

**DES MOINES CITY COUNCIL MEETING**  
**City Hall, City Council Chambers**  
**400 Robert D. Ray Drive**  
**Des Moines, Iowa 50309**

**May 6, 2024**  
**5:00 PM**

**PROCLAMATIONS – 4:45 PM**

Stamp Out Hunger Week  
Drinking Water Week  
Think Green This Spring  
Asian American, Native Hawaiian, and Pacific Islanders Heritage Month

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA \* – items 3 through 46:

**\*Note: These are routine items and will be enacted by one roll call vote without separate discussion unless pursuant to Council rules, Council requests an item be removed to be considered separately.**

**LICENSES AND PERMITS**

4. [Approving](#) Alcoholic Beverage License Applications for the following:

**RENEWAL APPLICATIONS**

(A) AMERICANA	1312 LOCUST ST #102	Class C Liquor
(B) BEST FOOD MART	4028 E 14TH ST	Class E Liquor
(C) CASEYS #3977	600 E 14TH ST	Class B Retail
(D) CHEESE BAR 2	925 INGERSOLL AVE	Class C Liquor
(E) CHICKEN SHACK	1501 E EUCLID AVE	Special Class C
(F) CVS PHARMACY #10329	2303 MERLE HAY RD	Class E Liquor
(G) DSM FOOD MART	2829 EASTON BLVD	Class B Retail
(H) H & A MINI MART	145 UNIVERSITY AVE	Class E Liquor
(I) HY VEE GRILLE #5	1107 E ARMY POST RD	Class C Liquor
(J) LA TAPATIA 4	1606 6TH AVE	Class B Retail
(K) LOUIES WINE DIVE	4040 UNIVERSITY AVE	Class C Liquor
(L) LUCKY HORSE	2331 UNIVERSITY AVE	Class C Liquor

(M)	OLYMPIC FLAME	514 E GRAND AVE	Special Class C
(N)	QUIKTRIP #515	1421 INGERSOLL AVE	Class B Retail
(O)	ROCA & SHORTYS	208 COURT AVE	Class C Liquor
(P)	SCORNOVACCAS	1930 SE 14TH ST	Class C Liquor
(Q)	SMOKING GOAT PUB	3015 MERLE HAY RD #1	Class C Liquor
(R)	SOUTH SIDE FOOD MART	1101 ARMY POST RD	Class E Liquor
(S)	THIRSTY SPORTSMAN	4808 SW 9TH ST	Class C Liquor
(T)	TWISTED VINE BREWERY	112 SE 4TH ST #100	Class C Liquor
(U)	VIBES KITCHEN & BAR	1303 WALNUT ST	Class C Liquor
(V)	VOWS DSM	111 E GRAND AVE #109	Class C Liquor
(W)	WATROUS TOBACCO	4001 SW 9TH ST	Class B Retail

**SPECIAL EVENT APPLICATIONS**

(X)	APRES BAR CO	100 LOCUST ST	5 days
	CLASS C LIQUOR LICENSE FOR A WEDDING ON MAY 25, 2024		
(Y)	BUZZARD BILLYS	615 3RD ST	5 days
	CLASS C LIQUOR LICENSE FOR DISTURBED CONCERT ON MAY 14 AND CODY JOHNSON CONCERT ON MAY 17, 2024.		
(Z)	CHRISTIANIS EVENTS	4025 TONAWANDA	5 days
	CLASS C LIQUOR LICENSE FOR AN EVENT ON MAY 30, 2024.		
(AA)	CLAXONS SMOKEHOUSE & GRILL	120 E 5TH ST	5 days
	SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR A WEDDING ON MAY 18, 2024.		
(BB)	GRAVES & IVERSON WEDDING	504 E LOCUST ST	5 days
	CLASS C LIQUOR LICENSE FOR AN EVENT ON MAY 17, 2024.		
(CC)	IOWA ASIAN ALLIANCE	1203 LOCUST ST	5 days
	SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR FESTIVAL ON MAY 25 - 26, 2024.		
(DD)	IOWA CRAFT BREW FESTIVAL	2251 GEORGE FLAGG	5 days
	SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR FESTIVAL ON JUNE 1, 2024.		
(EE)	SA PRESENTS	2251 GEORGE FLASS	5 days
	CLASS C LIQUOR LICENSE FOR WILLIE NELSON CONCERT ON MAY 25, 2024.		
(FF)	SA PRESENTS	2251 GEORGE FLAGG	5 days
	CLASS C LIQUOR LICENSE FOR CAKE CONCERT ON MAY 11, 2024.		

