

September 4, 2018

West Des Moines City Council Proceedings
Tuesday, September 4, 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 Tuesday, September 4, 2018 at 5:30 PM. Council members present were: R. Hardman, J. Mickelson, J. Sandager, K. Trevillyan, and R. Trimble.

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

Vote 18-529: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 2. Public Forum

Ed Ames, 308 6th Street, expressed concerns that the City enforces its right-of-way ordinances inconsistently, as the City removed a mailbox he placed in the right-of-way in front of his home, yet other violations occur in the right-of-way without consequence.

Jim Miller, Executive Director of the Historic Valley Junction Foundation, reported the cover story in the latest issue of the Iowa History Journal is about James Jordan and the book about him that will be released in the coming weeks. He noted some funding for the book was provided by the City as part of WDM125, and he thanked the Mayor and Council for their support.

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

Council member Sandager reported he spoke on behalf of the City at an event for the West Des Moines Historical Society's Jordan Scholars program.

Council member Trimble reported he spoke on behalf of the City at a ribbon cutting ceremony for the Phenix School Apartments.

Council member Mickelson reported he attended a meeting of the West Des Moines Chamber of Commerce board, which had invited candidates for state and local office to speak. He also noted City Manager Tom Hadden will be speaking at an upcoming meeting about the City's comprehensive plan update.

Council member Hardman reported she attended a meeting with the Historic Valley Junction Foundation and a consultant regarding strategic visioning for Main Street communities. She also attended a Library Board of Trustees meeting, where an update was given on the library's ongoing construction projects. She also attended the ribbon cutting ceremony for the Phenix School Apartments. She also reported she has had discussions with Carole Chambers,

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President/CEO of the West Des Moines Chamber of Commerce, regarding diversity issues and potential initiatives.

Mayor Gaer reported he attended a swearing-in ceremony at the Police Department, where he swore in three new police officers, one new reserve officer, and one promotion.

On Item 4. Consent Agenda.

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

- a. Approval of Minutes of August 20, 2018 Meeting
- b. Approval of Bill Lists
- c. Approval of Liquor Licenses:
 - 1. Apple Corps, L.P., d/b/a Applebee's Neighborhood Grill & Bar, 6190 Mills Civic Parkway - Class LC Liquor License with Sunday Sales - Renewal
 - 2. Bradley's Pub, Inc., d/b/a Bradley's Pub, 1300 50th Street, Suite 203 - Class LC Liquor License with Sunday Sales - Renewal
 - 3. Robert F. Etzel II d/b/a Chicago Pizza, 2025 Grand Avenue - Class LC Liquor License with Sunday Sales - Renewal
 - 4. KRC Partners, LLP, d/b/a Cooper's on 5th, 227 5th Street - Class LC Liquor License with Sunday Sales - Renewal
 - 5. TenX Adventures 2, LLC d/b/a The Hall, 111 South 11th Street - Class LC Liquor License Extension of Outdoor Service - September 15-16, 2018
 - 6. Hy-Vee, Inc. d/b/a Hy-Vee Meeting Room, 1725 Jordan Creek Parkway - Transfer Location Temporarily to 1236 Jordan Creek Parkway (SpringHill Suites) - September 19-20, 2018
 - 7. Lodge of Ashworth, Inc., d/b/a The Lodge of Ashworth Club, 909 Ashworth Road - Class LC Liquor License with Sunday Sales, Living Quarters, Outdoor Service, and Catering Privileges - Renewal
 - 8. Ohana Inc. d/b/a Ohana Steakhouse, 2900 University Avenue, Suite A - Class LC Liquor License with Sunday Sales - Renewal
 - 9. Sakura Sushi, Inc., d/b/a Sakura Sushi, 1960 Grand Avenue, Suite 11 - Class LC Liquor License with Sunday Sales - Renewal
 - 10. International Event Center, Inc., d/b/a Val Air, 301 Ashworth Road - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
- d. Approval of Parking on Grass - ValleyFest, October 6, 2018
- e. Approval of Special Event Lane Closure and Off-Site Event Parking - Food Truck 5K, September 15, 2018
- f. Approval of Professional Services Agreement - Raccoon River Park Boathouse
- g. Approval of Contract Agreement - Valley View Aquatic Center Lazy River Repainting
- h. Approval of Change Orders:
 - 1. Miscellaneous Repairs at Parks Restrooms/Shelters, #2
 - 2. SW Grand Prairie Parkway, SW Madison Avenue to Veterans Parkway, #2

