November 4, 2024

West Des Moines City Council Proceedings
Monday, November 4, 2024

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, November 4, 2024 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 24-446: 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:

Council member Hardman reported she attended a meeting of the Historic Valley Junction Foundation Board, where discussion was held on events during the upcoming holiday season. She also reported there will be ribbon cutting ceremony for the West Des Moines Chamber Foundation on November 12th. She wished a Happy Veterans Day and expressed appreciation to all the veterans that have served our country.

Council member McKinney reported he attended a ribbon cutting ceremony for the Youth Justice Initiative in their new space at the Law Enforcement Center, and he expressed appreciation to Police Chief Chris Scott and City Manager Tom Hadden for their support of the Youth Justice Initiative Program.

Council member Hudson expressed appreciation to all the veterans that have served our country. He also encouraged the public to vote in tomorrow's election.

City Manager Tom Hadden reported there will be a ribbon cutting ceremony for the Athene Pedestrian Bridge on November 21st.

Council member Hardman expressed appreciation to Police Chief Chris Scott for the responsiveness and professionalism he displayed while addressing a recent complaint from a resident.

Mayor Trimble expressed appreciation to all the veterans that have served our country. He reported he also attended the ribbon cutting ceremony for the Youth Justice Initiative, and he believes the program provides a significant benefit to our community.

On Item 4. Consent Agenda.

Council members pulled Items 4(m)1 and 4(m)2 for discussion. It was moved by Hudson, second by Trevillyan to approve the consent agenda as amended.

a. Approval of Minutes of October 21, 2024 Meeting
b. Approval of Bill Lists
c. Approval of Liquor Licenses:
    1. Apres Bar Co, LLC d/b/a Apres Bar Co, 4000 Turnberry Drive - Five Day Special Class C Retail Alcohol License for Private Event on November 21, 2024
    2. Apres Bar Co, LLC d/b/a Apres Bar Co, 6900 Westown Parkway - Five Day Class C Retail Alcohol License for Private Event on December 5, 2024
    3. DOLGENCORP, LLC d/b/a Dollar General Store #24593, 1710 Grand Avenue – Class B Retail Alcohol License - New
    4. DNC IA Group, Inc. d/b/a Vietopia Asian Fusion, 6960 EP True Parkway, Suite 113 - Class C Retail Alcohol License - Renewal
    5. WASABIWDSM, LLC d/b/a Wasabi, 5045 Bentley Drive, Suite 400 - Class C Retail Alcohol License with Outdoor Service - New
    6. Shri Hari, LLC d/b/a West D Liquors, 5014 EP True Parkway - Class E Retail Alcohol License - Renewal
d. Approval of Public Services Snow and Ice Control Policy Manual
e. Approval to Sell Surplus City Property
f. Approval of Sub Award Recipient Agreement - Multi-Agency Strike Force Operation (MASFO)
g. Approval of FY 2023-24 Iowa Department of Transportation City Street Financial Report
h. Order Construction:
    1. 2024 Parking Lot Repair Program, Phase 1
    2. 2024 PCC Patching Program, Phase 2
    3. 2024 Sewer Pipe Rehabilitation Program
    4. Grand Avenue Reconstruction, I-35 to South 60th Street
i. Finding No Further Compensation is Due to ATO Builders, LLC - MidAmerican Energy RecPlex, General Construction
j. Approval of Property Improvement Fund and Regulatory Compliance Fund Development Agreements:
    1. Bryken, LLC and Five Monkeys, Inc. (131 5th Street)
    2. Comport, LLC and Two Oaks Wealth, Inc. (214 5th Street)
    3. Sharp Assets, LLC (721 Railroad Avenue)
k. Approval of Vacation of a Portion of an Existing Sanitary Sewer Easement along the South Property Line of 3330 SE Army Post Road
l. Approval of Vacation of Existing Sanitary Sewer Easement and Approval and Acceptance of New Sanitary Sewer Easement - Northwest Corner of SE 35th Street and SE Maffitt Lake Road

Vote 24-447: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 4(m)1 Proclamation - Native American Heritage Month, November 2024

It was moved by Hardman, second by McKinney to approve Item 4(m)1 Proclamation - Native American Heritage Month.

