

May 6, 2019

West Des Moines City Council Proceedings
Monday, May 6, 2019

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, May 6, 2019 at 5:30 PM. Council members present were: R. Hardman, J. Mickelson, K. Trevillyan, and R. Trimble. Council member J. Sandager K. Trevillyan participated via telephone.

City Clerk Ryan Jacobson stated there are three amendments to the agenda: Item 6(c) Bridgewood PUD Amendment has a revised item description, Item 6(e) Development Agreement with Fore Right, LC will be continued to May 20th, and Item 9(b) Legislative Updates is being removed from the agenda.

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

Vote 19-204: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

Mayor Gaer welcomed the sixth grade students from Fairmeadows Elementary School participating in Student Government Day. The following students were introduced and the role they were playing: Emerson Pierce, Mayor; A.J. Ajak, Council member First Ward; Kyler Reed, Council member Second Ward; Kaia Redford; Council member Third Ward; Berlanti Abu-Assaf, Council member at Large; Izzy Carr, Council member at Large; Klaire Lietz, City Manager; Sam Lechtenberg, City Attorney; Dallas Carey, City Clerk; and Abuk Madit, Deputy City Clerk.

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

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

Council member Trevillyan reported he will hold a Ward 1 quarterly town hall meeting on Saturday, May 11th. He also reported he worked at the Cinco de Mayo Festival, and he stated it was a successful event.

Council member Mickelson reported he attended a meeting of the Development and Planning Subcommittee, where discussion was held on a proposed project in the Ponderosa development and how the garage requirements for single family residential should be applied. He also reported he will attend the Greater Des Moines Partnership trip to Washington D.C., where meetings will be held with Senator Grassley and Senator Ernst.

Council member Hardman reported she attended a meeting of the Library Board of Trustees, where discussion was held on the upcoming library renovations project. She participated in the

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“fill the jail” fundraiser event for West Des Moines Human Services, and she also attended the ribbon cutting ceremony for Isabel Bloom. She commended Jim Miller and the Historic Valley Junction Foundation for making the Cinco de Mayo Festival a success.

City Manager Tom Hadden reported the City of West Des Moines has recently received the Tree City USA award. He also reported the Mayor’s Bike Ride will be held on Saturday, May 18th and National Public Works Week will be celebrated at the Valley Junction Farmers Market on Thursday, May 23rd.

Alex Cahill, Planner, provided a report on the ongoing Comprehensive Plan update.

Mayor Gaer reported he gave a State of the City address at the West Des Moines Chamber of Commerce luncheon in April. He also presented a five-year service award to City Manager Tom Hadden, and thanked him for his services to the City.

On Item 4. Consent Agenda.

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

- a. Approval of Minutes of April 15, 2019 Meeting
- b. Approval of Bill Lists
- c. Approval of Liquor Licenses:
 1. Orilla Chicken Company, Inc. d/b/a The Chicken, 4221 SE Orilla Road - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
 2. Bonsai Food Management, LLC d/b/a Dino’s Bar & Grill, 5962 Ashworth Road - Class LC Liquor License with Sunday Sales - Renewal
 3. Eat Thai, LLC d/b/a Eat Thai, Thai Eatery, 1821 22nd Street, #103 - Class BW Permit with Sunday Sales - Renewal
 4. El Fogon del Chivo, LLC d/b/a El Fogon, 1250 8th Street - Class LC Liquor License with Sunday Sales, Outdoor Service, and Catering Privileges - Renewal
 5. Foundry Distilling Company, LLC d/b/a Foundry Distilling Company, 111 South 11th Street, Suite 100 - Class A Native Distilled Spirits License - Renewal
 6. Foundry Distilling Company, LLC d/b/a Foundry Distilling Company, 111 South 11th Street, Suite 100 - Class C Native Distilled Spirits License with Sunday Sales and Outdoor Service - Renewal
 7. Kineth Hotel Corporation d/b/a Homewood Suites, 6220 Stagecoach Drive - Class BW Permit with Carryout Wine, Sunday Sales, Living Quarters, and Outdoor Service - Renewal
 8. Hy-Vee, Inc., d/b/a Hy-Vee Clubroom, 555 South 51st Street, Clubroom Area - Class BW Permit with Sunday Sales - Renewal
 9. MM, LLC d/b/a Ladder #13, 1316 Grand Avenue - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal

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10. Noah Beverages, LLC d/b/a Noah's Des Moines, 1805 90th Street - Class LC Liquor License with Sunday Sales - New
 11. The Operating Room, LLC d/b/a The Operating Room, 5515 Mills Civic Parkway, Suites 130 and 135 - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
 12. Red Robin International, Inc. d/b/a Red Robin America's Gourmet Burgers & Spirits, 6255 Mills Civic Parkway - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
 13. Pike VII Management Inc. d/b/a Smashburger, 1821 22nd Street, Suite #106 - Class B Beer Permit with Sunday Sales - Renewal
 14. Boggs Properties, LLC d/b/a Sully's Irish Pub, 110 Grand Avenue - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
 15. Whole Foods Market Group, Inc. d/b/a Whole Foods Market, 4100 University Avenue - Class LE Liquor License with Carryout Beer, Carryout Wine, and Sunday Sales - Renewal
- d. Approval of Lane Closure for Special Event - Mustang Ford Show, June 2, 2019
 - e. Approval of Proclamation Policy
 - f. Approval of Enterprise Agreement and Payment - ESRI
 - g. Approval of Memorandum of Agreement - DMARC Food Pantry
 - h. Approval to Sell Surplus City Equipment
 - i. Approval of Contract Agreement - Portland Cement Concrete
 - j. Approval of Payment of Crop Damage Claim
 - k. Approval of Settlement Agreement - ABC Electrical Services, LLC
 - l. Approval of Agreement - Bravo Greater Des Moines Diversity in the Arts Leadership Institute Program
 - m. Approval of Change Orders:
 1. Public Safety Station #21 Flat Roof Replacement, #1
 2. Veterans Parkway - SW 60th Street to SW Wild Rose Lane, #7
 - n. Approval of Reimbursement of Prorated Property Tax Claim
 - o. Accept Work - Library and Law Enforcement Center HVAC Improvements
 - p. Approval of Proposal from MidAmerican Energy Company to Relocate Electrical Switchgear and Primary Enclosures - Sammons Financial
 - q. Approval of Extension of Entitlement:
 1. Office at the Galleria, 645 South 60th Street
 2. Alameda Office Building, 6770 Vista Drive
 3. Waterbury Building, 7765 Office Plaza Drive North
 - r. Approval and Acceptance of Purchase Agreements and Property Interests:
 1. Booneville Road Reconstruction, South 88th Street to west
 2. Cedar Ridge Sewer Extension
 - s. Approval and Acceptance of Property Interests - Grand Avenue Improvements Project
 - t. Acceptance of Donated Property Interests - South Grand Prairie Parkway, Stagecoach Drive to Mills Civic Parkway
 - u. Approval of Settlement Agreement - Donald Paulin and Heather Lindsay

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- v. Approval of RISE Grant Application - South 85th Street Construction
- w. Proclamation - Approval of Proclamations:
 - 1. Bike Month, May 2019
 - 2. Police Officers Week, May 12-18, 2019
 - 3. Public Works Week, May 19-25, 2019
 - 4. Kids to Parks Day, May 18, 2019

Vote 19-205: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 5(a) Amendment to City Code - Title 9 (Zoning), Chapter 1 (Entitlements - Process and Procedures), Chapter 2 (Zoning Rules and Definitions), Chapter 4 (Zoning Districts and Maps), Chapter 5 (Agricultural/Open Space and Residential Zoning District), Chapter 7 (Setback and Bulk Density Regulations), Chapter 10 (Performance Standards), and Chapter 19 (Landscaping) - Update Regulations Pertaining to Building Setback and Separation Requirements and Bulk Density Regulations, initiated by the City of West Des Moines

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

Vote 19-206: 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 Hardman to approve the third reading and adopt the ordinance in final form.

Vote 19-207: Hardman, Mickelson, Sandager, Trevillyan ... 4 yes
Trimble ... 1 no
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) - Modify Garage Requirements and Establish a Waiver Process for Single-Family Detached Dwellings, initiated by the City of West Des Moines

Lynne Twedt, Development Services Director, reported the Development and Planning Subcommittee has recommended that the garage requirement should only apply to construction of new single-family homes, and all existing homes without garages would be grandfathered in. She also stated the separate policy staff is working on will include a deed restriction of five years.

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Council member Trevillyan inquired if the garage requirement would be applied when a dilapidated garage is torn down as a nuisance violation.

Ms. Twedt responded that will be addressed in the separate policy as well, but the intent is that property owners in such cases would not be required to build a new garage, since they were unable to maintain the one they had.

