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West Des Moines City Council Proceedings
Monday, June 6, 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, June 6, 2022 at 5:30 PM. Council members present were: R. Hardman, D. Loots, and K. Trevillyan. Council member M. McKinney participated via teleconference.

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

Vote 22-267: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

On Item 2. Public Forum:

Tim Friend, 417 6th Street, expressed appreciation to the City for assistance he received through the housing rehabilitation program.

Gayle Perbera, 837 23rd Street, expressed concerns about nuisance issues on the Fairmeadows Elementary School property adjacent to her property.

Mike King, 512 5th Street, expressed opposition to the transition zoning that has been proposed for the 500 block of 5th Street, and he expressed concerns that he believes there has not been sufficient information on the matter provided to the residents. He presented a petition signed by residents of the 500 block of 5th Street, requesting that their block be rezoned to single family residential.

Clyde Evans, Community and Economic Development Director, responded to questions from the Mayor and Council, stating the 500 block of 5th Street is currently zoned Historic Valley Junction Business District, which allows for commercial uses, but the existing homes can remain as legal non-conforming properties. He noted the City Code was amended a few years ago to allow non-conforming uses to rebuild after 50 percent or more of a structure has been destroyed. He stated the consultant recommended the transition area for the 500 block of 5th Street, and the steering committee considered and approved that recommendation. The intent of the transition area is to serve as a relief valve, offering additional capacity for commercial uses if the demand for such spaces were to increase. He noted none of the residents in that area will be forced to sell their homes or change their property uses from residential.

Mayor Trimble noted the proposed transition zoning will come to the City Council for consideration at a future meeting, so the City Council will have an opportunity to discuss it at that time.

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Jack Hon, 212 7th Street, expressed concerns that the proposed transition zoning for the 500 block of 5th Street could eliminate some residential housing, as he believes there is a significant demand for affordable single family homes in that area. He also expressed concerns about increased traffic on 7th Street as a result of the ongoing construction project on 8th Street.

Nate Hon, 216 7th Street, stated he believes when the residents voice their concerns through a petition, the City Council should see to it that their wishes are carried out. He stated he believes if every petition submitted by the residents get shot down, it sends a bad message.

Brenda Clausman, 136 3rd Street, expressed concerns that the City never provided clear information to the residents, which has led to the spread of misinformation and feelings of animosity and suspicion towards the City. She also expressed concerns that she believes the steering committee has not been successful.

Nick Waage, 136 3rd Street, expressed concerns that the new agenda order for the most recent steering committee meeting moved the citizen comments to the end of the meeting, which he believes was an attempt to silence the residents.

Meredith Wells, Chair of the Historic West Des Moines Master Plan Steering Committee, explained that each agenda item follows the same order: presentation from the consultant, discussion among the committee, public comment on the agenda item, further discussion among the committee, and then the vote. She noted the citizen forum was moved to the end of the meeting, because in previous meetings, it took a significant amount of time at the beginning and many of the residents' questions and concerns would have been addressed during the consultant's presentation.

Jennifer Hampton, 541 16th Street, expressed concerns that it wasn't clear during the most recent steering committee meeting whether the proposed transition zoning was approved as presented or if it included the amendments that had been discussed. She also expressed concerns that the videos of the steering committee meetings are not posted online timely. She also expressed concerns that the makeup of the steering committee members is skewed, with many of the members voting as a block in favor of development, which suppresses the wishes of the residents.

Council member Hardman stated just because some of the committee members vote similarly, that does not mean the committee is skewed, as each member's vote represents their individual voice.

Katherine Harrington, President/CEO of the West Des Moines Chamber of Commerce, commended the steering committee and City staff their hard work on this issue. She stated as a steering committee member herself, she will always vote in support of growth and development in Valley Junction. She also stated she feels the steering committee is well rounded.

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

Angela Connolly, Polk County Supervisor, and Jonathan Cahill, Polk County Community Relations Specialist, presented a check to the City for \$1 million to support the Historic West Des Moines Pilot Housing Programs.

