PROCLAMATIONS – 4:00 P.M.

Aquatics Life Skill and Wellness Recreation Program

INVOCATION: Council Member Halley Griess

1. ROLL CALL:

2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:

3. APPROVING CONSENT AGENDA * – items 3 through 35:

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

LICENSES AND PERMITS

4. Approving Alcoholic Beverage License Applications for the following:

   NEW APPLICATIONS

   (A)  504 CLUB 504 E LOCUST ST  C Liquor
   (B)  EL BLUE BURRITO INC 1434 DES MOINES ST  B Beer
   (C)  ELLIS ISLAND TAP 1833 HUBBELL AVE  C Liquor
   (D)  LA MIE BAKERY 841 42ND ST  C Beer/Wine
   (E)  LA PARIS CAFE LLC 1517 2ND AVE  C Liquor
   (F)  MARGARITAS 1440 MAURY ST  C Liquor
   (G)  PLAYERS 2301 HUBBELL AVE  C Liquor
   (H)  PLAYERS SPORTS BAR 1760 BEAVER AVE  C Liquor
   (I)  PLAZA ACAPULCO 1537 6TH AVE  C Liquor
   (J)  SOUTH ANNEX/CATTLE BARN 3000 E GRAND AVE  C Liquor

   RENEWAL APPLICATIONS

   (K)  AJS ON EAST COURT 419 E COURT AVE  C Liquor
   (L)  CASEYS #2314 3527 INDIANOLA  C Beer
   (M)  CASEYS #2784 4151 MERLE HAY RD  C Beer
   (N)  CASEYS #2786 5150 E 14TH ST  C Beer
(O) LA PREFERIDA 2300 HICKMAN RD  C Beer
(P) OLD CHICAGO 3800 MERLE HAY RD  C Liquor
(Q) PAL JOEYS 6224 GRAND AVE  C Liquor
(R) PARADIES SHOPS 5800 FLEUR DR  B Native Wine
(S) QUIKTRIP #527 1215 6TH AVE  C Beer
(T) SHORTSTOP #38 3501 E 14TH ST  C Beer
(U) TEQUILAS LIQUOR STORE 1434 DES MOINES ST  E Liquor
(V) TOBACCO OUTLET PLUS #510 3409 SW 9TH ST  C Beer
(W) UNDERGROUND 500 E LOCUST ST  C Liquor
(X) VICKIE'S 2801 2ND AVE  C Liquor
(Y) VICTORY LANE 3801 EASTON BLVD  C Liquor
(Z) WAVELAND COFFEE SHOP 4704 UNIVERSITY  C Liquor

TRANSFER TO NEW LOCATION

(AA) SA PRESENTS LLC 25 E WALNUT ST  C Beer/Wine
Temporary transfer from 75 E Locust Street (Amphitheater) on September 2 – 4, 2010, due to flooding. Pending approval of Building, Electrical, Fire and Zoning Departments.

SPECIAL EVENTS APPLICATIONS

(BB) DRAKE UNIV- OLD MAIN 2507 UNIVERSITY AVE  Five (5) Day License
Special Class C Liquor License (Beer/Wine) for Planned Parenthood Reception effective September 13 – 17, 2010. Pending approval of Building, Electrical, Fire and Zoning Departments.

(CC) DRAKE UNIV – KNAPP 2525 FOREST AVE  Five (5) Day License
Class C Liquor License for Hy-Vee Dedication of the Basketball Court effective September 14 – 18, 2010 Pending approval of Building, Electrical, Fire and Zoning Departments.

(DD) FIREFEST 25 E COURT AVE  Five (5) Day License
Class B Beer License for Firefest on September 11, 2010. Pending approval of Building, Electrical, Fire and Zoning Departments.

(EE) FRATERNAL ORDER 6567 BLOOMFIELD RD  Five (5) Day License
Class B Beer License for fundraiser event for Alzheimer’s Disease on September 11, 2010. Pending approval of Building, Electrical, Fire and Zoning Departments.

(FF) SIDESHOW LOUNGE 1111 E ARMY POST RD  Five (5) Day License
Class B Beer License for Iowa Latino Heritage Festival on September 4 – 5, 2010. Pending approval of Building, Electrical, Fire and Zoning Departments.

