

# CITY OF WEST DES MOINES

## COUNCIL AGENDA

**date:** May 4, 2020

**time:** 5:30 P.M.

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MAYOR ..... STEVEN K. GAER  
COUNCILMEMBER AT LARGE ..... RENEE HARDMAN  
COUNCILMEMBER AT LARGE ..... MATTHEW MCKINNEY  
COUNCILMEMBER 1<sup>ST</sup> WARD ..... KEVIN L. TREVILLYAN  
COUNCILMEMBER 2<sup>ND</sup> WARD ..... GREG HUDSON  
COUNCILMEMBER 3<sup>RD</sup> WARD ..... RUSS TRIMBLE

CITY MANAGER.....TOM HADDEN  
CITY ATTORNEY.....RICHARD SCIESZINSKI  
CITY CLERK.....RYAN JACOBSON

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***Due to the State Public Health Emergency Declaration regarding COVID-19, this meeting will be conducted electronically pursuant to Iowa Code 21.8 and the Proclamation of Governor Kim Reynolds dated March 19, 2020. Members of the public wishing to participate in this meeting will only be able to do so telephonically, by calling: 515-207-8241, Enter Conference ID: 166 263 385#***

1. **Call to Order/Pledge of Allegiance/Roll Call/Approval of Agenda**
2. **Citizen Forum** (Pursuant to City Council Procedural Rules citizen remarks are limited to five minutes under this agenda category - if additional time is desired the Mayor/Council may allow continuation as part of the Other Matters portion of the agenda)
3. **Mayor/Council/Manager Report/Other Entities Update**
4. **Consent Agenda**
  - a. Motion - Approval of Minutes of April 20, 2020 Meeting
  - b. Motion - Approval of Bill Lists
  - c. Motion - Approval of Liquor Licenses:
    1. Biaggi's Ristorante Italiano, LLC d/b/a Biaggi's Ristorante Italiano, 5990 University Avenue - Class LC Liquor License with Carryout Wine, Sunday Sales and Catering Privileges - Renewal
    2. Orilla Chicken Company, Inc. d/b/a The Chicken, 4221 SE Orilla Road - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
    3. Eat Thai, LLC d/b/a Eat Thai, Thai Eatery, 1821 22<sup>nd</sup> Street, #103 - Class BW Permit with Sunday Sales - Renewal
    4. El Fogon del Chivo, LLC d/b/a El Fogon, 1250 8<sup>th</sup> Street - Class LC Liquor License with Sunday Sales, Outdoor Service, and Catering Privileges - Renewal
    5. Dino Investment, Corp. d/b/a The Filling Station, 305 Grand Avenue - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal

6. BBMG Mills Civic Parkway, LLC d/b/a Grumpy Goat Tavern, 6420 Mills Civic Parkway - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
  7. Kinseth Hotel Corporation d/b/a Hampton Inn, 6160 Mills Civic Parkway - Class BW Permit with Carryout Wine, Sunday Sales, Living Quarters, and Outdoor Service - Renewal
  8. Historic Valley Junction Foundation d/b/a Historic Valley Junction Foundation, 137 5<sup>th</sup> Street - Six-Month Class LC Liquor License with Outdoor Service - New
  9. Kinseth 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 Market Cafe, 1700 Valley West Drive (Cafe Area) - Class LC Liquor License with Sunday Sales - Renewal
  11. MM, LLC d/b/a Ladder #13, 1316 Grand Avenue - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
  12. GMRI, Inc. d/b/a The Olive Garden Italian Restaurant #1146, 3600 Westown Parkway - Class LC Liquor License with Sunday Sales - Renewal
  13. The Operating Room, LLC d/b/a The Operating Room, 5515 Mills Civic Parkway, Suites 130 and 135 - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
  14. Pike VII Management Inc. d/b/a Smashburger, 1821 22<sup>nd</sup> Street, Suite #106 - Class B Beer Permit with Sunday Sales - Renewal
  15. Whole Foods Market Group, Inc. d/b/a Whole Foods Market, 4100 University Avenue - Class LE Liquor License with Carryout Beer, Carryout Wine, and Sunday Sales - Renewal
  16. Willow Creek Golf Course, Inc. d/b/a Willow Creek Golf Course, 140 Army Post Road - Class LC Liquor License with Sunday Sales, Living Quarters, and Outdoor Service Privileges - Renewal
- d. Motion - Approval of License Agreement - Des Moines Bicycle Collective "BCycle" Bike Share
- e. Motion - Approval of Contract Agreements:
1. 2020 Street and Pavement Repair Supplemental Retainer Contract
  2. Portland Cement Concrete Material for Improved Street Maintenance
- f. Motion - Approval of Professional Services Agreement - Audit Services
- g. Motion - Approval of Additional 2019-20 FY Hotel/Motel Tax Allocations to the Historic Valley Junction Foundation

