

June 13, 2016

West Des Moines City Council Proceedings  
Monday, June 13, 2016

Mayor Steven K. Gaer 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, June 13, 2016 at 5:31 PM. Council members present were: R. Messerschmidt, J. Mickelson, J. Sandager, and K. Trevillyan.

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

Vote 16-212: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

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

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

Council member Sandager reported he attended a meeting of the Bravo Finance and Sustainability Committee, and he noted that he will start his new role on the Bravo Executive Committee on July 1. He also attended a meeting of the West Des Moines Chamber of Commerce, where discussion was held on the recruitment of a new President/CEO.

Council member Messerschmidt reported a Public Works Subcommittee meeting was held, where discussion was held on concerns expressed by a resident regarding the proposed bike trail along South 60<sup>th</sup> Street. There is a fairly steep grade from the location of the proposed bike trail down to the resident's property, and the resident has requested to install a fence along the proposed trail and landscaping in front of the fence.

On Item 4. Consent Agenda.

Council members pulled Item 4(g)3 for discussion. It was moved by Sandager, second by Messerschmidt to approve the consent agenda as amended.

- a. Approval of Minutes of May 31, 2016 Meeting
- b. Approval of Bill Lists
- c. Approval of Liquor Licenses:
  1. Bambino's Restaurant, Inc. d/b/a Bambino's Restaurant, 2025 Grand Avenue - Class LC Liquor License with Sunday Sales - Renewal
  2. MLC Holdings, LLC, d/b/a Blue Moon Dueling Piano Bar & Restaurant, 5485 Mills Civic Parkway - Class LC Liquor License Extension of Outdoor Service - June 17-18, 2016

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3. Fordad, Inc., d/b/a Cattoor's on Grand, 1306 Grand Avenue - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
  4. P2C2 Investments, LLC d/b/a Global Brew Tap House and Lounge, 9500 University Avenue, Suite 1118 - Class BW Permit with Sunday Sales and Outdoor Service - New
  5. Kum & Go, LC d/b/a Kum & Go #97, 196 South 50th Street - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
  6. Maxie's Enterprises, LLC d/b/a Maxie's Restaurant & Lounge, 1311 Grand Avenue - Class LC Liquor License with Sunday Sales - Renewal
  7. P. F. Chang's China Bistro, Inc., d/b/a P. F. Chang's China Bistro, 110 South Jordan Creek Parkway - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
  8. Red Lobster Restaurants, LLC d/b/a Red Lobster #0796, 3838 Westown Parkway - Class LC Liquor License with Sunday Sales - Renewal
- d. Approval of Order for Violation of Alcohol Laws
  - e. Acceptance of Grant Funding for WDM Human Services - Sammons Financial Group
  - f. Approval of Professional Services Agreement - Economic Development Action Plan
  - g. Order Construction:
    1. Public Services Facility Grading
    2. Sugar Creek Trunk Sewer Extension
    4. Intersection Improvements - 50th Street and University Avenue; 50th Street and Corporate Drive
    5. Holiday Park Baseball Improvements - Commons Area - Phase 4A
  - h. Accept Work:
    1. Dixie Acres Sanitary Sewer
    2. Law Enforcement Center Roof Replacement
  - i. Approval of 28E Agreement with Polk County- Delinquent Parking Ticket Program
  - j. Approval of Professional Services Agreement - Miscellaneous Engineering Services
  - k. Approval and Acceptance of Purchase Agreements, Condemnation Award and Property Interests - South 50th Street Improvements Project
  - l. Approval and Acceptance of Purchase Agreements and Property Interests - Ashworth Road - Phase 1 Improvements Projects
  - m. Approval and Acceptance of Purchase Agreements and Easements - Sugar Creek Sewer Extension Project
  - n. Approval of Assigning an Interest in the Woodland Hills Urban Renewal Development Agreement

Vote 16-213: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes

Motion carried.

On Item 4(g)3 Order Construction - Jordan Creek Parkway and University Avenue Intersection Improvements, Phase 1

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Council member Messerschmidt stated the City is aware of the traffic challenges in this area, and this proposed project is expected to provide some relief at an affordable cost. He noted the project is expected to be completed by the end of 2016.

