

January 21, 2020

West Des Moines City Council Proceedings
Tuesday, January 21, 2020

Mayor Steven K. Gaer opened the regularly scheduled meeting of the City Council of West Des Moines, Iowa, at the West Des Moines Police Department Law Enforcement Center, 250 Mills Civic Parkway on Tuesday, January 21, 2020 at 5:30 PM. Council members present were: R. Hardman, G. Hudson, M. McKinney, K. Trevillyan, and R. Trimble.

City Clerk Ryan Jacobson stated there is one amendment to the agenda, as Public Hearing Item 6(a) 4th and Railroad PUD is now going to be continued indefinitely, at the request of the applicant.

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

Vote 20-017: Hardman, Hudson, McKinney, Trevillyan, Trimble...5 yes
Motion carried.

Mayor Gaer requested that staff explain the process going forward after Item 6(a) has been continued indefinitely.

Lynne Twedt, Development Services Director, responded when the applicant is ready to bring the project back for consideration, proper notification will be distributed for the new public hearing date. She noted if there are any material changes to the proposed development, it will need to go back to the Plan and Zoning Commission for consideration before coming to the City Council.

Mayor Gaer suggested any residents that want to be notified of any future public hearings regarding this proposed development should provide their names and contact information to staff, and they will ensure the notice is sent to those residents.

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

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

Council member McKinney reported he attended a Habitat for Humanity dedication in Valley Junction. He also attended a meeting of the Metro Advisory Council, where discussion was held on children's mental health services and regulations for short-term residential rentals.

Council member Trevillyan reported he will hold a Ward 1 quarterly town hall meeting on Saturday, February 22nd.

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Council member Trimble reported the Des Moines Area Regional Transit Authority (DART) is continuing efforts on its transit optimization study, which is seeking to improve the efficiency of its service delivery. He also reported the Finance and Administration Subcommittee has been meeting with applicants for hotel/motel tax funding and held discussion on FY 2019-20 Budget Amendment #2.

Council member Hudson reported he attended a meeting of the Greater Des Moines Convention and Visitors Bureau Board, where discussion was held on efforts to attract more conferences and events to the Des Moines metro. He also attended meetings of the City/School Advisory Committee and West Des Moines Chamber of Commerce.

Council member Hardman commended Police Chief Chris Scott for his participation in a panel discussion regarding a racial hate crime incident that occurred in the Des Moines metro on December 9, 2019. She also commended the Human Rights Commission for sponsoring a Martin Luther King Jr. Day community event on Friday, January 17th. She noted this is the first year that Martin Luther King Jr. Day was a paid holiday for City staff, and she thanked staff leadership for implementing that decision. She also expressed appreciation to the City for awarding her the inaugural Martin Luther King Leadership Award. She reported she also attended the West Des Moines Community Equity Conversations event on Thursday, January 16th, and the Greater Des Moines Partnership annual dinner.

City Manager Tom Hadden reported the annual budget workshop will be held on Saturday, January 25th.

On Item 4. Consent Agenda.

Council members pulled Item 4(q)2 for discussion. It was moved by Trimble, second by Trevillyan to approve the consent agenda as amended.

- a. Approval of Minutes of January 6, 2020 and January 16, 2020 Meetings
- b. Approval of Bill Lists
- c. Approval of Liquor Licenses:
 1. 26550, LLC d/b/a 50th Street Tap, 265 50th Street - Class LC Liquor License with Sunday Sales and Outdoor Service - New
 2. UPT, Inc. d/b/a Barattas, 1025 Ashworth Road (Businessolver) - Class BW Permit - Renewal
 3. Hy-Vee, Inc., d/b/a Hy-Vee Food & Drugstore #3, 1725 Jordan Creek Parkway - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
 4. Boggs Properties, LLC d/b/a Sully's Irish Pub, 860 1st Street - Class LC Liquor License Extension of Outdoor Service - March 16-17, 2020
 5. 3781 EP True, LLC d/b/a Valley Pub, 3781 EP True Parkway - Class LC Liquor License with Sunday Sales and Outdoor Service - New

