SPECIAL RECOGNITION – 4:15 PM

Gateway Dance Theatre founder Penny Furgerson

INVOCATION: Council Member Brian Meyer

1. ROLL CALL:

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

3. APPROVING CONSENT AGENDA * – items 3 through 36:

   *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 Application for the following:

   NEW APPLICATIONS
   (A) DAVIS CONCESSIONS 4980 E 46TH ST B Beer
   (B) DES MOINES FOOD & LIQUOR 5000 SW 9TH ST C Beer
   (C) GINOS 2809 6TH AVE C Liquor
   (D) GRANDSTAND & PITS 3000 E GRAND AVE B Beer

   RENEWAL APPLICATIONS
   (E) BIG DOG BILLIARDS 4510 E 14TH ST C Liquor
   (F) CHICAGO SPEAKEASY 1520 EUCLID AVE C Liquor
   (G) FAST MART 1401 BUCHANAN ST E Liquor
   (H) GAS LAMP 1501 GRAND AVE C Liquor
   (I) GIT N GO STORE #10 816 E EUCLID AVE C Beer
   (J) HAWKEYE ELKS LODGE #160 1401 WALKER ST A Liquor
   (K) HIGHLAND PARK 518 EUCLID AVE C Liquor
   (L) HY VEE FOOD STORE #3 3221 SE 14TH ST E Liquor
   (M) KUNG FU TAP & TACO 210 INDIANOLA C Liquor
   (N) LDS CORNER 344 E JACKSON AVE C Liquor
   (O) MANNINGS 2102 INDIANOLA C Liquor
   (P) NEW ORIENTAL FOOD STORE 515 E GRAND AVE C Beer
   (Q) NOAHS ARK 2400 INGERSOLL C Liquor
   (R) NUT POB RESTAURANT 3322 INDIANOLA C Beer/Wine
   (S) OVATIONS FOOD SERVICES 233 CENTER ST C Liquor
SPECIAL EVENTS APPLICATIONS

(W) DRAKE UNIVERSITY  2507 UNIVERSITY AVE  Five (5) Day License Special Class C Liquor License (Beer/Wine) for Civic Music Hosted Bar on April 6, 2013.

(X) EMBASSY CLUB – WFP  100 LOCUST ST  Five (5) Day License Class C Liquor License for Iowa Clinics Healthcare Foundation event on April 13, 2013. Pending approval of Building Department.

(Y) GREAT CATERERS  519 PARK ST  Five (5) Day License Class C Liquor License for Pi Beta Phi Sorority on April 6, 2013.

(Z) WATLAO BUDDHAVAS  3000 E GRAND AVE  Five (5) Day License Class B Beer License for an event on April 13, 2013.

PUBLIC IMPROVEMENTS

5. Authorizing submittal of STP (Surface Transportation Program) TAP (Transportation Alternatives Program) Fund FY2017 applications to the Des Moines Area Metropolitan Planning Organization (MPO).

(Council Communication No. 13-134)

6. Approving and authorizing the execution of Department of Transportation Grant Agreement for the TIGER (Transportation Investment Generating Economic Recovery) Discretionary Grant for the Southeast Connector Project between SE 14th and SE 30th Street.

(Council Communication No. 13-151)

7. Approving Change Order No. 19 with Corell Contractor, Inc. for additional work on the Riverpoint Trunk Sewer Separation and Pump Stations, not to exceed $110,547.36.

(Council Communication No. 13-137)


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

(A) McKinley Avenue Widening at South Union Street, Reilly Construction Co., Inc.

(B) Police Station Boiler Replacement, The Waldinger Corporation.
SPECIAL ASSESSMENTS

10. **Levying** assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2013-03.

11. **Approving** deletion of NAC-Emergency Assessment at 2702 Maury Street.

12. **Waiver** of City’s special assessments and inspection fees to allow for rehabilitation of property at 1823 Clark Street.

   (Council Communication No. 13-130)

13. Approving sanitary sewer for E. 37th Street – Euclid Avenue to Hubbell Avenue:

   (A) **Communication** from the City Manager recommending proposed sanitary sewer construction using special assessments.

   (Council Communication No. 13-136)

   (B) **Preliminary** resolution for construction of sanitary sewer improvements.

   (C) **Fixing** values of lots.

   (D) **Adopting** preliminary plat and schedule, estimate of costs and proposed plans and specifications.

   (E) **Proposed** Resolution of Necessity, Notice to Property Owners of hearing and setting date of hearing, (4-22-13).

LAND/PROPERTY TRANSACTIONS

14. **Approving** 13 tax abatement applications for the additional value added by improvements completed during 2012.

   (Council Communication No. 13-147)

BOARDS/COMMISSIONS/NEIGHBORHOODS

15. **Appointment** of three members to the Des Moines Enterprise Zone Commission.

   (Council Communication No. 13-154)

16. **Approving** appointments to the Skywalk Committee.

