

October 1, 2018

West Des Moines City Council Proceedings
Monday, October 1, 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, October 1, 2018 at 5:30 PM. Council members present were: R. Hardman, J. Mickelson, J. Sandager, and K. Trevillyan.

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

Vote 18-554: Hardman, Mickelson, Sandager, Trevillyan ...4 yes
Motion carried.

On Item 2. Public Forum

Mark Hillenbrand, 3305 Locust Street, provided an update on the West Des Moines Community Conversation series, and he invited the Mayor, City Council, and staff to attend the next session, which will be held on Thursday, October 18th.

Council member Trimble arrived at 5:32 p.m. The attendance was re-taken. Council members present were: R. Hardman, J. Mickelson, J. Sandager, K. Trevillyan, and R. Trimble.

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

Council member Sandager reported he attended a regional art workshop sponsored by Bravo Greater Des Moines.

Council member Trevillyan reported he held a Ward 1 quarterly town hall meeting, which was well attended and had good discussion. He also reported he attended the grand opening of Wahlburgers.

Council member Trimble reported he attended the “Sunday Supper in Our Town” fundraiser, which raised approximately \$61,000 for West Des Moines Human Services.

Council member Hardman reported she attended grand opening events for Wahlburgers and the remodeled Sheraton hotel. She also reported she spoke at a young professional event sponsored by the Greater Des Moines Partnership. She also attended the Ward 1 quarterly town hall meeting, a retirement reception for West Des Moines Police Officer Tom Boyd, and the “Sunday Supper in Our Town” fundraiser. She also reported the Human Rights Commission will be hosting a training session on “Equity & Inclusion in America's Changing Racial Landscape” on Friday, October 5th.

October 1, 2018

Mayor Gaer reported he also attended the “Sunday Supper in Our Town” fundraiser, where Polk County Supervisor Angela Connolly presented a \$60,000 check to West Des Moines Human Services from the Polk County Board of Supervisors to fund a free medical clinic and drop-in childcare center. He expressed appreciation to the Polk County Board of Supervisors for their support of this project.

On Item 4. Consent Agenda.

Council members pulled Items 4(g) and 4(j)1 for discussion. It was moved by Trimble, second by Sandager to approve the consent agenda as amended.

- a. Approval of Minutes of September 17, 2018 Meeting
- b. Approval of Bill Lists
- c. Approval of Liquor Licenses:
 - 1. Master of None, LLC d/b/a Barn Town Brewing, 9500 University Avenue, Suite 1110 - Class LC Liquor License Extension of Outdoor Service - October 13, 2018
 - 2. Mangia Tutto, LLC d/b/a Billy Vee’s, 304 5th Street - Class LC Liquor License with Sunday Sales - Renewal
 - 3. Costco Wholesale Corporation d/b/a Costco Wholesale #788, 7205 Mills Civic Parkway - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
 - 4. Ingersoll Liquor & Beverage Co., d/b/a Ingersoll Wine Merchants, 1300 50th Street - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
 - 5. Kiss My Grits, LLC, d/b/a The Irish, 560 South Prairie View Drive - Class LC Liquor License with Sunday Sales and Outdoor Services - Renewal
 - 6. MM, LLC d/b/a Ladder #13, 1316 Grand Avenue - Class LC Liquor License Extension of Outdoor Service - October 27-28, 2018
 - 7. Monterrey III, LLC, d/b/a Monterrey III, 6630 Mills Civic Parkway, Unit 3116 - Class LC Liquor License with Sunday Sales - Renewal
 - 8. SA Petro Mart, Inc., d/b/a SA Petro Mart, 136 1st Street - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
 - 9. Your Private Bartender, LLC d/b/a Your Private Bartender, 1701 25th Street (Events Center West) - Class LC Liquor License with Sunday Sales and Catering Privileges - New
- d. Approval of Grant Agreement - 2017 Continuum of Care Rapid Rehousing Program
- e. Approval of Change Order #10 - Coachlight Drive (South Jordan Creek Parkway to South 81st Street) and South 77th Street (Coachlight Drive to Mills Civic Parkway)
- f. Approval of Amendment No. 1 to Professional Services Agreement - South 88th Street and Mills Civic Parkway Reconstruction
- h. Authorize Internal Advance for Funding of Urban Renewal Project - Central Iowa All Sports and Events Complex
- i. Declare Surplus in Sewer Utility Fund and Authorize Transfer

- j. Order Construction:
 - 2. Valley View Aquatic Center Play Structure Replacement
- k. Accept Public Improvements:
 - 1. The Preserve on Grand
 - 2. Village at Century Run - EP True Parkway Extension
- l. Approval of Proposal from MidAmerican Energy Company for Overhead Electric Service Extension - Maple Grove Lift Station
- m. Approval of Agreement for the Receipt and Distribution of Donations for the Central Iowa All Sports and Events Complex - Community Foundation of Greater Des Moines
- n. Approval and Acceptance of Condemnation Award - Project Osmium Public Infrastructure (Veterans Parkway, SW 60th Street to SW Wild Rose Lane)

Vote 18-555: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 4(g) Approval of Compensation for Driveway at 1415 South 60th Street - South 60th Street Improvements, Phase 1 - Grand Avenue to Pheasant Ridge Drive

Council member Trevillyan reported Fred Leon has requested to present additional information on this item.