(GG) ST GEORGE GREEK ORTHODOX 1110 35TH ST 5 days  
CLASS C LIQUOR LICENSE FOR FOOD FESTIVAL ON MAY 31 - JUNE 2,  
2024.

(HH) TASTE! TO GO AND CATERING 4025 TONAWANDA DR 5 days  
CLASS C LIQUOR LICENSE FOR A WEDDING ON MAY 25, 2024.

5. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits.

## **PUBLIC IMPROVEMENTS**

6. [Ordering](#) construction of 2024 HMA Resurfacing Program Contract 1: Receiving of bids, (5-21-24) and Setting date of hearing, (6-3-24), Engineer's estimate, \$1,200,000.

[\(Council Communication No. 24-200\)](#)

7. [Authorizing](#) the application for a United States Department of Transportation (USDOT) Safe Streets and Roads for All (SS4A) Implementation Grant.

[\(Council Communication No. 24-202\)](#)

8. [Approving](#) and authorizing the execution of Iowa Department of Transportation (IDOT) Agreement for the Intersection Improvements of 6<sup>th</sup> Avenue and Day Street.

[\(Council Communication No. 24-190\)](#)

9. [Approving](#) Supplemental Agreement No. 1 to the Professional Services Agreement with Bolton & Menk, Inc. for professional services for 2<sup>nd</sup> Avenue Reconstruction from University Avenue to the Des Moines River, not to exceed \$1,189,923.

[\(Council Communication No. 24-188\)](#)

10. [Approving](#) Change Order No. 6 with Jasper Construction Services, Inc. for additional work on E. Court Avenue Reconstruction from Des Moines River to E. 7<sup>th</sup> Street, \$133,549.45.

[\(Council Communication No. 24-189\)](#)

11. [Authorizing](#) and approving agreement with J.E. Dunn Construction Company for Construction Manager at Risk Services for the North Side Community Recreation Center, with Pre-Construction Services, not to exceed \$60,518.

[\(Council Communication No. 24-201\)](#)

12. [Approving](#) Guaranteed Maximum Price Amendment with Ryan Companies US, Inc. for Construction Manager at Risk Services for the Des Moines Fire Station No. 4 Replacement, not to exceed \$239,705.46.

[\(Council Communication No. 24-194\)](#)

13. Approving Private Construction Contracts between the following:
  - (A) [J&K](#) Contracting, LLC and Nelson Construction Services, LLC for sanitary and storm sewer improvements in 418 E. 4<sup>th</sup> Street.
  - (B) [Holzworth](#) Construction, LLC and Hoyt, LLC for paving improvements in High Street Lofts.
14. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects.

#### **SPECIAL ASSESSMENTS**

15. [Levyng](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2024-05.

#### **BOARDS/COMMISSIONS/NEIGHBORHOODS**

16. [Recommendation](#) from Council Member Voss to reappoint Dave Kriens Jr. to the Building and Fire Code Board of Appeals, Seat 10, for a three-year term expiring April 1, 2027.

#### **SETTING DATE OF HEARINGS**

17. [On](#) vacation of the north-south alley adjoining 811 Roosevelt Avenue and conveyance to Central Iowa Hospital Corporation for \$3800, (5-20-24).
18. [On](#) conveyance of a Permanent Easement for Sanitary Sewer Facilities and Quitclaim of Interest in Existing Sanitary Sewer Facilities in City Property located east of SE 15<sup>th</sup> Street and north of E. Railroad Avenue for the WRA New Main Outfall, Phase 17, Segments 3 and 4 Project, to Des Moines Metropolitan Wastewater Reclamation Authority, (5-20-24).
19. [On](#) conveyance of a Permanent Easement for Sanitary Sewer Facilities and Quitclaim of Interest in Existing Sanitary Sewer Facilities in City Property located in Birdland Park for the WRA Eastside Interceptor, Phase 27, Segments 6 and 7 Project, to Des Moines Metropolitan Wastewater Reclamation Authority, (5-20-24).

20. [On](#) a request from GT Portfolio IA, LLC (Thomas Kuhn, Officer) to amend the PlanDSM Creating Our Tomorrow Comprehensive Plan to revise the future land use classification from Low Density Residential within a Community Node to High Density Residential within a Community Node and rezone 1427 5th Avenue from “N5” Neighborhood District to Limited “NX2” Neighborhood Mix District, to allow re-use of an existing building for up to seven (7) residential dwelling units, (5-20-24).
- ~~21. [On](#) a request from Sterling Investments, LLC (David Barzen, Officer) to rezone property located at 1701 Pennsylvania Avenue from “N5” Neighborhood District to “N5-2” Neighborhood District, to allow use of the property for two (2) household dwelling units, (5-20-24).~~
22. [On](#) assessment of \$500 penalty to Super Quick, 303 SE 30<sup>th</sup> Street, for violation of Iowa alcoholic beverage laws, (5-20-24).
23. [On](#) the proposed Fifteenth Amendment to the Urban Renewal Plan for the SE AgriBusiness Urban Renewal Area, (6-17-24).

