

October 17, 2022

West Des Moines City Council Proceedings  
Monday, October 17, 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, October 17, 2022 at 5:30 PM. Council members present were: R. Hardman, G. Hudson, D. Loots, and K. Trevillyan.

Mayor Trimble noted the Ashworth Road Multi-Use Trail project is not on tonight's agenda, but it will be discussed during a Council workshop on Monday, November 7<sup>th</sup>.

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

Vote 22-525: Hardman, Hudson, Loots, Trevillyan...4 yes  
Motion carried.

On Item 2. Public Forum:

Cheryl Matravers, 1409 Ashworth Road, spoke in opposition to the proposed multi-use trail along Ashworth Road, stating she believes there are better uses for City funds and she doesn't see the necessity for destroying some properties and removing mature trees.

Char Weisenhorn, 1527 Ashworth Road, stated she had heard if there are structures in the right of the way along Ashworth Road, they will be removed for this proposed project, so she inquired if insurance would cover property removed by the City. She also inquired how snow removal operations will work for Ashworth Road after it is reconstructed as a three-lane roadway.

Council member McKinney arrived at 5:36 p.m. The attendance was re-taken. Council members present were: R. Hardman, G. Hudson, D. Loots, M. McKinney, and K. Trevillyan.

Scott Smith, 1167 21<sup>st</sup> Street, expressed concerns about two AirBnB rental properties on his street, which frequently houses guests that are disruptive to the neighborhood and occupy a significant amount of the available street parking. Since the state took away the City's right to regulate short-term rentals like these, he inquired what the citizens can do about the issue.

Mayor Trimble suggested the citizens could lobby the Iowa Legislature to allow cities to regulate short-term rentals.

Dana Simon, 2320 Ashworth Road, expressed concerns that the discussions about the Ashworth Road project has not included beautification along the roadway. He also expressed concerns about speeding along Ashworth Road and potential accidents if there is a bike path along the roadway.

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Brad Morford, 1815 Ashworth Road, spoke in opposition to the proposed multi-use trail along Ashworth Road, stating he does not think it is fair for the City to take ten feet of his property as right-of-way for this project. He noted the City wants a 12-foot wide parking for safety, but he has found areas along Ashworth Road near 50<sup>th</sup> Street with only a 5-foot wide parking or 3-foot wide parking. He suggested if they do a 6-foot wide sidewalk with an 8-foot wide parking, it would not require any additional right-of-way.

Michaelyn McClinton, 1910 Ashworth Road, spoke in opposition to the proposed multi-use trail along Ashworth Road, stating this is an established residential area, and she questions if the benefits of the proposed project would justify the significant costs. She noted the City currently has 64 feet of right-of-way to work with, so she believes the City should be able to design a roadway configuration within that space. She stated City staff has said the standard lane width is 12 feet, but her research indicates the 12-foot standard is for new construction and highway construction, so she doesn't believe that standard is appropriate for this circumstance. She noted her research indicated a travel lane width of 10 feet generally provides adequate safety in urban settings.

M.J. Hoag, 415 2<sup>nd</sup> Street, expressed concerns about the City's failure to prioritize pedestrian safety at locations where pedestrian walkways come into contact with roadways for vehicle traffic, and he provided the following examples: the intersection of a pedestrian walkway with the entrance drive into Holiday Park, the pedestrian crosswalk and ramp configuration at 4<sup>th</sup> Street and Grand Avenue, and the sidewalks that will be immediately adjacent to the streets in the new Picket Fences residential development.

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

Council member Hardman congratulated Katherine Harrington, President/CEO of the West Des Moines Chamber of Commerce, for earning the Outstanding Iowa Advocate Award from the Public Relations Society of America (PRSA) Iowa Chapter. She also commended Council member Hudson for hosting a successful first meeting of the City Student Committee.

Council member McKinney reported he attended a meeting of the ICON Water Trails Board, and he noted that Maggie McClelland will be stepping down from her position as Executive Director of the organization. He also reported the Development and Planning Subcommittee met and discussed a proposed ordinance regarding fencing, as well as several upcoming development projects.

Council member Hudson reported he attended a meeting of the Finance and Administration Subcommittee, where discussion was held on future development of the land at the northeast corner of Grand Avenue and Fuller Road. He commended Katherine Harrington, President/CEO of the West Des Moines Chamber of Commerce, for organizing a successful Raccoon River Rally event. He also reported the first meeting of the City School Committee was held on Sunday, October 16th, and several students came to discuss their vision for the city.