- h. Motion - Approval of Change Order #10 - South 88<sup>th</sup> Street and Mills Civic Parkway Reconstruction
- i. Motion - Approval of Amendments to Professional Services Agreements:
  - 1. Johnson Creek Realignment
  - 2. West Public Services Facility
- j. Motion - Approval of Master Conduit License and Sharing Agreement with MCC Iowa, LLC (Mediacom)
- k. Resolution - Award Contract - MidAmerican Energy RecPlex Indoor/Outdoor Synthetic Turf Fields
- l. Resolution - Accept Work - Ashworth Road Improvements - Jordan Creek Parkway to 81<sup>st</sup> Street
- m. Resolution - Accept Public Improvements - Scheels Warehouse Sanitary Sewer
- n. Resolution - Approval of Consent to Collateral Assignment of the Development Agreement and Upper Story Housing Program Agreement with Junction House 329, LLC
- o. Resolution - Approval and Acceptance of Property Interests:
  - 1. Raccoon River Bank Stabilization Project
  - 2. South Grand Prairie Parkway Grade Separation Project and Raccoon River Basin Segment 5 Sewer - Lift Station and Forcemain Project
- p. Resolution - Approval of Termination of Lease Agreement with the West Des Moines Business Incubator - 318 5<sup>th</sup> Street
- q. Proclamation - Approval of Proclamations:
  - 1. Bike Month, May 2020
  - 2. Police Officers Week, May 10-16, 2020

**5. Old Business**

- a. The Preserve, south of Raccoon River adjacent to SW Grand Prairie Parkway - Amend the Planned Unit Development (PUD) to Establish Development Standards and Modify Signage Regulations - Raccoon River Land Company, LLC
  - 1. Ordinance - Approval of Second, Third Readings and Final Adoption
- b. Woodland Hills Urban Renewal Area - Approval of Amended TIF Ordinance - City Initiated
  - 1. Ordinance - Approval of Second, Third Readings and Final Adoption
- c. Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 6 (Parking Regulations) - Modify the Requirements for Prohibited Parking - City Initiated
  - 1. Ordinance - Approval of Second, Third Readings and Final Adoption

**6. Public Hearings (5:35 p.m.)**

- a. Community Development Block Grant Program - 2020-24 Consolidated Plan, 2020-21 Annual Action Plan, 2019-20 Amended Annual Action Plan, 2018-19 Amended Annual Action Plan, Citizen Participation Plan, and Outreach Policy for Minority and Women Owned Businesses - City Initiated
  - 1. Resolution - Approval of Community Development Block Grant Program Plans
- b. Valley Junction Business District Pavers and Sidewalk, Phase 1 - City Initiated
  - 1. Resolution - Approval of Plans and Specifications
  - 2. Motion - Receive and File Report of Bids
  - 3. Resolution - Award Contract
- c. Public Safety Station #22 Roof Replacement - City Initiated
  - 1. Resolution - Approval of Plans and Specifications
  - 2. Motion - Receive and File Report of Bids
  - 3. Resolution - Award Contract

**7. New Business**

- a. Dave & Busters, 170 South Jordan Creek Parkway - Preliminary Plat to Subdivide Property into One Commercial Lot and Site Plan to Construct a Building Pad for a 22,600 sq. ft. Building - Brookfield Properties Retail
  - 1. Resolution - Approval of Preliminary Plat and Site Plan
- b. Westport, 33346 V Court - Subdivide Property into 83 Lots for Single Family Development, Five Public Street Lots, Four Outlots for Future Development, and One Outlot for Storm Water Detention - Westport Development, LLC
  - 1. Resolution - Approval of Revised Preliminary Plat
- c. Amendment to City Code - Title 4 (Health and Safety Regulations), Chapter 4 (Nuisances), Section 10 (Specified Crime Property; Declaration and Abatement) - Clarify the Process Regarding Disorderly and Nuisance Property Violations - City Initiated
  - 1. Ordinance - Approval of First Reading
- d. Amendment to City Code - Title 4 (Health and Safety Regulations), Chapter 4 (Nuisances) - Add Section 11 (Disorderly and Nuisance Properties) to the City Code - City Initiated
  - 1. Ordinance - Approval of First Reading

**8. Receive, File and/or Refer**

**9. Other Matters**

The City of West Des Moines is pleased to provide accommodations to disabled individuals or groups and encourages their participation in city government. Should special accommodations be required please contact the Clerk's office at least 48 hours in advance, at 222-3600 to have accommodations provided.