



**WAUKEE CITY COUNCIL
REGULAR MEETING**

**DATE: MONDAY, MARCH 7, 2022
TIME: 5:30 P.M.**

PLACE: WAUKEE CITY HALL, 230 W. HICKMAN RD., WAUKEE, IA 50263

****Full City Council meeting packet is available at
<https://rms.waukee.org/Public/Browse.aspx?id=179133&dbid=0&repo=Waukee>**

***Due to public health concerns and guidance, in accordance with Iowa Code Sections 21.4(1)(b) and 21.8, this meeting of the Waukee City Council will be conducted with two different options for public participation: 1) Members of the public wishing to attend in person may do so in the Council Chambers at Waukee City Hall. 2) Members of the public wishing to participate electronically may do so via Zoom at the following link or phone numbers:**

**<https://zoom.us/j/352651371>
Meeting ID: 352-651-371**

Or by phone:

**+1 646-558-8656 or
+1 312-626-6799 or
+1 301-715-8592**

In-person meetings are subject to change under certain circumstances, including but not limited to higher than average participation or changes in health guidelines. If the meeting shall be held electronically only, notice shall be posted to the City website (Waukee.org) and City social media. Questions regarding meeting format may also be directed to the City Clerk's office at 515-978-7904.

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. ROLL CALL**
- D. OPEN FORUM** [Pursuant to City Council Rules of Procedure, presentations under Open Forum shall be limited to three (3) minutes per individual. Please refer to the footnotes on this agenda for more detailed Open Forum procedures**.]
- E. AGENDA APPROVAL**
- F. MONTHLY MAYOR'S REPORT**
- G. PRESENTATIONS:**
 - 1) Waukee Betterment Foundation report
- H. PUBLIC HEARINGS:**
 - 1) On an ordinance to amend Chapter 169, Zoning Ordinance, City of Waukee, Iowa, by rezoning certain property from C-1 to M-1, a property to be known as Legacy Park West
 - 2) On an ordinance to amend Chapter 169, Zoning Ordinance, City of Waukee, Iowa, by rezoning certain property from R-2 to R-2/PD-1 and R-4, a property to be known as Indi Run Plat 4
 - 3) On an ordinance to amend Chapter 169, Zoning Ordinance, City of Waukee, Iowa, by rezoning certain property from R-4 to R-3/PD-1, a property to be known as RealtyLink
 - 4) On an ordinance to amend Chapter 169, Zoning Ordinance, City of Waukee, Iowa, by rezoning certain property from C-1 to R-3, a property known as Stratford Crossing Plat 1, Outlot W

- 5) On the annexation of consenting property by the City of Waukee, Iowa [William Fox Farm Company; Waukee Community School District; Fox Creek Meadows, LLC; Shoeman Family Trust]

I. PUBLIC HEARING ACTION ITEMS:

- 1) **ORDINANCE:** Consideration of approval of an ordinance to amend Chapter 169, Zoning Ordinance, City of Waukee, Iowa, by rezoning certain property from C-1 to M-1, a property to be known as Legacy Park West [introduction, first reading]
- 2) **ORDINANCE:** Consideration of approval of an ordinance to amend Chapter 169, Zoning Ordinance, City of Waukee, Iowa, by rezoning certain property from R-2 to R-2/PD-1 and R-4, a property to be known as Indi Run Plat 4 [introduction, first reading]
- 3) **ORDINANCE:** Consideration of approval of an ordinance to amend Chapter 169, Zoning Ordinance, City of Waukee, Iowa, by rezoning certain property from R-4 to R-3/PD-1, a property to be known as RealtyLink [introduction, first reading]
- 4) **ORDINANCE:** Consideration of approval of an ordinance to amend Chapter 169, Zoning Ordinance, City of Waukee, Iowa, by rezoning certain property from C-1 to R-3, a property known as Stratford Crossing Plat 1, Outlot W [introduction, first reading]
- 5) **RESOLUTION:** Consideration of approval of a resolution approving the annexation of consenting property by the City of Waukee, Iowa [William Fox Farm Company; Waukee Community School District; Fox Creek Meadows, LLC]
- 6) **RESOLUTION:** Consideration of approval of a resolution approving the annexation of consenting property by the City of Waukee, Iowa [Shoeman Family Trust]

