

August 21, 2023

West Des Moines City Council Proceedings
Monday, August 21, 2023

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 21, 2023 at 5:30 PM. Council members present were: R. Hardman, G. Hudson, D. Loots, M. McKinney, and K. Trevillyan.

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

Vote 23-330: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 2. Public Forum: No one came forward.

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

Fire/EMS Chief Craig Leu introduced Firefighters Allan Busch, Megan Hudson, and Maverick McAtee, who were then sworn in by Mayor Trimble.

Council member Hudson congratulated the firefighters who were just sworn in and expressed appreciation to all the City's first responders. He reported he attended a meeting of the Greater Des Moines Convention and Visitors Bureau Board, where he was selected as the new vice chair of the board. He also attended a meeting of the Parks and Recreation Advisory Board, and he noted this has been a record-breaking year for program registrations and usage of facilities.

Council member McKinney reported he attended a meeting of the Development and Planning Subcommittee, where discussion was held on a potential food truck area in the Valley Junction Business District. He also attended a meeting of the Public Services Subcommittee, where staff presented an update on the conduit network project and discussion was held on future additions to the conduit network for newly-annexed and newly-developed areas. He also noted the City of West Des Moines is implementing a system with turn-by-turn instructions for snow removal operations. He also reported that Holiday Aquatic Center will be open over Labor Day weekend for the first time in several years.

Council member Hardman reported the West Des Moines Chamber of Commerce DEI Workplace Excellence Awards will be held on September 7th. She also reported the ceremony to unveil the honorary roadway signs for the Johnny E. Long, Jr. and Barbara Long Honorary Roadway will be held on September 1st.

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Council member Loots reported the council recently conducted its annual compensation review for City Manager Tom Hadden, and he commended Mr. Hadden for doing a great job, especially with communicating information to the council members.

Mayor Trimble expressed support for the potential food truck area in the Valley Junction Business District, but he suggested that the council also be mindful of the brick-and-mortar restaurants in that area.

On Item 4. Consent Agenda.

Council members pulled Items 4(e)3, 4(n)1, 4(n)2, 4(n)3, and 4(p) for discussion. It was moved by Hudson, second by McKinney to approve the consent agenda as amended.

- a. Approval of Minutes of August 7, 2023 Meeting
- b. Approval of Bill Lists
- c. Approval of Liquor Licenses:
 1. Blue Agave Waukee, LLC d/b/a Blue Agave Street Tacos & Margaritas, 9500 University Avenue, Suite 2108 - Class C Retail Alcohol License with Outdoor Service - Renewal
 2. Bradley's Pub, Inc., d/b/a Bradley's Pub, 1300 50th Street, Suite 203 - Class C Retail Alcohol License - Renewal
 3. Fara, Inc. d/b/a Cabo Sol Mexican Restaurant, 5010 Mills Civic Parkway, Suite 100 - Class C Retail Alcohol License - Renewal
 4. Casey's Marketing Company d/b/a Casey's General Store #2150, 2125 Grand Avenue - Class E Retail Alcohol License - Renewal
 5. Casey's Marketing Company d/b/a Casey's General Store #2297, 108 8th Street - Class E Retail Alcohol License - Renewal
 6. Chipotle Mexican Grill of Colorado d/b/a Chipotle Mexican Grill, 490 South 68th Street, Suite 110 - Class C Retail Alcohol License with Outdoor Service - Renewal
 7. Dino's Sports Bar, LLC d/b/a Dino's Sports Bar, 5962 Ashworth Road - Class C Retail Alcohol License - New
 8. Embassy Club West, LLC, d/b/a Embassy West - Class C Retail Alcohol License with Outdoor Service and Catering Privileges - Renewal
 9. Jethro's Bacon Bacon, Inc., d/b/a Jethro's BBQ n'Bacon Bacon, 1480 22nd Street - Class C Retail Alcohol License with Catering Privileges - Renewal
 10. 1901 Events, LLC d/b/a The Monroe, 1805 90th Street - Class C Retail Alcohol License - Renewal
 11. Ohana Inc. d/b/a Ohana Steakhouse, 2900 University Avenue, Suite A - Class C Retail Alcohol License - Renewal
 12. New York Style Pizza, Inc. d/b/a OPA! Italian & Greek Dining, 2800 University Avenue, Suite 450 - Class C Retail Alcohol License - Renewal

