



**WAUKEE CITY COUNCIL
REGULAR MEETING**

DATE: TUESDAY, SEPTEMBER 6, 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: NONE**
- H. PUBLIC HEARINGS:**
 - 1) On a State Revolving Fund (SRF) Environmental Information Document for the City of Waukee NE Outfall Sewer Project**
 - 2) On a proposal to enter into a Development Agreement with TIC Properties, LLC**
 - 3) On plans, specifications, form of contract and estimate of cost [Waukee City Hall Security Upgrades Project]**
- I. PUBLIC HEARING ACTION ITEMS:**

- 1) **RESOLUTION:** Consideration of approval of a resolution approving and authorizing execution of a Development Agreement by and between the City of Waukee and TIC Properties, LLC
- 2) **Waukee City Hall Security Upgrades Project**
 - A. **RESOLUTION:** Consideration of approval of a resolution approving plans, specifications, form of contract and estimate of cost
 - B. **RESOLUTION:** Consideration of approval of a resolution awarding contract

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 09/06/2022 Bill List; 08/19/2022, 09/02/2022 Payrolls
 - B. Consideration of approval of City Council Minutes of 08/15/2022 Regular Meeting, 08/22/2022 Work Session
 - C. Consideration of receipt and file of a Mayor's Proclamation recognizing September 2022 as Childhood Cancer Awareness Month
 - D. Liquor License Applications, Renewals:
 1. Consideration of approval of 5-day Class B Beer Permit with Outdoor Service privilege for Waukee Area Historical Society, d/b/a Waukee Area Historical Society [550 Ashworth Drive/Triangle Park], pending proof of dram insurance
 2. Consideration of approval of 12-month Class C Liquor License with Sunday Sales privilege for It's All About You Nails and Spa, LLC, d/b/a OMG Nail Lounge [729 SE Alice's Road], pending submittal of lease agreement and proof of dram insurance
 3. Consideration of approval of 12-month Class C Liquor License with Outdoor Service and Sunday Sales privileges for Ninja Ramen Sushi, Inc., d/b/a Ninja [765 SE Alice's Road]
 4. Consideration of approval of 12-month Class C Liquor License with Sunday Sales privilege for Leaf Brothers Cigars, LLC, d/b/a Leaf Brothers Cigars [714 Interstate Parkway]
 5. Consideration of approval of renewal of 12-month Class C Liquor License with Outdoor Service and Sunday Sales privileges for Waukee Sports, LLC, d/b/a Caffrey's Sports Pub [1320 E. Hickman Road]
 6. Consideration of approval of renewal of 12-month Class C Beer Permit with Class B Wine Permit and Sunday Sales privileges for Aldi, Inc., d/b/a Aldi #36 Waukee [1030 E. Hickman Road]
 7. Consideration of approval of renewal of 12-month Class C Liquor License with Sunday Sales privilege for Fridley Theatres, LLC, d/b/a The Palms Theatres & IMAX [200 NE Westgate Drive], pending proof of dram insurance
 8. Consideration of approval of renewal of 12-month Special Class C Liquor License with Sunday Sales privilege for Indian Tadka, LLC, d/b/a Indian Tadka [280 W. Hickman Road], pending Fire Marshal approval
 - E. Receipt and File of Vehicle, Equipment Purchases:
 1. Consideration of receipt and file of the purchase of a Bobcat Skid Steer Loader from Capital City Equipment Co. of Des Moines, IA, in the amount of \$27,696.62 [Public Works Department]
 2. Consideration of receipt and file of the purchase of a Sweeper Bucket from Capital City Equipment Co. of Des Moines, IA, in the amount of \$8,298.72 [Public Works Department]
 3. Consideration of receipt and file of the purchase of a 2024 Bucket Truck from Altec Industries of Osceola, IA, in the amount of \$195,204.00 [Public Works Department]
 4. Consideration of receipt and file of the purchase of a 2023 F-250 Truck from Stivers Ford of Waukee, IA, in the amount of \$44,920.00 [Public Works Department, Streets Divisions]
 5. Consideration of receipt and file of the purchase of a 2023 F-250 Extended Cab Truck from Stivers Ford of Waukee, IA, in the amount of \$45,790.00 [Public Works Department, Gas Division]
 - F. Contracts, Agreements:
 1. Consideration of approval of a resolution approving Amended and Substituted Chapter 28E Agreement Between the City of Waukee, Iowa, and AHeinz57 Pet Rescue and Transport, Inc., for animal shelter services
 2. Consideration of approval of resolution approving renewal of HVAC maintenance agreements with The Waldinger Corporation
 3. Consideration of approval of a resolution approving Agreement for Professional Consulting Services with McClure Engineering Company [Ashworth Drive Resurfacing, 4th Street to 10th Street]
 4. Consideration of approval of a resolution approving Purchase Agreement and Easement between JWET Holdings, LLC, and the City of Waukee [West Area Trunk Sewer Extension Phase 2 Project]
 5. Consideration of approval of a resolution approving Purchase Agreement and Easements between JWET Family Limited Partnership and the City of Waukee [West Area Trunk Sewer Extension Phase 2 Project]