[\(Council Communication No. 24-186\)](#)

24. [On](#) the proposed Nineteenth Amendment to the Urban Renewal Plan for the Central Place Industrial Park Redevelopment Urban Renewal Plan, (6-17-24).

[\(Council Communication No. 24-187\)](#)

25. [On](#) the proposed Thirty-Fourth Amendment to the Urban Renewal Plan for the Metro Center Urban Renewal Area, (6-17-24).

[\(Council Communication No. 24-205\)](#)

26. [On](#) the proposed SE Industrial Urban Renewal Plan for the SE Industrial Urban Renewal Area, (6-17-24).

[\(Council Communication No. 24-206\)](#)

## **LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS**

27. [Approving](#) payment to Amica Insurance on behalf of its insured Taylor Richards.
28. [Approving](#) payment to Dontez Tolson for a property damage claim.

## CITY MANAGER COMMUNICATIONS

29. [Submitting](#) travel and training request for Connie Boesen.

([Council Communication No. 24-181](#))

## APPROVING

30. [Subordination](#) Agreements of Existing HOME Investment Partnership Program (HOME) Mortgage on 3314 E. 7th Street and 1617 22nd Street to Central Bank Construction Loan to Home Opportunities Made Easy (HOME, Inc.).

([Council Communication No. 24-177](#))

31. [Submission](#) of application to the State of Iowa for the Iowa Thriving Communities designation.

([Council Communication No. 24-178](#))

32. [First](#) Amendment to Urban Renewal Development Agreement with 420 Court Avenue, LLC clarifying and approving temporary hours of operation and minimum size of grocery store.

([Council Communication No. 24-183](#))

33. [Issuance](#) of Certificate of Completion for Euclid Foresight, LLC for Oak Park – Highland Park Urban Renewal Project at 413 Euclid Avenue.

34. [Des](#) Moines Fire Department and CHP Community Business Associate Agreement.

([Council Communication No. 24-179](#))

35. [Operation](#) agreement with Central Iowa Ultimate, Inc. (CIU) for the Recreation Ultimate Frisbee Program.

([Council Communication No. 24-172](#))

36. Number not used.

37. [Release](#) of judgement lien for 1520 Royer Street.

([Council Communication No. 24-176](#))

38. [Authorizing](#) Neighborhood Services Department to apply for and receive funds from Federal Home Loan Bank to be used to fund Improving Our Neighborhoods (“ION”) Program.

[\(Council Communication No. 24-185\)](#)

39. Items regarding the Argonne Armory at 602 Robert D. Ray Drive:

[\(Council Communication No. 24-203\)](#)

- (A) [Communication](#) from the City Manager regarding the redevelopment.
- (B) [Request](#) from the City Manager to initiate proceedings for the designation as a Local Landmark.

40. [Declaring](#) the necessity for the City to proceed with the 1200 Locust Street Project, including directing the City Manager to solicit proposals for potential uses for the existing City Hall.

[\(Council Communication No. 24-204\)](#)

41. Request for outdoor special events in accordance with “Franklin Junior High School” PUD Conceptual Plan for property at 4801 Franklin Avenue:

- (A) [Beaverdale](#) Farmers Market, Tuesdays, June 4 through September 10, 2024.
- (B) [Knock](#) and Drop Iowa, June 12, 2024.
- (C) [Beaverdale](#) Bluegrass Music Festival, July 20, 2024.

42. [Communication](#) from the Greater Des Moines Partnership on behalf of the Downtown Team, requesting approval of placement for up to 25 banners to be displayed on banner poles in downtown Des Moines beginning June 1, 2024.

43. Abatement of public nuisances as follows:

- (A) [3411](#) Hubbell Avenue.
- (B) [2009](#) Lyon Avenue.

44. [Exception](#) to the procurement ordinance competitive bidding requirement for good cause, approving the procurement of rolling greenhouse production benches from BFG Supply Company, and approving negotiation and execution of an agreement with BFG Supply Company.

[\(Council Communication No. 24-174\)](#)

- 45. [Senior](#) Bond Issuance Certificate of Des Moines Metropolitan Wastewater Reclamation Authority (WRA) Participating Community.
- 46. [Authorizing](#) Finance Director to draw checks on registers for the weeks of May 6 and 13, 2024; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of May 6 and 13, 2024; to draw checks for biweekly payroll due May 17, 2024.