(GG) STAR BAR 2811 INGERSOLL AVE  Five (5) Day License
Special Class C Liquor License (Beer/Wine) in conjunction with Ingersoll Live effective August 28 – 29, 2010. Pending approval of Building, Electrical, Fire and Zoning Departments.
5. **City** Clerk to issue Coin Operated Machine Licenses.

PUBLIC IMPROVEMENTS

6. Ordering construction of the following:

   (A) **Southern** Meadows Apartments, 2800 SE 8th Street, Asbestos Removal: Receiving of bids, (9-14-10), Setting date of hearing, (9-27-10). (Construction Estimate - $25,000).

      *(Council Communication No. 10-530)*

   (B) **Southern** Meadows Apartments, 2800 SE 8th Street, Demolition: Receiving of bids, (9-14-10), Setting date of hearing, (9-27-10). (Construction Estimate - $130,000).

      *(Council Communication No. 10-532)*

7. **Approving** contract and bond and permission to sublet for construction of improvement in which the estimated cost is less than the Iowa Code competitive bid threshold, Birdland Shelter Sanitary Sewer Service Relocation, The Underground Company, Ltd. (Duane Burkhardt, President), $58,604.

      *(Council Communication No. 10-527)*

8. **Approving** Change Order No. 3 with Rochon Corporation of Iowa, Inc. (Matt Stence/President) for additional work on Franklin Avenue Library Expansion, not to exceed $31,590.24 and recommend that the Library Board approve.

      *(Council Communication No. 10-531)*

9. **Accepting** completed construction and approving final payment to Blacktop Repair Service, Inc. d/b/a Upper Midwest Athletic Construction - 2010 Tennis Court Resurfacing.

SPECIAL ASSESSMENTS

10. **Approving** deletion of NAC-Emergency Assessment at 2827 E. Clinton Avenue.

11. Approving delinquent sewer rental and/or solidwaste/stormwater utility amounts for August 2010 on the following:

    (A) **Fees**.

    (B) **Credits**.
LAND/PROPERTY TRANSACTIONS

12. Approving issuance of replacement Quit Claim Deed for vacated property adjoining 2916 Sampson Street to Velma May Smith.

13. Authorizing voluntary acquisition of 1220 Creston Avenue from Anthony and Lou Ann Lemmo for the Creston Avenue Storm Water Improvements project.

(Council Communication No. 10-533)

BOARDS/COMMISSIONS/NEIGHBORHOODS

14. Recommendation from Mayor Cowie to reappoint Susan Voss to the Library Board of Trustees, Seat 3, for a six-year term commencing July 1, 2010 to expire July 1, 2016.

SETTING DATE OF HEARINGS


16. On conveyance of underground electric line easement to MidAmerican Energy Company for service to World Food Prize Foundation at 100 Locust Street, (9-13-10).

17. On request from Hickman Storage, LLC (Brad VanderLinden/Officer) to rezone 2504 Westover Blvd. from “R1-60” (One Family Low-Density Residential) to “C-2” (General Retail and Highway Oriented Commercial) to allow property to serve as ingress/egress with limited access for emergency and larger delivery/moving trucks to a mini-warehouse facility within adjoining jurisdiction of Urbandale to the west, (9-13-10).

18. On proposed loan agreement and issuance of Stormwater Management Utility Revenue Capital Loan Notes not to exceed the following amounts, (9-27-10):

(Council Communication No. 10-514)

(A) $15,000,000.

(B) $6,600,000.

(C) $5,700,000.
LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

19. Approving payment of $1,658.50 to Peddicord, Wharton, Spencer and Hook, L.L.P. for representation of Police Officer Mersed Dautovic.


21. Approving payment of workers’ compensation claim for Lonnie Shannon and his attorney, $20,094.75.

CITY MANAGER COMMUNICATIONS

22. Submitting travel and training requests for T. M. Franklin Cownie, Carol Gathright, Brian Hamner, and Jeremy Sprague.

(Council Communication No. 10-529)

APPROVING

23. Withdrawing commitment of $100,000 of Home Funds for new construction for the following (deferred from August 9th):

(Council Communication No. 10-515)

(A) Christ The King Senior Housing, LLC for 28 units of low-income senior housing at 5601 SW 9th Street.

(B) Curly Top, LLC for 40 units of low-income senior housing at 1900 SE 6th Street.

