March 7, 2022

West Des Moines City Council Proceedings
Monday, March 7, 2022

Mayor Russ Trimble 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, March 7, 2022 at 5:30 PM. Council members present were: R. Hardman, G. Hudson, D. Loots, and K. Trevillyan.

City Clerk Ryan Jacobson stated staff is recommending two amendments to the agenda: the removal of Item 3(a) Recognition of Governor's Life Saving Award Recipient, which will be moved to the March 21st agenda, and the removal of the Workshop on a Process for Citizen Complaints, which will be rescheduled for a later date.

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

Vote 22-073: Hardman, Hudson, Loots, Trevillyan…4 yes
Motion carried.

Council member McKinney arrived at 5:32 p.m. The attendance was re-taken. Council members present were: R. Hardman, G. Hudson, D. Loots, M. McKinney, and K. Trevillyan.

On Item 2. Public Forum:

M.J. Hoag, 413 2nd Street, stated he is disappointed the proposed project for Item 4(e)6 Park Parking Lot and Sidewalk Improvements does not include the alternative parking option he suggested for American Legion Park, but he thanked the City Council and staff for giving consideration to his request.

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

Steve Frevert, Executive Director of the Historic Valley Junction Foundation, and Meredith Wells, Board President, provided an update on the organization's activities.

Council member Hardman reported she participated in a meeting regarding the honorary roadway naming process, and she expressed appreciation to staff for their efforts in developing that process. She reported she also attended a stakeholder meeting with Bravo Greater Des Moines. She noted this week she will be attending a Human Rights Commission meeting and a Valley Junction Master Plan Steering Committee meeting. She also stated she will participate in Mentoring for Women event, hosted by the West Des Moines Chamber of Commerce.

Council member McKinney reported he attended a meeting of the Public Services Subcommittee, where discussion was held on right-of-way management. He also attended a

meeting of the Development and Planning Subcommittee, where discussion was held on a proposed development project near the intersection of Ashworth Road and 88th Street.

Council member Hudson expressed appreciation to the Public Services Department for their snow removal efforts following the recent winter weather.

Mayor Trimble reported the Des Moines Area Regional Transit Authority is lobbying the Iowa Legislature to pursue alternate revenue sources. He also stated the budget workshop dinner was a great event, and he expressed appreciation to staff for all their efforts towards keeping the City operating.

On Item 4. Consent Agenda.

Council members pulled Items 4(c)4, 4(e)4, and 4(h) for discussion. It was moved by Hudson, second by Trevillyan to approve the consent agenda as amended.

a. Approval of Minutes of February 21, 2022 Meeting
b. Approval of Bill Lists
c. Approval of Liquor Licenses:
    1. Two Tees, LLC d/b/a Anna Dolce, 5585 Mills Civic Parkway, Suite 110 - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
    2. Git N Go Convenience Stores, Inc. d/b/a Git N Go Convenience Store #4, 1325 Grand Avenue - Class BC Beer Permit with Sunday Sales - Renewal
    3. C.C.W., LLC d/b/a Huhot Mongolian Grill, 4100 University Avenue, Suite 101 - Class BW Permit with Sunday Sales - Renewal
    5. Quik Trip Corporation d/b/a Quik Trip #517, 1451 22nd Street - Class LE Liquor License with Carryout Wine, Carryout Beer and Sunday Sales - Renewal
    6. W West Investments, LLC d/b/a Wellman's West, 597 Market Street - Class LC Liquor License with Sunday Sales and Outdoor Service Privileges - Renewal
    7. W West Investments, LLC d/b/a Wellman's West Rooftop, 597 Market Street (Rooftop) - Class LC Liquor License with Sunday Sales and Outdoor Service Privileges - Renewal
    8. Wildwood Hills, Inc. d/b/a Wildwood Hills Ranch, 4000 Turnberry Drive - Five Day Class LC Liquor License - Effective May 21-25, 2022
    9. Cost Plus, Inc. d/b/a World Market, 4100 University Avenue, Suite 210 - Class BC Beer Permit with Carryout Wine and Sunday Sales - Renewal
d. Approval of Appointments:
    1. Civil Service Commission
    2. Public Art Advisory Commission
e. Order Construction:
    1. 2021 Stormwater Intake Repair Program
    2. Pedestrian Hybrid Beacon - 52nd Street and EP True Parkway
    3. South 64th Street and Mills Civic Parkway Intersection Improvements