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

Council member Trevillyan reiterated his opposition to the proposed ordinance, as he would prefer the garage requirement be deleted from the City Code entirely.

Vote 19-208: 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 Mickelson to approve the third reading of the ordinance.

Vote 19-209: Hardman, Mickelson, Sandager, Trimble ... 4 yes
Trevillyan ... 1 no

Motion carried.

On Item 5(c) West Grand Business Park-Des Moines University, northwest corner of South Jordan Creek Parkway and Grand Avenue - Amend Comprehensive Plan Land Use Map to Change approx. 85 acres from Business Park to Office and Amend the Planned Unit Development (PUD) to Only Allow SIC 8221 "Colleges, Universities and Professional Schools" within Parcel 8, initiated by W & G McKinney Farms, LC

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

Council member Hardman stated she will abstain on this item due to a potential conflict of interest, as she is a member of the Des Moines University Board of Trustees.

Vote 19-210: Mickelson, Sandager, Trevillyan, Trimble ... 4 yes
Hardman... 1 abstain due to potential conflict of interest

Motion carried.

The City Clerk read the preamble to the ordinance.

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

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Vote 19-211: Mickelson, Sandager, Trevillyan, Trimble ... 4 yes
Hardman... 1 abstain due to potential conflict of interest
Motion carried.

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

Vote 19-212: Mickelson, Sandager, Trevillyan, Trimble ... 4 yes
Hardman... 1 abstain due to potential conflict of interest
Motion carried.

On Item 6(a) Stark Drive Vacation - Vacation of approx. 145 feet of Stark Drive west of the intersection with South 100th Street, initiated by Kings Grove, LLC (Continued from March 18, 2019, April 1, 2019, and April 15, 2019)

It was moved by Trevillyan, second by Trimble to adopt Motion - Continue Public Hearing to May 20, 2019.

Vote 19-213: 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 West Grand Business Park-MidAmerican Energy RecPlex, southeast corner of South Jordan Creek Parkway and Grand Avenue - Amend the Planned Unit Development (PUD) to Allow for the Development of an Indoor and Outdoor Recreational Facility, initiated by W & G McKinney Farms, LC. He asked for the date the notice was published and the City Clerk indicated the notice was published on April 16, 2019 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 PUD 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 19-214: 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.

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Vote 19-215: 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 Bridgewood PUD, northwest corner of South Jordan Creek Parkway and Bridgewood Boulevard - Amend the Planned Unit Development (PUD) to Modify Wall Sign Regulations for Parcel M (a.k.a. Bridgewood Square), initiated by Bridgewood Commercial, LLC. He asked for the date the notice was published and the City Clerk indicated the notice was published on April 16, 2019 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 PUD 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 Trimble to consider the first reading of the ordinance.

Vote 19-216: 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 approve the first reading of the ordinance.

Vote 19-217: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(d) Mayor Gaer indicated this was the time and place for a public hearing to consider Mills Landing, southeast corner of South 60th Street and Mills Civic Parkway - Amend Comprehensive Plan Land Use Map and Approve the Mills Landing Area Development Plan, initiated by Shree Ram Development, LLC. He asked for the date the notice was published and the City Clerk indicated the notice was published on April 16, 2019 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 Comprehensive Plan amendment and Area Development Plan.

Mayor Gaer asked if there were any public comments.

Robert Brown, 903 Tulip Tree Lane, spoke in opposition to the proposed development project. He stated he has not yet seen a site plan for the project, and he expressed concerns about potential adverse impacts for the neighboring residents, such as building aesthetics, signage aesthetics, light pollution, and increased traffic volume.

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Mayor Gaer noted the action being considered tonight is only addressing the comprehensive plan land use, and the applicant will have to submit a site plan for approval, which will include more specifics about the development project.

Sharon Mancero, President of the Glen Oaks Homeowners Association, spoke in opposition to the proposed change in land use for this property, citing concerns that commercial development would increase traffic volume and not be a good fit for this area.

Marianne Ksiazak, 917 Tulip Tree Lane, spoke in opposition to the proposed change in land use for this property, requesting that the City consider other uses for this property, such as mixed-use, as opposed to commercial.

Larry Hulse, 3825 Thornton Avenue, Des Moines, stated he owns a townhome east of this proposed development. He spoke in opposition to the proposed development project, citing concerns that the plans he saw indicated the setbacks would be significantly less than the existing townhomes. He also expressed concerns about potentially inadequate transitions from residential to commercial use and negative impacts to the residential properties from light pollution and dumpster location.