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6. Nicole Schneider d/b/a The Whimsical Wine Trailer, 232 5th Street - Five-Day Class C Native Wine Permit - Effective February 11-15, 2020
7. Your Private Bartender, LLC d/b/a Your Private Bartender, 4000 Turnberry Drive - Five-Day Class LC Liquor License - Effective January 21-25, 2020
- d. Approval of Orders for Violations of Alcohol Laws
- e. Approval of Revised 2020-21 Committee and Other Assignments
- f. Approval of Professional Services Agreement - IT Security Remediation Services
- g. Acceptance of 2020 Emergency Solutions Grant - Iowa Finance Authority
- h. Approval of Park Use Agreements:
 1. Des Moines Rugby Foundation
 2. Heartland Cricket League
 3. Iowa Premier League (Cricket)
- i. Approval of Agreement - Water Slide Maintenance
- j. Approval to Purchase Ice Resurfacer
- k. Approval of Change Orders:
 1. Whisper Point Park Improvements, #2
 2. MidAmerican Energy RecPlex - Pre-Engineered Metal Building, #1
- l. Removed
- m. Approval of Amendments to Professional Services Agreements:
 1. 2019 Bridge Inspection Program
 2. Valley Junction Activity Center Remodel, Phase 3B
- n. Establish Public Hearing - FY 2020-21 Proposed Maximum Property Tax Dollars
- o. Approval and/or Ratification of Specific Fees and Charges - Parks and Recreation Department
- p. Approval of Authorization to Pay Judgment - Project Osmium Public Infrastructure
- q. Order Construction:
 1. City Entrance Enhancements, Phase 1B
 3. Grand Avenue Reconstruction, east of I-35
- r. Accept Work:
 1. 2018 Sewer Rehabilitation Program
 2. 2018 Durable Pavement Markings Program
 3. 2019 HMA Resurfacing Program
 4. Public Safety Station #21 Roof Replacement
 5. South Grand Prairie Parkway, SW Madison Avenue to Raccoon River Drive
- s. Approval of Proposal from MidAmerican Energy Company to Extend Electrical Service - City Entrance Enhancements, Phase 1B
- t. Accept Public Improvements - Cedar Ridge Plat 2
- u. Approval of Purchase of Wetland Credits (White Fox Mitigation Bank) - Raccoon River Basin Segment 5 Sewer
- v. Approval and Acceptance of Property Interests - South Grand Prairie Parkway Grade Separation Project
- w. Proclamation - 19th Amendment Centennial Commemoration

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Vote 20-018: Hardman, Hudson, McKinney, Trevillyan, Trimble...5 yes
Motion carried.

On Item 4(q)2 Order Construction - Grand Avenue Improvements, Phase 2 - South Jordan Creek Parkway to South 88th Street

Council member McKinney stated he will abstain on this item due to a potential conflict of interest.

It was moved by Trimble, second by Hudson to approve Item 4(q)2 Order Construction - Grand Avenue Improvements, Phase 2 - South Jordan Creek Parkway to South 88th Street.

Vote 20-019: Hardman, Hudson, Trevillyan, Trimble ... 4 yes
McKinney ... 1 abstain due to potential conflict of interest
Motion carried.

Mayor Gaer read Proclamation - 19th Amendment Centennial Commemoration. He then presented the signed proclamation to Kathy Kahoun from the Metro Des Moines League of Women Voters.

Kathy Kahoun, Metro Des Moines League of Women Voters, invited the Mayor and Council to the organization's events scheduled throughout 2020 commemorating the centennial anniversary of the 19th Amendment.

The Mayor and Council expressed appreciation to the Metro Des Moines League of Women Voters for their efforts in educating the public and encouraging voter turnout.