J. ACTION ITEMS:

- 1) **CONSENT AGENDA** [All items listed under the Consent Agenda will be enacted by one motion. There will be no separate discussion of these items unless there is a motion and second by Council for an item or items to be considered as separate action items.]
 - A. Consideration of approval of 03/07/2022 Bill List; 03/04/2022 Payroll
 - B. Consideration of approval of City Council Minutes of 02/22/2022 Regular Meeting, 02/28/2022 Work Session
 - C. Consideration of approval of receipt and file of the purchase of two (2) radio detention locator units from Subsurface Solutions of Omaha, NE, in the amount of \$12,965.02 [Waukee Public Works Department]
 - D. Consideration of approval of receipt and file of the purchase of a 2022 Elgin Pelican Street Sweeper from MacQueen Equipment of Ankeny, IA, in the amount of \$169,310.00 [Waukee Public Works Department, Streets Division]
 - E. Consideration of approval of a resolution approving job description and pay grade [Fire Prevention Specialist – Inspector]
 - F. Consideration of approval of a motion approving Fireworks Display Permit for the City of Waukee for July 4, 2022, in Centennial Park (rain date July 5, 2022)
 - G. Liquor License Applications, Renewals:
 1. Consideration of approval of Ownership Update of 12-month Class E Liquor License with Class C Beer Permit, Class B Wine Permit and Sunday Sales privileges for Hy-Vee, Inc., d/b/a Hy-Vee C-Store [1025 E. Hickman Road]
 2. Consideration of approval of Ownership Update of 12-month Class E Liquor License with Class C Beer Permit, Class B Wine Permit and Sunday Sales privileges for Hy-Vee, Inc., d/b/a Hy-Vee [1005 E. Hickman Road]
 3. Consideration of approval of Ownership Update of 12-month Class C Liquor License with Outdoor Service and Sunday Sales privileges for Hy-Vee, Inc., d/b/a Hy-Vee Market Grille [1005 E. Hickman Road, Café Area]
 4. Consideration of approval of Ownership Update of 12-month Class C Liquor License with Catering and Sunday Sales privileges for Hy-Vee, Inc., d/b/a Hy-Vee Tasting Room [1005 E. Hickman Road, Tasting Area]
 5. Consideration of approval of a 12-month Class C Liquor License with Sunday Sales privilege for le tran ly, LLC, d/b/a Shanghai Chinese Restaurant [33 NE Carefree Lane]
 6. Consideration of approval of renewal of 12-month Class C Liquor License with Outdoor Service and Sunday Sales privileges for MDS, LLC, d/b/a The 'Kee [360 and 370 6th Street], pending fire marshal approval
 - H. Contracts, Agreements:
 1. Consideration of approval of a resolution approving Agreement with Midwest Inflatables, LLC [4th of July Celebration]
 2. Consideration of approval of a resolution approving Agreement with Musco Lighting for MuscoVision [Triumph Park]

