

August 15, 2022

West Des Moines City Council Proceedings
Monday, August 15, 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, August 15, 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 the agenda be amended to remove Item 4(h) Honorary Roadway Naming - Swander Family Junction, at the request of the applicant.

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

Vote 22-424: Hardman, Hudson, Loots, Trevillyan...4 yes
Motion carried.

On Item 2. Public Forum:

Rachelle Long, 106 11th Street, reported the tenth annual Taste of the Junction multicultural festival will be held on September 2nd and 3rd, and she thanked the City for its support for the event.

Katherine Harrington, President/CEO of the West Des Moines Chamber of Commerce, extended an invitation to the DEI Workplace Excellence Awards ceremony, which will be held on September 1st. She noted that Council member Renee Hardman will be recognized with the Government Leader Award, and DEI Director Audrey Kennis will be honored with the DEI Leader Award.

Mayor Trimble stated he is proud of Renee Hardman and Audrey Kennis for their achievements and progress they have made with diversity, equity and inclusion.

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

Council member Hudson reported the Finance and Administration Subcommittee met and discussed the Valley Junction rental acquisition program and a proposed budget amendment. He also attended a meeting of the Public Safety Subcommittee, where discussion was held on fireworks. He also reported he plans to start holding quarterly meeting to get input from high school students.

Council member Hardman thanked Katherine Harrington for the work she does for the West Des Moines Chamber of Commerce. She congratulated DEI Director Audrey Kennis for being recognized with the DEI Leader Award. She reported she attended a meeting with Community

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and Economic Development staff regarding a proposed development near the MidAmerican Energy RecPlex. She also reported she will attend a meeting of the Library Board of Trustees tomorrow.

On Item 4. Consent Agenda.

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

- a. Approval of Minutes of August 1, 2022 Meeting
- b. Approval of Bill Lists
- c. Approval of Liquor Licenses:
 1. Fara, Inc. d/b/a Cabo Sol Mexican Restaurant, 5010 Mills Civic Parkway, Suite 100 - Class LC Liquor License with Sunday Sales - Renewal
 2. Casey's Marketing Company d/b/a Casey's General Store #2150, 2125 Grand Avenue - Class LE Liquor License with Carryout Beer, Carryout Wine, and Sunday Sales - Renewal
 3. Casey's Marketing Company d/b/a Casey's General Store #2297 108 8th Street - Class LE Liquor License with Carryout Beer, Carryout Wine, and Sunday Sales - Renewal
 4. Embassy Club West, LLC, d/b/a Embassy West - Class LC Liquor License with Carryout Wine, Sunday Sales, Outdoor Service, and Catering Privileges - Renewal
 5. Fox Brewing, LLC d/b/a Fox Brewing, 103 South 11th Street - Class B Beer Permit with Sunday Sales, Brew Pub, High Proof Brew Pub, and Outdoor Service Privileges - Renewal
 6. Hy-Vee, Inc. d/b/a Hy-Vee Fast and Fresh #4, 665 South 51st Street - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
 7. Jethro's Bacon Bacon, Inc., d/b/a Jethro's BBQ n'Bacon Bacon, 1480 22nd Street - Class LC Liquor License with Sunday Sales, Outdoor Service, and Catering Privileges - Renewal
 8. Ohana Inc. d/b/a Ohana Steakhouse, 2900 University Avenue, Suite A - Class LC Liquor License with Sunday Sales - Renewal
 9. Sakura Sushi, Inc., d/b/a Sakura Sushi, 1960 Grand Avenue, Suite 11 - Class LC Liquor License with Sunday Sales - Renewal
 10. Press Roll Rereroll, LLC d/b/a Tonic, 5535 Mills Civic Parkway, Suite 105 - Class LC Liquor License with Sunday Sales and Outdoor Service - New
- d. Approval of Special Event Lane Closure - Giles Street Block Party, August 27, 2022
- e. Approval of Special Event Lane Closure and Waiver of City Code Requirement - Taste of the Junction Multicultural Festival, September 3, 2022
- f. Approval of Parking on School Property Grass - 2022 Valley Stadium Events
- g. Approval of Contract Agreement Renewal - Street and Cul-de-sac Snow and Ice Removal Services
- h. Removed

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- i. Approval of Purchase of Wetland Credits (White Fox Mitigation Bank) - Blue Creek Stormwater Detention Facilities
- j. Approval of Amendments to Professional Services Agreements:
 - 1. MidAmerican Energy RecPlex - Architectural Services
 - 2. MidAmerican Energy RecPlex - Owner's Representative Services
- k. Approval of Senior Bond Issuance Certificate - \$83,600,000 Des Moines Metropolitan Wastewater Reclamation Authority (WRA) Senior Bonds
- l. Approval of Deer Management Zone - 3140 SE 22nd Street
- m. Order Construction - Raccoon River Park Playground Replacement
- n. Accept Work:
 - 1. 2021 PCC Reconstruction Program
 - 2. Parks Maintenance Facility Demolition
- o. Approval of Professional Services Agreements:
 - 1. Grand Avenue Reconstruction, west of I-35 to South 60th Street
 - 2. Public Safety Station #22 Sewer Rehabilitation
- p. Acceptance of Iowa Clean Air Attainment Program (ICAAP) Funds - Traffic Signal Vehicle Detector Improvement Project
- q. Approval of Amendment No. 1 to Development Agreement - Jordan Creek Associates, LLC
- r. Proclamation - American Clean Power Week, August 15-19, 2022

Vote 22-425: Hardman, Hudson, Loots, Trevillyan...4 yes
Motion carried.