On Item 5(a) Amendment to City Code - Title 3 (Business and Licensing), Chapter 8 (Pawnbrokers) - Modify the Procedures and Requirements for Reporting Pawned Items by Pawnbrokers, initiated by the City of West Des Moines

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

Vote 20-020: Hardman, Hudson, McKinney, 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 20-021: Hardman, Hudson, McKinney, Trevillyan, Trimble...5 yes
Motion carried.

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

Vote 20-022: Hardman, Hudson, McKinney, Trevillyan, Trimble...5 yes
Motion carried.

On Item 6(a) 4th and Railroad, 101 and 107 4th Street - Amend the Comprehensive Plan Land Use Map and Establish a Planned Unit Development (PUD) to Allow a Vertical Commercial and Residential Mixed-Use Building, initiated by Cutler Development, LLC.

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

Vote 20-023: Hardman, Hudson, McKinney, 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 Raccoon River Park Softball Concessions Remodel, 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 January 10, 2020 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 OLP Construction.

Council member Trimble expressed support for this project, as it will be a benefit to the softball players and volunteers that spend a lot of time there.

Vote 20-024: Hardman, Hudson, McKinney, 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 Intersection Improvements - Jordan Creek Parkway and Ashworth Road, initiated 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 January 10, 2020 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 Trevillyan, second by Hudson to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Caliber Concrete, LLC.

Council member Hudson expressed support for this project, as it will greatly improve traffic flow through this area.

Vote 20-025: Hardman, Hudson, McKinney, Trevillyan, Trimble...5 yes
Motion carried.

On Item 7(a) Veterans Business Park Plat 1, 2825 SE 1st Street - Subdivide Property into One Lot for Development, One Outlot for Future Development, and One Street Lot, initiated by Hurd Willow Creek, LLC

It was moved by Trevillyan, 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 20-026: Hardman, Hudson, McKinney, Trevillyan, Trimble...5 yes
Motion carried.

On Item 7(b) Revised Funding Allocations for City-Wide Housing Programs, initiated by the City of West Des Moines

Council member Trimble stated this item was discussed at Finance and Administration Subcommittee. He explained that some of the Woodland Hills TIF funds had been allocated to a new housing transition program; however, the program encountered significant roadblocks related to HUD requirements, so the subcommittee is now recommending that those funds be reallocated to the upper story housing program.

Christine Gordon, Housing Planner, stated the funds that will be reallocated to the upper story housing program would be able to fund a third round of that program.

It was moved by Trimble, second by Hardman to adopt Motion - Approval to Direct Staff to Proceed with Implementation of the Proposed Programs and Budget Amendments Necessary to Carry Out the Programs.

Vote 20-027: Hardman, Hudson, McKinney, Trevillyan, Trimble...5 yes
Motion carried.

On Item 7(c) Upper Story Housing Program (Round 2) - Approval of Recommendations for Funding, initiated by the City of West Des Moines

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Christine Gordon, Housing Planner, reported two projects had made requests for upper story housing program funding, totaling 24 units, which will all be affordable housing. She noted the Due Diligence Committee recommended awarding the requested funds for both projects.

It was moved by Trimble, second by Hudson to adopt Resolution - Approval of Recommendations for Funding.

Council member Trimble noted the lack of affordable housing is an issue, and he commended staff for their efforts in developing these programs to incentivize the development of affordable housing.

Council member Hardman agreed that the lack of affordable housing is a significant issue, and she expressed support for these programs which she believes will help move the needle on that issue.

Vote 20-028: Hardman, Hudson, McKinney, Trevillyan, Trimble...5 yes
Motion carried.

On Item 8(a) Comprehensive Annual Financial Report - 2018-19 FY - Received and Filed

On Item 9 - Other Matters: none

The meeting was adjourned at 6:10 p.m.

Respectfully submitted,

Ryan T. Jacobson, CMC
City Clerk

ATTEST:

Steven K. Gaer, Mayor