Council member McKinney commended the Parks and Recreation Department for the recent announcement of the capital campaign for the Athene Pedestrian Bridge project and for coordinating the Mayor's Bike Ride.

Council member Loots expressed appreciation to the Parks and Recreation Department for their efforts in putting on the Park Palooza events. He also expressed appreciation to the Finance Department for moving forward with the Placement Agent Agreement with Robert W. Baird & Co., as it will help the City avoid paying higher interest rates and therefore save taxpayer money.

Council member Trevillyan reported the scrap appliance and metal drop-off will be held on June 11th at the Public Services East Facility. He also commended the Public Services Department for coordinating the citywide spring clean-up, which is occurring this week.

Council member Hardman reported she attended a meeting of the Public Safety Subcommittee, where discussion was held on street signs. She commended DEI Director Audrey Kennis for her efforts in coordinating the Juneteenth Jubilee, which will be held on June 11th, and she reported she will be one of the panelists during that event.

Mayor Trimble reported he spoke at an event of the Filipino-American Society. He also expressed appreciation to the Parks and Recreation Department for their efforts in putting on the Park Palooza events. He noted Athene will be donating \$750,000 to the Athene Pedestrian Bridge project, and the project has now nearly accomplished its goal of raising \$3 million. He also reported he spoke at the final WDM 101 class for new city staff.

On Item 4. Consent Agenda.

Council members pulled Items 4(c)14-17, 4(p)2, 4(p)3, 4(x)1, and 4(x)2 for discussion. It was moved by Trevillyan, second by Hardman to approve the consent agenda as amended.

- a. Approval of Minutes of May 16, 2022 Meeting
- b. Approval of Bill Lists
- c. Approval of Liquor Licenses:
 1. Tasting Station Restaurant Group, LLC d/b/a BeerStyles Gastropub & Taproom/SALT of the Hearth, 5513 Mills Civic Parkway - Class LC Liquor License Extension of Outdoor Service - June 18, 2022
 2. Biaggi's Ristorante Italiano, LLC d/b/a Biaggi's Ristorante Italiano, 5990 University Avenue - Class LC Liquor License with Carryout Wine, Sunday Sales

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- and Catering Privileges - Renewal
3. Decades, LLC d/b/a Decades Event Center, 1208 Grand Avenue - Class LC Liquor License with Sunday Sales and Catering Privileges - Renewal
 4. Drury Development Corporation d/b/a Drury Inn & Suites, 5505 Mills Civic Parkway - Class LB Liquor License with Carryout Wine Privileges and Sunday Sales - Renewal
 5. Wesley Retirement Services, Inc. d/b/a Edgewater, A Wesley Active Life Community, 9225 Cascade Avenue - Class LC Liquor License with Carryout Wine, Sunday Sales, Living Quarters, and Outdoor Services - Renewal
 6. Dino Investment, Corp. d/b/a The Filling Station, 305 Grand Avenue - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
 7. Foundry Distilling Company, LLC d/b/a Foundry Distilling Company, 111 South 11th Street, Suite 100 - Class C Native Wine Permit with Sunday Sales and Outdoor Service - Renewal
 8. Foundry Distilling Company, LLC d/b/a Foundry Distilling Company, 111 South 11th Street, Suite 100 - Class C Native Distilled Spirits License Expansion of Outdoor Service - June 25, 2022
 9. 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
 10. Hy-Vee, Inc. d/b/a Hy-Vee Food Store #1, 1700 Valley West Drive - Class LE Liquor License with Carryout Wine, Carryout Beer and Sunday Sales - Renewal
 11. Sodexo Management, Inc. d/b/a Iowa Farm Bureau, 5400 University Avenue (Multipurpose Room, Atrium, Dining Room and Terrace, and Conference Center) - Class BW Permit with Outdoor Service - New
 12. Sodexo Management, Inc. d/b/a Iowa Farm Bureau, 5400 University Avenue (West Parking Lot) - Five-Day Class BW Permit with Outdoor Service – Effective June 9-13, 2022
 13. TAKO, LLC d/b/a Jenny Lee’s Korean American Kitchen, 3701 EP True Parkway, Suite 400 - Class BW Permit with Sunday Sales and Outdoor Service – New
 18. West Des Moines Hotel Associates, LLC d/b/a West Des Moines Marriott, 1250 Jordan Creek Parkway - Class LB Liquor License with Sunday Sales, Outdoor Service, and Catering Privileges - Renewal
 19. Maxie’s Enterprises, LLC d/b/a Maxie’s Restaurant & Lounge, 1311 Grand Avenue - Class LC Liquor License with Sunday Sales - Renewal
 20. Pragathi International, LLC d/b/a Persis Indian Grill, 6925 Mills Civic Parkway, Suite 142 - Class BW Permit with Native Wine and Sunday Sales - Renewal
 21. Target Corporation d/b/a Target Store T-1901, 5405 Mills Civic Parkway – Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales – Renewal
 22. Alan Castro d/b/a Vibing With Friends Entertainment, 400 Block of Railroad Place - Five-Day Class BW Permit with Outdoor Service for an Outdoor Concert

