September 3, 2019

West Des Moines City Council Proceedings
Tuesday, September 3, 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 Tuesday, September 3, 2019 at 5:30 PM. Council members present were: J. Mickelson, J. Sandager, K. Trevillyan, and R. Trimble. Council member R. Hardman participated via telephone.

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

Vote 19-429: Hardman, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

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

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

Council member Trimble reported the Des Moines Area Regional Transit Authority (DART) is continuing discussion on options to improve the efficiency of its service delivery.

Council member Hardman reported she attended the Ward 1 quarterly town hall meeting on Saturday, August 31st and the Friday evening program for the Taste of the Junction Multicultural Festival. She also reported she attended a meeting of the Library Board of Trustees.

On Item 4. Consent Agenda.

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

a. Approval of Minutes of August 19, 2019 Meeting
b. Approval of Bill Lists
c. Approval of Liquor Licenses:
    1. WDM Sports, LLC d/b/a 1908 Draught House, 196 South 50th Street - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
    2. Master of None, LLC d/b/a Barn Town Brewing, 9500 University Avenue, Suite 1110 - Class BB Beer Permit with Sunday Sales and Outdoor Service - Renewal
    3. Five K Enterprises, LLC d/b/a Brazil Terra Grill, 2800 University Avenue, Suite 405 - Class LC Liquor License with Outdoor Service and Catering Privileges - Renewal
    4. KRC Partners, LLP, d/b/a Cooper's on 5th, 227 5th Street - Class LC Liquor License with Sunday Sales - Renewal
    5. G.O.C.C. Investments, LLC, d/b/a Glen Oaks Country Club, 1401 Glen Oaks Drive - Class LC Liquor License with Carryout Wine, Sunday Sales, Outdoor

Service, and Catering Privileges - Renewal

6. TenX Adventures 2, LLC d/b/a The Hall, 111 South 11th Street - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
7. Kinseth Hospitality Company, Inc. d/b/a Holiday Inn Express & Suites, 240 Jordan Creek Parkway - Class LB Liquor License with Sunday Sales - Renewal
8. 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
9. Butterface, LLC d/b/a The Keg Stand, 3530 Westown Parkway - Class LC Liquor License with Sunday Sales and Outdoor Service Privileges - Renewal
10. 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
11. Sakura Sushi, Inc., d/b/a Sakura Sushi, 1960 Grand Avenue, Suite 11 - Class LC Liquor License with Sunday Sales - Renewal
12. Thirsty Pigs, LLC d/b/a Thirsty Pigs, 5400 University Avenue - 5-Day Class BW Permit with Outdoor Service - Effective September 16-20, 2019
13. Your Private Bartender, LLC d/b/a Your Private Bar, 1701 25th Street (Events Center West) - Class LC Liquor License with Sunday Sales and Catering Privileges - Renewal

d. Approval of Tobacco Permit

e. Approval of Purchases:
   1. Replacement Computer Monitors
   2. Replacement Desktop Computers
   3. Replacement Laptop Computers

f. Approval of Professional Service Agreements:
   1. City Campus Amphitheater - Construction Staking Services
   2. City Campus Amphitheater - Resident Construction Administration Services
   3. Woodland Hills (Michaels Landing Plat 1) Outlot Trail Design
   4. Sugar Creek Greenway Trail

g. Approval of Amendments to Professional Services Agreements:
   1. Grand Avenue Improvements, South Jordan Creek Parkway to South 88th Street
   2. Valley West Drive and Westown Parkway Storm Sewer Improvements

h. Approval of Change Order #10 - City Hall Renovations

i. Approval and/or Ratification of Specific Fees and Charges - Police Department

j. Approval of 28E Agreement - Suburban Emergency Response Team (SERT)

k. Approval of Request for Proposals and Approval of Memorandum of Understanding with City of Clive - University Avenue Corridor Study

l. Order Construction:
   1. Library Interior Improvements
   2. Fiber Conduit Inter-Connect Project - Purple Route and Duct Bank

m. Accept Work - 2017 Sewer Rehabilitation Program

n. Approval of Professional Service Agreements:
   1. Gas Detection System Upgrades - Various Facilities
   2. Park Restrooms and Shelters, Phase 2 - Miscellaneous Repairs
   3. Public Safety Station #19 Bay Heater and Exhaust System
   4. Facility Assessment, Phase 1

o. Accept Public Improvements - Mountain Place Lots 4-6 Storm Sewer Extension

p. Approval of Amendment to Development Agreement - Busy Beaver Holdings, LLC and Inspire Papercrafting, LLC

q. Approval of Claim for Reimbursement for Driveway at 930 South 60th Street - South 60th Street Improvements, Phase 2 - Pheasant Ridge Drive to Mills Civic Parkway

Vote 19-430: Hardman, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

On Item 5 - Old Business: no items

On Item 6(a) Unity Point Clinic, 4055 Westown Parkway - Vacation of a Sanitary Sewer Easement, initiated by Central Iowa Hospital Corporation.

