SPECIAL PRESENTATIONS - 4:00 P.M.

2011 Excellence in Historic Preservation Awards

PROCLAMATIONS

Universal Hour of Peace

INVOCATION: Council Member Coleman

1. ROLL CALL:

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

3. APPROVING CONSENT AGENDA * – items 3 through 41:

   *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) BIG REDS IRISH PUB & PONG  207 4TH ST  C Liquor
   (B) INGERSOLL               3711 INGERSOLL  C Liquor
   (C) LICKETY LIQUOR          2501 HUBBELL AVE  E Liquor
   (D) SCORES SPORTS BAR       2335 HICKMAN RD  C Liquor
   (E) WEST END WINES           22 9TH ST  C Liquor

   RENEWAL APPLICATIONS

   (F) 801 STEAK & CHOP HOUSE  801 GRAND AVE  C Liquor
   (G) A DONG RESTAURANT       1511 HIGH ST  C Beer/Wine
   (H) B & B SUPER MARKET      2001 SE 6TH ST  C Beer
   (I) CHRISTOPHERS            2816 BEAVER AVE  C Liquor
   (J) CIVIC CENTER            1011 LOCUST ST  C Liquor
   (K) DAHLS FOODS             1320 E EUCLID AVE  E Liquor
<table>
<thead>
<tr>
<th></th>
<th>Establishment Name</th>
<th>Address</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>(L)</td>
<td>DAHLS FOODS</td>
<td>1819 BEAVER AVE</td>
<td>E Liquor</td>
</tr>
<tr>
<td>(M)</td>
<td>DERRYS LOUNGE</td>
<td>4845 MERLE HAY RD</td>
<td>C Liquor</td>
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<tr>
<td>(N)</td>
<td>DES MOINES CLUB</td>
<td>666 GRAND AVE</td>
<td>A Liquor</td>
</tr>
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<td>(O)</td>
<td>EL RANCHO ALEGRE</td>
<td>3308 INDIANOLA</td>
<td>B Beer</td>
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<tr>
<td>(P)</td>
<td>EMBASSY CLUB</td>
<td>1011 LOCUST ST</td>
<td>C Liquor</td>
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<tr>
<td>(Q)</td>
<td>GIT N GO STORE #2</td>
<td>1307 ARMY POST RD</td>
<td>C Beer</td>
</tr>
<tr>
<td>(R)</td>
<td>JOHNNY MACS BAR &amp; GRILL</td>
<td>2279 HUBBELL AVE</td>
<td>C Liquor</td>
</tr>
<tr>
<td>(S)</td>
<td>KARTARS MINI MART</td>
<td>3761 E UNIVERSITY</td>
<td>C Beer</td>
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<td>(T)</td>
<td>KUM &amp; GO #2722</td>
<td>2211 UNIVERSITY</td>
<td>C Beer</td>
</tr>
<tr>
<td>(U)</td>
<td>KUM &amp; GO #2731</td>
<td>3104 UNIVERSITY</td>
<td>C Beer</td>
</tr>
<tr>
<td>(V)</td>
<td>LA TAPATIA</td>
<td>1440 DES MOINES ST</td>
<td>C Beer</td>
</tr>
<tr>
<td>(W)</td>
<td>LA TAPATIA III</td>
<td>4007 SE 13TH ST</td>
<td>C Beer</td>
</tr>
<tr>
<td>(X)</td>
<td>LOVELY FOOD MART</td>
<td>4600 FLEUR DR</td>
<td>C Beer</td>
</tr>
<tr>
<td>(Y)</td>
<td>NADRY INC</td>
<td>2701 INGERSOLL</td>
<td>C Beer</td>
</tr>
<tr>
<td>(Z)</td>
<td>NOW OR LATER RESTAURANT</td>
<td>3750 E UNIVERSITY</td>
<td>C Beer</td>
</tr>
<tr>
<td>(AA)</td>
<td>TAVERN SOUTH PIZZA</td>
<td>1106 ARMY POST RD</td>
<td>C Beer/Wine</td>
</tr>
<tr>
<td>(BB)</td>
<td>Z'S BAR</td>
<td>1511 S UNION ST</td>
<td>C Liquor</td>
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**SPECIAL EVENTS APPLICATIONS**