On Item 5(a) Amendment to City Code - Title 9 (Zoning), Chapter 6 (Commercial, Office and Industrial District) and Chapter 15 (Off-Street Parking and Loading) - Modify Regulations Pertaining to Residential Care to Allow in the Regional Commercial Zoning District, initiated by Greater Des Moines Supportive Housing

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

Vote 22-426: Hardman, Hudson, Loots, Trevillyan...4 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 22-427: Hardman, Hudson, Loots, Trevillyan...4 yes
Motion carried.

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

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Vote 22-428: Hardman, Hudson, Loots, Trevillyan...4 yes
Motion carried.

On Item 6(a) Mayor Trimble indicated this was the time and place for a public hearing to consider Parkhaven, northeast corner of Fuller Road and South 33rd Street - Amend the Planned Unit Development (PUD) to Remove Restrictions within Parcel C, initiated by John Wheeler. He asked for the date the notice was published and the City Clerk indicated the notice was published on July 29, 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, and one citizen correspondence was received which has been placed on the dais.

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 consider the first reading of the ordinance.

Vote 22-429: Hardman, Hudson, Loots, Trevillyan...4 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.

Vote 22-430: Hardman, Hudson, Loots, Trevillyan...4 yes
Motion carried.

On Item 6(b) Mayor Trimble indicated this was the time and place for a public hearing to consider Amendment #1 to the Val-Gate 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 August 5, 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 Urban Renewal Plan Amendment.

Vote 22-431: Hardman, Hudson, Loots, Trevillyan...4 yes
Motion carried.

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On Item 6(c) Mayor Trimble indicated this was the time and place for a public hearing to consider Valley View Aquatic Center Toddler Slide and Three Meter Diving Platform, 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 July 29, 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 Weidner Construction.

Vote 22-432: Hardman, Hudson, Loots, Trevillyan...4 yes
Motion carried.

On Item 7(a) Linnwill Hy-Vee Fast & Fresh, 300 Grand Avenue - Approval of Final Plat to Create One Lot for Commercial Development, initiated by Hy-Vee, Inc.

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.

Vote 22-433: Hardman, Hudson, Loots, Trevillyan...4 yes
Motion carried.

On Item 7(b) South Branch Business Park, 4210 SE Army Post Road - Approval of Final Plat to Create Two Lots for Development and One Outlot for a Private Drive, initiated by SBBP JV21, LLC

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

Vote 22-434: Hardman, Hudson, Loots, Trevillyan...4 yes
Motion carried.

On Item 7(c) Grace Creek Senior Apartments, 8710 Ashworth Road - Approval of Site Plan to Allow Construction of a Senior Apartment Building with 34 Dwelling Units, initiated by Curly Top, LLC

It was moved by Hardman, second by Loots 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.

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Council member Hudson spoke in support of this proposed development, stating these 34 dwelling units will benefit senior citizens seeking a place to live in West Des Moines. He commended Finance Director Tim Stiles for his efforts in obtaining state appropriations for this project. He also expressed appreciation to the neighbors for their cooperation and feedback throughout the process.

Vote 22-435: Hardman, Hudson, Loots, Trevillyan...4 yes
Motion carried.

On Item 7(d) Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 2 (Through Streets Stop Required) - South 100th Street, Booneville Road to Stagecoach Drive, initiated by the City of West Des Moines

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

Vote 22-436: Hardman, Hudson, Loots, Trevillyan...4 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 22-437: Hardman, Hudson, Loots, Trevillyan...4 yes
Motion carried.

On Item 7(e) Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 3 (Four-Way Stop Intersections) - South Grand Prairie Parkway and Mills Civic Parkway, initiated by the City of West Des Moines

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

Vote 22-438: Hardman, Hudson, Loots, 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 22-439: Hardman, Hudson, Loots, Trevillyan...4 yes
Motion carried.

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

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On Item 9 - Other Matters

Council member Trevillyan requested an update on the Digital Enterprise Conduit project, and he expressed concerns about the quality of the restoration work done in the areas already completed.

Brian Hemesath, City Engineer, reported three large segment areas will be getting turned over this week. He noted the contractors are still working on restoration and identifying areas where the restoration needs additional work. He suggested if citizens have questions about the conduit project, they should call the conduit project hotline at 515-222-3578. He also noted the City expects to have its portion of the conduit project completed by September 2023.

Council member Trevillyan inquired about public access to the Holiday Park baseball fields, as he received a complaint from a resident that tried to access the fields while they were not in use, but they were locked.

Sally Ortgies, Parks and Recreation Director, responded it is likely the resident tried to access the fields after they had been prepped for games.

The meeting was adjourned at 6:13 p.m.

Respectfully submitted,

Ryan T. Jacobson, CMC
City Clerk

ATTEST:

Russ Trimble, Mayor