5. Holiday Park Youth Baseball Field 3 and 4 Improvements, Phase 7
6. Park Parking Lot and Sidewalk Improvements, American Legion Park and Meadowview Park

f. Accept Work - 2021 Court Renovation Project
g. Authorize Construction of Public Improvements - Jordan Ridge South 81st Street Culvert
i. Approval of Sidewalk and Streetlight Reimbursement Agreement with Microsoft Corporation - Grand Avenue, South 88th Street to South Grand Prairie Parkway
j. Approval and Acceptance of Property Interests - South Area Trunk Sewer Western Extension
k. Approval and Acceptance of Condemnation Award - Ginger West
l. Approval of Extension of a Temporary Moratorium on Building Demolition in the Historic Valley Junction Business District
m. Proclamation - Kidney Disease Awareness Month, March 2022

Vote 22-074: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 4(c)4 Approval of Liquor License - Kum & Go LC d/b/a Kum & Go #66, 5308 University Avenue - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal

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

It was moved by Loots, second by Hardman to approve Item 4(c)4 Approval of Liquor License - Kum & Go LC d/b/a Kum & Go #66, 5308 University Avenue - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal.

Vote 22-075: Hardman, Hudson, Loots, Trevillyan … 4 yes
McKinney … 1 abstain due to potential conflict of interest
Motion carried.

On Item 4(e)4 Order Construction - Digital Enterprise Conduit Deployment Segment 4, Phase 3

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

It was moved by Loots, second by Trevillyan to approve Item 4(e)4 Order Construction - Digital Enterprise Conduit Deployment Segment 4, Phase 3.

Vote 22-076: Hardman, Hudson, Loots, Trevillyan … 4 yes
McKinney … 1 abstain due to potential conflict of interest
Motion carried.

On Item 4(h) Approval of City Support and Participation in the Grow Solar Polk County Program

Council member McKinney noted the request also includes the use of the City logo, and he inquired if this would be a carte blanche approval for them to use the City logo for any purpose.

City Attorney Dick Scieszinski responded the permission would only be for promotional materials for the Grow Solar Polk County program.

It was moved by McKinney, second by Hudson to approve Item 4(h) Approval of City Support and Participation in the Grow Solar Polk County Program.

Vote 22-077: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 5(a) Amendment to City Code, Title 4, (Health and Safety Regulations), Chapter 4 (Nuisances), Section 2 (Nuisances Declared) - Clarify the Maximum Height for Weeds or Vegetation, initiated by the City of West Des Moines

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

Vote 22-078: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 22-079: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

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

Vote 22-080: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 6(a) Mayor Trimble indicated this was the time and place for a public hearing to consider Oxford Development, southwest corner of Westown Parkway and 92nd Street - Amend Comprehensive Plan Land Use Map and Amend the Zoning Map to Establish Single-Family Residential Land Use and Zoning and Amend the South Maple Grove Planned Unit Development (PUD) to Remove Ground from the PUD, initiated by Encompass Holdings, LLC. He asked for the date the notice was published and the City Clerk indicated the notice was

published on February 18, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated on a vote of 7-0, the Plan and Zoning Commission recommended City Council approval of the comprehensive plan amendment, PUD amendment, and rezoning request.

Mayor Trimble asked if there were any public comments.

Korey Marsh, Snyder & Associates, 2727 SW Snyder Boulevard, Ankeny, stated he is present on behalf of the applicant and available to answer any questions.

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

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

Vote 22-081: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

It was moved by Hudson, second by Hardman to consider the first reading of the ordinance (PUD Amendment).

Vote 22-082: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Hudson, second by Loots to approve the first reading of the ordinance (PUD Amendment).

Vote 22-083: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

It was moved by Hudson, second by Trevillyan to consider the first reading of the ordinance (Rezoning).

Vote 22-084: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Hudson, second by Trevillyan to approve the first reading of the ordinance (Rezoning).

