I. CLOSED SESSION – 3:00 PM

(A) Roll Call.

(B) Recess, and reconvene in closed session pursuant to Section 21.5, subsection 1, paragraph C, of the Iowa Code, to discuss necessary strategy with counsel in matters that are presently in litigation or where litigation is imminent, where its disclosure would be likely to prejudice or disadvantage the position of the City, and Section 20.17(3) to discuss collective bargaining strategy.

(C) Closed Session.

(D) Terminate closed session and reconvene in open session.

(E) Motion to adjourn.

* * * * * * * * * * * * * * * * * * * * * *

PROCLAMATIONS – 4:15 PM

White Cane Safety Day

Fire Prevention Week

INVOCATION: Council Member Mahaffey

1. ROLL CALL:

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

3. APPROVING CONSENT AGENDA * – items 3 through 24:

*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

<table>
<thead>
<tr>
<th>Application</th>
<th>Address</th>
<th>Class</th>
</tr>
</thead>
<tbody>
<tr>
<td>(A) OASIS</td>
<td>630 SW 9TH ST</td>
<td>E Liquor</td>
</tr>
<tr>
<td>(B) OASIS</td>
<td>1401 BUCHANAN ST</td>
<td>E Liquor</td>
</tr>
<tr>
<td>(C) SHOWROOM</td>
<td>4100 MERLE HAY RD</td>
<td>C Liquor</td>
</tr>
<tr>
<td>(D) TONIC ON COURT</td>
<td>210 COURT AVE</td>
<td>C Liquor</td>
</tr>
<tr>
<td>(E) VILLAGE BEAN COFFEE CO</td>
<td>305 E 5TH STREET</td>
<td>C Beer/Wine</td>
</tr>
</tbody>
</table>

### RENEWAL APPLICATIONS

<table>
<thead>
<tr>
<th>Application</th>
<th>Address</th>
<th>Class</th>
</tr>
</thead>
<tbody>
<tr>
<td>(F) ARAMARK @ NATIONWIDE</td>
<td>1100 LOCUST ST</td>
<td>C Liquor</td>
</tr>
<tr>
<td>(G) BEST FOOD MART</td>
<td>4028 E 14TH ST</td>
<td>C Beer</td>
</tr>
<tr>
<td>(H) CASEYS #2921</td>
<td>3725 BEAVER AVE</td>
<td>C Beer</td>
</tr>
<tr>
<td>(I) CASEYS #2922</td>
<td>3501 E 14TH ST</td>
<td>B Beer</td>
</tr>
<tr>
<td>(J) DRAKE DINER</td>
<td>1111 25TH ST</td>
<td>C Liquor</td>
</tr>
<tr>
<td>(K) FAMILY PANTRY</td>
<td>4538 LOWER BEAVER</td>
<td>E Liquor</td>
</tr>
<tr>
<td>(L) FIREHOUSE LOUNGE *(1)</td>
<td>1930 SE 6TH ST</td>
<td>C Liquor</td>
</tr>
<tr>
<td>(M) G T RACE CAR BAR</td>
<td>3013 INGERSOLL</td>
<td>C Liquor</td>
</tr>
<tr>
<td>(N) GOODSONS</td>
<td>2815 BEAVER AVE</td>
<td>C Liquor</td>
</tr>
<tr>
<td>(O) KARTARS MINI MART</td>
<td>3761 E UNIVERSITY</td>
<td>C Beer</td>
</tr>
<tr>
<td>(P) LA FAVORITA</td>
<td>1700 E GRAND AVE</td>
<td>C Beer</td>
</tr>
<tr>
<td>(Q) ZIMMS</td>
<td>3124 INGERSOLL</td>
<td>C Liquor</td>
</tr>
</tbody>
</table>

### OUTDOOR SERVICE APPLICATIONS

<table>
<thead>
<tr>
<th>Application</th>
<th>Address</th>
<th>Class</th>
</tr>
</thead>
<tbody>
<tr>
<td>(R) SHORTYS</td>
<td>208 COURT AVE</td>
<td>C Liquor</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Permanent</td>
</tr>
</tbody>
</table>