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23. Walgreen Co. d/b/a Walgreens #6623, 1660 22nd Street - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
 24. Walgreen Co. d/b/a Walgreens #6677, 4900 Mills Civic Parkway - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
 25. Walgreen Co. d/b/a Walgreens #6678, 1999 Grand Avenue - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
 26. Wal-Mart Stores, Inc. d/b/a Wal-Mart Supercenter #3762, 6365 Stagecoach Drive - Class LE Liquor License with Carryout Beer, Carryout Wine and Sunday Sales– Renewal
- d. Approval of Extended Sound Permits - Jamie Hurd Amphitheater Events
 - e. Approval of Appointments - Human Services Advisory Board
 - f. Approval of Purchase and Implementation of Updated Building and Facility Switches
 - g. Approval of Master Commercial Card Agreement - Employee Procurement Card Services
 - h. Approval of Agreement Addendum - Raccoon River Park Softball Complex Concessions
 - i. Approval of Amendments to Professional Services Agreements:
 1. Playground Equipment Replacement - Peony Park, Scenic Valley Park, and Willow Springs Park, #1
 2. Raccoon River Greenway - Parking Lot and River Access at 1st Street, #1
 - j. Approval of Change Orders:
 1. 2021 Parking Lot Repairs Program, #2
 2. MidAmerican Energy RecPlex - Site Improvements, #11
 3. MidAmerican Energy RecPlex - General Construction, #30
 - k. Approval of 28E Agreements:
 1. Central Iowa Traffic Safety Task Force
 2. Crisis Intervention Program with Heart of Iowa Region
 3. Youth Justice Initiative
 - l. Approval of 2022-23 FY Non-Union Pay Plan
 - m. Award Contract - MidAmerican Energy RecPlex, Mezzanine Furniture
 - n. Accept Work - Grand Avenue West Segment 5B and 7A Sewers
 - o. Accept Public Improvements:
 1. Cedar Ridge Plat 3
 2. Veterans Business Park Plat 1 (Sanitary Sewer)
 - p. Approval of Professional Services Agreements:
 1. City Hall Lighting Control Upgrades
 4. Valley Junction Alley Improvements, Phases 6 and 7
 5. Youth Justice Initiative Program Coordinator
 - q. Approval of Proposal from MidAmerican Energy Company to Extend Underground Electric Service - Pedestrian Hybrid Beacon, 52nd Street and EP True Parkway
 - r. Approval of Deferral of Sewer Connection Requirement - Williams Property, 9150 Wedover Road

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- s. Approval of Public Highway At-Grade Crossing Agreements - 9th Street and 11th Street Trail Crossings
- t. Approval and Acceptance of Agreements and Easements:
 - 1. Fairmeadows Elementary School, 807 23rd Street
 - 2. Stillwell Junior High School, 1601 Vine Street
 - 3. Tommy's Carwash and Hyper Energy Bar, 645 and 675 South 60th Street
- u. Approval to Initiate Development Agreement - Renewal by Andersen for Central Iowa
- v. Approval to Initiate Development Agreement and Approval of Resolution of Support for Destination Iowa Funding Program Application - VAB, LLC (Val Air Ballroom)
- w. Approval and Acceptance of Property Interests - Prairie View Drive and Ashworth Road Intersection Improvements