Vote 22-085: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 6(b) Mayor Trimble indicated this was the time and place for a public hearing to consider Stonewood, northeast corner of Booneville Road and future South Grand Prairie Parkway - Amend Comprehensive Plan Land Use Map and Amend the Zoning Map to Establish Single-Family and Medium Density Residential Land Use and Zoning, initiated by Stonewood, Inc. He asked for the date the notice was published and the City Clerk indicated the notice was published on February 18, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated on a vote of 7-0, the Plan and Zoning Commission recommended City Council approval of the comprehensive plan amendment and rezoning request. Additionally, one citizen correspondence was received and included with the council communication

Mayor Trimble asked if there were any public comments.

John Cutler, 10247 Crownland Place, expressed concerns that the proposal would zone the northern portion of this development as multi-family residential, as he does not believe that would fit with the existing neighborhood of single-family homes. He requested that the Council deny the request for that northern portion so the residents could work with the developer towards a mutually agreeable solution on the layout of the site and its setbacks and sight lines.

Ed Arp, Civil Engineering Consultants, speaking on behalf of the applicant, stated the concerns about setbacks and sight lines are difficult to address as part of this zoning process and would be better addressed later during the site plan process. He noted the applicant intends to sell the property to another developer, so those discussions would need to involve the next developer at the time it goes through the site plan process.

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

Lynne Twedt, Development Services Director, reported the property is currently zoned office, so if the Council removed the northern portion from the proposed rezoning ordinance, that portion would remain as office, which is not a good fit for the neighborhood. She noted if the proposed ordinance is adopted as-is and the northern portion is rezoned as medium-density residential, the minimum setback would be 30 feet. She also stated the developer has expressed an interest in doing some berming along the property line.

Mayor Trimble noted that there is also a 150-foot buffer in which the developer could not construct anything taller than two stories. He suggested that Mr. Cutler provide his contact information to staff, and he requested that staff notify Mr. Cutler when the site plan comes through for this development.

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

Vote 22-086: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

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

Vote 22-087: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 22-088: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 6(c) Mayor Trimble indicated this was the time and place for a public hearing to consider 92nd Street Urban Renewal Area, 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 February 25, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

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

It was moved by Hudson, second by McKinney to adopt Resolution - Approval of Urban Renewal Plan.

Vote 22-089: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 6(d) Amendment #1 to the University Avenue Corridor Urban Renewal Area, initiated by the City of West Des Moines

It was moved by McKinney, second by Loots to adopt Motion - Continue Public Hearing Indefinitely.

Vote 22-090: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 6(e) Mayor Trimble indicated this was the time and place for a public hearing to consider Amendment #5 to the Historic West Des Moines Urban Renewal Area, 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 February 25, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

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

It was moved by Hudson, second by Loots to adopt Resolution - Approval of Urban Renewal Plan Amendment.

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

Vote 22-091: Hardman, Hudson, Loots … 3 yes
Trevillyan … 1 no
McKinney … 1 abstain due to potential conflict of interest
Motion carried.

On Item 6(f) Mayor Trimble indicated this was the time and place for a public hearing to consider Issuance of Not to Exceed $7,700,000 General Obligation Bonds (ECP), 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 February 18, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

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

It was moved by McKinney, second by Loots to adopt Resolution - Instituting Proceedings to Take Additional Action.

Vote 22-092: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 6(g) Mayor Trimble indicated this was the time and place for a public hearing to consider Issuance of Not to Exceed $500,000 General Obligation Bonds (GCP-1), 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 February 18, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

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

It was moved by Hardman, second by Loots to adopt Resolution - Instituting Proceedings to Take Additional Action.

Vote 22-093: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 6(h) Mayor Trimble indicated this was the time and place for a public hearing to consider Issuance of Not to Exceed $700,000 General Obligation Bonds (GCP-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 February 18, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

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

It was moved by Hardman, second by Loots to adopt Resolution - Instituting Proceedings to Take Additional Action.

Vote 22-094: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 6(i) Mayor Trimble indicated this was the time and place for a public hearing to consider Issuance of Not to Exceed $700,000 General Obligation Bonds (GCP-3), 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 February 18, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

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

It was moved by McKinney, second by Loots to adopt Resolution - Instituting Proceedings to Take Additional Action.