16-I **Approving** appointment of Marc Wallace to Water Works Board of Trustees, Seat 1, for a 6-year term commencing 4-1-13 expiring 4-1-19.
COMMUNICATIONS FROM PLANNING AND ZONING

17. **Approving** amendment to the Des Moines 2020 Community Character Land Use Plan to revise the future land use designation from Low-Density Residential to Commercial: Auto-Oriented Small-Scale Strip Development for property at 2040 E. Walnut Street.

SETTING DATE OF HEARINGS

18. **On** conveyance of a Permanent Underground Gas Easement to MidAmerican Energy Company; conveyance of a Fiber Optics License Agreement to CenturyLink; and acceptance of a Permanent Underground Fiber Optics Easement for the “Metro Net” Shared Communication system; all being relocated in conjunction with the Greater Des Moines Botanical Center Redevelopment Project, (4-8-13).

19. **On** Application for Certificate of Public Convenience and Necessity to operate limousine services requested by Scott Sweers, NPI Luxxor Limousines LLC, Wesley, IA, (4-8-13).

20. **On** First Equity Property Holdings-Acquisitions Fund II, LLC (purchaser) represented by Anne Walters (officer) to rezone property in vicinity of 2303 Merle Hay Road from “R1-60” (One-Family Low-Density Residential) and “C-1” (Neighborhood Retail Commercial) to “PUD” (Planned Unit Development), for a pharmacy store, subject to conditions, (4-8-13).

21. **On** request from PE, LLC to rezone 1734 E. University Avenue and 1213 E. 17th Ct. from “C-1” (Neighborhood Retail Commercial) to “M-1” (Light Industrial) ([Plan and Zoning Commission recommends DENIAL](#)) and revised proposal to rezone to Ltd. “C-2” (General Retail and Highway-Oriented Commercial) ([Plan and Zoning Commission recommends APPROVAL](#)) to allow a custom retail carpentry and millwork shop and office involving outdoor storage of contractor vehicles and job trailers, subject to conditions, (4-8-13).

22. **On** proposed Second Amendment to the Urban Renewal Plan for the Southside Economic Development District Urban Renewal Area, (4-22-13).

   ([Council Communication No. 13-155](#))

23. **On** issuance of a Certificate of Appropriateness for the demolition of Norden Hall, 709 E. Locust Street, (4-8-13). ([Continued from 3-11-13](#))
24. **On** assessment of $500 penalties to the following liquor license holders for sales to minors, (4-8-13):

   (A) University Groceries, 2121 University Avenue.
   
   (B) Last Stop Beverage Shop, 2839 E. University Avenue.
   
   (C) Git-N-Go #28, 3274 E. University Avenue.
   
   (D) Kum & Go #2731, 3104 University Avenue.

25. **On** assessment of $1,500 penalty and 30-day suspension to University Groceries, 2121 University Avenue for sale to minor, (4-8-13).

26. **On** assessment of $1,500 penalty and 60-day suspension to Kum & Go #2722, 2211 University Avenue for sale to minor, (4-8-13).

**LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS**

27. **Approving** payment to Ahlers & Cooney, PC related to environmental issues, $940.

27-I **Approving** payment to Belin McCormick Law Firm for consulting and legal services in connection with Kragnes v. City of Des Moines, Iowa, $1,440.

28. **Approving** payment to Peddicord, Wharton, Spencer, Hook, Barron & Wegman for retention of Scott Beattie to represent Police Officer Judy Smith, $475.

29. Approving payment of workers’ compensation claims for the following:

   (A) **Vicky** Cross, $24,159.
   
   (B) **Russell** English, $16,232.70.
   
   (C) **Ken** Murray, $7,000.
   
   (D) **Thomas** Robinson, $22,442.41.
   
   (E) **Michael** Stroud, $32,752.

30. **Approving** contract with Steve Lussier to represent the City in the case of Team Two, Inc. v. City of Des Moines, $1,000.
31. **Submitting** travel and training requests for Daniel Blom, Todd Dykstra, Linda Harris, Garth House, Jeffrey Lester and Lawrence McDowell.

   (Council Communication No. 13-152)

32. **Subordination** Agreement with RE Properties 1, LLC that allows for the building at 424 E. Locust to be placed in a horizontal regime.

   (Council Communication No. 13-153)

33. **Copyright** License regarding 2011 Citizen Survey and authorizing City Manager to execute same and other Intellectual Property Licenses.

   (Council Communication No. 13-150)

34. Bids from the following:

   (A) **Electric** Pump & Tool Services (Richard S. Miller, President) for storm water pump station repair services, including replacement parts, for various existing pump stations for use by the Public Works Department Sewer Enterprise Division, $83,685.97.

   (Council Communication No. 13-132)

   (B) **Insight** Public Sector (Kenneth Lamneck, CEO) for upgrades to existing Microsoft SQL Server license per State of Iowa Contract for use by the Information Technology Department, $59,082.48.

   (Council Communication No. 13-131)

   (C) **Northwest** Designs Ink (Slava German, President) for merchandise apparel sales services for the US Youth Soccer Region II Championships whereby the City would receive a percent of total sales for use by the Park & Recreation Department, total revenue to the City of $25,000 or 30% of total sales, whichever is greater. (Four bids mailed, three received).

35. **Civil** Service Entrance List for Laboratory Analyst and Promotional List for Senior Police Officer.
36. Authorizing Finance Director to draw checks on registers for weeks of March 25 and April 1, 2013; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of March 25 and April 1, 2013, and to draw checks for biweekly payroll due April 5, 2013.

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

ORDINANCES - FIRST CONSIDERATION

37. Amending Chapter 114 of the Municipal Code to allow installation of a pedestrian “HAWK” (High-intensity Activated CrossWalk) signal on Grand Avenue, east of 2nd Avenue.

(Council Communication No. 13-133)

COUNCIL REQUESTS

38. From Council Member Bob Mahaffey to speak regarding naming of Birdland Park Shelter House in honor of Jay N. “Ding” Darling.

COMMUNICATIONS/REPORTS


*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 40 THRU 53)


41. On City-initiated request to amend the Zoning Ordinance Text in Chapter 134 with regard to paving requirements for parking and outdoor storage uses.

(A) First consideration of ordinance above.
42. **On** City-initiated request to amend the Zoning Ordinance Text in Chapter 134 with regard to the addition of a definition for small engine repair use.

   (A) **First** consideration of ordinance above.

43. **On** vacation of a portion of east/west segment of alley between Reigart Street and E. Holcomb Avenue, west of Oxford Street, and on Land Exchange Agreement with EIW, LLC for comparable parcels in the vicinity of 129 E. Holcomb Avenue.

   *(Council Communication No. 13-146)*

   (A) **First** consideration of ordinance above.

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

44. **On** conveyance of property at 1018 Euclid Avenue purchased for the Euclid Avenue Intersection Improvements Project to the State of Iowa for the benefit and use of the Iowa Department of Transportation (IDOT).

45. **On** conveyance of property west of and adjacent to vacated SE 19th Street, north of Scott Street, to Kemin Holdings, LC, $21,040.

   *(Council Communication No. 13-144)*

46. **On** correction of vacation and conveyance of a portion of excess SE 18th Street right-of-way to Amend Packing Company, $5,450.

   *(Council Communication No. 13-140)*

   (A) **First** consideration of ordinance above.

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

47. **On** vacation and conveyance of the west 15 feet of SE 15th Street right-of-way adjoining 1437 Maury Street to Edith C. Ruperto and Charles W. Ruperto, $7,821.

   *(Council Communication No. 13-145)*

   (A) **First** consideration of ordinance above.

   (B) **Final** consideration of ordinance above (waiver requested by the applicant), requires six votes.
48. **On** vacation and conveyance of a portion of the north/south and east/west alley right-of-way, south of University Avenue between 6th Avenue and 7th Street to QuikTrip Corporation, $700.

   *(Council Communication No. 13-138)*

   (A) **First** consideration of ordinance above.

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

49. **On** SE 20th Street Storm Sewer – Scott Avenue to 500 Feet North: Resolution approving plans, specifications, form of contract documents, engineer’s estimate and designating lowest responsible bidder as Sandstone Management, Ltd. (Brandon Van Vleet, President), $72,075.

   *(Council Communication No. 13-135)*

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


   *(Council Communication No. 13-143)*

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

51. **On** McHenry Park Improvements: Resolution approving plans, specifications, form of contract documents, engineer’s estimate and designating lowest responsible bidder as Joiner Construction Co., Inc. (Zeb Joiner, Vice President), $179,355.

   *(Council Communication No. 13-139)*

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

52. **On** 4500 Block of Wakonda Parkway Sanitary Sewer: Resolution approving plans, specifications, form of contract documents, engineer’s estimate and designating lowest responsible bidder as T K Concrete Inc., (Tony J. Ver Meer, President), $54,143.50.

   *(Council Communication No. 13-141)*

   (A) **Approving** contract and bond, and permission to sublet.
53. **On** 2013 Parking Garage Repair Program: Resolution approving plans, specifications, form of contract documents, engineer’s estimate and designating lowest responsible bidder as Bi-State Masonry, Inc., (Chris Belser, Vice President), $480,570.

   (Council Communication No. 13-142)

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

   *** END OF HEARINGS AT ____________ PM ***

**APPROVING**

54. Plan update and adopting the plan as an element of the Des Moines 2020 Community Character Plan for the following:

   (A) **Beaverdale** Neighborhood.

   (Council Communication No. 13-148)

   (1) **Recommendation** of Plan and Zoning Commission.

   (B) **Woodland** Heights Neighborhood.

   (Council Communication No. 13-149)

   (1) **Recommendation** of Plan and Zoning Commission.

**MOTION TO ADJOURN.**

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![Des Moines All-America City](image)

All-America City