### SPECIAL EVENTS APPLICATIONS

<table>
<thead>
<tr>
<th>Application</th>
<th>Address</th>
<th>License Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>(S) DES MOINES EMBASSY</td>
<td>519 PARK ST</td>
<td>Five (5) Day License C Liquor for Homes of Oakridge/Jazz, Jewels and Jeans event on October 10, 2014. Pending approval of Fire Department.</td>
</tr>
<tr>
<td>(T) OCCASIONS MADE RIGHT</td>
<td>4025 TONAWANDA DR</td>
<td>Five (5) Day License Special Class C Liquor License (Beer/Wine) for Young Professionals event on October 9, 2014. Pending approval of Electrical and Fire Departments.</td>
</tr>
</tbody>
</table>

4-I **Consideration** of Class C Liquor License for Taste to Go at 2400 George Flagg Parkway for a wedding reception on October 17, 2014. Pending approval of Building, Electrical, Fire and Zoning Departments.

4-II **Consideration** of Special Class C Liquor (Beer/Wine) License for Home Plate Diner at 304 E 30th Street for Abate Toy Run on October 12, 2014. Pending approval of Building, Electrical, Fire and Zoning Departments.

6. **City** Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits.

**PUBLIC IMPROVEMENTS**

7. **Communication** from T K Concrete Inc. requesting permission to sublet certain items on 2014 ADA Sidewalk Ramp Program – Contract 1.

**SPECIAL ASSESSMENTS**

8. **Levying** assessments for fees, fines, penalties, costs and interest imposed in the enforcement of The Neighborhood Inspection Rental Code, Schedule No. 2014-08.

9. Approving deletion of NAC-Emergency Assessments at the following:
   (A) **1241** 6th Avenue.
   (B) **2701** SE 18th Court.

**BOARDS/COMMISSIONS/NEIGHBORHOODS**


11. **Approving** appointments to the Wastewater Reclamation Authority (WRA).

**SETTING DATE OF HEARINGS**

12. **On** conveyance of 1161 22nd Street to Home Opportunities Made Easy, Inc. (HOME, Inc.), (10-20-14).

   * (Council Communication No. 14-487)

13. **On** approval of a proposed Lease Agreement with The Des Moines Bicycle Collective for placement of B-Cycle Program Kiosks on City right-of-way, (10-20-14).

14. **On** approval of a proposed lease of property near 6th Avenue and Mulberry Street to Polk County Iowa, (10-20-14).
LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS


CITY MANAGER COMMUNICATIONS


(Council Communication No. 14-488)

APPROVING

18. Acceptance of $2,000 Certified Local Government Scholarship Grant to assist in travel and training costs for attendance at The National Trust of Historic Preservation National Conference by City Staff.

19. Communication from Downtown Community Alliance on behalf of St. John’s Lutheran Church, requesting approval of banner design to be displayed in downtown Des Moines during November.

20. Bids from the following:

   (A) Moore Medical (Linda M. Autore, President) for two ambulance cots as requested by the Fire Department, $27,757.48. (Six bids mailed, three received).

   (B) Murphy Tractor & Equipment (Rick Yaeger, Branch Manager) for rental of four motor graders for use in snow and ice control operations as requested by Fleet Maintenance, $90,000 for a five month period. (Six bids mailed, one received).

   (Council Communication No. 14-485)


22. Authorizing Finance Director to draw checks on registers for the weeks of October 6 and October 13, 2014 and to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of October 6 and October 13, 2014 and to draw checks for biweekly payroll due on October 17, 2014.
ORDINANCES - FINAL CONSIDERATION

23. **Amending** Chapter 114 of the Municipal Code submitting traffic regulation changes as follows:

   (A) Long-term metered parking – 15th Street between Walnut and Mulberry.

   (B) Relocation of Loading Zone – E. 7th Street between E. Locust and E. Walnut.

   (C) Physically Handicapped Person Parking Space Violation fee - change to coincide with Iowa Code.

ORDINANCES - SECOND CONSIDERATION


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

CITY MANAGER COMMUNICATIONS

24-I **Report** from City Manager Scott Sanders regarding affordable housing in Des Moines.

ORDINANCES - FIRST CONSIDERATION

25. **Amending** Chapter 2 of the Municipal Code regarding the Community Development Department administration.

COUNCIL REQUESTS

26. **From** Council Member Coleman to discuss commercial, industrial and multi-family tax abatement programs past success and modifications.

27. **Receipt** of report from the Chair of the Personnel Subcommittee and approval of recommendations.
COMMUNICATIONS/REPORTS

28. From Sharon Cooper and Laura Mundy, Fairgrounds Neighborhood Association, to speak regarding E. 30th Street beautification project.