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City Manager Tom Hadden invited Susanne Gerlach from Public Financial Management to present information on today's bond sales.

Susanne Gerlach, Public Financial Management, 801 Grand Avenue, Des Moines, stated we are no longer in a low interest rate market, but the City was able to get the best possible rates that were available on the market today. She presented the tabulations of bids for Series 2022E. This bond series received eight bids, which included 53 bidders that went in as syndicates. The low bid, submitted by Robert W. Baird & Co., Inc. came in at a true interest rate of 5.16 percent. She also presented the tabulations of bids for Series 2022F. This bond series received 11 bids, which included 49 bidders that went in as syndicates. The low bid, submitted by J.P. Morgan Securities, LLC came in at a true interest rate of 3.46 percent.

Mayor Trimble welcomed Vega Ramon, a foreign exchange student from Barcelona, Spain, who was in attendance at the meeting.

On Item 4. Consent Agenda.

Council members pulled Item 4(h) for discussion. It was moved by Hudson, second by Loots to approve the consent agenda as amended.

- a. Approval of Minutes of October 3, 2022 Meeting
- b. Approval of Bill Lists
- c. Approval of Liquor Licenses:
  1. Marshall Alum, LLC d/b/a Chowrastha Indian Grill and Eatery, 5910 Ashworth Road - Class BW Permit with Sunday Sales - New
  2. Des Moines Golf and Country Club d/b/a Des Moines Golf and Country Club, 1600 Jordan Creek Parkway - Class LC Liquor License with Carryout Wine, Sunday Sales, and Outdoor Service Privileges - Renewal
  3. 52 Gracedieu DBA Memory Lane Antiques, LLC d/b/a Memory Lane Antiques Collectibles & Gifts, 208 5<sup>th</sup> Street - Class B Native Wine Permit with Sunday Sales - Renewal
  4. Pho Shobu, LLC d/b/a Pho Shobu, 8950 University Avenue, Suite 103 - Class LC Liquor License with Sunday Sales - Renewal
  5. SA Petro Mart, Inc., d/b/a SA Petro Mart, 136 1<sup>st</sup> Street - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
- d. Approval of Appointment - Human Rights Commission
- e. Approval of Multi-Function Copier Lease Agreement and Maintenance and Service Agreement
- f. Approval of Professional Services Agreement - MidAmerican Energy RecPlex Expansion Pre-Design Building Services
- g. Approval of Interfund Transfers
- i. Establish Public Hearing - Issuance of Not to Exceed \$5,200,000 Storm Water Revenue Capital Loan Notes

- j. Approval of 28E Agreement - Iowa Pledge Tobacco Compliance Program – Iowa Alcoholic Beverages Division
- k. Order Construction:
  - 1. 8th Street Reconstruction, I-235 to Clegg Road
  - 2. 2022 Stormwater Intake Repair Program
  - 3. 2022 Sewer Cleaning & Televising Program
- l. Accept Public Improvements:
  - 1. Grand Valley Townhomes
  - 2. Oaks on Grand
  - 3. West Glen Village North
- m. Approval to Allow Fence within a Landscape Buffer - 9126 South 91<sup>st</sup> Court
- n. Approval of Development Agreement (Regulatory Compliance Fund) – BTC Investments, LLC, 130 5<sup>th</sup> Street
- o. Approval and Acceptance of Condemnation Award - 8<sup>th</sup> Street Reconstruction, I-235 to Clegg Road
- p. Approval of Proclamations:
  - 1. Disability Employment Awareness Month, October 2022
  - 2. Extra Mile Day - November 1, 2022

Vote 22-526: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes  
Motion carried.

On Item 4(h) Approval and/or Ratification of Specific Fees and Charges - Sewer District Fees and Charges

Council member McKinney inquired if this proposed update to the fee schedule is the result of the analysis by Veenstra & Kimm.

Brian Hemesath, City Engineer, responded yes, this is a result of the analysis conducted by Veenstra & Kimm, and the updated fees, which were affirmed by the Finance and Administration Subcommittee, would more accurately reflect the true construction costs.

It was moved by McKinney, second by Trevillyan to approve Item 4(h) Approval and/or Ratification of Specific Fees and Charges - Sewer District Fees and Charges.

Vote 22-527: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes  
Motion carried.

