DES MOINES CITY COUNCIL MEETING
August 12, 2013
4:30 PM

PROCLAMATIONS – 4:00 PM

Roller Derby Week
Habitat for Humanity

INVOCATION: Council Member Griess

1. ROLL CALL:

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

3. APPROVING CONSENT AGENDA * – items 3 through 32:

   *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) BENNIGANS GRILL & TAVERN 1810 ARMY POST RD B Liquor
(B) KA LAS MEXICANAS 4121 SE 14TH ST C Beer
(C) LA PIZZA HOUSE 1440 MAURY ST C Liquor
(D) LUCKY MONKEY 102 3RD ST C Liquor
(E) MAD MEATBALL 401 SE 5TH ST C Beer/Wine
(F) SHOP N SAVE 1829 6TH AVE E Liquor
(G) WEDGEWOOD DINING & SPIRITS 3517 E 26TH ST C Liquor

RENEWAL APPLICATIONS

(H) AJS ON EAST COURT 419 E COURT AVE C Liquor
(I) BEECHWOOD LOUNGE 416 E WALNUT ST C Liquor
(J) BOWLERAMA 1313 E DIEHL AVE C Liquor
(K) BUDDYS CORRAL 418 E 5TH ST C Liquor
(L) CROATIAN FRATERNAL SLAVIC 6575 INDIANOLA AVE C Liquor
<table>
<thead>
<tr>
<th>#</th>
<th>Store Name</th>
<th>Address</th>
<th>Alcohol Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>M</td>
<td>DOLLAR GENERAL #13488</td>
<td>3220 M L KING JR PKWY</td>
<td>Beer</td>
</tr>
<tr>
<td>N</td>
<td>DRAGON HOUSE EAST</td>
<td>2470 E EUCLID AVENUE</td>
<td>Liquor</td>
</tr>
<tr>
<td>O</td>
<td>GIT N GO STORE #36</td>
<td>4164 EASTON BLVD</td>
<td>Beer</td>
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<tr>
<td>P</td>
<td>OAKMOOR RACQUETBALL</td>
<td>4731 MERLE HAY RD</td>
<td>Beer</td>
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<tr>
<td>Q</td>
<td>PINTS PUB N PATIO</td>
<td>319 COURT AVE</td>
<td>Liquor</td>
</tr>
<tr>
<td>R</td>
<td>RONS DAWG HOUSE</td>
<td>2117 E UNIVERSITY AVE</td>
<td>Liquor</td>
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<tr>
<td>S</td>
<td>RUSTY NAIL</td>
<td>2301 SW 9TH ST</td>
<td>Liquor</td>
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<tr>
<td>T</td>
<td>SUNRISE TAP</td>
<td>4155 EASTON BLVD</td>
<td>Liquor</td>
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<tr>
<td>U</td>
<td>SUPER QUICK *(1)</td>
<td>303 SE 30TH ST</td>
<td>Liquor</td>
</tr>
<tr>
<td>V</td>
<td>TEQUILAS LIQUOR STORE *(2)</td>
<td>1434 DES MOINES ST</td>
<td>Liquor</td>
</tr>
<tr>
<td>W</td>
<td>TOADS TAVERN</td>
<td>3002 STATE AVE</td>
<td>Liquor</td>
</tr>
<tr>
<td>X</td>
<td>WESLEYLIFE</td>
<td>3520 GRAND AVE</td>
<td>Beer/Wine</td>
</tr>
<tr>
<td>Y</td>
<td>YO YOS BAR &amp; GRILL</td>
<td>2400 DEAN AVE</td>
<td>Liquor</td>
</tr>
</tbody>
</table>

**SPECIAL EVENT APPLICATIONS**


(CC) STAR BAR                   2716 INGERSOLL Five (5) Day License Class C Beer/Wine License for Ingersoll Live on August 24, 2013. Pending approval of Zoning Department.

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

**PUBLIC IMPROVEMENTS**


   *(Council Communication No. 13-407)*

7. **Approving** and authorizing the execution of Iowa Department of Transportation (IDOT) Agreement for traffic signal upgrades at the intersection of E. Euclid Avenue and Dixon Street.

   *(Council Communication No. 13-408)*
8. **Approving** Supplemental Agreement No. 1 and Supplemental Agreement No. 2 to the Professional Services Agreement with Shuck Britson, Inc. to provide additional design and additional construction phase services for the Grand Avenue Bridge project, as previously directed by Council.

   *(Council Communication No. 13-411)*

9. **Designation** of lowest responsible, responsive bidder as TK Concrete, Inc. (Tony J. Ver Meer, President) and approving contract and bond on the 2013 Designated Neighborhood Sidewalk Replacement Program.

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

11. **Approving** completion and acceptance of the Polk County Project reconstructing Beaver Avenue from Aurora Avenue to NW Lower Beaver Avenue.

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

   (A) **Columbus** Park & McHenry Park Water Features – The Hansen Company, Inc.

   (B) **618 E. Park Avenue Emergency Sanitary Sewer Repair** – Raccoon Valley Contractors, LLC.

SPECIAL ASSESSMENTS

13. **Levying** Assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2013-08.

SETTING DATE OF HEARINGS


   *(Council Communication No. 13-416)*
LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS


16. Approving payment to Carolyn Weston and her Attorney, Olson Law Office, PC, as the result of a trip and fall accident in the area of E. 23rd Street and Dean Avenue.

17. Approving payment to the following for worker’s compensation:
   
   (A) Ron O’Neal, $60,072.61.
   
   (B) Jodine Peterson, $72,718.97.

18. Approving an additional and final payment to Brent and Susan Lucas for a claim for property damage and bodily injury as the result of an auto accident with a Police Officer, $2,000.

