

December 10, 2018

West Des Moines City Council Proceedings  
Monday, December 10, 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, December 10, 2018 at 5:30 PM. Council members present were: R. Hardman, J. Mickelson, J. Sandager, and K. Trevillyan.

Mayor Gaer introduced Cub Scout Troop 888.

The members of Cub Scout Troop 888 led the reciting of the Pledge of Allegiance.

City Clerk Ryan Jacobson stated Item 4(t) Funding for Upper Story Housing Program has been removed from the agenda and will be brought back at the December 26<sup>th</sup> meeting, when the full council will be present.

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

Vote 18-639: Hardman, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

On Item 2. Public Forum: No one came forward.

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

Council member Mickelson reported he attended a celebration with the West Des Moines Chamber of Commerce to recognize outgoing board members. He also attended a meeting of the Development and Planning Subcommittee where discussion was held on potential amendments to the City's bulk regulations.

Council member Hardman reported she attended a meeting with Carole Chambers, President/CEO of the West Des Moines Chamber of Commerce, and received an updated on the organization's activities. She expressed appreciation to the Human Rights Commission members in attendance for the Human Rights Proclamation.

On Item 4. Consent Agenda.

Council members pulled Item 4(v) for discussion. It was moved by Trevillyan, second by Sandager to approve the consent agenda as amended.

- a. Approval of Minutes of November 26, 2018 Meeting
- b. Approval of Bill Lists

- c. Approval of Liquor Licenses:
  - 1. Andy Tanning, LLC d/b/a Andy's Nails, 8850 University Avenue, Suite 104 - Class BW Permit - Renewal
  - 2. DeJear, Inc. d/b/a Caleo Enterprises, 1701 25th Street, #102 (Events Center West) - 5-Day Class LC Liquor License - December 14-18, 2018
  - 3. Lakes Venture, LLC d/b/a Fresh Thyme Farmers Market, 2900 University Avenue, Suite E - Class BC Permit with Carryout Wine and Sunday Sales - Renewal
  - 4. Hy-Vee, Inc., d/b/a Hy-Vee Meeting Room, 1725 Jordan Creek Parkway, 2nd Floor Meeting Room - Class BW Permit with Sunday Sales - Renewal
  - 5. Lovely Food Mart, Inc. d/b/a Indian Grocery, 6630 Mills Civic Parkway, Suite 3110 - Class BC Permit with Sunday Sales - Renewal
  - 6. J.P. Parking Inc. d/b/a J.P. Parking Inc., 6220 Raccoon River Drive - Class BC Beer Permit with Carryout Wine and Sunday Sales - Renewal
  - 7. 205 Corporation d/b/a The Tavern, 205 5th Street - Class LC Liquor License with Sunday Sales - Renewal
  - 8. 205 Corporation d/b/a The Tavern Pizza Pasta Grill, 1755 50th Street - Class LC Liquor License with Sunday Sales - Renewal
- d. Approval of Order for Violation of Alcohol Laws
- e. Approval of Lane Closures for Special Event - Lutheran Church of Hope Christmas Eve Services
- f. Approval of Appointments - Human Rights Commission
- g. Approval of Microsoft Enterprise Agreement
- h. Approval of Amendment #2 to Professional Services Agreement - Grand Technology Gateway
- i. Approval of Contract to Purchase Artwork - "Heartbeat of the Heartland"
- j. Approval of Professional Services Agreement - Levee Trail Improvement Project
- k. Approval of 2019 City Council Meeting Schedule
- l. Approval of Amendment to City Council Procedural Rules
- m. Accept Work:
  - 1. 2017 ADA Accessible Sidewalks
  - 2. South 60th Street Improvements, Phase 2
- n. Approval of Professional Services Agreement - Library Interior Renovations
- o. Establish Public Hearing Regarding the Final Design, Site Selection and Consideration of Acquiring Agricultural Property - Raccoon River Basin Segment
- p. Approval to Initiate Development Agreement - Junction Development Catalyst
- q. Approval to Terminate Economic Development Assistance Contract - FunnelWise
- r. Approval of State Economic Development Financial Incentive Assistance - Project Fantastic
- s. Approval of Subcommittee Recommendations - Redevelopment Funding Programs in Historic West Des Moines
- t. Removed

December 10, 2018

- u. Approval and Acceptance of Purchase Agreements and Property Interests - Ashworth Road Reconstruction, I-80 Bridge to 98th Street

Vote 18-640: Hardman, Mickelson, Sandager, Trevillyan ...4 yes  
Motion carried.

On Item 4(v) Proclamation - Human Rights Day - December 10, 2018

Mayor Gaer read Proclamation - Human Rights Day. He also recognized three outgoing Human Rights Commission members: Frank Harty, Justine Morton, and Ila Plasencia; and he also recognized the current and incoming commission members in attendance.

It was moved by Sandager, second by Hardman to approve Item 4(v) Proclamation - Human Rights Day - December 10, 2018.

Vote 18-641: Hardman, Mickelson, Sandager, Trevillyan ...4 yes  
Motion carried.

On Item 5(a) Willow Creek Villas, west side of Veterans Parkway approx. 2,300 ft. north of the intersection of Veterans Parkway and SE 11th Street - Change the Zoning from Medium Density Residential to Single Family Residential, initiated by Jerry's Homes

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

Vote 18-642: Hardman, Mickelson, Sandager, Trevillyan ...4 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 18-643: Hardman, Mickelson, Sandager, Trevillyan ...4 yes  
Motion carried.

