH AND SAFETY REGULATIONS", CHAPTER 5, "SOLID WASTE CONTROL", SECTION 5, "LICENSE TO HAUL SOLID WASTE", SECTION 12, "DISPOSITION OF WASTE TO CONTROLLED SITE; NONLIABILITY OF CITY", AND SECTION 19, "VIOLATION; PENALTY"

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

SECTION 1: Title 4, Chapter 5, Section 5 is hereby amended by deleting the following strike through text in its entirety and this ordinance section shall be considered repealed.

4-5-5: LICENSE TO HAUL SOLID WASTE:

~~No person shall engage in the business of removing or hauling residential, commercial or industrial solid wastes, yard waste or tree debris of any size from the premises of others, other than those resulting from construction or demolition activities, unless such person shall have first applied for and received a permit to do so from the city as follows:~~

~~A. Application: Application for such license shall specify the equipment or vehicles to be used, general information concerning the type of wastes to be hauled, the proposed disposition of those wastes, and the name, address and telephone number of the applicant.~~

~~B. License Fee: Such person shall pay an annual license fee as set forth by resolution adopted by the city council for each vehicle engaged in such business to be paid at the office of the city clerk. Such license fee shall be payable on or before July 1 of each year.~~

~~C. Display License Number: All vehicles licensed under this section shall prominently display the license number on the upper or lower left corner of the windshield of the vehicles upon a decal or card to be furnished by the city.~~

~~D. Sworn Statement: Each application for a license under this section shall contain a sworn statement that the licensee shall faithfully observe all of the requirements of this section as well as other applicable requirements of this chapter.~~

~~E. License Exemptions: Vehicles owned and operated by the agency or the city, or operated under contract to either, shall be deemed to be engaged in a public service function exempt from the requirements of this section.~~

~~F. Revocation of License: Failure of licensees under this section to comply with the provisions of this chapter shall be deemed sufficient cause for revocation of the license issued under said sections. Such revocation shall be by the council after reasonable notice and hearing.~~

~~G. Description of Collection and Hauling: Each licensed collector shall provide the city a detailed description of the manner, acceptable to the city, by which the collector intends to separately collect and haul any yard waste for disposition. Yard waste shall not be mixed with other solid waste for purposes of hauling or disposition.~~

~~H. Yard Waste Destination and Accounting: Each licensed collector shall haul yard waste only to~~

composting and disposal sites acceptable to the city and shall keep an accurate accounting of the amount of such yard waste.

~~I. Written Reports: Each licensed collector shall submit an annual written report to the city detailing the amount of yard waste which has been collected and delivered for composting and for disposal by other approved means.~~

~~J. Hauling of Banned Substances: A licensed hauler shall haul the banned substances to a site approved by the city, shall keep an accurate accounting of the amount of such banned substances, and shall submit an annual written report to the city detailing the amount of such banned substances that have been collected and delivered during each month of the reporting year.~~

~~K. Hauling of Banned Substances by Owner: Nothing in this chapter is intended to prevent the owner from transporting banned substances accumulating on premises of the owner, provided such banned substances are disposed of at city approved stations or neighborhood collection sites in accordance with policies established by the banned substances station.~~

SECTION 2: Title 4, Chapter 5, Section 6 is hereby amended by deleting the following strike through text.

4-5-6: DISPOSAL SITE REQUIREMENTS:

~~A. Permitted Disposal Sites: No person licensed under section 4-5-5 of this chapter shall haul or cause to be hauled any solid waste material, other than those resulting from construction or demolition activities, to any disposal place or site or area other than the following:~~

- ~~1. Agency Site: A sanitary disposal site operated by or under contract to the Des Moines metropolitan area solid waste agency; or~~
- ~~2. Transfer Station: A solid waste transfer station licensed and operating pursuant to the provisions of article B of this chapter.~~

~~B. Solid Waste Disposal Sites: No person shall operate or permit the operation on his property, of a disposal site in the city for the disposal of solid waste of any kind, and rubble from any source other than construction or demolition activities.~~

SECTION 3: Title 4, Chapter 5, Section 12 is hereby amended by deleting the following strike through text in its entirety and this ordinance section shall be considered repealed.

4-5-12: DISPOSITION OF WASTE TO CONTROLLED SITE; NONLIABILITY OF CITY:

~~Each application for license to haul solid waste under the provisions of section 4-5-5 of this chapter and each application for license for a transfer station under the provisions of article B of this chapter shall contain an undertaking to the effect that as a condition of the grant by the city of such a license, and the validity of such license once granted, such applicant shall deliver or cause to be delivered all solid waste coming within its control to a solid waste disposal site owned or controlled by the metro waste authority and to hold the city harmless from any claims by said agency against the city based upon the failure of said licensee to do so.~~

~~A. Failure to Comply: Failure on the part of any such licensee under section 4-5-5 or under article B of this chapter to in fact cause said solid waste to be so delivered shall be cause for the city council on reasonable notice and hearing to revoke such license.~~

~~B. Reinstatement of License: In the event a license issued as above described is revoked by the city council for such cause, such licensee shall be ineligible for reinstatement or renewal thereof, or for a new license, for a period of twelve (12) months from date of such revocation and thereafter only upon posting bond with the city in an amount sufficient to hold the city harmless from any and all claims which might be expected from the metro waste authority for revenue loss which would follow from a future violation of said delivery requirements over a twelve (12) month period, based upon the volume of solid waste proposed to be handled by the applicant for the twelve (12) month period following the issuance of such new license.~~

~~C. Obligation to Deliver to Agency: Each person charged with responsibility for the ultimate disposition of solid waste, other than that collected under the city residential solid waste collection program, shall cause said solid waste to be delivered to a licensee as hereinabove described or himself to deliver the same in person or by agent to a solid waste disposal site owned or controlled by the metro waste authority. Failure to do so shall constitute a violation of this chapter.~~

SECTION 4: Title 4, Chapter 5, Section 19 is hereby amended by deleting the following strike through text.

4-5-19: VIOLATION; PENALTY:

A. It is prohibited and will be deemed a violation hereof for any owner, lessee or occupant of any residential, commercial or institutional property in the city, or any ~~licensed or unlicensed~~ hauler providing service within the city, to put into or cause to be put into the solid waste collection system any yard waste or tree debris of any size except as separated yard waste or tree debris of any size as provided herein or any banned substances. If any person violates any provisions of this chapter, such person shall, upon conviction, be punished as set forth in section 1-4-1 of this code.

B. In addition to the provisions set out in this chapter, the city may proceed in law or equity against any person for violation of any section or subsection of this chapter.

SECTION 5. REPEALER. All Ordinances or parts of Ordinances in conflict with the provision of this Ordinance are hereby repealed.

SECTION 6. 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 7. 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 _____, 2018.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk