PROCLAMATIONS – 4:15 PM

Small Business Saturday

INVOCATION: Council Member Chris Coleman

1. ROLL CALL:

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

3. APPROVING CONSENT AGENDA * – items 3 through 28:

   *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) C FRESH MARKET 801 UNIVERSITY E Liquor
   (B) GALAXIES BAR & GRILL 2718 DOUGLAS AVE C Liquor
   (C) HARTMANS 102 3RD ST C Liquor
   (D) PARK AVENUE PUB 1101 PARK AVE C Liquor
   (E) SLEEPY HOLLOW 4051 DEAN AVE C Beer/Wine

   RENEWAL APPLICATIONS
   (F) AMICI ESPRESSO 206 6TH AVE C Liquor
   (G) BIANCHIS HILLTOP 2820 HUBBELL AVE C Liquor
   (H) CASEYS #2892 6120 DOUGLAS AVE B Beer
   (I) DOWNTOWN PANTRY 208 4TH ST E Liquor
   (J) EL RODEO #2 1234 E EUCLID AVE C Liquor
   (K) EUROPA GROCERIES 3839 MERLE HAY RD C Beer
   (L) GINOS RESTAURANT 2809 6TH AVE C Liquor
   (M) HIGH LIFE LOUNGE 200 SW 2ND ST C Liquor
   (N) HY VEE GAS #4 4701 FLEUR DR C Beer
(O) JAVA JOES COFFEEHOUSE 214 4TH ST C Beer/Wine
(P) KUM & GO #207 4200 HUBBELL AVE E Liquor
(Q) KUM & GO #208 3200 SE 14TH ST E Liquor
(R) KUM & GO #4110 2110 GUTHRIE AVE E Liquor
(S) LIME LOUNGE 435 E GRAND AVE C Liquor
(T) MIYABI 9 512 E GRAND AVE C Beer/Wine
(U) PLAYERS SPORTS BAR 1760 BEAVER AVE C Liquor
(V) POMODOROS 111 ARMY POST C Liquor
(W) ROYAL MILE 210 4TH ST C Liquor
(X) SAHOTA FOOD MART 1805 SE 14TH ST E Liquor
(Y) SHOP N SAVE 1829 6TH AVE E Liquor
(Z) SKIPS 4000 FLEUR DR C Liquor
(AA) SUDSUCKERS 1511 E ARMY POST C Liquor
(BB) SUPER STOP 727 SE 14TH ST C Beer

**SPECIAL EVENTS APPLICATIONS**

(CC) CHEFS KITCHEN 601 LOCUST ST Five (5) Day License Special Class C Liquor License (Beer/Wine) for Sigma Nu Fraternity event on December 6, 2012.

(DD) EMBASSY CLUB – WFP 100 LOCUST ST Five (5) Day License Class C Liquor License for YPC Annual Meeting on December 5, 2012. Pending approval of Building Department.

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

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

**PUBLIC IMPROVEMENTS**

7. **Approving** Agreement with The U.S. Department of the Interior Geological Survey for the operation and maintenance of five river and stream gauging stations in the Des Moines area.

   *(Council Communication No. 12-576)*

8. **Approving** Supplemental Agreement No. 1 to the Professional Services Agreement with Neumann Monson PC for additional design and construction administration services for the Municipal Services Center Phase 1, not to exceed $44,870.

   *(Council Communication No. 12-578)*

9. **Approving** Private Construction Contract between Baxter Construction Company and Waterfront Lodging, Inc. for sewer improvements in Market Street between SW 2nd Street and Water Street, $98,368.91.
10. **Accepting** completed construction and approving final payment for 3rd & Court Parking Garage LED Lighting, ABC - Electrical Contractors, LLC.

11. **Accepting** completed construction and approving final payment for Public Works Supply Yard Storage Building, Jensen Builders, Ltd.

**SPECIAL ASSESSMENTS**

12. **Levying** assessments for costs of Nuisance Abatement – NAC Emergency Orders (Community Development), Schedule No. 2012-07.

**LAND/PROPERTY TRANSACTIONS**

13. **Approval** of Settlement Agreements and Releases relating to the Lease Agreement and 28E Agreement for the real property at 401 5th Avenue.

   *(Council Communication No. 12-581)*

14. **Acceptance** of real estate documents from Titan Tire Corporation for the Southeast Connector Project, $800.