*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 29 THRU 37)

29. On conveyance of 1201 Crocker Street to 1201 Crocker, LLC for incorporation into adjoining property for redevelopment, $160,000.

   (Council Communication No. 14-481)

30. On vacation and conveyance of a segment of east/west alley right-of-way adjoining 1204 Hartford Avenue to RJS Properties, LLC, $25 and the conveyance of a segment of east/west alley right-of-way adjoining 916 and 920 Hartford Avenue to Easter Lake Estates, Inc., $75.

   (Council Communication No. 14-482)

   (A) First consideration of ordinance above.

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


   (Council Communication No. 14-484)

   (A) First consideration of ordinance above.

   (B) Final consideration of ordinance above (waiver requested by the applicants), requires six votes.
32. **On** intent to acquire property for recreational trail purposes and authorize acquisition of necessary property interests from various property owners for the McHenry Trail Connection project.

   *(Council Communication No. 14-480)*

33. **On** consideration of License Agreement with Iowa Network Services, Inc. for use of City-owned property, south of 1063 14th Place, $500.

   *(Council Communication No. 14-483)*

34. **On** proposed amendments to subdivision ordinance (Chapter 106) to authorize Community Development to provide notification to adjoining owners and collection of a notification cost from applicants of preliminary subdivision plats.

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

35. **On** request from Quik Trip Corporation to rezone 2426 and 2428 Hubbell Avenue and 2401 Easton Boulevard from “C-1” (Neighborhood Retail Commercial), Ltd. “M-1” (Light Industrial) and “M-1” (Light Industrial) to Ltd. “C-2” (General Retail and Highway-Oriented Commercial).

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

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

36. **On** items regarding 400 SE 7th Street and 401 SE 6th Street (Matthew Connolly, purchaser) *(Continued from September 22, 2014)*:

   (A) **Amending** the Des Moines 2020 Community Character Land Use Plan.

   (B) **Rezoning** from “M-1” (Light Industrial) to “C-3B” (Central Business Mixed-Use) to allow mixed-use development with multiple-family residential dwellings.

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

   (D) **Final** consideration of ordinance above (waiver requested by the applicant), requires six votes.
37. **On** request from Khanna Family Investments, Inc. to rezone 2917 Payne Road from “C-1” (Neighborhood Retail Commercial) to “C-2” (General Retail and Highway-Oriented Commercial) to allow a limited food sales establishment selling alcoholic liquor whereby sales of liquor, wine, beer and tobacco products does not exceed 40% of gross revenues and to **continue to December 8, 2014 at 5:00 PM.**

(A) **Consideration** of Class E Liquor License renewal with C Beer & B Wine for Oasis Grocery & Liquor, 2917 Payne Rd. (**Continue to December 8, 2014 to allow the Zoning Board of Adjustment to consider this item at their November 19th meeting.**)

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

**APPROVING**

38. **Review** of Zoning Board of Adjustment decision granting a variance from separation requirement to allow expansion of a restaurant at 1106 Army Post Road to include outdoor sales of beer and wine during special events. (**Choose one alternative A, B or C**)

(Council Communication No. 14-479)

(A) The City Council remands the Decision and Order to the Zoning Board of Adjustment for further study. The effective date of the Board’s decision will be deferred for 30 days from the date of this remand.

(B) The City Council takes no action to review the Decision and Order. The decision of the Board will become final on October 30, 2014.

(C) The City Council declines to remand the decision to the Zoning Board of Adjustment. The decision of the Board becomes final on this date.

39. **Selection** of Davey Resource Group for street and park tree inventory, management software, maintenance and hosting, and training services and authorizing City Manager to negotiate agreement with Davey Resource Group and Tree Des Moines.

(Council Communication No. 14-486)

40. **City** Manager to enter into formal discussions to evaluate the provision of Community Action Agency Programs in the City of Des Moines by Red Rock Area Community Action Program, Inc.

(Council Communication No. 14-477)
BOARD OF HEALTH

MOTION TO CONVENE.  Memo

1.  The Engineering Department to proceed with administrative removal to abate the public nuisance at 2934 Cottage Grove Avenue, fire-damaged main structure, Titleholder: Thomas M. Ekstrand (deceased), Heir: Ivy Cochran aka Ivy Ekstrand.

MOTION TO ADJOURN.

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Des Moines
All-America City