(C) Fort Des Moines Senior Housing, LLC for 60 units of low-income senior housing between SW 5th and SW 6th Streets on Army Post Road.

(D) Olive Street Brickstone, LLP for 21 units of low-income housing for families at 18th Street and Olive Avenue.

24. Certification of Local Government approval for nonprofit organizations receiving Emergency Shelter Grant (ESG) funds from the State of Iowa.

   *(Council Communication No. 10-516)*


   *(Council Communication No. 10-509)*

27. **Proposal** from Premis Consulting Group, (Joel Buege/Principal) for consulting services to complete a needs assessment and create a Request for Proposals (RFP) for the acquisition of a new City-wide business enterprise software system and to assist in implementation of new system, $187,033. 

   *(Council Communication No. 10-534)*

28. **Authorization** to apply for a Revitalize Iowa’s Sound Economy (RISE) grant to fund a portion of the expenses relating to development of the Blank Park Zoo entrance improvements. 

   *(Council Communication No. 10-517)*

29. **Acceptance** of grant award and agreement from Iowa Department of Natural Resources Water Trails Development Program for the development of Raccoon River Water Trail in Polk County, $11,362. 

   *(Council Communication No. 10-528)*

30. **Application** from Downtown Events Group to temporarily place banners across the street on E. Locust from E. 4th to E. 6th Street for the U.S. Cellular World Food Festival from October 6-10, 2010.
31. Bids from the following:

(A) Allen Vanguard Technologies Inc. (David Luxton/Founder, CEO, President and Executive Director), sole manufacturer and distributor, for non-competitive procurement of eight (8) 4-Panel Ballistic Enclosures and Anti-fragmentation Covers for the Universal Blast Containment Systems for Iowa’s Explosive Ordnance Disposal (EOD) Task Force Teams, one which will be retained by the City’s Bomb Squad for use by the Police Department, $52,400. (Reimbursable through the Homeland Security Grant Program).

(Council Communication No. 10-511)

(B) EOD Robotics, Inc. (Frank Layton/President), sole manufacturer and distributor, for non-competitive procurement of eight (8) Rail Attached Flexible Tools (RAFTs) to equip the eight (8) Remotec F6A multi-function robotics platforms for Iowa’s Explosive Ordnance Disposal (EOD) Task Force Teams, one which will be retained by the City’s Bomb Squad to be used by the Police Department, $43,960. (Reimbursable through the Homeland Security Grant Program).

(Council Communication No. 10-513)

(C) Ideal Products Inc. (Scott and Jenny Johns/Owners), sole manufacturer and distributor, for non-competitive procurement of eight (8) Hawk i Video Aiming and Cobra Sight Laser Aiming Devices to equip the eight (8) Remotec F6A multi-function robotics platforms for Iowa’s Explosive Ordnance Disposal (EOD) Task Force Teams, one which will be retained by the City’s Bomb Squad to be used by the Police Department, $40,240. (Reimbursable through the Homeland Security Grant Program).

(Council Communication No. 10-512)

(D) Express Police Supply (Bob Ralph/Owner) and UltraMax Ammunition (Roger Braunstein/Owner) for joint purchase along with the Polk County Sheriff’s Office of ammunition to be used by the Police Department, $202,724.55 less invoicing of $56,311.15 to the Polk County Sheriff’s Office. (Twelve bids mailed, four received).

(Council Communication No. 10-520)

(E) Proctor Mechanical Corporation (Michael Proctor/President) for two (2) replacement Heating Ventilating & Air conditioning (HVAC) units on the roof of Skywalk Bridge 4C-4D over Walnut Streets between 4th Street and 5th Avenue from Capital Square to the 5th and Walnut Parking Garage to be used by Traffic and Transportation Division, $30,932. (Thirteen bids mailed, six received).
(F) Murphy Tractor & Equipment Company (Tom Voland/President) for one (1) replacement rubber tired industrial backhoe and accessories per State of Iowa Department of Transportation (DOT) Contract to be used by the Public Works Department, $202,613.

(Council Communication No. 10-537)

(G) Olsen’s Outdoor Power (Tad Olsen/Owner) for three (3) replacement zero turn mowers per State of Iowa Department of Transportation (DOT) Contract to be used by the Public Works Department, $37,869.