Ze-Hui Han, 5518 Little Leaf Trail, stated he owns a rental property near the proposed development. He spoke in opposition to the proposed development project, stating he believes a detailed plan should be made available to the public before a decision is made on this proposed item. He also expressed concerns about potential negative impacts to the surrounding property values.

John Schneller, 5542 Little Leaf Trail, spoke in opposition to the proposed development project, expressing that he believes there is already too much commercial development along Mills Civic Parkway, and he expressed concerns about traffic volume.

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

Lynne Twedt, Development Services Director, responded to questions from the Council, clarifying that the proposed action tonight would only change the comprehensive plan land use for the property and approve the area development plan, which is the first step before a specific plan, but this action does not establish any zoning. She stated staff is currently drafting the specific plan ordinance, which will establish more specific details for the development such as buffering, setbacks, and building size. She noted the proposed project would call for rezoning the property to support commercial, which could still include some residential uses mixed with commercial. There is also a potential senior living facility project that could be developed on the southern part of this property, which would likely require another comprehensive plan amendment, area development plan, and specific plan ordinance. She also stated after the zoning ordinance is adopted, the applicant would still need to get the site plan approved.

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Mayor Gaer stated that if the Council approved the comprehensive plan land use change for the property, they are essentially obligating themselves to approve the zoning change as well. However, he also noted the residents will have more input on the proposed development as part of the specific plan ordinance process, than if a multi-family residential development project were to come forward under the current zoning.

Ms. Mancero stated she would prefer any form of residential development allowed under the current zoning over any form of commercial development, as she believes a commercial development would negatively impact property values of the surrounding homes and disrupt the neighborhood's way of life.

Mayor Gaer suggested that the comprehensive plan amendment and area development plan should be deferred and brought forward with the specific plan ordinance, so the neighboring residents can have a better idea of what the development project might look like.

Ms. Twedt stated the specific plan ordinance is expected to come forward soon, possibly at the June 3, 2019 meeting.

Council member Trimble suggested that the applicant meet with the residents prior to the June 3rd meeting and provide as much detail as possible about the proposed development.

It was moved by Trevillyan, second by Trimble to continue Item 6(d) Mills Landing Comprehensive Plan Amendment and Area Development Plan to June 3, 2019.

Vote 19-218: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(e) Agreement for Private Development, initiated by Fore Right, LC and Ferguson Property Management Services, LC

It was moved by Trimble, second by Hardman to adopt Motion - Continue Public Hearing to May 20, 2019.

Vote 19-219: 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 Conveyance of City-Owned Property to Greater Des Moines Habitat for Humanity - 221 8th Street and 225 8th 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 April 19, 2019 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

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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 Conveyance of Property.

Council member Trevillyan inquired if Habitat for Humanity is planning to do a community build for these homes, similar to what has been done at the Des Moines Arts Festival.

Clyde Evans, Community and Economic Development Director, stated he has had a conversation about that with the Executive Director of the Greater Des Moines Habitat for Humanity, but he does not know what they plan to do.

Vote 19-220: 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 Whisper Point Park Improvements, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on April 19, 2019 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 Concrete Connection, LLC.

Council member Trevillyan inquired why the City is investing so much money in developing this park when Valley View Park is several blocks away.

Sally Ortgies, Parks and Recreation Director, responded that, unlike Valley View Park, Whisper Point Park is a neighborhood level park intended to serve the residential area immediately surrounding the park.

Council member Trevillyan stated he will not support this, as he believes since Valley View Park is so close, Whisper Point Park should be developed as a mini park.

Vote 19-221: Hardman, Mickelson, Sandager, Trimble ... 4 yes
Trevillyan ... 1 no
Motion carried.

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On Item 6(h) Cedar Ridge Sewer Extension, initiated by the City of West Des Moines

It was moved by Trimble, second by Mickelson to adopt Motion - Defer Public Hearing until May 20, 2019 and Authorize Bids to be received at 2:00 p.m. on May 15, 2019.

Vote 19-222: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(i) Mayor Gaer indicated this was the time and place for a public hearing to consider South 33rd Street and Fuller Road Retaining Wall Improvements, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on April 19, 2019 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 and Motion to Receive and File Report of Bids.

Council member Trevillyan inquired how staff plans to complete this project since no bids were submitted.