It was moved by Messerschmidt, second by Trevillyan to approve Item 4(g)3 Order Construction - Jordan Creek Parkway and University Avenue Intersection Improvements, Phase 1.

Mayor Gaer requested that staff reach out to the media regarding this project. He also noted this is the last project the City of West Des Moines can physically do to add traffic capacity in this area, and any further improvements would need to be done by the cities of Clive or Waukee.

Vote 16-214: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

On Item 5(a) West Glen Town Center, south of Wild Rose Lane and east of South Prairie View Drive - Amend Specific Plan to Add 48 Dwelling Units to Building J-2 (a planned parking structure) and Add an I-2 Building with 60 Dwelling Units and Structured Parking, initiated by MRES West Glen Holding, LP

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

Vote 16-215: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 16-216: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

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

Vote 16-217: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

On Item 5(b) Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 2 (Through Streets Stop Required) - 81st Street, Ashworth Road to EP True Parkway, initiated by the City of West Des Moines

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

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Vote 16-218: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 16-219: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

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

Vote 16-220: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

On Item 6(a) Amendment #1 to Ashworth Corridor Urban Renewal Area, initiated by the City of West Des Moines

It was moved by Messerschmidt, second by Sandager to adopt Motion - Continue Public Hearing to July 25, 2016.

Vote 16-221: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

On Item 6(b) Mayor Gaer indicated this was the time and place for a public hearing to consider Raccoon River Park Softball Irrigation Modifications, 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 May 27, 2016 and June 3, 2016 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

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

It was moved by Sandager, second by Messerschmidt to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Motion - Defer Award of Contract.

Mayor Gaer noted staff recommends deferring award of the contract because the bids received were all significantly higher than the estimate.

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Council member Trevillyan inquired how staff intends to proceed with this proposed project.

Gary Scott, Director of Parks and Recreation, responded staff plans to meet with the project engineer and the lowest responsive bidder to determine if the project design could be simplified to reduce some of the project costs. He noted West Des Moines Water Works has expressed willingness to consider increasing their contribution up to 50 percent of the project cost. Once those discussions have taken place, staff may request the Council approve an increase to the City's allocation towards this project, if needed.

Vote 16-222: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

On Item 7(a) Amendment to City Code - Title 2 (Boards and Commissions), Chapter 5 (Human Services Advisory Board), Section 3 (Board Established; Membership) and Section 4 (Term of Office; Vacancies) - Amend the Composition of Board Members and Amend the Number of Consecutive Terms a Board Member May Serve, initiated by the City of West Des Moines

It was moved by Messerschmidt, second by Sandager to consider the first reading of the ordinance.

Council member Trevillyan inquired if the composition and/or term limits for all boards and commissions should be reviewed as well.

Mayor Gaer explained that there is already an unwritten practice that members of all boards and commissions will only serve two consecutive terms, unless there is a compelling reason to have them continue beyond those two terms. He noted the Human Services Advisory Board has had the most challenges with filling vacant seats and having a quorum at its meetings, so the proposed ordinance was needed in this case, but he feels comfortable with how the other boards and commissions are working, so changes to their ordinances are not needed at this time.

Vote 16-223: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

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

Vote 16-224: Messerschmidt, Mickelson, Sandager, Trevillyan...4 yes  
Motion carried.

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On Item 8(a) Pheasant Ridge, generally located on the north side of Booneville Road from South 60th Street to South Jordan Creek Parkway - Zone Property Consistent with the Comprehensive Plan Land Use Map - City Initiated - Referred to Plan and Zoning

On Item 8(b) Amendment to City Code - Title 9 (Zoning), Chapter 6 (Commercial, Office and Industrial Zoning Districts) - Allow SIC 0752-9901 'Animal Specialty Services, Grooming Services' as a Permitted Use in the General Industrial District - City Initiated - Referred to Plan and Zoning

On Item 8(c) Vicki Arroyo Resignation - Human Services Advisory Board - Received and Filed

On Item 8(d) Jed Gammell Resignation - Human Services Advisory Board - Received and Filed

On Item 9 - Other Matters: none

The meeting was adjourned at 5:53 p.m.

Respectfully submitted,

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Ryan T. Jacobson, CMC  
City Clerk

ATTEST:

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Steven K. Gaer, Mayor