(Council Communication No. 10-536)

(H) O’Halloran International (Jim O’Halloran/President) and Peterbilt of Des Moines (Brad Wilson/President) for various replacement heavy duty trucks to be used by the Public Works Department, $2,385,926. (Six bids mailed, four received).

(Council Communication No. 10-538)

32. Exception to procurement ordinance competitive bidding requirements for good cause with Carousel Motors for a bomb squad vehicle to be used by the Police Department, $64,461.

(Council Communication No. 10-535)

33. Exception to procurement process and Agreement with Prairie Landscapes of Iowa, LLC (Inger Lamb/Owner) for ecological planning and planting services for the Park and Recreation Department, not to exceed $60,000.

(Council Communication No. 10-521)

34. Civil Service Entrance Lists for Police Officer, Public Safety RMS/DMS Specialist and Compensation Specialist.

35. Authorizing Finance Director to draw checks on registers for weeks of August 23, August 30 and September 6, 2010; to draw checks for bills of the Des Moines Municipal Housing Agency for weeks of August 23, August 30, and September 6, 2010; and to draw checks for biweekly payroll due August 27 and September 10, 2010.

* * * * * * * * END CONSENT AGENDA * * * * * * * *
COUNCIL REQUESTS

36. From Mayor Cownie and Council Member Christine Hensley to speak regarding implementing a Bank On program.

COMMUNICATIONS/REPORTS

37. Request from Jay Robertson, United States Postal Service, to speak regarding relocation of East 14th Street Station.

38. From Stanley Strock, 1423 E. 9th Street, to speak regarding the Nuisance Ordinance and enforcement.

*Note: If the City Council completes all items above before 5:00 PM, they will skip the Hearing Items, and continue the agenda starting with the next item following the Hearings. At 5:00 PM, they will return to this point in the agenda to consider the Hearing Items and then continue with all the remaining items on the agenda.

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 39 THRU 47)

39. On intent to convey City-owned property between 3100-3800 block of the north side of SE Watrous Avenue to the Des Moines Metropolitan Wastewater Reclamation Authority for the WRA Equalization Basin Utilization Project, $1, and to continue to September 13, 2010 Council Meeting.

40. Moved to item 43-I.

41. On application of 201 East Locust, LLC to rezone property in vicinity of 201 E. Locust Street and 306 E. 3rd Street from “C-3” (Central Business District Commercial) to Ltd. “C-3”.

   (A) First consideration of ordinance above.

42. On application from Simon Tire Company to rezone property in vicinity of 211 and 215 E. Walnut Street from “C-3” (Central Business District Commercial) to Ltd. “C-3”.

   (A) First consideration of ordinance above.

43. On application from David L. Simon Trust to rezone property in vicinity of 201 and 205 E. Walnut Street from “C-3” (Central Business District Commercial) to Ltd. “C-3”.

   (A) First consideration of ordinance above.
On City Council initiated request to rezone property in the area recognized as Historic East Village from “C-3” (Central Business District Commercial) and “M-1” (Light Industrial) to “C-3B” (Central Business District Mixed Use) and Ltd “C-3”.

(Council Communication No. 10-524)

(A) First consideration of ordinance above.

44. On 2010 Park Playground Improvements: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as T K Concrete, Inc., (Tony J. Vermeer/President), $227,467.

(Council Communication No. 10-525)

(A) Approving contract and bond, and permission to sublet.

45. On 2010 Storm Sewer Repair Contract 1: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as The Underground Company, Ltd., (Duane Burkhardt/President), $678,283.75.

(Council Communication No. 10-523)

(A) Approving contract and bond, and permission to sublet.

46. On 45th Street Resurfacing – South of Grand Avenue: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Grimes Asphalt & Paving Corporation, (J. M. Yonker/President), $397,830.

(Council Communication No. 10-526)

(A) Approving contract and bond, and permission to sublet.

47. On Pump Station Emergency Power Generation – Phase 1: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Biemann’s University Electric Company, Inc., (Gary P. Cornelius/President), $1,259,051.50.

(Council Communication No. 10-522)

(A) Approving contract and bond, and permission to sublet.

**END HEARINGS AT _______________P.M.**

MOTION TO ADJOURN AT _________________ P.M.
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