February 3, 2020

West Des Moines City Council Proceedings
Monday, February 3, 2020

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, February 3, 2020 at 5:30 PM. Council members present were: R. Hardman, G. Hudson, M. McKinney, K. Trevillyan, and R. Trimble.

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

Vote 20-029: Hardman, Hudson, McKinney, 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 McKinney expressed appreciation to staff for their efforts in preparing information for the budget workshop. He reported he attended a meeting of the Public Services Subcommittee, where discussion was held on a proposed street reconstruction project in the Valley Junction area. He also attended a meeting of the Valley Junction Neighborhood Association, where discussion was held on how to address an increase in car break-ins and thefts.

Council member Hudson reported he attended a meeting of the Community Compliance Subcommittee, where discussion was held on a proposed ordinance amendment regarding nuisances.

Council member Hardman expressed appreciation to staff for their efforts in preparing information for the budget workshop. She also reported she attended the Bravo Awards Gala.

City Manager Tom Hadden reported staff plans to schedule an upcoming council workshop regarding the West Des Moines Business Incubator at 318 5th Street.

On Item 4. Consent Agenda.

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

a. Approval of Minutes of January 21, 2020 Meeting
b. Approval of Bill Lists
c. Approval of Liquor Licenses:
    1. Revenge Is a Dish, LLC d/b/a Blue Moon Dueling Piano Bar and Restaurant, 5485 Mills Civic Parkway - Class LC Liquor License with Sunday Sales and

Outdoor Service - Renewal

2. Coach's Pizza, LLC d/b/a Coach's Pizza, 560 South Prairie View Drive - Class LC Liquor License with Sunday Sales, Outdoor Service, and Catering Privileges - Renewal
3. Famous Dave's Ribs, Inc. d/b/a Famous Dave's, 1720 22nd Street - Class LC Liquor License with Sunday Sales - Renewal
4. Firecreek Grill, LLC d/b/a Fire Creek Grill, 800 South 50th Street, Suite 110 - Class LC Liquor License with Carryout Wine and Outdoor Service - Renewal
5. 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
6. Hy-Vee, Inc. d/b/a Hy-Vee #4, 555 South 51st Street - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
7. HOA Hotels, LLC d/b/a Johnny's Italian Steakhouse, 6075 Mills Civic Parkway - Class LB Liquor License with Carryout Wine, Sunday Sales, Outdoor Service, and Catering Privileges - Renewal
8. Punyesh, LLC d/b/a Vine Food & Liquor, 2704 Vine Street - Class LE Liquor License with Carryout Beer, Carryout Wine, and Sunday Sales - Renewal
9. W2005/Fargo Hotels (Pool C) Realty, LP d/b/a West Des Moines Residence Inn, 160 South Jordan Creek Parkway - Special Class C Liquor License - Renewal
10. Paper Street Watering Company, LLC d/b/a The Winchester Pub, 224 5th Street - Class LC Liquor License with Sunday Sales - Renewal
11. Muldoon Enterprises LIC d/b/a WineStyles, 5515 Mills Civic Parkway, Suite 120 - Class BW Permit with Carryout Wine, Sunday Sales, and Outdoor Service - Renewal

d. Approval of Orders for Violations of Alcohol Laws

e. Approval of Appointments:
   1. Bicycle Advisory Commission
   2. Board of Adjustment
   3. Plan and Zoning Commission
   4. Sister Cities Commission

f. Approval of Professional Services Agreement - Database Administration Services

g. Approval of Change Order #5 - West Public Services Facility, Building and Site Improvements (Phase 2)

h. Approval of Amendments to Professional Services Agreements:
   1. 2019 Channel Repair Program
   2. West Public Services Facility

i. Establish Public Hearings - Issuance of Not to Exceed $10,680,000 General Obligation Bonds, Series 2020A

j. Order Construction:
   1. 2019 Channel Repair Program
   2. 2019 Stormwater Intake Repair Program
   3. Raccoon River Basin Segment 5 Sewer - Lift Station and Forcemain

k. Approval of Professional Services Agreement - Parks Maintenance Facility Demolition - Environmental Services
l. Establish Just Compensation and Approve Acquisition of Property - 2020 Street Reconstruction
m. Approval and Acceptance of First Amendment to Westowne Centre Development Agreement
n. Proclamation - Iowa Honey Bee Day, February 13, 2020

Vote 20-030: Hardman, Hudson, McKinney, Trevillyan, Trimble…5 yes
Motion carried.

On Item 5 - Old Business: no items

On Item 6(a) Mayor Gaer indicated this was the time and place for a public hearing to consider Vacation of Storm Drainage Easement, 9141 Mills Civic Parkway - Vacate Storm Drainage Easement Along North and East Edge of Subject Property, initiated by Todd Herren. He asked for the date the notice was published and the City Clerk indicated the notice was published on January 18, 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 McKinney, second by Trimble to adopt Resolution - Approval of Vacation Request.

Vote 20-031: Hardman, Hudson, McKinney, Trevillyan, Trimble…5 yes
Motion carried.

On Item 6(b) Agreement for Private Development, initiated by WillieT, LLC.

It was moved by Trevillyan, second by Hardman to adopt Motion - Continue Public Hearing to February 17, 2020.

Vote 20-032: 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 2019-20 FY Operating and Capital Budget - Amendment #2, 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 24, 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 Trevillyan, second by Trimble to adopt Resolution - Approval of Budget Amendment #2.

Vote 20-033: Hardman, Hudson, McKinney, 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 FY 2020-21 Proposed Maximum Property Tax Dollars, 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 24, 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 Hudson, second by Trimble to adopt Resolution - Approval of Maximum Property Tax Dollars.

Vote 20-034: Hardman, Hudson, McKinney, Trevillyan, Trimble…5 yes
Motion carried.

On Item 7(a) Continental Plaza Plat 3, 1625 Jordan Creek Parkway - Subdivide Property into Two Commercial Lots, initiated by VKB Management

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

Vote 20-035: Hardman, Hudson, McKinney, Trevillyan, Trimble…5 yes
Motion carried.

On Item 7(b) Amendment to City Code - Title 4 (Health and Safety Regulations), Chapter 4 (Nuisances) Modify the Procedures and Requirements for Nuisances, initiated by the City of West Des Moines

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

The City Council members expressed appreciation to staff for their efforts on this ordinance amendment. They noted that habitual offenders are not a common problem in the city, but it will be beneficial for the City to have the additional means for enforcement.

Vote 20-036: 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 first reading of the ordinance.

Vote 20-037: Hardman, Hudson, McKinney, Trevillyan, Trimble…5 yes
Motion carried.

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

On Item 9(a) Legislative Updates

Jamie Letzring, Deputy City Manager, reported the Legislature introduced 165 bills in week one and 168 bills in week two. She also reported staff is monitoring several bills of interest to the City and gathering information on those. She noted the City is not registered on any proposed legislation at this time.

The meeting was adjourned at 5:40 p.m.

Respectfully submitted,

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Ryan T. Jacobson, CMC
City Clerk

ATTEST:

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Steven K. Gaer, Mayor