PROCLAMATIONS – 4:00 PM

Money Smart Week/Bank On Central Iowa Day

Administrative Professionals Week/Day

Arbor Day

Castle Club of Des Moines and Ballroom Dancing Month

INVOCATION: Council Member Moore

1. ROLL CALL:

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

3. APPROVING CONSENT AGENDA * – items 3 through 37:

   *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) GRAYS LAKE TERRACE 2101 FLEUR DR C Beer/Wine
   (B) PRIVATE CLIENT CATERING 2801 FLEUR DR C Liquor
   (C) SANDS VOLLEYBALL CLUB 6214 GRAND AVE C Liquor

   RENEWAL APPLICATIONS
   (D) 14TH STREET TAVERN 3418 E 14TH ST C Liquor
   (E) ALL IN THE FAMILY LOUNGE 4249 FLEUR DR C Liquor
   (F) BARATTAS RESTAURANT 2320 S UNION ST C Liquor
   (G) BEST FOOD MART 4028 E 14TH ST E Liquor
   (H) BOURBON ST 500 ARMY POST RD C Liquor
   (I) CAFE BARATTA’S 600 E LOCUST ST C Liquor
(J) DES MOINES ART CENTER  4700 GRAND AVE  C Liquor
(K) DES MOINES VALERO #203  4140 PARK AVE  C Beer
(L) DES MOINES YACHT CLUB  2617 INGERSOLL  C Liquor
(M) DJANGO RESTAURANT  210 10TH ST  C Liquor
(N) FAMOUS DAVES  4351 MERLE HAY RD  C Liquor
(O) GERRIS  232 E 30TH ST  C Liquor
(P) GIT N GO STORE #1  3735 HUBBELL AVE  C Beer
(Q) H & A MINI MART  5901 FLEUR DR  C Beer
(R) HOME PLATE DINER  304 E 30TH ST  C Beer/Wine
(S) JOHNNYS HALL OF FAME  302 COURT AVE  C Liquor
(T) KRUEGERS AMOCO #2  630 SW 9TH ST  C Beer
(U) KUM & GO #120  101 ARMY POST  C Beer
(V) KUM & GO #130  2930 HICKMAN RD  C Beer
(W) KUM & GO #194  4001 SW 9TH ST  C Beer
(X) LAST STOP BEVERAGE SHOP  2839 E UNIVERSITY  E Liquor
(Y) RITUAL CAFE  1301 LOCUST ST  C Beer/Wine
(Z) VOLCANO NIGHT CLUB  1820 E ARMY POST  C Liquor

OUTDOOR SERVICE APPLICATIONS

(AA) 14TH STREET TAVERN  3418 E 14TH ST  C Liquor
Temporary for an annual customer appreciation event on April 27, 2013.

SPECIAL EVENT APPLICATIONS

(BB) BUZZARD BILLYS  615 3RD ST  Five (5) Day License
Class C Liquor License for Kenny Chesney Pre-Party on April 27, 2013.

(CC) DOS RIOS  318 COURT AVE  Five (5) Day License
Class C Liquor License for Cinco De Mayo Celebration on May 4, 2013.

(DD) HEROES  216 COURT AVE  Five (5) Day License
Class C Liquor License for Tractor Trailer Concert Series on April 27, 2013.
Pending approval of Building, Fire and Zoning Departments.

PUBLIC IMPROVEMENTS

5. Ordering construction of the following:

(A) E. 14th Street & E. Euclid Avenue Intersection Modification: Receiving of bids, (5-7-13), Setting date of hearing, (5-20-13), Construction estimate, $186,500.

(Council Communication No. 13-200)

(B) SE 19th & Harriet Street Pump Station Modifications: Receiving of bids, (5-7-13), Setting date of hearing, (5-20-13), Construction estimate, $193,500.

(Council Communication No. 13-198)

   *(Council Communication No. 13-197)*

7. **Approving** Professional Services Agreement with Foth Infrastructure and Environment, LLC for evaluation, design, and construction phase services for the E. Payton Avenue Bridge Replacement over Stream, not to exceed $169,703.

   *(Council Communication No. 13-193)*

8. Approving Private Construction Contracts for the following:

   (A) **Detrick** Excavating Inc. and Wakonda Living, LLC for sanitary sewer improvements in Lot 20, Wakonda Plat 1, $20,400.

   (B) **Jensen** Construction Company and Principal Life Insurance Company for Principal Riverwalk Signage and Skating Canopy Foundation improvements, $253,000.

9. **Communication** from Herberger Construction Co. requesting permission to sublet certain items on the Easter Lake Drive Bridge over Easter Lake Rehabilitation project.

10. **Accepting** completed construction and approving final payment for SE Connector Paving – SE 4th Street to SE 9th Street, Elder Corporation.

**SPECIAL ASSESSMENTS**

11. **Levying** assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2013-04.

**LAND/PROPERTY TRANSACTIONS**

12. **Acceptance** of Special Warranty Deed for City Parking Garage at 8th and Mulberry Streets.

13. **Acceptance** of permanent easement for traffic signal systems at 1100 7th Street for the 7th Street and Laurel Street Traffic Signal project.
BOARDS/COMMISSIONS/NEIGHBORHOODS

14. Approving recommendation of Mayor Cownie for reappointments to the Airport Authority Board of the following:


(B) Elizabeth Ward, Seat 5, for a four-year term commencing June 30, 2013 to expire June 30, 2017.

15. Appointing the Mayor as the City’s Representative to the Warren County Emergency Management Commission and approving the members of the City Council and the Fire Chief as the City’s alternate representatives.

(Council Communication No. 13-203)

16. Approving reappointment of Frank Cownie and Rick Clark to the Des Moines Performing Arts Board of Directors effective immediately.