<table>
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<tr>
<th></th>
<th>Establishment Name</th>
<th>Address</th>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>(CC)</td>
<td>DES MOINES EMBASSY CLUB</td>
<td>100 LOCUST ST</td>
<td>Five (5) Day License</td>
<td>Special Class C Liquor License for Legislative Reception on January 9, 2012. Pending approval of Building and Fire Departments.</td>
</tr>
<tr>
<td>(DD)</td>
<td>DES MOINES EMBASSY CLUB</td>
<td>100 LOCUST ST</td>
<td>Five (5) Day License</td>
<td>Special Class C Liquor License for Raucus for the Caucus on December 31, 2011. Pending approval of Electrical, Fire and Zoning Departments.</td>
</tr>
<tr>
<td>(EE)</td>
<td>LAO AMERICAN ASSOC OF IA</td>
<td>3000 E GRAND</td>
<td>Five (5) Day License</td>
<td>Class C Liquor License with Class B Native Wine for private social event on December 31, 2011.</td>
</tr>
<tr>
<td>(FF)</td>
<td>WE 3 CATERING</td>
<td>1312 LOCUST ST</td>
<td>Five (5) Day License</td>
<td>Special Class C Liquor License for a wedding reception on December 30, 2011. Pending approval of Building and Fire Departments.</td>
</tr>
</tbody>
</table>

5. **City** Clerk to issue Cigarette Licenses.

6. **City** Clerk to issue Coin Operated Machine Licenses.

**PUBLIC IMPROVEMENTS**

7. ** Approving** and authorizing the execution of an Iowa Department of Transportation (IDOT) Agreement for sidewalk/trail improvements along the south side of I-235 between 42nd Street and Bradway Place.

*(Council Communication No. 11-767)*
8. Number Not Used.


   *(Council Communication No. 11-762)*

10. **Approving** Change Order No. 6 with Cramer & Associates, Inc. for additional work on the SW 8th Street Viaduct over M.L. King Jr. Parkway Rehabilitation, not to exceed $114,233.90.

   *(Council Communication No. 11-761)*

11. **Approving** Change Order No. 7 with Cramer & Associates, Inc. for additional work on the SW 7th Street Bridge over Raccoon River and Trail Rehabilitation, not to exceed $229,993.96.

   *(Council Communication No. 11-760)*

12. **Approving** completion and acceptance of private construction contract for paving improvements, The Prairie Hills Plat 1 (vicinity of SE 27th Street and E. Payton Avenue), between Concrete Technologies, Inc. and Prairie Hills at Des Moines, LLC.

13. **Approving** completion and acceptance of private construction contract for storm sewer improvements, 1800 E. Hull Avenue, between Corell Contractor, Inc. and Electro Management Corporation.

14. **Communication** from contractors requesting permission to sublet certain items on public improvement projects.

15. Accepting completed construction and approving final payment for the following:

   (A) **Army** Post Road Widening – SW 9th Street to SE 5th Street, Reilly Construction Co., Inc.

   (B) 4th & Grand Parking Garage Elevator Modification, O’Keefe Elevator Company, Inc.

   (C) 2011 CDBG – Recovery Program Sidewalk Replacement, T.K. Concrete, Inc.
SPECIAL ASSESSMENTS

16. Levying assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2011-10.

LAND/PROPERTY TRANSACTIONS

17. Correcting and ratifying vacation and conveyance of excess City-owned property at 3136 SW 9th Street to Paul A. & Donna J. Steffensen, $5,000.

   (A) First consideration of ordinance above.

   (B) Final consideration of ordinance above (waiver requested by Paul A. & Donna J. Steffensen), requires six votes.

18. Approving Second Amendment to License Agreement with Des Moines Water Works for placement of data collection equipment on various City-owned properties.

19. Approving and authorizing execution of Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) Agreements; approving and authorizing HMGP Administrative Plan; and authorizing voluntary acquisition of property for the FEMA 2010 Flood Mitigation Buyout Project.