Vote 22-095: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 6(j) Mayor Trimble indicated this was the time and place for a public hearing to consider Issuance of Not to Exceed $700,000 General Obligation Bonds (GCP-4), 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 February 18, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

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

It was moved by Loots, second by Hardman to adopt Resolution - Instituting Proceedings to Take Additional Action.

Vote 22-096: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 6(k) Mayor Trimble indicated this was the time and place for a public hearing to consider Issuance of Not to Exceed $700,000 General Obligation Bonds (GCP-5), 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 February 18, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

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

It was moved by McKinney, second by Hudson to adopt Resolution - Instituting Proceedings to Take Additional Action.

Vote 22-097: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 6(l) Mayor Trimble indicated this was the time and place for a public hearing to consider Issuance of Not to Exceed $16,500,000 General Obligation Urban Renewal Bonds, 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 February 18, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

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

It was moved by Hardman, second by McKinney to adopt Resolution - Instituting Proceedings to Take Additional Action.

Vote 22-098: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 6(m) Mayor Trimble indicated this was the time and place for a public hearing to consider Digital Enterprise Interstate 35 Crossings, initiated by the City of West Des Moines (Continued from February 21, 2022). He asked for the date the notice was published and the City Clerk indicated the notice was published on February 11, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

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

It was moved by Hudson, second by Loots to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Kramer Service Group.

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

Vote 22-099: Hardman, Hudson, Loots, Trevillyan … 4 yes
McKinney … 1 abstain due to potential conflict of interest
Motion carried.

On Item 6(n) Mayor Trimble indicated this was the time and place for a public hearing to consider South Area Trunk Sewer - Western Extension, Segments 3 and 8, 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 February 25, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

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

It was moved by McKinney, second by Hudson to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Reject All Bids.

Council member Loots inquired about the reason why the one bid came in significantly higher than the engineer's estimate.

Brian Hemesath, City Engineer, responded there is currently a significant amount of sewer work going on in central Iowa, and there is a shortage of contractors available. He also stated this project includes some difficult work, so it would be a challenge for any one contractor to take on the entire project. He noted other factors include the increased cost of materials and the labor

shortage. He stated staff intends to bid this project in a different way to get at least a portion of it to move forward.

Vote 22-100: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 6(o) Mayor Trimble indicated this was the time and place for a public hearing to consider Digital Enterprise Conduit Deployment Segment 3, Phase 3, 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 February 25, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

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

It was moved by Hudson, second by Loots to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Communication Data Link.

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

Vote 22-101: Hardman, Hudson, Loots, Trevillyan … 4 yes
McKinney … 1 abstain due to potential conflict of interest
Motion carried.

On Item 6(p) Mayor Trimble indicated this was the time and place for a public hearing to consider 2022 PCC Patching Program, 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 February 25, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

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

It was moved by McKinney, second by Loots to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Shekar Engineering, PLC.

Vote 22-102: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 6(q) Mayor Trimble indicated this was the time and place for a public hearing to consider 2021 Channel Repair Program, 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 February 25, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

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

It was moved by McKinney, second by Hudson to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Dirty 30 Excavating & Trucking, LLC.

Vote 22-103: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 6(r) Mayor Trimble indicated this was the time and place for a public hearing to consider 2021 Pavement Markings and On-Street Bike Markings Program, 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 February 25, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Trimble asked if there were any public comments.

M.J. Hoag, 413 2nd Street, inquired if this project will include pedestrian crossings at the intersection of 4th Street and Grand Avenue. The Council responded it does not.

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

It was moved by Loots, second by Hudson to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Quality Striping, Inc.

Vote 22-104: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 6(s) Mayor Trimble indicated this was the time and place for a public hearing to consider Raccoon River Park Boat Locker Storage Expansion, 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 February 25, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

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

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 Concord Construction, LLC.

Vote 22-105: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 7(a) King's Grove Plat 1, west and south of the intersection of Stark Drive and South 100th Street - Approval of a Revised Preliminary Plat to Create 25 Lots for Detached Single Family Residential Development and Three Outlots for Common Area, initiated by Kings Grove, LLC

It was moved by McKinney, second by Hudson to adopt Resolution - Approval of Revised Preliminary Plat, subject to the applicant complying with all applicable City Code requirements.