Vote 22-268: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

On Item 4(c) Approval of Liquor Licenses:

- 14. Kum & Go, LC d/b/a Kum & Go #8, 1293 8th Street - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
- 15. Kum & Go, LC d/b/a Kum & Go #50, 745 South 51st Street - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
- 16. Kum & Go, LC d/b/a Kum & Go #74, 141 South Jordan Creek Parkway - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
- 17. Kum & Go, LC d/b/a Kum & Go #2091, 5969 Ashworth Road - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal

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

It was moved by Trevillyan, second by Hardman to approve Items 4(c)14-17.

Vote 22-269: Hardman, Loots, Trevillyan ... 3 yes
McKinney ... 1 abstain due to potential conflict of interest
Motion carried.

On Item 4(p) Approval of Professional Services Agreements:

- 2. Digital Enterprise Private Streets Conduit Deployment
- 3. Digital Enterprise Supplemental Construction Observation Services

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

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It was moved by Trevillyan, second by Hardman to approve Item 4(p)2 Professional Services Agreement - Digital Enterprise Private Streets Conduit Deployment and Item 4(p)3 Professional Services Agreement - Digital Enterprise Supplemental Construction Observation Services.

Vote 22-270: Hardman, Loots, Trevillyan ... 3 yes
McKinney ... 1 abstain due to potential conflict of interest
Motion carried.

On Item 4(x)1 Proclamation - Pride Month, June 2022

Mayor Trimble read Proclamation - Pride Month.

It was moved by Trevillyan, second by Loots to approve Item 4(x)1 Proclamation - Pride Month.

Vote 22-271: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

On Item 4(x)2 Proclamation - Juneteenth, June 19, 2022

Mayor Trimble read Proclamation - Juneteenth.

It was moved by Trevillyan, second by Loots to approve Item 4(x)2 Proclamation - Juneteenth.

Vote 22-272: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

On Item 5(a) Sugar Creek Hills Lots 10 and 11, 32567 335th Street - Amend the Zoning Map to Establish Single-Family Residential Zoning, initiated by the City of West Des Moines

It was moved by Loots, second by Trevillyan to adopt Resolution - Approval of Waiver of Sanitary Sewer Connection Requirement.

Vote 22-273: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

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

Vote 22-274: Hardman, Loots, McKinney, Trevillyan...4 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 22-275: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

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

Vote 22-276: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

On Item 5(b) Amendment to City Code - Title 9 (Zoning), Chapter 6 (Commercial, Office and Industrial Zoning District) - Modify Zoning District Regulations Related to SIC 5961 (Catalog and Mail Order Houses), initiated by the City of West Des Moines

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

Vote 22-277: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 22-278: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

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

Vote 22-279: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

On Item 5(c) Issuance of \$5,915,000 General Obligation Urban Renewal Bonds, Series 2022A, initiated by the City of West Des Moines

It was moved by Trevillyan, second by Loots to adopt Resolution - Appoint Paying Agent, Registrar, and Transfer Agent, and Resolution - Approval and Authorization of a Loan Agreement, Authorizing the Issuance, Levying a Tax to Pay Said Bonds, and Approval of Tax Exemption Certificate and Continuing Disclosure Certificate.

Vote 22-280: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

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On Item 5(d) Issuance of \$8,365,000 General Obligation Urban Renewal Bonds, Series 2022B, initiated by the City of West Des Moines

It was moved by Trevillyan, second by Loots to adopt Resolution - Appoint Paying Agent, Registrar, and Transfer Agent, and Resolution - Approval and Authorization of a Loan Agreement, Authorizing the Issuance, Levying a Tax to Pay Said Bonds, and Approval of Tax Exemption Certificate and Continuing Disclosure Certificate.