On Item 5 - New Business: no items

On Item 6(a) Mayor Trimble indicated this was the time and place for a public hearing to consider Comprehensive Plan Amendment - Approval of Update to the Comprehensive Plan and Land Use Map, initiated by the City of West Des Moines (Continued from September 13, 2022).

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He asked for the date the notice was published and the City Clerk indicated the notice was published on September 30, 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 this comprehensive plan update.

Mayor Trimble requested that staff present background information on this comprehensive plan update.

Lynne Twedt, Development Services Director, stated the comprehensive plan is the long-term vision for the future of our community. She then presented background information on the process that staff has gone through to develop this proposed comprehensive plan update and the companion action plan. She reported this comprehensive plan update will reduce the current 24 different land use classifications to five land use classifications with intensity levels. She then presented the proposed land use map and explained what is allowed in each of the new land use classifications. She also presented information on the 21 different place types identified for the city. She noted the proposed land use map being considered tonight includes only the undeveloped areas of the city, and the developed areas of the city will remain under the current land use designations, but staff will begin working to prepare the updated map for those areas in the coming months.

Mayor Trimble asked if there were any public comments.

Jim McKinney, 1660 South 115<sup>th</sup> Street, stated it is his family's position that the plan and map approved by the Plan and Zoning Commission are the only plan and map that should be considered by the City Council, and if the City Council wants to consider anything that differs from that, it should first be considered during a public hearing by the Plan and Zoning Commission. He also expressed concerns that there was no map included with Item 6(a) in the council packet.

City Attorney Dick Scieszinski stated there is nothing in the Iowa Code or City Code that would prohibit the City Council from approving a plan with amendments from what has been recommended by the Plan and Zoning Commission.

Mark Lee, Lee Chamberlin Consultant Engineers, 10430 New York Avenue, Urbandale, representing the Wittern properties, expressed concerns that there was no map included with Item 6(a) in the council packet. He objected to the proposed comprehensive plan land use map excluding several properties to be considered separately. He also expressed concerns that the hatched areas on the proposed map do not cover all areas that would be considered environmentally sensitive. He expressed support for the Resolution adopted by the Plan and Zoning Commission, which included an amendment to eliminate the hatching areas altogether. He noted other cities' comprehensive plans exclude major highways from their land use maps,

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and he suggested that West Des Moines should exclude highway right-of-way from its map as well.

Wayne McKinney, 11375 Booneville Road, expressed the same procedural concerns previously raised by Jim McKinney, and he also suggested that the only plan and map that should be considered by the City Council tonight is one that was approved by the Plan and Zoning Commission.

Ms. Twedt responded to questions about the hatched areas on the proposed map, stating the intent is to raise awareness that there could be features on the site that could warrant special approaches with development, but they are not regulatory. She stated the hatched areas also help guide where breaks between land uses could make sense.

City Manager Tom Hadden suggested that the hatched areas should be removed from the land use map, but staff should research those areas further.

Dan Dutcher, 3D Consulting, 625 SE Southfork Drive, Waukee, representing the Wittern properties, expressed concerns that the zoning and bulk regulations for the proposed land uses shown on the map are unknown, so it is difficult for the landowners to accept a land use for their property without that information. He also suggested that the comprehensive plan should not include square footage or height restrictions for land uses, as those matters should be regulated by the zoning.

Ms. Twedt noted the proposed comprehensive plan is a guiding document with flexibility, but regulations on square footage and height restrictions will be formalized by the Council in a forthcoming zoning code update.

Wayne McKinney requested the Council consider eliminating the bulk regulations for low industrial and low multi-use in terms of building height and footprint.

Nick Williams, 34097 V Place, Waukee, stated he owns property within the “whited out” area on the proposed land use map with an asterisk, and he supports it remaining undesignated at this time.

Mr. Lee reiterated his concerns about the proposed land use map’s inclusion of highway right-of-way in the land uses.

Misty Wittern, 3117 115<sup>th</sup> Street, stated when the Iowa Department of Transportation condemned her property for Highway 5 right-of-way, they took 103 acres for one interchange, so each interchange equals a significant amount of land that is not developable.

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

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It was moved by Hudson, second by Loots to adopt Resolution - Approval of Update to Comprehensive Plan and Land Use Map, with an amendment to remove the hatch mark areas as recommended by the Plan and Zoning Commission.

Mayor Trimble noted that parcels 6(b), 6(c), 6(d), 6(e), and 6(f) shall retain their current land uses at this point, until the City Council takes action on them separately.