17. Accepting resignation of Charles Talarico from the Citizen Odor Board, Seat 14, effective immediately.

18. Communication from Richard Bason, Chairman for the Housing Appeals Board, requesting that Seats 3 and 6 be declared vacant.

19. Communication regarding an update on Commission Activities of the Des Moines Human Rights Commission (DMHRC) and request for a joint meeting with the Mayor and City Council Members.

SETTING DATE OF HEARINGS

20. On conveyance of a portion of property at the southeast corner of SW 9th Street and Bell Avenue to Git-N-Go Convenience Stores, Inc., $7,500, (5-6-13).

21. On request from Miguel Saucedo to rezone 1161 22nd Street from “R1-60” (One-Family Low-Density Residential) to “R-4” (Multiple-Family Residential) to allow a five-unit multiple-family dwelling, (5-6-13). (Plan and Zoning Commission recommends DENIAL)

22. On request from Kading Properties to amend the Meadowlands PUD Conceptual Plan at 7400 Meadowlands Drive to revise the configuration of 70 residential units permitted from seven two-story multiple-family dwellings to 35 single-story two-family dwellings, subject to conditions, (5-6-13).
23. On request from Hy-Vee, Inc. for an amendment to the Southgate C-4 Development Plan to allow a gas/convenience store use at the northwest corner of 3221 SE 14th Street, (5-6-13).

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS


CITY MANAGER COMMUNICATIONS


   (Council Communication No. 13-204)

APPROVING

26. Home loan and execution of contracts for $378,000 with Home Opportunities Made Easy, Inc. (HOME) for construction of five (5) rental units at the intersection of 13th and Clark Streets.

   (Council Communication No. 13-194)

27. Preliminary terms of agreement with Ballyard Lofts, LLC for renovation of property at 226 W. Martin Luther King, Jr. Parkway.

   (Council Communication No. 13-205)

   (A) Approving application of Ballyard Lofts, LLC for Enterprise Zone Benefits for a housing project at 226 W. Martin Luther King, Jr. Parkway in the Gateway Enterprise Zone.


29. Exception to procurement ordinance competitive bidding requirements for a three-year agreement with Insight Public Sector (Kenneth Lamneck, President/CEO) for Microsoft Software products and services per State of Iowa contract for use by the Information Technology Department, $859,753.92 total for 3 years.

   (Council Communication No. 13-206)
30. Bids from the following:

(A) Parker Signs and Graphics (John Parker, President) for recreational trail signage requested by the Park & Recreation Department, $64,531. (Nine bids mailed, two bids received)

(Council Communication No. 13-199)

(B) Baker Group (BJ Baker III, Chairman/CEO) for building automation products and services for security enhancements per State of Iowa contract requested by the Park & Recreation Department, $110,840.

(Council Communication No.13-195)

(C) IPS Group (Dave King, President) for credit card & smart card enabled single space parking meter units requested by the Engineering Department Traffic & Transportation Division, $115,800. (Four bids mailed, four bids received)

31. Authorizing Finance Director to draw checks on registers for weeks of April 22 and April 29, 2013; to draw checks for the bills of the Des Moines Municipal Housing Agency for week of April 29, 2013; and to draw checks for biweekly payroll due May 3, 2013.

ORDINANCES - FINAL CONSIDERATION

32. 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.

33. 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.

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

35. **Rezoning** 1734 E. University and 1213 E. 17th Court from “C-2” (General Retail and Highway-Oriented Commercial) to Ltd. “C-2” (General Retail and Highway-Oriented Commercial) to allow a custom retail carpentry and millwork shop and office involving outdoor storage of contractor vehicles and job trailers, subject to conditions.

36. **Amending** Chapter 114 of the Municipal Code regarding parking revisions on E. 1st Street and additional municipal employee parking spaces at the east end of Court Avenue Bridge due to Principal Riverwalk construction.

37. **Rezoning** of 20 E. 18th Street from “M-1” (Light Industrial) to Ltd. “M-2” (Heavy Industrial) to allow use of a portion of the property for outdoor storage of inoperable construction equipment, subject to conditions.

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

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

*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 38 THRU 43)

38. **On** adoption of the proposed Resolution of Necessity for Sanitary Sewer Improvements on E. 37th Street – Euclid Avenue to Hubbell Avenue. (ALTERNATE MOTIONS)

   (Council Communication No. 13-192)

   (A) **Authorization** to proceed with acquisition of necessary right-of-way and easements.

40. **On** vacation and conveyance of a subsurface easement along Grand Avenue adjoining 430 Grand Avenue to EMM Associates, LP for the Elsie Mason Manor Redevelopment Project, $1,250.

   (*Council Communication No. 13-191*)

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

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

41. **On** Concession Agreement with Port of Des Moines, LLC to operate a food and beverage concession at the Hub Spot located at the northeast corner of Court Avenue and Water Street from April 1, 2013 through December 21, 2017.

   (*Council Communication No. 13-196*)

42. **On** issuance of a Certificate of Appropriateness for the demolition of Norden Hall, 709 E. Locust Street **and to continue to May 20, 2013 at 5:00 PM.**

43. **On** proposed Second Amendment to the Southside Economic Development District Urban Renewal Area.

   (*Council Communication No. 13-202*)

   *** END OF HEARINGS AT _________ PM ***

CITY MANAGER RECOMMENDATIONS

44. **Report** regarding off-road vehicles on Four Mile Drive.

   (*Council Communication No. 13-201*)

APPROVING

45. **Naming** of Center Street Pedestrian Bridge as “Iowa Women of Achievement Bridge” and dedication of bridge as part of the Principal Riverwalk Multi-Use Recreational Trail and as Parkland.

MOTION TO ADJOURN.