It was moved by Trimble, second by Sandager to adopt Motion - Continue Public Hearing to September 16, 2019.

Vote 19-431: Hardman, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

On Item 6(b) Agreement for Private Development, initiated by The Iowa Clinic West Lakes I, LLC and The Iowa Clinic, P.C.

It was moved by Trimble, second by Sandager to adopt Motion - Continue Public Hearing to September 16, 2019.

Vote 19-432: 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 Sale and Removal of Structures Located at 1011 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 August 28, 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 - Open and Close the Public Hearing and Request that City Staff Provide a Subsequent Recommendation.

Vote 19-433: 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 City Campus Amphitheater, 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 23, 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 Henkel Construction.

Mayor Gaer noted the amphitheater project was first talked about approximately 12 years ago, so there has been a lot of excitement in the community for this project. He also expressed appreciation for the private donations from Microsoft Corporation and the Hurd family, which helped make this project possible.

The Council members also expressed excitement for this project and appreciation to the private donors.

Vote 19-434: Hardman, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

On Item 7(a) Browns Woods Estates Plat 1, south of Browns Woods Drive on the west side of Veterans Parkway - Subdivide Property into 29 Single Family Lots, Three Lots for Public Streets, One Outlot for Detention and Approval and Accept Public Improvements, initiated by Venture Homes, LLC

It was moved by Trevillyan, second by Trimble to adopt Resolution - Approval and Release of Final Plat and Approval and Acceptance of Public Improvements, subject to the applicant complying with all applicable City Code requirements.

Vote 19-435: Hardman, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

On Item 7(b) Mister Car Wash, 102 South Jordan Creek Parkway - Construction of an approx. 5,400 sq. ft. Car Wash, initiated by Mister Car Wash

It was moved by Trimble, second by Trevillyan 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 19-436: Hardman, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

On Item 7(c) Williams Property, 34097 V Place - Plat of Survey for Transfer of Ownership, initiated by Old Post Properties, LLC

Mayor Gaer noted there is one outstanding issue regarding the Irrevocable Offer of Right of Way Dedication, and he requested clarification for why this is calling for the applicant to dedicate 27 additional feet of right-of-way since it is being developed for one single-family house.

City Attorney Dick Scieszinski reported there is already an existing 33-foot right-of-way easement, but since the applicant is splitting the property with this plat-of-survey, staff is requesting the applicant dedicate an additional 27 feet to meet the right-of-way requirements in the comprehensive plan. He noted the property may never be formally subdivided, so the City might not get another opportunity to bring the plat into compliance with the comprehensive plan.

Mayor Gaer expressed opposition to the requirement for 27 additional feet of right-of-way, and he noted if the City wishes to widen the street in the future, it could purchase the additional right-of-way from the property owner at the time it is needed.

City Attorney Scieszinski noted if the Council does not wish to require the 27 additional feet of right-of-way, he recommends the City still require the existing 33-foot right-of-way easement be dedicated to the City in fee title.

The Mayor and Council held further discussion on the appropriate amount of right-of-way that should be required in this case, and the Council reached a consensus that no additional right-of-way should be required but the 33-foot right-of-way easement should be dedicated to the City in fee title.

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

Vote 19-437: Hardman, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

On Item 7(d) Bassman Property, 33799 Rockwood Lane - Subdivide Property into Two Single Family Lots, initiated by Julie Bassman

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

Vote 19-438: Hardman, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

On Item 7(e) 1261 19th Street - Plat of Survey to Create a Parcel for Transfer of Ownership, initiated by Hannah Homes, LLC

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

Vote 19-439: 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 5:50 p.m.

Respectfully submitted,

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Ryan T. Jacobson, CMC
City Clerk

ATTEST:

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Steven K. Gaer, Mayor