Brian Hemesath, City Engineer, explained this project includes three phases: grading of the slope, construction of the retaining wall, and construction of the sidewalk. He noted staff felt it needed to be bid at this time due to the deteriorating condition of the retaining wall, however this was not the best timing for the bidding climate. He stated staff intends to seek competitive quotes for each phase individually, starting with the grading portion, because that will address the immediate safety concerns. The other two portions could wait until next year, when the bidding climate might be more favorable.

Vote 19-223: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(j) Mayor Gaer indicated this was the time and place for a public hearing to consider Public Safety Station #21 Generator Replacement, 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 April 19, 2019 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.

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

Vote 19-224: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(k) Mayor Gaer indicated this was the time and place for a public hearing to consider Grand Avenue - South Jordan Creek Parkway to South 88th 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 April 26, 2019 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 McAninch Corporation.

Vote 19-225: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(l) Mayor Gaer indicated this was the time and place for a public hearing to consider South 81st Street and Cascade Avenue Widening, 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 April 26, 2019 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 Alliance Construction Group, LLC.

Vote 19-226: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(m) Mayor Gaer indicated this was the time and place for a public hearing to consider The Parkways Turn Lane on South Jordan Creek Parkway, 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 April 26, 2019 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 Absolute Concrete.

Vote 19-227: Hardman, Mickelson, Sandager, Trevillyan, Trimble...5 yes
Motion carried.

Council member Mickelson left the meeting at 7:06 p.m.

On Item 6(n) Mayor Gaer indicated this was the time and place for a public hearing to consider 2019 Concrete Trail Renovation, 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 April 26, 2019 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 Concrete Connection LLC.

Vote 19-228: Hardman, Sandager, Trevillyan, Trimble...4 yes
Motion carried.

On Item 6(o) Mayor Gaer indicated this was the time and place for a public hearing to consider Kiwanis Park Shelter Replacement, 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 April 26, 2019 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 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.

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Vote 19-229: Hardman, Sandager, Trevillyan, Trimble...4 yes
Motion carried.

On Item 6(p) Mayor Gaer indicated this was the time and place for a public hearing to consider American Legion Park Tennis Court Lighting Improvements, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on April 26, 2019 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 Innovative Mechanical Systems.

Vote 19-230: Hardman, Sandager, Trevillyan, Trimble...4 yes
Motion carried.

On Item 7(a) Kum & Go #3035, 7265 Vista Drive - Approval of Major Modification to a Site Plan to Construct a 5,600 sq. ft. Convenience Store, initiated by Kum & Go, LC

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

Vote 19-231: Hardman, Sandager, Trevillyan, Trimble...4 yes
Motion carried.

On Item 7(b) First Amendment to the Agreement for the Payment of Fees - Design and Construction of Stormwater Facilities in the Sugar Creek Drainage Basin, initiated by King's Landing, LLC

It was moved by Trimble, second by Hardman to adopt Resolution - Approval and Acceptance of First Amendment to Agreement.

Vote 19-232: Hardman, Sandager, Trimble ... 3 yes
Trevillyan ... 1 no
Motion carried.

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

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On Item 9(a) Des Moines Area Regional Transit Authority (DART) Route Changes

Elizabeth Presutti, Chief Executive Officer of DART, and Amanda Wanke, Chief External Affairs Officer of DART, presented information on proposed route changes for the routes that impact West Des Moines, including Local Route 11, Flex Route 72, Local Route 52, Express Route 94, Express Route 95, and Express Route 96. They noted these proposed changes will be cost neutral and seek to improve efficiency of the transit system. They also responded to questions from the Council, stating the areas including Edgewater and DMAcc West Campus are not currently served by DART due to not enough density. However, DART is looking at short, medium, and long-term options to provide some level of service for those areas, especially since demand will increase after the Des Moines University campus relocates to that area. They also stated two public information meetings have been scheduled for May 13th and May 21st to discuss the proposed route changes in West Des Moines.

Council member Hardman requested staff provide information on the Police Week activities scheduled for next week.

Police Chief Chris Scott reported an open house and community picnic will be held at the Law Enforcement Center on Thursday, May 16th. He also reported on May 16th, a ceremony will be held in conjunction with the placement of a headstone at the grave of Anthony Swatta, who was the first West Des Moines police officer killed in the line of duty.

The meeting was adjourned at 7:43 p.m.

Respectfully submitted,

Ryan T. Jacobson, CMC
City Clerk

ATTEST:

Steven K. Gaer, Mayor