CITY MANAGER COMMUNICATIONS

19. Submitting travel and training requests for Terry Bennigsdorf, Michele Bischof, Derrick Brent, Don Hansen and Mike Minnick.  

   (Council Communication No. 13-421)

APPROVING


   (Council Communication No. 13-413)

21. First Amendment to Urban Renewal Development Agreement with Ballyard Lofts, LLC for renovation of 350 SW 2nd Street.

   (Council Communication No. 13-423)

22. Authorizing issuance of $37,090,000 General Obligation Bonds, Series 2013A and levying a tax to pay.
23. **Authorizing** and providing for issuance of $21,050,000 General Obligation Refunding Bonds, Series 2013B, and levying a tax to pay.

   (A) **Authorizing** redemption of outstanding General Obligation Bonds, Series 2006A and General Obligation Bonds, Series 2006B, and directing that notices of redemption be given.

24. **Submission** of application for US Department of Homeland Security Staffing for Adequate Fire and Emergency Response (SAFER) grant program.

   (Council Communication No. 13-415)

25. **Application** from the IMT Des Moines Marathon for banners across the street on Locust between 3rd and 4th for the starting line and on 3rd between Locust and Walnut for the finish line on Sunday, October 20, 2013.

26. Bids from the following:

   (A) **Select** Electric Service (Amy Schoolen, President) and Commonwealth Electric Company (David Firestone, President), as Primary and Secondary Provider to furnish electrical service to be used by the Building Services Division, $70,000. (ten bids mailed – three received)

   (B) **Keck** Energy (Mark Meyer, President), to furnish fuel products for use by the Equipment Maintenance Center as well as other City Departments, $3,500,000. (eleven bids mailed – five received)

   (C) **Pigott** Inc. (John Stenberg, President) to furnish office furniture for use by the Office of Economic Development, $34,444.63, purchased through the US Communities Contract.

   (Council Communication No. 13-412)

27. **Civil** Service Entrance Lists for Recreation Specialist, Neighborhood Inspector, Fire Protection Engineer and Pumping Station Technician.

28. **Authorizing** Finance Director to draw checks on registers for weeks of August 12 and August 19, 2013; to draw checks for the bills of the Des Moines Municipal Housing Agency for weeks of August 12 and August 19, 2013; and to draw checks for biweekly payroll due on August 23, 2013.
ORDINANCES - FINAL CONSIDERATION

29. On adoption by reference of the International Fire, Building, and other standard codes:

   (A) **Final** consideration of ordinance above amending Chapter 46 of the Municipal Code regarding adoption of the International Fire Code and amendments.


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

   (A) Installation of new parking meters – City of Des Moines surface lot on the SE corner of E. 4th Street and E. Grand Avenue.

   (B) Two-sided parking restriction – Beaver Avenue between Madison Avenue and Shawnee Avenue.

   (C) Reverse the side of existing parking – Greenwood Drive between Tonawanda Drive and 42nd Street.

   (D) One-sided parking restriction change – North Valley Drive from SW 56th Street to SW 59th Street.

   (E) Two-sided parking restriction – E. Sheridan Avenue between Idaho Street and E. 16th Street.

ORDINANCES - SECOND CONSIDERATION

31. **Amending** Chapter 114 of the Municipal Code regarding two-sided parking restriction on Scott Avenue between SE 2nd and SE 6th Street.

32. **On** vacation of three segments of street right-of-way for railroad crossing closures at the Hull Avenue, Scott Avenue and SE 34th Street crossings, **and to continue to August 26, 2013.**

   (Council Communication No. 13-418)

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

33. **Request** from Council Member Brian Meyer to discuss events in the East Village.

*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 34 THRU 35)

34. On conveyance of gas and regulator station easements to MidAmerican Energy Company at the following locations:

   (A) **Northwest** corner of the intersection of SE 20th Street and E. Park Avenue, $100.

   (Council Communication No. 13-410)

   (B) **Northwest** corner of McHenry Park, $200.

   (Council Communication No. 13-409)

35. **On** request from Brace, LLC to rezone 901 Bell Avenue from “R1-60” (One Family Low-Density Residential) and “C-1” (Neighborhood Retail Commercial) to “NPC” (Neighborhood Pedestrian Commercial) to allow development of a new restaurant, subject to conditions.

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

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

   *** END OF HEARINGS AT ________ PM ***

APPROVING

36. **Intergovernmental** 28E Agreement with the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) for design and construction of the Easter Lake Spine Trail, as part of the WRA Southern Tier Interceptor, Phase 10, Segment 15-16 Project.

   (Council Communication No. 13-420)
37. **Receive** and file Park and Recreation Board’s vote on the ad hoc Park Signage Review Committee’s proposed ordinance regarding neighborhood recognition signage in City Parks and approving recommendation of the ad hoc committee on the proposed ordinance.

   (Council Communication No. 13-414)

38. **Review** of Zoning Board of Adjustment decision on approved variance for a variety of industrial uses at 2425 Euclid Avenue including warehousing, contractor storage and car, truck, trailer and boat storage. (**Roll Call contains alternative motions.**)

   (Council Communication No. 13-419)

**EXTRA ITEMS**

These extra items are filed after 5:00 P.M. on the Wednesday preceding a Council meeting and have been included upon the Amended Agenda by the City Clerk, with sponsorship of the Mayor or a City Council Member who shall deem the item of sufficient urgency to warrant immediate Council action - said statement of urgency from the City Manager and/or appropriate Department Director shall be placed on file with the City Clerk.

1. **Discussion** regarding FEMA release on deed restrictions for Valley Gardens subdivision area. Sponsor: Council Member Hensley.

2. **Discussion** regarding advertising on bus benches. Sponsor: Council Member Hensley.

**MOTION TO ADJOURN.**

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