Vote 22-281: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

On Item 5(e) Issuance of \$1,735,000 Taxable General Obligation Urban Renewal Bonds, Series 2022C, initiated by the City of West Des Moines

It was moved by Trevillyan, second by Loots to adopt Resolution - Appoint Paying Agent, Registrar, and Transfer Agent, and Resolution - Approval and Authorization of a Loan Agreement, Authorizing the Issuance, Levying a Tax to Pay Said Bonds, and Approval of Continuing Disclosure Certificate.

Vote 22-282: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

On Item 5(f) Temporary Moratorium Regarding Certain Development Activities in the Historic Valley Junction Business District, initiated by the City of West Des Moines (Continued from May 16, 2022)

It was moved by Trevillyan, second by Loots to adopt Resolution - Clarifying the Terms of the Moratorium, with an amendment to change the moratorium area so that it includes the entire Historic Valley Junction Business District, with the exception of the previously noted two properties that had excluded.

The Council held discussion on whether the moratorium should apply to only the 53 contributing properties, as recommended by the steering committee, or the entire Historic Valley Junction Business District, as proposed by Council member Trevillyan. Following discussion, the Council reached a consensus in support of a moratorium covering the entire Valley Junction Business District with the expiration date remaining September 1, 2022.

Clyde Evans, Community and Economic Development Director, provided an update on the work of the consultant, stating the draft report has been completed and will be publicized online, so the public will have an opportunity to provide feedback and additional information. The consultant will then review the information and prepare a final report.

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Vote 22-283: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

On Item 6(a) Mayor Trimble indicated this was the time and place for a public hearing to consider 1st Street Redevelopment, southwest corner of 1st Street and Grand Avenue - Amend the Planned Unit Development (PUD) to Modify Wall Sign Requirements for Buildings Less Than 1,000 Square Feet, initiated by First Street Limited Partnership. He asked for the date the notice was published and the City Clerk indicated the notice was published on May 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 6-0, with one member absent, the Plan and Zoning Commission recommended City Council approval of the PUD amendment.

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

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

Vote 22-284: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 22-285: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

On Item 6(b) Mayor Trimble indicated this was the time and place for a public hearing to consider 1700 Vine Street and 1710 Grand Avenue - Amend the Comprehensive Plan Land Use Map and Amend the Zoning Map to Establish Neighborhood Commercial Land Use and Zoning, initiated by K&E Limited Partnership. He asked for the date the notice was published and the City Clerk indicated the notice was published on May 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 6-0, with one member absent, the Plan and Zoning Commission recommended City Council approval of the comprehensive plan amendment and rezoning request.

Mayor Trimble asked if there were any public comments.

Jennifer Hampton, 541 16th Street, inquired what businesses will be locating in this strip mall.

Michael Kohne, Highland Ventures LTD, responded Dollar General has recently signed a lease to locate in the space formerly occupied by Family Video, and there is also another prospective

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tenant for the other vacant space. He noted the revenue from Dollar General as a tenant will help fund improvements to the entire property.

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

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

Vote 22-286: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

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

Vote 22-287: Hardman, Loots, McKinney, Trevillyan...4 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.

Vote 22-288: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

On Item 6(c) Mayor Trimble indicated this was the time and place for a public hearing to consider Holiday Park, 1701 Railroad Avenue - Vacate 19,625 sq. ft. of Right-of-Way Including an Excess of approx. 450 ft. of Public Alleys and 107 ft. of Maple Street Located Near the Intersection of Maple Street and 14th 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 May 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 6-0, with one member absent, the Plan and Zoning Commission recommended City Council approval of the vacation request.

Mayor Trimble 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 22-289: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 22-290: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

It was moved by Trevillyan, second by Loots to adopt Resolution - Approval of Reservation of Permanent Easements.

Vote 22-291: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

On Item 6(d) Mayor Trimble indicated this was the time and place for a public hearing to consider Amendment to City Code - Title 9 (Zoning), Chapter 6 (Commercial, Office and Industrial Zoning District) and Chapter 15 (Off-Street Parking and Loading) - Modify Zoning District Regulations Related to 'SIC 7832' (Movie Picture Theaters, except Drive In), initiated by Tallgrass Theatre Company. He asked for the date the notice was published and the City Clerk indicated the notice was published on May 20, 2022 in the Des Moines Register. Mayor Trimble 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 ordinance amendment.