Fred Leon, 1415 South 60th Street, stated he had signed a replacement in-kind agreement with the City for his gravel driveway, but the South 60th Street project has created significant erosion issues on his property that cause the gravel to be washed away from the driveway. He presented photographs of his gravel driveway that showed how the gravel has washed away from erosion. He stated he is requesting financial assistance from the City to pave a portion of the driveway to correct the erosion issues.

Brian Hemesath, City Engineer, responded to questions from the Council, stating staff would recommend paving, at a minimum, the middle section of the driveway where the erosion is most visible.

The Council members held discussion on the appropriate level of responsibility for erosion control that should be assumed by the City.

It was moved by Trevillyan, second by Sandager to approve Item 4(g) Approval of \$8,769 in Compensation for Driveway at 1415 South 60th Street - South 60th Street Improvements, Phase 1 - Grand Avenue to Pheasant Ridge Drive.

Vote 18-556: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 4(j)1 Order Construction - Grand Avenue Trail - Fuller Road to Jordan Creek

October 1, 2018

Council member Trevillyan expressed opposition to the proposed alignment of this project.

It was moved by Trimble, second by Hardman to approve Item 4(j)1 Order Construction - Grand Avenue Trail - Fuller Road to Jordan Creek.

Vote 18-557: Hardman, Mickelson, Sandager, Trimble ...4 yes
Trevillyan ... 1 no

Motion carried.

On Item 5(a) 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

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

Vote 18-558: Hardman, Mickelson, Sandager, Trimble ...4 yes
Trevillyan ... 1 no

Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 18-559: Hardman, Mickelson, Sandager, Trimble ...4 yes
Trevillyan ... 1 no

Motion carried.

On Item 6(a) Mayor Gaer indicated this was the time and place for a public hearing to consider West Public Services Facility - Site Development (Phase 1), initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on September 21, 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 Elder Corporation.

Vote 18-560: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

October 1, 2018

On Item 6(b) Mayor Gaer indicated this was the time and place for a public hearing to consider Raccoon River Park Softball Complex, Drainage and Dugout Repairs, 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 September 21, 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 - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Minturn, Inc.

Vote 18-561: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 7(a) Chateau 88, 752 88th Street - Subdivide Property into 39 Single-Family Lots, Three Street Lots and One Outlot, initiated by Chateau 88, LLC

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

Vote 18-562: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 7(b) Cedar Ridge Plat 2, northwest corner of Mills Civic Parkway and South 88th Street - Subdivide Property into 38 Single Family Lots, Two Multi-Family Lots, One Outlot for Future Development, Four Street Lots, and One Outlot for Stormwater Detention, initiated by Chayse Holdings

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

Vote 18-563: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 7(c) Fresenius Medical Clinic, 9080 University Avenue - Approval of Site Plan to Construct 9,510 sq. ft. Medical Clinic Building, initiated by Hurd Crescent, LLC

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

of approval listed in the Resolution.

Vote 18-564: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 7(d) West Des Moines Public Services Facility, 8850 Grand Avenue - Approval of Site Plan to Construct a City Public Services Facility, initiated by the City of West Des Moines

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

Vote 18-565: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 7(e) Whisper Point Park, northwest corner of 91st Street and Bridgewood Boulevard - Approval of a Site Plan to Construct Park Improvements, initiated by the City of West Des Moines

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

Bill Lowry, Hidden Creek, LLC, stated he is the developer for the Whisper Ridge development, which is across the street from this park property. He requested that the City manage the construction schedule for this park project, so that construction would start and end in the same year to minimize the impact on his development.

Sally Ortgies, Parks and Recreation Director, stated the schedule for this park project will be dictated by funding, and staff is anticipating there will not be enough funding available for all phases of this project to be completed in one year. She stated staff plans to do the grading, seeding, playground, and sidewalks in 2019, while the rest of the project phases, including shelters, a multi-purpose court, and a parking lot, will be completed in later years.

Vote 18-566: 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 6:22 p.m.

October 1, 2018

Respectfully submitted,

Ryan T. Jacobson, CMC
City Clerk

ATTEST:

Steven K. Gaer, Mayor