6. Consideration of approval of a resolution approving Purchase Agreement and Easements between The Sargent Trust & The Sayward Trust and the City of Waukee [West Area Trunk Sewer Extension Phase 2 Project]
7. Consideration of approval of a resolution approving various Agreements Concerning for Construction of Fence
- G. Change Orders, Payment Estimates, Acceptance of Public Improvements, Releases of Retainage:
 1. Consideration of approval of Change Order No. 1 to InRoads for the NW Meredith Drive Overlay Project, NW 10th Street to N Warrior Lane, increasing the contract in the amount of \$5,958.41
 2. Consideration of approval of Payment Estimate No. 2 to InRoads for the NW Meredith Drive Overlay Project, NW 10th Street to N Warrior Lane, in the amount of \$27,264.16
 3. Consideration of approval of Payment Estimate No. 2 (Final) to NPL Construction Company for the Alice's Road/170th Street Transmission Line Relocation Phase 2 Project in the amount of \$87,904.82
 4. Consideration of approval of Payment Estimate No. 4 (Final) to Meade, Inc., for the 10-inch Gas Distribution Main, Meredith/NW 10th Street Project in the amount of \$0.00
 5. Consideration of approval of Partial Release of Retainage to Meade, Inc., for the 10-inch Gas Distribution Main, Meredith/NW 10th Street Project, in the amount of \$47,903.15
 6. Consideration of approval of Change Order No. 3 to Concrete Connection for the Sugar Creek Park Project, increasing the contract in the amount of \$15,507.25
 7. Consideration of approval of a resolution accepting public improvements [Sugar Creek Park Project]
- H. Fixing Dates for Public Hearings:
 1. Consideration of approval of a resolution ordering construction of NW Douglas Parkway Traffic Signals Project, NW 10th Street and N Warrior Lane, and fixing a date for hearing thereon and taking bids therefor
 2. Consideration of approval of a resolution ordering construction of Kettlestone Area Traffic Signals Project and fixing a date for hearing thereon and taking bids therefor
 3. Consideration of approval of a motion setting October 3, 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] to R-2 [One- and Two-Family Residential District], R-2 [One- and Two-Family Residential District]/PD-1 [Planned Development Overlay District], R-3 [Rental Multi-Family Residential District], R-4 [Row Dwelling and Townhome Dwelling District], and C-1 [Community and Highway Service Commercial District] (Remington Pointe)
- I. Consideration of approval of a resolution approving construction drawings [Alder Point]

- 2) **ORDINANCE:** Consideration of approval of an ordinance amending Chapter 75, Waukee Municipal Code, regarding the use of all-terrain vehicles and off-road utility vehicles within the city [introduction; first reading]
- 3) **ORDINANCE:** Consideration of approval of an ordinance amending Code of Ordinances of the City of Waukee, Iowa, by amending provisions within Chapter 104, Regulation of Industrial Wastewater, Commercial Wastewater and Hauled Waste [second, third (final) readings]
- 4) **RESOLUTION:** Consideration of approval of a resolution adopting City of Waukee 2022 Fee Schedule, Revision No. 2
- 5) **ORDINANCE:** Consideration of approval of an ordinance to amend Chapter 169, Zoning Ordinance, City of Waukee, Iowa, by rezoning certain property from C-1/PD-1 and C-1A/PD-1 to C-1/PD-1, a parcel to be known as Waukee Towne Center [third (final) reading]
- 6) **RESOLUTION:** Consideration of approval of a resolution approving site plan for WILCx Building Addition [295 SE Ashworth Road]
- 7) **RESOLUTION:** Consideration of approval of a resolution approving final plat for Autumn Valley Plat 2
- 8) **IA Waukee NW 2nd/Waukee Crossing Plat 5**
 - A. **RESOLUTION:** Consideration of approval of a resolution approving preliminary plat
 - B. **RESOLUTION:** Consideration of approval of a resolution approving final plat
 - C. **RESOLUTION:** Consideration of approval of a resolution approving site plan
- 9) **MOTION:** Consideration of approval of Change Order No. 1 to J&K Contracting, LLC, for the Little Walnut Creek Sanitary Sewer Extension Phase 5 Project increasing the contract in the amount of \$133,952.00

- K. **REPORTS:**
 - A. City Administrator Report
 - B. City Attorney Report

C. Council Member Reports

- L. **CLOSED SESSION:** Pursuant to Code of Iowa §21.5(1)(c) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation

M. **POSSIBLE DISCUSSION AND ACTION FOLLOWING THE CLOSED SESSION**

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.