Mayor Trimble read Proclamation - Native American Heritage Month.

Vote 24-448: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 4(m)2 Proclamation - Veterans Day, November 11, 2024

It was moved by Trevillyan, second by Hudson to approve Item 4(m)2 Proclamation - Veterans Day.

Mayor Trimble read Proclamation - Veterans Day.

Vote 24-449: 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 Ridgeview at Maffitt Lake, 3760 SE Maffitt Lake Road - Amend the Zoning Map to Establish Single Family Residential Zoning, initiated by Palamar Farms, LLC. He asked for the date the notice was published and the City Clerk indicated the notice was published on October 18, 2024 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 rezoning request.

Mayor Trimble asked if there were any public comments.

Dean Roghair, Civil Design Advantage, speaking on behalf of applicant, reported the applicant is requesting the rezoning of 80 acres of property south of Maffitt Lake Road for single family residential, which is consistent with the comprehensive plan land use.

Mark Lee, Lee Chamberlin Consultant Engineers, 10430 New York Avenue, Urbandale, representing the Wittern properties, stated they have no objection to the proposed R-1 zoning, but they are concerned about transitions and hope the developer does the right thing.

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 Hudson to consider the first reading of the ordinance.

Vote 24-450: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 24-451: 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 Cascade Avenue Vacation - Vacate 189 sq. ft. of Cascade Avenue Right-of-Way West of South 93rd 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 October 23, 2024 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 Hudson, second by McKinney to consider the first reading of the ordinance.

Vote 24-452: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 24-453: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 6(c) Mayor Trimble indicated this was the time and place for a public hearing to consider Grand Experience Affordable Housing 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 October 25, 2024 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

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

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

Mayor Trimble and Council members Hudson, Loots, and Hardman spoke in support of the Grand Experience development project, because they believe it will be a game changer as a quality of life amenity for our residents and will serve as a regional draw that will provide an economic boost to our community.

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

Vote 24-454: Hardman, Hudson, Loots, Trevillyan … 4 yes
McKinney … 1 abstain due to potential conflict of interest
Motion carried.

On Item 6(d) Mayor Trimble indicated this was the time and place for a public hearing to consider Grand Experience Water Park 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 October 25, 2024 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 Trevillyan to adopt Resolution - Approval of Urban Renewal Plan.

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

Vote 24-455: Hardman, Hudson, Loots, Trevillyan … 4 yes
McKinney … 1 abstain due to potential conflict of interest
Motion carried.

On Item 6(e) Mayor Trimble indicated this was the time and place for a public hearing to consider Grand Experience East Commercial 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 October 25, 2024 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.

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

Vote 24-456: Hardman, Hudson, Loots, Trevillyan … 4 yes
McKinney … 1 abstain due to potential conflict of interest
Motion carried.

On Item 6(f) Mayor Trimble indicated this was the time and place for a public hearing to consider Grand Experience West Commercial 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 October 25, 2024 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.

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

Vote 24-457: Hardman, Hudson, Loots, Trevillyan … 4 yes
McKinney … 1 abstain due to potential conflict of interest
Motion carried.

On Item 6(g) Mayor Trimble indicated this was the time and place for a public hearing to consider Grand Experience Southeast Commercial 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 October 25, 2024 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.

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

Vote 24-458: Hardman, Hudson, Loots, Trevillyan … 4 yes
McKinney … 1 abstain due to potential conflict of interest
Motion carried.

On Item 6(h) Mayor Trimble indicated this was the time and place for a public hearing to consider Grand Experience Southwest Economic Development 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 October 25, 2024 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.

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

Vote 24-459: Hardman, Hudson, Loots, Trevillyan … 4 yes
McKinney … 1 abstain due to potential conflict of interest
Motion carried.

On Item 6(i) Agreement for Private Development, initiated by WDM Entertainment, LLC

It was moved by Trevillyan, second by Hudson to adopt Motion - Continue Public Hearing to December 2, 2024.