3. REMOVED PRIOR TO POSTING
 4. Consideration of approval of a resolution approving Agreement for Professional Consulting Services with Veenstra & Kimm, Inc. [2022 Ashworth Road Pavement Patching Project]
 5. Consideration of approval of a resolution approving Agreement for Professional Consulting Services with Foth Infrastructure and Environment, LLC [Kettlestone Burt Property, Environmental Services]
 6. Consideration of approval of a resolution approving Amendment No. 1 to Agreement for Professional Consulting Services with Farnsworth Group [Public Works 2nd Floor Expansion Project]
 7. Consideration of approval of a resolution approving Amendment No. 1 to Agreement for Professional Consulting Services with Snyder & Associates, Inc. [Grand Prairie Parkway and SE Tallgrass Lane Traffic Signals Project]
 8. Consideration of approval of a resolution approving Amendment No. 1 to Agreement for Professional Consulting Services with Snyder & Associates, Inc. [Hickman Road and SE Brick Drive Intersection Project]
 9. Consideration of approval of a resolution approving Iowa Department of Transportation Addendum to Agreement No. 4-21-USTEP-004 [Hickman Road Improvements Project, SE Waco Place/Berkshire Parkway to SE Brick Drive]
 10. Consideration of approval of a resolution approving Amendment No. 1 to Agreement for Professional Consulting Services with Snyder & Associates, Inc. [Miscellaneous Engineering Services 2021-2022]
 11. Consideration of approval of a resolution approving First Amendment to 28E Agreement By and Between the City of Waukee, Iowa; Xenia Rural Water District; and the Board of Water Works Trustees of the City of Des Moines, Iowa
 12. Consideration of approval of a resolution approving Satisfaction of Agreement [Philip E. Broderick, LLC; Charlotte R. Broderick, LLC; Philip E. Broderick Revocable Trust; Charlotte R. Broderick Revocable Trust]
 13. Consideration of approval of a resolution approving Satisfaction of Development Agreement [Philip E. Broderick, LLC; Charlotte R. Broderick, LLC; Signature Development of Iowa, LLC]
 14. Consideration of approval of a resolution approving Satisfaction of Property Acquisition Agreement [Philip E. Broderick, LLC; Charlotte R. Broderick, LLC]
 15. Consideration of approval of a resolution approving Release and Satisfaction of Development Agreement pertaining to Westown Parkway Improvements
 16. Consideration of approval of a resolution approving Corrective Partial Release of Development Agreement pertaining to the northwest corner of Grand Prairie Parkway and SE Tallgrass Lane [Tallgrass Improvements Agreement]
 17. Consideration of approval of a resolution accepting Certificate of Completion [Hurd Kettlestone, LLC]
- I. Fixing Dates for Public Hearings:
1. Consideration of approval of a motion setting April 4, 2022, as the date of public hearing on an ordinance to amend Chapter 169, Zoning Ordinance, City of Waukee, Iowa, by rezoning certain property from A-1 [Agricultural District] and R-1 [Single Family Residential District]/PD-1 [Planned Development Overlay District] to R-1 [Single-Family Residential District] (Broderick Holdings Property)
 2. Consideration of approval of a motion setting April 4, 2022, as the date of public hearing concerning the vacation and disposal of public property pursuant to Iowa Code Sections 354.23 and 364.7 (2022) [Outlot Y, Clayton Estates Plat 2]
 3. Consideration of approval of a resolution ordering construction of NW Meredith Drive Overlay Project, NW 10th Street to N Warrior Lane, and fixing a date for hearing thereon and taking bids therefor
- 2) **ORDINANCE:** Consideration of approval of an ordinance to amend Chapter 77, Waukee Municipal Code, regarding the use of skateboards on public rights of way [introduction; first reading]
 - 3) **ORDINANCE:** Consideration of approval of an ordinance to amend Chapter 169, Zoning Ordinance, City of Waukee, Iowa, by rezoning certain property from A-1 and K-MF Stacked Medium to K-MF Stacked Medium /PD-1, a property to be known as Edencrest at Kettlestone [second reading]
 - 4) **ORDINANCE:** Consideration of approval of an ordinance to amend Chapter 165, Zoning Regulations, Definitions and General Regulations, by adding provisions for Mobile Food Units [second, third (final) readings]
 - 5) **ORDINANCE:** Consideration of approval of an ordinance to amend Chapter 169, Zoning Ordinance, City of Waukee, Iowa, by rezoning certain property from A-1 to R-2, R-2/PD-1 and R-4, a property to be known as Painted Woods West Phase 2 [third (final) reading]
 - 6) **RESOLUTION:** Consideration of approval of a resolution approving preliminary plat for Morgan Plat 2
 - 7) **RESOLUTION:** Consideration of approval of a resolution approving final plat for Morgan Plat 2
 - 8) **RESOLUTION:** Consideration of approval of a resolution approving construction drawings for Project Morgan Public Improvements
 - 9) **RESOLUTION:** Consideration of approval of a resolution awarding quote for ash tree removal
 - 10) **RESOLUTION:** Consideration of approval of a resolution approving the appointment of City Administrator for the City of Waukee and establishing terms of employment

- K. REPORTS:**
- A. City Administrator Report
 - B. City Attorney Report
 - C. Council Member Reports

ADJOURNMENT

*Pursuant to §21.4(2) of the Code of Iowa (2021), the City has the right to amend this agenda up until 24 hours before the posted meeting time.

The City of Waukee 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 978-7904 or email bschuett@waukee.org to have reasonable accommodations provided.

Rules of Order and Decorum for the Zoom Meeting

Any member of the public who would like to ask questions or make comments during either the Open Forum or Public Hearing portions of the meeting may participate by using the RAISE HAND feature. Participants must be recognized by the presiding officer and must state their full name and address before addressing the City Council. If you are participating via phone, the raise and lower hand feature can be activated by using *9. After you are recognized, use *6 to unmute your audio. The Chat and Q&A functions will be turned off during the meeting.

Questions or comments for the Public Hearing portion of the meeting may also be submitted in advance by emailing bschuett@waukee.org before 5:00 p.m. the day of the meeting. Any questions or comments submitted by this deadline will be read aloud by City staff during that particular Public Hearing.