Council member McKinney requested confirmation that the motion would have no impact on the property for which his family members have an interest.

City Attorney Dick Scieszinski confirmed that is correct.

Council member McKinney expressed concerns that he does not believe the comprehensive plan update is ready, because it only applies to the undeveloped areas of the city, therefore it is not truly comprehensive. He noted it would create different standards for different areas of the city, which goes against the principle he believes in that everyone should be held to the same standards. He also expressed concerns that the proposed map reflects Veterans Parkway west of I-35 as a major highway with interchanges, but he has heard the Iowa Department of Transportation is not interested in designating that corridor as a highway. He also expressed concerns about the 45,000 square foot building limit for certain land use classifications. He noted he spoke about it with representatives from Hy-Vee, and they had concerns about such a restriction. He stated there are significant growth prospects in the logistics, distribution, and warehousing industries, but he is concerned the proposed map does not include adequate areas where such facilities, which are typically over 45,000 square feet, could be located. He stated, because of these concerns and his belief that the comprehensive plan update is not ready, he will not be able to support it this evening.

Mayor Trimble stated former Mayor Gaer gave the direction to staff to start the comprehensive plan update with those undeveloped areas of the city, and the land use map will then be applied to the rest of the city in the months following, so all areas will be treated equally. He expressed appreciation to the staff for all the work they put into this comprehensive plan update. He noted it is not a perfect plan, but it has flexibility and is subject to change if needed.

Council member Hardman spoke in support of the proposed comprehensive plan update, stating it will never be perfect, but it is time to make progress by moving it forward. She noted that no matter how much additional work is put into this plan, it will never make everybody happy. She expressed appreciation to the staff for the remarkable work they put into this comprehensive plan update.

Council member Loots spoke in support of the proposed comprehensive plan update, stating he agrees it will never be perfect, but there is a process to bring it back to the council and amend it if need be. He also expressed appreciation to everyone that shared comments this evening.

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Council member Trevillyan expressed appreciation to the staff for the work they put into this comprehensive plan update, as there has been more public input and more thought put into this plan than any previous comprehensive plan for the city.

Vote 22-528: Hardman, Hudson, Loots, Trevillyan ... 4 yes  
McKinney ... 1 no

Motion carried.

Mayor Trimble declared a recess at 9:27 p.m. and reconvened the meeting at 9:40 p.m.

On Item 6(b) Mayor Trimble indicated this was the time and place for a public hearing to consider Comprehensive Plan Land Use Map Amendment - Approval of Comprehensive Land Use Map Designation - McKinney Property (Continued from September 13, 2022). He asked for the date the notice was published and the City Clerk indicated the notice was published on September 30, 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 this comprehensive plan update.

Lynne Twedt, Development Services Director, provided an overview of the staff recommendation and Plan and Zoning Commission recommendation for land uses on this property. She noted the Plan and Zoning recommendation, which was requested by the McKinney family, created a conflict by placing Multi Use High adjacent to Single Family Residential.

Mayor Trimble asked if there were any public comments.

Wayne McKinney, 11375 Booneville Road, spoke in support of the Plan and Zoning recommendation, as indicated by Map E, as he would like to be able to retain the same land uses his property currently has.

Jim McKinney, 1660 South 115<sup>th</sup> Street, expressed concerns about the 45,000 square foot building limit for certain land use classifications, and he noted many of the projects that have developed on parcels in this area that have been sold by his family exceed 45,000 square feet.

Nick Williams, 34097 V Place, Waukee, spoke in support of the staff recommendation, as indicated by Maps C and D.

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

It was moved by Trevillyan to adopt Resolution - Approval of Comprehensive Plan Land Use Map Designation, as indicated by Map A, with an amendment to remove the hatch mark areas. Motion died for lack of second.



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Council member Hudson stated he does not feel prepared to make a decision on this item tonight, so he suggested it be deferred.

Staff was instructed to arrange a meeting with the property owner and Mr. Williams to discuss the land use.

It was moved by Hudson, second by Loots to continue Item 6(b) Comprehensive Plan Land Use Map Amendment - Approval of Comprehensive Land Use Map Designation - McKinney Property to November 7, 2022.

Mayor Trimble presented a compromise option that he developed, which has Multi Use Medium on the northernmost section identified as Parcel 1A, with Industrial Low on Parcels 1B and 2, as this compromise would resolve the conflict that was created by the Plan and Zoning recommendation.