   *(Council Communication No. 12-579)*

**BOARDS/COMMISSIONS/NEIGHBORHOODS**

15. **Recommendation** from Housing Services Director to appoint Paul Morrison to replace John Warrington on the Housing Services Board, Seat 12, for a three-year term commencing November 19, 2012 to expire June 20, 2014 per Chapter 90-31(d) of the City Code.
COMMUNICATIONS FROM PLANNING AND ZONING

16. Regarding request from Katning, Inc. for vacation of an irregular segment of right-of-way, south of Gratis Avenue, extending from SE 14th Street to a point approximately 115 feet to the west to allow for an ongoing encroachment of a vehicle display lot, subject to conditions.

SETTING DATE OF HEARINGS

17. On Application for Certificate of Public Convenience and Necessity by Crown Cab Co., Margarsa Jana, to operate a taxicab service with five vehicles, (12-3-12).

18. On vacation of alley right-of-way, Central Fire Station No. 1 at 900 Mulberry Street. (12-3-12).

19. On request to rezone 900 Mulberry Street (existing Central Fire Station) from “C-3A” (Central Business District Support Commercial) to “C-3” (Central Business District Commercial) to allow use as the Des Moines Social Club with theater, restaurant and nightclub assembly venues, (12-3-12).

20. On request from Raymond Garneau to rezone 2324 SW 9th Street from “C-1” (Neighborhood Retail Commercial) to “C-2” (General Retail and Highway Oriented Commercial) to allow conversion to a plumbing and heating shop, (12-3-12).

21. On proposed 11th Amendment to the Metro Center Urban Renewal Plan, (12-17-12).

(Council Communication No. 12-585)

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

22. Approving payment to Belin McCormick Law Firm and reimbursement of computer research costs regarding Kragnes v. City of Des Moines, $4,526.50.

23. Approving payment to John Dingman for a workers’ compensation claim and a civil service appeal, $222,500.
24. Approving payment to the following for workers’ compensation claims:

(A) Michael Boeke, $8,716.91 and weekly payments of $850.53.

(B) Charles Brookhart, $19,369.78.

(C) Michael Conner, $6,840.80.

(D) Wesley Eaton, $13,642.78 and weekly payments of $669.90.

(E) Jason Rincon, $30,800.68.

(F) Albert Salazar, $20,541.15.

CITY MANAGER COMMUNICATIONS

25. Submitting travel and training requests for T.M. Franklin Cownie, Todd Dykstra and Denise Schafnitz.

(Council Communication No. 12-584)

APPROVING

26. Community Services Block Grant (CSBG) Community Action Contract for the 2013 CSBG Program Year.

(Council Communication No. 12-587)

27. HOME rehabilitation loan for 2714 Ingersoll Avenue with MEM Investments, LLC and execution of documents.

(Council Communication No. 12-582)

28. Authorizing Finance Director to draw checks on registers for weeks of November 19 and November 26, 2012; to draw checks for the bills of the Des Moines Municipal Housing Agency for weeks of November 19 and November 26, 2012; and to draw checks for biweekly payroll due November 30, 2012.

* * * * * * * * END CONSENT AGENDA * * * * * * * *
ORDINANCES - SECOND CONSIDERATION

29. **On** rezoning of 4312, 4282, 4250 and 4216 E. 50th Street from Ltd “M-1” (Light Industrial) to “R-3” (Multiple-Family Residential) to allow development of up to 200 residential apartments. *(Requires 6 votes for approval).*

   *(Council Communication No. 12-589)*

30. **On** rezoning of 3710 Hubbell Avenue from “C-2” (General Retail and Highway-Oriented Commercial) and “R1-60” (One-Family Low-Density Residential) to “PUD” (Planned Unit Development) for development of 254 residential dwelling units.

   (A) **Final** consideration of ordinance above (waiver requested by applicant), requires six votes.

31. **On** rezoning of 3201, 3211, 3221 Forest Avenue, and 1414 32nd Street from “C-1” (Neighborhood Retail Commercial), “R1-60” (One-Family Low-Density Residential) and “R-3” (Multiple-Family Residential) to Ltd. “NPC” (Neighborhood Pedestrian Commercial) to allow redevelopment of the property for pedestrian-oriented multiple-family residential apartments, subject to conditions.

ORDINANCES - FIRST CONSIDERATION

32. **Amending** Chapters 3 and 102 of the Municipal Code regarding issuance, renewal and revocation of leases, licenses and permits for encroachments onto public rights-of-way and other City property, and the removal of encroachments existing without proper authority.

   *(Council Communication No. 12-583)*

   (A) **Final** consideration of ordinance above (waiver requested by City Traffic Engineer), requires six votes.

33. **Amending** various chapters of the Municipal Code regarding references to the Des Moines Airport Authority.

   (A) **Final** consideration of ordinance above (waiver requested by Legal Department), requires six votes.

34. **Amending** Ordinance No. 15,014, which vacated parkland and right-of-way of approximately 13.498 acres adjacent to the Greater Des Moines Botanical Center, by changing the reservation of easements to only easements of record and reserving an easement for the Iowa Communications Network, (ICN).
COUNCIL REQUESTS

35. From Council Member Halley Griess to speak regarding stop signs at the intersection of 50th Street and Meredith Drive.

COMMUNICATIONS/REPORTS

36. From Danielle Housley and Matt Sowden, 4207 Enden Lane, to speak regarding a dog incident.

*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 37 THRU 41)


39. Items regarding Tax Increment Financing (TIF) and Urban Renewal Areas in Des Moines:

   (A) Hearing on new Tax Increment Financing (TIF) Debt to be payable from TIF revenues starting in Fiscal Year 2013-2014 Budget.

       (Council Communication No. 12-577)

   (B) Recommendation from City Manager regarding TIF needs for FY 2013-2014.

       (Council Communication No. 12-588)

   (C) Advance of funds for planning, oversight and administration of the following:

       (1) SE Agribusiness Urban Renewal Project, $30,000.

       (2) Metro Center Urban Renewal Project, $300,000.

   (D) Urban Renewal Reports for Urban Renewal Plans and Areas in Des Moines.
40. Items regarding property at 2419 SE 14th Street, Strollo Development LLC (continued from the October 22nd Council meeting):

(A) Amend the 2020 Community Character Plan to revise the future land use designation from Low-Density Residential to Commercial: Auto-Oriented Small-Scale Strip Development.

(B) Hearing on rezoning of the property to remove the VDL (Vehicle Display Lot Overlay) to allow expansion of the RV sales lot, subject to conditions.

(C) First consideration of ordinance above.

41. On request from Luther Park Health Center, Inc. for a 6th Amendment to the Luther Park PUD Conceptual Plan in the vicinity of 2906 E. 16th Street to allow construction of a one-story addition for 10 memory care residential units to the west side of The Gardens assisted living facility along Hull Avenue, subject to conditions.

(A) First consideration of ordinance above.

*** END OF HEARINGS AT __________ PM ***

CITY MANAGER RECOMMENDATIONS

42. Regarding the proposed streetscape and intersection improvements in the Beaverdale commercial area.

APPROVING

43. Hubbell Avenue Restriping Pilot Project, with no bicycle lanes, from Easton Boulevard to E. 33rd Street, (Roll call contains alternative motions).

(Council Communication No. 12-586)

44. Receive and file the report and recommendation of The Plan and Zoning Commission regarding the petition to establish the Ingersoll Grand Self-Supported Municipal Improvement District (SSMID).

(A) Setting date of hearing on petition to establish the Ingersoll Grand Self-Supported Municipal Improvement District (SSMID), (12-17-12).

45. Amendment to Intergovernmental 28E Agreement that provides funding for the Greater Des Moines Convention and Visitors Bureau, Inc. for the promotion of tourism and convention activities in the greater Des Moines area adding the City of Indianola as a party.
46. **Budget** for the Downtown Self-Supported Municipal Improvement District (SSMID) for the fiscal year ending June 30, 2014.

47. **Review** of Zoning Board of Adjustment decision to grant two variances of separation requirements and a Conditional Use Permit for property at 3804 Hubbell Avenue for use as a liquor store, *(roll call contains alternative motions)*.

   *(Council Communication No. 12-580)*

**BOARD OF HEALTH**

**MOTION TO CONVENE.**

1. **Approving** the Legal Department to proceed with court action seeking authority to abate the public nuisance at 1600 Capitol Avenue, fire-damaged church, Titleholder: Lighthouse Missionary Baptist Church.

2. **Communication** from American Family Insurance Group, dated October 23, 2012 stating their insured, Deloise Veith, 2711 S. Union Street, sustained a fire loss to a garage on October 12, 2012. American Family Insurance Group is holding a fire escrow in the amount of $10,000.

**MOTION TO ADJOURN.**

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**Des Moines**

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