   (Council Communication No. 11-758)

20. Accepting PUD Restoration Bond, IAC 103898 from Merchants Bonding Company $14,776, provided by Hubbell Construction, LLC as security for restoration of the site located at 4465 E. 46th Street, Summersfield Forest and Fields Rowhome Apartment Project.

   (Council Communication No. 11-751)

SETTING DATE OF HEARINGS

21. On conveyance of City-owned property adjoining 700 Locust Street to 0906116 BC Ltd., $5,000, (1-9-12).

22. On conveyance of permanent water main easement to Des Moines Water Works for the Grand Avenue over Walnut Creek Bridge Replacement Project, (1-9-12).

23. On request from Arnold DeWitt to rezone 1241 E. 38th Street from “R1-60” (One-Family Low-Density Residential) to “C 2” (General Retail and Highway Oriented Commercial) to allow for an expansion of the existing mini-warehouse complex to the south, (1-9-12).
BOARD/COMMISSIONS/NEIGHBORHOODS


LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

26. Approving payment of $77,388.03 to Danny Rivas and his attorney, Tom Drew, for a workers’ compensation claim.

27. Approving settlements made by City Attorney, not exceeding $5,000.

CITY MANAGER COMMUNICATIONS

28. Submitting travel and training requests for Jeff Dawson, Todd Dykstra, and Lori Kelly.

   (Council Communication No. 11-755)

APPROVING

29. Authorizing execution of Home Investment Partnership (HOME) contract documents with Capitol City Duplexes, LLLP for a $198,040 loan for acquisition and rehabilitation of 16 units of scattered-site family rental housing.

   (Council Communication No. 11-748)

30. Amendment to the Iowans Helping Iowans Housing Assistance Program Grant Agreement extending the termination date to June 30, 2012.

   (Council Communication No. 11-756)

31. Applications to the Iowa Economic Development Authority for Enterprise Zone benefits for the following:

   (Council Communication No. 11-766)

   (A) West End Lofts, LLC, Gateway Enterprise Zone, 37 units.

   (B) Rocket Transfer I, LLC, Gateway Enterprise Zone, 54 units.

   (C) Melbourne II, LLC, SE 14th Street Enterprise Zone, 60 units.

   *(Council Communication No. 11-757)*

33. **2011** Grant Agreement with Iowa Homeland Security and Energy Management Division (IHSEMD) and Amendment #1 to 2010 and 2011 Grant Agreements with IHSEMD and Iowa Department of Administrative Services for Cyber Risk Reduction Investment and authorizing the City Manager to execute and IT Director to implement addendums.

   *(Council Communication No. 11-752)*

34. **FFY** 2008 Homeland Security Reallocation Grant Agreement for Iowa's Bomb Squad Task Force.

   *(Council Communication No. 11-749)*

35. Number Not Used.

36. Number Not Used.

37. **Banner** design submitted by Downtown Community Alliance on behalf of the Iowa Credit Union League to be displayed in downtown Des Moines on E. Locust Street and Court Avenue in January, February, and March.

38. Bids from the following:

   (A) **Ahura** Scientific Inc. (John P. Johnson, Director) for non-competitive procurement of eight (8) chemical identification systems for Iowa’s Explosive Ordnance Disposal (EOD) Task Force Teams, one of which will be retained for the City of Des Moines Bomb Squad, for use by the Police Department, $375,725.

   *(Council Communication No. 11-753)*

   (B) **John** Deere Construction Retail Sales (Sandra Bridge-Chase, Government Sales Manager) for one (1) replacement wheel loader per National Joint Powers Alliance (NJPA) Contract for use by Fleet Maintenance, $81,992.14.

   *(Council Communication No. 11-754)*

39. **Civil** Service Entrance Lists for Engineering Technician and Identification Technician.
40. **Authorizing** Finance Director to draw checks on registers for weeks of December 19, December 26, 2011 and January 2, 2012; to draw checks for the bills of the Des Moines Municipal Housing Agency for weeks of December 19, December 26, 2011, and January 2, 2012; and to draw checks for biweekly payroll due December 30, 2011.