3. Walnut Creek Outfall - Project 1, #2
- i. Order Construction:
 1. West Public Services Facility - Site Development (Phase 1)
 2. Raccoon River Park Softball Complex, Drainage and Dugout Repairs
- j. Accept Work:
 1. South 100th Street Culvert on Sugar Creek Tributary
 2. Stagecoach Drive Improvements Project
- k. Accept Public Improvements - Country Club Office Plaza West Plat 8 Traffic Signal
- l. Approval of Professional Services Agreement - City Hall Renovations - Commissioning
- m. Approval to Initiate Development Agreement - Gilbert and Cook, Inc.
- n. Approval and Acceptance of Parkland Dedication Agreement - Aventura at Greenway Crossing
- o. Approval and Acceptance of Purchase Agreements and Property Interests - South Area Lift Station Improvements

Vote 18-530: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 5(a) Boone Farm, 1809 South 50th Place - Rezone Property from Residential Medium Density to Residential Estate, initiated by Berniece M. Boone Charitable Trust

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

Vote 18-531: 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 Trimble to approve the second reading of the ordinance.

Vote 18-532: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

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

Vote 18-533: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(a) Mayor Gaer indicated this was the time and place for a public hearing to consider Amendment to City Code - Title 9 (Zoning), Chapter 15 (Off-Street Parking and Loading) - Modify Regulations for Individual Residential Driveways, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice

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was published on August 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 6-0, with one member absent, the Plan and Zoning Commission recommended City Council approval of the ordinance amendment.

Lynne Twedt, Development Services Director, reported both staff and the Plan and Zoning Commission recommend the option to allow driveway stalls with an angled flare. The concerns about the straight driveway design were that it could potentially lead to tire ruts in the grass right-of-way from vehicles cutting through and more breakages in the sidewalk from vehicles travelling over the concrete that isn't reinforced.

Council member Mickelson noted another concern he has about the straight-edge flare is that pedestrians may not be anticipating vehicles driving near the sidewalk that is not within the width of the driveway approach.

Mayor Gaer asked if there were any public comments.

Ed Ames, 308 6th Street, stated he doesn't have a preference between driveway stalls with an angled flare or straight, but he believes the driveway approach should be as wide as the driveway. He also noted he believes the City should consider restricting parking within the driveway approach between the street and the sidewalk.

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

Council member Trevillyan expressed support for the straight-edge option, as he believes it would be the more suitable option for backing up a trailer without running over the grass.

Council member Trimble expressed support for the angled flare option, because it would be a smaller paved surface and he thinks it looks better.

Council member Sandager expressed support for the straight-edge option, as he believes it would be easier for beginning drivers to navigate their vehicle into the stall without driving off the paved surface and potentially creating tire ruts in the grass.

It was moved by Mickelson, second by Trimble to consider the first reading of the ordinance, with the angled flare option as depicted in Attachment C of the council communication.

Vote 18-534: Hardman, Mickelson, Trimble ...3 yes
Sandager, Trevillyan ... 2 no

Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 18-535: Hardman, Mickelson, Trimble ...3 yes
Sandager, Trevillyan ... 2 no

Motion carried.

On Item 6(b) Mayor Gaer indicated this was the time and place for a public hearing to consider Acceptance of Bid for the Sale of Real Property - Lot 13 in Block 2 in Jack's Addition to the Town of Commerce (locally known as 4097 High Street), 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 August 17, 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 Hardman to adopt Resolution - Accept Bid for Sale of Real Property.

Vote 18-536: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(c) Mayor Gaer indicated this was the time and place for a public hearing to consider Acceptance of Bid for the Sale of Real Property - West One-Half of Vacated 41st Street Adjoining Lot 13 in Block 2 in Jack's Addition to the Town of Commerce, 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 August 17, 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 Hardman to adopt Resolution - Accept Bid for Sale of Real Property.

Vote 18-537: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 7(a) Browns Woods Estates, south of Browns Woods Drive on the west side of Veterans Parkway - Subdivide Property into 75 Single Family Lots, One Outlot for Detention, One Outlot for Park Use, and Five Lots for Public Streets, initiated by Venture Homes, LLC

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

Vote 18-538: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 7(b) Pinedale Park, 3375 Woodland Avenue - Approval of a Site Plan to Construct Park Improvements, initiated by the City of West Des Moines

It was moved by Trimble, second by Hardman to adopt Resolution - Approval of Site Plan, subject to the applicant complying with all applicable City Code requirements.

Vote 18-539: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

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

On Item 9 - Other Matters: none

The meeting was adjourned at 5:58 p.m.

Respectfully submitted,

Ryan T. Jacobson, CMC
City Clerk

ATTEST:

Steven K. Gaer, Mayor