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

Vote 24-460: Hardman, Hudson, Loots, Trevillyan … 4 yes
McKinney … 1 abstain due to potential conflict of interest
Motion carried.

On Item 6(j) Mayor Trimble indicated this was the time and place for a public hearing to consider Mills Civic Parkway Widening, South 81st Street to South 88th 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 October 18, 2024 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 All Star Concrete.

Vote 24-461: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 6(k) Mayor Trimble indicated this was the time and place for a public hearing to consider Scenic Valley Park Court and Asphalt Trail Improvements, 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 October 18, 2024 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 Des Moines Asphalt & Paving.

Vote 24-462: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 6(l) Mayor Trimble indicated this was the time and place for a public hearing to consider 2024 Sewer Cleaning and Televising Program, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on October 18, 2024 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

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

It was moved by Hudson, second by McKinney to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Visu-Sewer, LLC.

Vote 24-463: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 7(a) Iles Jordan Creek Plat 1, 7150 Ashworth Road - Approval of Final Plat to Create One Lot for Commercial Development and One Street Lot, initiated by Iles Funeral Homes Real Estates, LLC

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

Vote 24-464: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 7(b) Valley Church, 4343 Fuller Road - Approval of Level 1 Minor Modification to Site Plan to Allow a 38-foot Tall Cross to Be Installed on the Building, initiated by Eagle Signs

It was moved by Loots, second by Hardman 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 24-465: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 7(c) Plat of Survey Parcel '24-99', generally located at the intersection of Westport Drive and Twilight Drive - Approval of Plat of Survey for Transfer of Ownership, initiated by Heartland Land Development, LLC

It was moved by Trevillyan, second by McKinney 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 24-466: Hardman, Hudson, Loots, McKinney, Trevillyan…5 yes
Motion carried.

On Item 7(d) Amendment to City Code - Title 1 (Administrative), Chapter 6 (Mayor and Council), Article A (Mayor) - Modification of Mayor Compensation, initiated by the City of West Des Moines

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

M.J. Hoag, 413 2nd Street, spoke in support of the proposed salary increases for the Mayor and City Council, stating he believes they are long overdue. He believes the increases will help the salaries keep pace with inflation, and, considering the amount of time the Mayor and Council put

into fulfilling their duties, he would support the increases being greater than what has been proposed. He also stated the increased salaries will help make it easier for those in the future who consider serving in those capacities.

Council member Hudson spoke in support of the proposed salary increases for the Mayor and City Council, especially because it will not take effect until January 1, 2028, after all the current elected officials will have had to face re-election.

Mayor Trimble noted these proposed salaries would be in line with comparable cities around Iowa.

Council member Loots stated he will not support the proposed salary increases for the Mayor and City Council, because if the purpose of these increases is to expand who could run for office, he does not believe the $1,000 increase is enough to have any impact on that. He noted none of the current elected officials are doing it for the money.

Council member Hardman spoke in support of the proposed salary increases for the Mayor and City Council, because the elected officials devote a significant amount of time to fulfilling their duties and attend many ceremonial events at their own expense, so the increased salaries could help defray some of those costs.

Vote 24-467: Hardman, Hudson, McKinney, Trevillyan … 4 yes
Loots … 1 no
Motion carried.

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 24-468: Hardman, Hudson, McKinney, Trevillyan … 4 yes
Loots … 1 no
Motion carried.

On Item 7(e) Amendment to City Code - Title 1 (Administrative), Chapter 6 (Mayor and Council), Article B (Council) - Modification of City Council Compensation, initiated by the City of West Des Moines

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

Vote 24-469: Hardman, Hudson, McKinney, Trevillyan … 4 yes
Loots … 1 no
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 24-470: Hardman, Hudson, McKinney, Trevillyan … 4 yes
Loots … 1 no
Motion carried.

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

On Item 9 - Other Matters: none

The meeting was adjourned at 6:31 p.m.

Respectfully submitted,

_____
Ryan T. Jacobson, CMC
City Clerk

ATTEST:

_____
Russ Trimble, Mayor