Nick Williams spoke in support of deferring this item, as he has concerns that the Mayor's compromise option would not allow him to know what could develop on the parcel adjacent to his Single Family Residential land use.

Vote 22-529: Hardman, Hudson, Loots, Trevillyan ... 4 yes  
McKinney ... 1 abstain due to potential conflict of interest  
Motion carried.

On Item 6(c) Mayor Trimble indicated this was the time and place for a public hearing to consider Comprehensive Plan Land Use Map Amendment - Approval of Comprehensive Land Use Map Designation - Wittern SE Property (Continued from September 13, 2022). He asked for the date the notice was published and the City Clerk indicated the notice was published on September 30, 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 this comprehensive plan update.

Lynne Twedt, Development Services Director, provided an overview of the staff recommendation and Plan and Zoning Commission recommendation for land uses on this property. She noted the Plan and Zoning recommendation created a conflict by placing Multi Use High adjacent to Single Family Residential.

Mayor Trimble asked if there were any public comments.

Dan Dutcher, 3D Consulting, 625 SE Southfork Drive, Waukee, representing the Wittern properties, spoke in support of the Plan and Zoning recommendation, as the Multi Use High land use would not have the 45,000 square foot building restriction.

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Mark Lee, Lee Chamberlin Consultant Engineers, 10430 New York Avenue, Urbandale, representing the Wittern properties, stated if the 45,000 square foot building restriction is removed, it would address all his concerns.

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

Mayor Trimble presented a compromise option that he developed, which has Multi Use High on Parcels 1 and 5, Multi Use Medium on Parcels 2 and 4, and Mixed Residential on Parcel 4, as this compromise would resolve the conflict that was created by the Plan and Zoning recommendation.

Misty Wittern, 3117 115<sup>th</sup> Street, stated she would support the Mayor's compromise option if Parcel 4 was changed to Multi Use Medium.

It was moved by Trevillyan, second by Hardman to adopt Resolution - Approval of Comprehensive Plan Land Use Map Designation, as indicated by Map D1 (Mayor's Compromise), with amendments to designate Parcel 4 as Multi Use Medium and to remove the hatch mark areas as recommended by the Plan and Zoning Commission.

Vote 22-530: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes  
Motion carried.

On Item 6(d) Mayor Trimble indicated this was the time and place for a public hearing to consider Comprehensive Plan Land Use Map Amendment - Approval of Comprehensive Land Use Map Designation - Wittern SW Property (Continued from September 13, 2022). He asked for the date the notice was published and the City Clerk indicated the notice was published on September 30, 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 this comprehensive plan update.

Lynne Twedt, Development Services Director, provided an overview of the staff recommendation and Plan and Zoning Commission recommendation for land uses on this property.

Mayor Trimble presented a compromise option that he developed, which has Multi Use High on Parcel 1, Multi Use Medium on Parcel 2, and Mixed Residential on Parcel 3

Misty Wittern, 3117 115<sup>th</sup> Street, expressed support for the Mayor's compromise option.

Mayor Trimble 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 Hardman to adopt Resolution - Approval of Comprehensive Plan Land Use Map Designation, as indicated by Map C1 (Mayor's Compromise), with an amendment to remove the hatch mark areas as recommended by the Plan and Zoning Commission.

Council member Hudson requested that Parcel 3 be split so that the western portion could be Single Family Residential and the eastern portion could be Mixed Residential, as a neighboring property owner had expressed to him a desire for single family residential on the western portion.

Council member Trevillyan rescinded his motion, and Council member Hardman rescinded her second to that motion.

It was moved by Hudson, second by Trevillyan to adopt Resolution - Approval of Comprehensive Plan Land Use Map Designation, as indicated by Map C1 (Mayor's Compromise), with amendments to designate the western portion of Parcel 3 as Single Family Residential and to remove the hatch mark areas as recommended by the Plan and Zoning Commission.

Vote 22-531: 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 Comprehensive Plan Land Use Map Amendment - Approval of Comprehensive Land Use Map Designation - Sweeney Property (Continued from September 13, 2022). He asked for the date the notice was published and the City Clerk indicated the notice was published on September 30, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated on a vote of 5-1, with one member absent, the Plan and Zoning Commission recommended City Council approval of this comprehensive plan update.

Lynne Twedt, Development Services Director, provided an overview of the staff recommendation and Plan and Zoning Commission recommendation for land uses on this property.