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13. Sakura Sushi, Inc., d/b/a Sakura Sushi, 1960 Grand Avenue, Suite 11 - Class C Retail Alcohol License - Renewal
14. Sadu Bhai, LLC d/b/a University Liquors, 9250 University Avenue, Suite 114 - Class E Retail Alcohol License - New
- d. Approval of Tobacco Permit
- e. Approval of Special Event Lane Closures:
 1. Henry Gregor Felsen Car Show, September 17, 2023
 2. Valleyfest, October 7, 2023
- f. Approval of Special Event Lane Closure and Waiver of City Code Requirement - Taste of the Junction Multicultural Festival, September 2, 2023
- g. Approval of Renewal Contract Agreements:
 1. Emergency Sanitary and Storm Sewer Repair Services
 2. Street and Cul-de-sac Snow and Ice Removal Services
- h. Approval of Change Orders:
 1. South Service Area Segment 8 Sewer, #3
 2. MidAmerican Energy RecPlex - General Construction, #31
- i. Approval of Amendment No. 1 to Professional Services Agreement - Grand Avenue Reconstruction, west of I-35 to South 60th Street
- j. Approval of Compensation - City Manager
- k. Approval of Reimbursement - Various Capital Project Funds
- l. Approval of Termination of 28E Agreement with Central Iowa Hospital Corporation for the Provision of Emergency Medical Services
- m. Order Construction:
 1. 2023 Playground Replacement Project - Crossroads Park, Jaycee Park, and Kiwanis Park
 2. Holiday Park Baseball, Phase 8 - Parking Lot and Entry Improvements
- n. Accept Work:
 4. Pedestrian Hybrid Beacon - 52nd Street and EP True Parkway
- o. Approval of Proposal from MidAmerican Energy Company - Relocation of Underground Electric - Law Enforcement Center Garage Conversion and HVAC Improvements

Vote 23-331: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 4(e)3 Approval of Special Event Lane Closure - Za-Ga-Zig Shrine Parade, August 30, 2025

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

It was moved by Hudson, second by McKinney to approve Item 4(e)3 Approval of Special Event Lane Closure - Za-Ga-Zig Shrine Parade, August 30, 2025.

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Vote 23-332: Hardman, Hudson, Loots, McKinney ... 4 yes
Trevillyan ... 1 abstain due to potential conflict of interest
Motion carried.

On Item 4(n) Accept Work:

1. Digital Enterprise Conduit Deployment Segment 1, Phase 1
2. Digital Enterprise Conduit Deployment Segment 2, Phase 2
3. Digital Enterprise Conduit Deployment Segment 2, Phase 3

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

It was moved by Loots, second by Hudson to approve Items 4(n)1, 4(n)2, and 4(n)3.

Vote 23-333: Hardman, Hudson, Loots, Trevillyan ... 4 yes
McKinney ... 1 abstain due to potential conflict of interest
Motion carried.

On Item 4(p) Proclamation - Taste of the Junction Days, September 1-2, 2023

Mayor Trimble read Proclamation - Taste of the Junction Days.

It was moved by Hardman, second by Trevillyan to approve Item 4(p) Proclamation - Taste of the Junction Days, September 1-2, 2023.

Vote 23-334: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 5 - Old Business: no items

On Item 6(a) Mayor Trimble indicated this was the time and place for a public hearing to consider Silverwood, northeast corner of South 88th Street and Mills Civic Parkway - Amend the Planned Unit Development (PUD) Ordinance to Modify Buffering Requirements, Perimeter Setback Requirements, and Outdoor Use Areas, initiated by PFC WDM Holdings, LLC. He asked for the date the notice was published and the City Clerk indicated the notice was published on August 4, 2023 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated on a vote of 4-0, with three members absent, the Plan and Zoning Commission recommended City Council approval of the PUD amendment, and one written correspondence was received, which was included with the council communication.

Mayor Trimble asked if there were any public comments.

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Tom Vandekamp, 8695 Coachlight Drive, requested information about where the access points for this proposed development will be located and what the housing types will be.