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

**ORDINANCES - FIRST CONSIDERATION**

41. **Amending** Chapter 114 of the Municipal Code regarding traffic regulation changes as follows:

   (A) Parking restriction on the west side of 3rd Street from south of Walnut to Vine Street – 6:00 PM to 6:00 AM, Friday and Saturday.

   (B) 10-hour parking meters on the south side of Grand Avenue, west of 13th Street.

   (C) Removal of special school loading and unloading restriction on 5th Avenue from Grand Avenue to Locust Street.

   (D) Parking citations for illegal off-street parking.

   *(Council Communication No. 11-765)*

**COUNCIL REQUESTS**

42. **From** Council Member Brian Meyer to speak regarding changing the signs on the Highway 5 By-pass from “SE 64th Street” to “Army Post Road”.

**COMMUNICATIONS/REPORTS**

43. **From** Robert Conley, 670 Foster Drive, to speak regarding the Hampton Inn project.

44. **From** Des Moines Public Schools, requesting agreement to use parking spaces in City parking ramps.

*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 45 THRU 49)

45. On request from Capstone Ventures, LLC to rezone 315 SW 14th Street from “C-3B” (Central Business District Mixed Use) to “PUD” (Planned Unit Development). Applicant has withdrawn the request to rezone the property.

46. On request from Hue Nguyen to rezone 1435 University Avenue from “R-3” (Multiple-Family Residential) to Ltd. “C-1” (Neighborhood Retail Commercial) to allow for retail development. Plan and Zoning Commission recommends DENIAL, (Roll Call contains alternatives for Denial or Approval). Request from applicant to continue to January 9, 2012 Council meeting.

47. On request from Imperial Properties, Inc., to rezone 4141 E. 14th Street from “C-2” (General Retail and Highway Oriented Commercial) to “M-1” (Light Industrial) for a chrome plating operation. Plan and Zoning Commission recommends DENIAL, (Roll Call contains alternatives for Denial or Approval).

48. On Demolition at Southern Meadows Phase 2, 2800 SE 8th Street: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating lowest responsible bidder as DeCarlo Demolition Company, (Dan DeCarlo, President), $137,900. (Council Communication No. 11-763)

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

49. On SE Connector Demo & Site Prep - SE 9th to SE 15th Street: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating lowest responsible bidder as Elder Corporation, (Jared R. Elder II, President), $1,059,999.99. (Council Communication No. 11-759)

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

(B) Approving Professional Services Agreement with Kirkham Michael & Associates, Inc. for construction phase services, not to exceed $84,000. (Council Communication No. 11-764)

**END HEARINGS AT __________ P.M.**
CITY MANAGER RECOMMENDATIONS

50. Regarding negotiation of preliminary terms of agreement with SDG Macerich Properties, LP for redevelopment of Southridge Mall.

   (Council Communication No. 11-768)

APPROVING

51. Municipal Services Center Master Plan and authorizing the City Manager to proceed with an RFP for design and construction services for Phase 1 of the project and directing staff to prepare the PUD Conceptual Plan and initiate the rezoning.

   (Council Communication No. 11-770)

   (A) Recommendation from Plan and Zoning Commission.

BOARD OF HEALTH

MOTION TO CONVENE.

1. Approving the Legal Department to proceed with court action seeking authority to abate the public nuisance at the following locations:

   (A) 2007 Des Moines Street, main structure and garage structure, Titleholder: Connie G. Martin (deceased); All Known and Unknown Heirs including: Garviela Simons.

   (B) 413 Shawnee Avenue, main structure and garage structure, Titleholders: William F. Pinegar and Carol I. Pinegar (deceased).

   (C) 1124 13th Street, main structure, Titleholder: Samuel Tiger (deceased), All Known and Unknown Heirs of Samuel Tiger.

   (D) 275 E. 17th Street, main structure and accessory structure, Titleholders: Jerry J. Glass (deceased), All Known and Unknown Heirs including: Jerry J. Glass, Jr., William (Bill) Kirkpatrick, and Sharon K. McCuen; Mortgage Holders: IndyMac Bank, FSB and MERS, Inc.

MOTION TO ADJOURN.