Vote 22-106: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 7(b) Dave & Busters, 190 South Jordan Creek Parkway - Approval of Preliminary Plat to Create One Lot for Commercial Development and Approval of a Phased Site Plan to Allow Construction of a Building Pad and Private Utilities, initiated by GGP Jordan Creek, LLC

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

Vote 22-107: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 7(c) Hy-Vee Fast & Fresh, 300 Grand Avenue - Approval of a Full Site Plan to Allow Construction of a Convenience Store with Gas Pumps, initiated by Hy-Vee, Inc.

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

Vote 22-108: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 7(d) American Federation of State, County and Municipal Employees (AFSCME) Union Local #3861 and City of West Des Moines - July 1, 2022 to June 30, 2026 Contract Period, initiated by AFSCME and the City of West Des Moines

It was moved by Trevillyan, second by Loots to adopt Resolution - Approval of Contract.

Vote 22-109: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 7(e) West Des Moines Association of Professional Fire Fighters Local #3586 and City of West Des Moines - Contract July 1, 2022 thru June 30, 2026, initiated by the City of West Des Moines and Local 3586

It was moved by Loots, second by McKinney to adopt Resolution - Approval of Contract.

Vote 22-110: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 7(f) International Union of Operating Engineers, Local #234 and City of West Des Moines - Contract Period July 1, 2022 through June 30, 2026, initiated by International Union of Operating Engineers and the City of West Des Moines

It was moved by Trevillyan, second by Hardman to adopt Resolution - Approval of Contract.

Vote 22-111: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 7(g) Issuance of $10,260,000 General Obligation Bonds or Capital Loan Notes, Series 2022, initiated by the City of West Des Moines

It was moved by Trevillyan, second by Loots to adopt Resolution - Authorizing the Issuance and Levying a Tax.

Vote 22-112: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 7(h) South Service Area Segment 3 Sewer, initiated by the City of West Des Moines

It was moved by Trevillyan, second by Loots to adopt Resolution - Order Construction.

Vote 22-113: Hardman, Hudson, Loots, McKinney, Trevillyan…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 that HF 2317 regarding tax reform was passed and has been signed by the Governor, and it will incrementally lower the individual income tax rate to 3.9 percent by 2026. She reported the City is following pending legislation being considered in the Senate regarding municipal franchise fees. She also provided a report on SF 2361 regarding workforce and housing, which would restrict the City's authority to enforce zoning regulations and could include universal building and fire codes across the State of Iowa. She noted that City staff have concerns about this legislation, but the City is currently registered as undecided and is working with its lobbyists to request amendments that would address the concerns of City staff.

Council member Hardman expressed concerns about the potential negative impacts SF 2361 could have on public safety, and she requested to hear our Fire Department professionals' perspective on it.

Fire/EMS Chief Craig Leu stated SF 2361 would take local control away from the City to have its own bulding and fire codes. He also stated the City currently uses the 2018 code, but this would roll it back to the 2015 code. He noted that using the more current code is one way the Fire Department can limit the number of staff needed to protect our community. He also reported the proposed legislation would require building plan reviews to be routed through the State Fire Marshal's Office, which only has three inspectors, so it could significantly slow down the process for growth in our city.

Council member Hardman expressed opposition to SF 2361 in its current form, because it would take local control away from the City and could have a negative impact on public safety.

On Item 9(b) Comprehensive Plan Update

Lynne Twedt, Development Services Director, provided a report on the Comprehensive Plan Update process and the work completed thus far. She stated staff intends to hold a Council workshop following the March 21st Council meeting, and there will then be a 30-day public comment period before the Comprehensive Plan Update is formally considered in a public hearing process by both the Plan and Zoning Commission and the City Council in May.

The Mayor and Council expressed support for the "place types" concept, which will give developers flexibility while still providing assurance to property owners about what uses could be located near their property. They also expressed appreciation to staff for their efforts throughout this Comprehensive Plan Update process.

The meeting was adjourned at 7:57 p.m.

March 7, 2022

Respectfully submitted,

_____

Ryan T. Jacobson, CMC
City Clerk

ATTEST:

_____

Russ Trimble, Mayor