Lynne Twedt, Development Services Director, presented a map of the proposed development and indicated the locations of the primary entrance on South 85th Street and the secondary entrance on South 88th Street. She also reported the development is attached townhomes with a mix of six-plex, eight-plex, ten-plex, and twelve-plex buildings, which will all be rental units.

Desland Vando, 8635 Coachlight Drive, inquired if there will be anything dividing the development and the adjacent single-family homes while the development is under construction.

Ms. Twedt responded staff anticipates the developer will install a temporary fence around the development while it is under construction. She stated the buffering will be finalized during the site plan process, but there is a proposed three-foot-high berm along Coachlight Drive with a six-foot fence on top of the berm and trees. She also stated the developer is interested in starting construction this fall, and the entire project is expected to take 12 to 18 months to construct.

Curtis Welsh, 8655 Coachlight Drive inquired if the proposed development will include any structures of more than two stories.

Ms. Twedt responded no, it will not include any structures of more than two stories.

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

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

Council member McKinney stated there was a previous proposed development for this location, but the City's public safety departments had concerns about insufficient emergency access. He noted this proposed development was discussed by the Development and Planning Subcommittee, and the public safety departments are comfortable with the emergency access. He also noted this proposed development will come to the council again for further review as part of the site plan process.

Council member Hudson stated he has heard residents express concerns about increased traffic, but he noted there will be a four-way stop intersection at South 85th Street and Coachlight Drive, which will alleviate some of those traffic concerns. He also noted the berm along Coachlight Drive, with the fence and trees on top, and the detention pond in the northeast corner of the development, will provide a fairly substantial visual buffer for the single-family homes to the north.

Vote 23-335: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

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The City Clerk read the preamble to the ordinance.

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

Vote 23-336: 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 Sewer Protection - Plumwood Drive, west of South 35th 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 August 4, 2023 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 Trevillyan to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to On Track Construction, LLC.

Vote 23-337: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 7(a) Della Vita Plat 5, northeast corner of EP True Parkway and Wendover Lane - Acceptance of Public Improvements and Approval of Final Plat to Create 52 Footprint Lots, One Outlot, and One Street Lot, initiated by Della Vita, LLC

It was moved by McKinney, second by Loots to adopt Resolution - Acceptance of Public Improvements and Approval and Release of Final Plat, subject to the applicant complying with all applicable City Code requirements and the conditions of approval listed in the Resolution.

Vote 23-338: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 7(b) Fox Ridge Plat 3 Final Plat, south of the intersection of SE 25th Street and SE Fox Valley Drive - Acceptance of Public Improvements and Approval of Final Plat to Create 45 Lots for Single-Family Development and Three Street Lots, initiated by Forestar USA Real Estate Group, Inc.

It was moved by Hardman, second by McKinney to adopt Resolution - Acceptance of Public Improvements and Approval and Release of Final Plat, subject to the applicant complying with all applicable City Code requirements and the conditions of approval listed in the Resolution.

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Vote 23-339: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 7(c) Fox Ridge Townhomes Plat 2, southeast corner of SE 25th Street and Veterans Parkway - Approval of Final Plat to Create 88 Footprint Lots for Medium Density Residential Development and One Outlot, initiated by Forestar (USA) Real Estate Group, Inc.

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

Vote 23-340: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 7(d) Lot 2, West Lakes Office Park Plat 15, 7120 University Avenue - Approval of Site Plat to Allow Construction of a Multi-Tenant Retail Building, initiated by Fore Right, L.C. and West Lakes Commercial, LLC

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

Vote 23-341: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 7(e) Plat of Survey Parcel '22-86' and '22-87', 7136 and 7152 Eldorado Point - Approval of Plat of Survey to Create Two Parcels for Transfer of Ownership Due to a Landscaping Encroachment, initiated by Ann M. Bergman and Williams Joint Revocable Trust

It was moved by Trevillyan, second by Hardman 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 23-342: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

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

On Item 9 - Other Matters: none

The meeting was adjourned at 6:15 p.m.

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Respectfully submitted,

Ryan T. Jacobson, CMC
City Clerk

ATTEST:

Russ Trimble, Mayor