Mayor Trimble asked if there were any public comments.

Dave Hansen, Signature Commercial Real Estate, 4701 121<sup>st</sup> Street, Urbandale, expressed a desire for Multi Use Low designation on this property, as it would allow for the greatest flexibility, and they believe it would be difficult to develop this small parcel as residential.

Mayor Trimble asked if there were any additional 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 Comprehensive Plan Land Use Map Designation, with an amendment to remove the hatch mark areas as recommended by the Plan and Zoning Commission.

Vote 22-532: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes  
Motion carried.

On Item 6(f) Mayor Trimble indicated this was the time and place for a public hearing to consider Comprehensive Plan Land Use Map Amendment - Approval of Comprehensive Land Use Map Designation - Colby Property (Continued from September 13, 2022). He asked for the date the notice was published and the City Clerk indicated the notice was published on September 30, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated on a vote of 4-2, with one member absent, the Plan and Zoning Commission recommended City Council approval of this comprehensive plan update.

Lynne Twedt, Development Services Director, provided an overview of the staff recommendation and Plan and Zoning Commission recommendation for land uses on this property. She noted the staff recommendation uses the proposed future SE 42<sup>nd</sup> Street, which runs through this parcel, as the boundary between land uses, but if the roadway alignment would shift either way, the boundary between those land uses would shift along with it.

Mayor Trimble asked if there were any public comments.

Clark Colby, 12802 Cardinal Lane, Urbandale, spoke in support of the Plan and Zoning recommendation, as he has a desire to retain the same zoning for this entire property. He stated he believes the roadway alignment shown on the proposed map passes through challenging topography and wetlands, so it would be better for the roadway to shift to the west, meaning it would not pass through any part of his property. He also noted there is a proposed MidAmerican Energy substation project being discussed for the parcel on the south side of Veterans Parkway, which would affect the road alignment.

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

Mayor Trimble suggested the Council could approve the land use designation for the entire property as requested by Mr. Colby, but it could be contingent upon the roadway alignment, so that if it does eventually run through his property, the land use designation boundary would shift with it.

Council members McKinney and Trevillyan indicated they would not support such a contingency.

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It was moved by Trevillyan, second by McKinney to adopt Resolution - Approval of Comprehensive Plan Land Use Map Designation, as indicated by Map A (Plan and Zoning Commission Recommendation), with an amendment to remove the hatch mark areas as recommended by the Plan and Zoning Commission.

Vote 22-533: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes  
Motion carried.

On Item 7(a) PPG Paints, 1220 8th Street - Approval of Level 1 Minor Modification to Allow Modifications Related to the 8th Street Widening Project, initiated by the City of West Des Moines

It was moved by Hudson, second by Loots to adopt Resolution - Approval of Minor Modification, subject to the applicant complying with all applicable City Code requirements and the conditions of approval listed in the Resolution.

Vote 22-534: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes  
Motion carried.

On Item 7(b) Richman Auto, 1272 8th Street - Approval of Level 1 Minor Modification to Allow Modifications Related to the 8th Street Widening Project, initiated by the City of West Des Moines

It was moved by Hudson, second by Loots to adopt Resolution - Approval of Minor Modification, subject to the applicant complying with all applicable City Code requirements and the conditions of approval listed in the Resolution.

Vote 22-535: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes  
Motion carried.

On Item 7(c) Issuance of \$29,235,000 Taxable General Obligation Urban Renewal Capital Loan Notes Series 2022E, initiated by the City of West Des Moines

It was moved by Hudson, second by Loots to adopt Motion - Receive and File Report of Bids and Resolution - Direct Sale.

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

Vote 22-536: Hardman, Hudson, Loots, Trevillyan ... 4 yes  
McKinney ... 1 abstain due to potential conflict of interest  
Motion carried.

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On Item 7(d) Issuance of \$13,730,000 General Obligation Urban Renewal Bonds, Series 2022F, initiated by the City of West Des Moines

It was moved by Hudson, second by Loots to adopt Motion - Receive and File Report of Bids and Resolution - Direct Sale.

Vote 22-537: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes  
Motion carried.

On Item 8(a) Chandlor Collins Resignation - Human Rights Commission - Received Filed

On Item 9 - Other Matters: none

The meeting was adjourned at 11:47 p.m.

Respectfully submitted,

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Ryan T. Jacobson, CMC  
City Clerk

ATTEST:

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Russ Trimble, Mayor