\* \* \* \* \* END CONSENT AGENDA \* \* \* \* \*

**HEARINGS (OPEN AT 5:00 PM) (ITEMS 47 THRU 58)**

- 47. [On](#) conveyance of City-owned property at 1411 17<sup>th</sup> Street to Home Opportunities Made Easy, Inc. (HOME, Inc.) for redevelopment of housing.

[\(Council Communication No. 24-175\)](#)

- 48. [On](#) conveyance of City-owned property located at 3500 Vandalia Road to Des Moines Area Regional Transit Authority, \$3,860,000.

[\(Council Communication No. 24-198\)](#)

- 49. [On](#) a request from Pacific Star Communications Inc. (Molly Winkler, Officer) regarding portions of two (2) parcels located in the vicinity of 3900 E. Broadway Avenue to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification from Low Density Residential to Community Mixed Use and to rezone the property from “N2a” Neighborhood District to Limited “MX3” Mixed Use District to allow use of the property for an “Industrial Service, Light” use.

- (A) [First](#) consideration of ordinance above.

- (B) [Final](#) consideration of ordinance above (waiver requested by applicant), requires six votes.

- 50. [On](#) a request from LG Enterprises LLC (Christopher Pruisner, Officer) regarding property located in the vicinity of 3108 SW 9th Street to rezone the property from Limited “MX1” Mixed Use District to Limited “MX1” Mixed Use District, to remove the zoning condition that prohibits any sale or service of alcoholic liquor, wine, and/or beer on the property.

- (A) [First](#) consideration of ordinance above.

- (B) [Final](#) consideration of ordinance above (waiver requested by applicant), requires six votes.



51. [On](#) approval of a license agreement with Capital City Pride-Des Moines for use of a portion of right-of-way at E. Grand Avenue and E. 5<sup>th</sup> Street for a temporary art installation.

[\(Council Communication No. 24-199\)](#)

52. [On](#) Fifth Amendment to Concession Agreement for the Birdland Marina Concessions with Less Than Trinity, LLC d/b/a Captain Roy's.

[\(Council Communication No. 24-173\)](#)

53. [On](#) the proposition to authorize a lease agreement in the principal amount not to exceed \$75,000 for the purpose of renting a bucket truck for the Forestry Department.

[\(Council Communication No. 24-180\)](#)

54. [On](#) 2024 Citywide Pavement Marking Program: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating the lowest responsive, responsible bidder as Quality Striping, Inc. (Jamie Jirak, President), \$527,536.

[\(Council Communication No. 24-195\)](#)

(A) [Approval](#) of contract and bond.

55. [On](#) 2024 Citywide Portland Cement Concrete (PCC) Pavement Patching Program Contract 1: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating the lowest responsive, responsible bidder as The Concrete Contracting Company, Inc. (Chad Klonglan, Vice President), \$1,428,443.

[\(Council Communication No. 24-191\)](#)

(A) [Approval](#) of contract and bond.

56. [On](#) Bill Riley Trail Resurfacing from Ashworth Pool to Gray's Lake: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating the lowest responsive, responsible bidder as TK Concrete, Inc. (Tony J. Ver Meer, President), \$888,887.50.

[\(Council Communication No. 24-196\)](#)

(A) [Approval](#) of contract and bond.

57. [On](#) Fleur Drive Rehabilitation from McKinley Avenue to Army Post Road: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating the lowest responsive, responsible bidder as InRoads, LLC (Joseph J. Manatt, CEO), \$1,975,486.20.

([Council Communication No. 24-197](#))

- (A) [Approval](#) of contract and bond.

58. [On](#) Thomas Beck Road Improvements from Bancroft Street to Courtland Drive: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating the lowest responsive, responsible bidder as Reilly Construction Co., Inc. (Chris R. Reilly, President), \$700,183.

([Council Communication No. 24-192](#))

- (A) [Approval](#) of contract and bond.

\*\*\*\*END HEARINGS AT \_\_\_\_\_PM\*\*\*\*

#### **ORDINANCES FIRST CONSIDERATION**

59. [Amending](#) Chapter 114 of the Municipal Code regarding Traffic Regulation Changes as follows:

([Council Communication No. 24-193](#))

- (A) Speed Limit and Parking Modification – 35th Street from Ingersoll Avenue to University Avenue.
- (B) Code Corrections – Locust Street between 5th Avenue and 6th Avenue and Locust between 7th Street and 8th Street.

#### **COMMUNICATIONS/REPORTS**

60. [Requests](#) to speak as follows:

- (A) William Hamilton

MOTION TO ADJOURN.

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