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

Vote 18-644: Hardman, Mickelson, Sandager, Trevillyan ...4 yes  
Motion carried.

On Item 5(b) Amendment to City Code - Title 9 (Zoning), Chapter 5 (Agricultural/Open Space and Residential Zoning District) and Chapter 10 (Performance Standards) - Eliminate Garage

December 10, 2018

Requirement for Single Family Detached and Multi-Family Condominium Regime Developments, initiated by the City of West Des Moines

It was moved by Sandager, second by Trevillyan to adopt Motion - Continue Second Reading to December 26, 2018.

Vote 18-645: Hardman, Mickelson, Sandager, Trevillyan ...4 yes  
Motion carried.

On Item 6(a) Mayor Gaer indicated this was the time and place for a public hearing to consider Amendment to Comprehensive Plan and City Code - Title 9 (Zoning) - Provide for the Implementation of High-Density Residential Buildings within the Professional Commerce Park District, initiated by the City of West Des Moines (Continued from November 26, 2018). He asked for the date the notice was published and the City Clerk indicated the notice was published on November 9, 2018 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated on a vote of 4-0, with three members absent, the Plan and Zoning Commission recommended City Council approval of the comprehensive plan amendment and ordinance amendment.

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

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

Vote 18-646: Hardman, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

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

Vote 18-647: Hardman, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 18-648: Hardman, Mickelson, Sandager, Trevillyan...4 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 6 (Commercial, Office, and Industrial Zoning District) - Allow Appliance Stores in Neighborhood Commercial and Support

December 10, 2018

Commercial Districts, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on November 23, 2018 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated on a vote of 4-0, with three members absent, the Plan and Zoning Commission recommended City Council approval of the ordinance amendment.

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

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

Vote 18-649: Hardman, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 18-650: Hardman, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

On Item 6(c) Mayor Gaer indicated this was the time and place for a public hearing to consider Veterans Parkway Enhancements, Folded Flags, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on November 30, 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 Concrete Connection, LLC.

Vote 18-651: Hardman, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

On Item 7(a) Covenant Cove, southeast corner of 98th Street and Bishop Drive - Approval of Preliminary Plat and Site Plan for the Construction of 212 Townhome Units, initiated by Covenant Cove, LLC

December 10, 2018

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

Vote 18-652: Hardman, Mickelson, Sandager, Trevillyan... 4 yes  
Motion carried.

On Item 7(b) Issuance of \$10,565,000 Taxable General Obligation Urban Renewal Bonds, Series 2018E, initiated by the City of West Des Moines

Owen Gerard, Public Financial Management, 801 Grand Avenue, Des Moines, presented the tabulations of bids for the Series 2018E bond issuance. Eight bids were received, which included over 37 bidders that went in as syndicates. The low bid, submitted by Raymond James & Associates, Inc., came in at a true interest rate of 3.16 percent.

It was moved by Sandager, second by Trevillyan to adopt Motion - Receive and File Report of Bids and Resolution - Award Sale and Authorize and Approve Final Action Items.

Vote 18-653: Hardman, Mickelson, Sandager, Trevillyan... 4 yes  
Motion carried.

On Item 7(c) Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 2 (Through Streets Stop Required) - South Grand Prairie Parkway, Raccoon River Drive to southern terminus, initiated by the City of West Des Moines

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

Vote 18-654: Hardman, Mickelson, Sandager, Trevillyan... 4 yes  
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.

Vote 18-655: Hardman, Mickelson, Sandager, Trevillyan... 4 yes  
Motion carried.

On Item 7(d) Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 5 (No Parking Zones) - South 93rd Street, 250 north of Stagecoach Drive to 200 feet south of Stagecoach Drive on the west side of the street, initiated by the City of West Des Moines

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

Vote 18-656: Hardman, Mickelson, Sandager, Trevillyan... 4 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.

Vote 18-657: Hardman, Mickelson, Sandager, Trevillyan... 4 yes  
Motion carried.

On Item 7(e) Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 10 (Special Speed Zones) - South Grand Prairie Parkway, Raccoon River Drive to southern terminus, initiated by the City of West Des Moines

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

Vote 18-658: Hardman, Mickelson, Sandager, Trevillyan... 4 yes  
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.

Vote 18-659: Hardman, Mickelson, Sandager, Trevillyan... 4 yes  
Motion carried.

On Item 8(a) Parady Boatwright Resignation - Sister Cities Commission - Received and Filed

On Item 9(a) Discussion on Language for Local Option Sales and Services Tax Referendum in Polk County

Jamie Letzring, Deputy City Manager, reported the proposed revenue purpose statement drafted by staff reflects the priorities of the citizens, as indicated by recent polling data. It reads as follows:

“Revenue from the one percent sales and services tax shall be allocated as follows:

- i. 50% of revenue will be applied directly to city property tax reduction for all property taxpayers in West Des Moines;
- ii. 50% of revenue will be applied directly to public safety expenditures, public infrastructure, public parks, sports and recreational facilities and trails, and public library uses.”

December 10, 2018

Ms. Letzring stated a special council meeting will be held on Wednesday, January 2<sup>nd</sup> to adopt a Resolution approving the revenue purpose statement. However since the statement needs to be finalized and provided to Polk County prior to that, this will be the Council's last opportunity to make any changes.

The Mayor and Council discussed the proposed revenue purpose statement and expressed support for it as written.

The meeting was adjourned at 6:08 p.m.

Respectfully submitted,

---

Ryan T. Jacobson, CMC  
City Clerk

ATTEST:

---

Steven K. Gaer, Mayor