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

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

Vote 22-292: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 22-293: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

On Item 6(e) Mayor Trimble indicated this was the time and place for a public hearing to consider Amendment to City Code - Title 7 (Public Ways and Property), Chapter 12 (Library Regulations), Section 2 (Rules and Regulations) - Behavior of Library Patrons, initiated by Library Board of Trustees. He asked for the date the notice was published and the City Clerk indicated the notice was published on June 1, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

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

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

Council member Hardman reported the Library Board had held a significant amount of discussion on this matter, and the intent of the changes are to maintain the decorum and safety of the library. She expressed appreciation to the Library Board and staff for their efforts on this.

Vote 22-294: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 22-295: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

On Item 6(f) Conveyance of Two Excess Parcels of Property Comprising approx. 1.439 acres and 0.310 acres Located along the North Property Line of 8670 and 8550 Mills Civic Parkway to Hurd Black, LLC and Hurd West Glen, LLC, initiated by the City of West Des Moines

It was moved by Trevillyan, second by Hardman to adopt Motion - Acceptance of Withdrawal.

Vote 22-296: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

On Item 6(g) Mayor Trimble indicated this was the time and place for a public hearing to consider Valley Southwoods Freshman High School, 4105 Fuller Road - Conveyance of Private Sanitary Sewer Easement and Private Water Main Easement to the West Des Moines Community School District, 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 May 31, 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 Loots to adopt Resolution - Approval of Conveyance of Easements.

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Vote 22-297: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

On Item 6(h) Mayor Trimble indicated this was the time and place for a public hearing to consider 8th Street Joint Utility Trench, I-235 to Clegg Road, 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 May 20, 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 Loots to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, Resolution - Award Contract to Electric Conduit Construction Company, and Resolution - Approval of Conduit Purchase Agreements.

Council member Trevillyan requested an explanation for why the bid came in significantly lower than the engineering estimate.

Brian Hemesath, City Engineer, responded staff has reviewed the track record of the contractor and has no concerns. He noted the engineer may have overestimated based on recent trends with the digital enterprise conduit project.

Vote 22-298: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

On Item 6(i) Mayor Trimble indicated this was the time and place for a public hearing to consider Digital Enterprise Conduit Deployment Segment 4, Phase 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 May 27, 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 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 these items due to a potential conflict of interest.

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Vote 22-299: Hardman, Loots, Trevillyan ... 3 yes
McKinney ... 1 abstain due to potential conflict of interest
Motion carried.

On Item 7(a) Plat of Survey Parcel '2021-57', west of SE 35th Street and south of Iowa Highway 5 - Create a 1.9-acre Parcel for the Transfer of Ownership, initiated by Silver Fox Realty, Inc.

It was moved by Loots, 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 22-300: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

On Item 7(b) Placement Agent Agreement with Robert W. Baird & Co., initiated by the City of West Des Moines

It was moved by Trevillyan, second by Hardman to adopt Motion - Approval of Agreement.

Vote 22-301: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

On Item 7(c) Amendment to City Code - Title 4 (Health and Safety Regulations), Chapter 8B (Stormwater Fees and Charges) - Modification of Fees and Charges, initiated by the City of West Des Moines

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

Vote 22-302: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 22-303: Hardman, Loots, McKinney, Trevillyan...4 yes
Motion carried.

On Item 8(a) Tami Swenson Resignation - Human Services Advisory Board - Received Filed

On Item 9 - Other Matters

June 6, 2022

Jamie Letzring, Deputy City Manager, provided a brief legislative update. She noted legislation adopted that may impact the City include a bill regarding the electronic submission of bids and a bill regarding construction managers at risk.

Mayor Trimble requested that staff do everything possible to address any concerns of the residents on Fuller Road impacted by the upcoming road closure.

The meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Ryan T. Jacobson, CMC
City Clerk

ATTEST:

Russ Trimble, Mayor