I. CLOSED SESSION – 3:30 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.

(C) Closed Session.

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

(E) Motion to adjourn.

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INVOCATION: Council Member Moore

1. ROLL CALL:

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

3. APPROVING CONSENT AGENDA * – items 3 through 43:

*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) DC MISFITS 607 SE 30TH ST  C Liquor
(B) FAST MART 1621 UNIVERSITY  E Liquor
(C) UNIVERSITY GROCERY 2121 UNIVERSITY  C Beer

RENEWAL APPLICATIONS
(D) ALBA RESTAURANT 519 DES MOINES ST  C Liquor
(E) CAFE DI SCALA 644 18TH ST  C Liquor
(F) CASEYS #2244 2150 E ARMY POST  C Beer
(G) CHADS CLUB 2000 422 INDIANOLA AVE  C Liquor
(H) DIAMOND JACKS 3000 E GRAND AVE  C Liquor
(I) FLYING MANGO 4345 HICKMAN RD  C Liquor
(J) GIT N GO STORE #18 6501 SE 14TH ST  C Beer
(K) GIT N GO STORE #29 4900 URBANDALE  C Beer
(L) GOLDEN TRIANGLE 1130 E 9TH ST  C Beer/Wine
(M) LIFT 222 4TH STREET  C Liquor
(N) LIME LOUNGE 435 E GRAND AVE  C Liquor
(O) MAD MEATBALL 401 SE 5TH ST  C Liquor
(P) MARIANAS 1305 UNIVERSITY  B Beer
(Q) MICHELLES LOUNGE *(I) 3925 E 14TH ST  C Liquor
(R) MISFITS 607 SE 30TH ST  C Liquor
(S) PALMERS DELI & MARKET 2843 INGERSOLL  C Liquor
(T) PATTONS RESTAURANT 1552 E GRAND AVE  C Beer/Wine
(U) PUEBLO VIEJO 3841 E 14TH ST  C Liquor
(V) QUINTONS BAR & GRILL 506 E GRAND AVE  C Liquor
(W) SAMBETTIS *(I) 1430 2ND AVE  C Liquor
(X) SNAKE PIT LOUNGE 3100 McKinley Ave  A Liquor
(Y) TOBACCO OUTLET PLUS #521 3301 E EUCLID AVE  C Beer
(Z) TROPHYS SPORTS BAR 2701 DOUGLAS AVE  C Liquor

TRANSFER TO NEW LOCATION
(AA) ELWELL FAMILY FOOD 3000 E GRAND AVE  C Liquor
Temporary to the Cattle Barn for the Iowa Beef Expo on February 9 – 15, 2015.

(BB) CAMPBELLS CONCESSION 3000 E GRAND AVE  B Beer
Temporary to the Cattle Barn for the Iowa Beef Expo on February 7 – 8, 2015.

5. Consideration of new Class E Liquor License with C Beer and B Wine for Quick Star, 2701 Ingersoll Avenue. (Zoning Department recommends denial).

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

7. City Clerk to issue Coin Operated Machine Licenses.
8. Approving Change Order No. 6 with C.J. Moyna & Sons, Inc. for additional work on the SE Connector Paving-SE 15th Street to SE 30th Street Project, not to exceed $1,732,300.

   (Council Communication No. 15-029)


10. Communication from contractors requesting permission to sublet certain items on Public Improvement Projects.


   (Council Communication No. 15-028)

12. Authorizing issuance of Request for Proposals for professional services for the 7th & Grand Avenue Parking Garage.

   (Council Communication No. 15-026)

SPECIAL ASSESSMENTS

13. Levying assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2015-01.

LAND/PROPERTY TRANSACTIONS

14. Authorization to proceed with acquisition of the necessary property interests for the Park Avenue Widening – SW 56th Street to SW 63rd Street.

   (Council Communication No. 15-034)

15. Establishing Fair Market Value of property owned by Lemar Koethe at the northeast corner of Indianola Avenue and E. Army Post Road for the Indianola Avenue Widening Project – Phase IV.

   (Council Communication No. 15-031)
BOARDS/COMMISSIONS/NEIGHBORHOODS

16. Approving appointment of regular and alternate members to the Metropolitan Planning Organization, (MPO) and to the Transportation Technical Committee (TTC).

17. Recommendation from Council Member Christine Hensley to appoint Ethan Standard to the Neighborhood Revitalization Board, Seat 9, for a three-year term commencing August 30, 2014 to expire August 30, 2017.

18. Recommendation from Council Member Christine Hensley to reappoint the following:

   (A) Kimberly Hansen to the Housing Services Board, Seat 6, for a three-year term commencing June 30, 2014 to expire June 30, 2017.

   (B) George Davis to the Park and Recreation Board, Seat 12, for a four-year term commencing June 30, 2014 to expire June 30, 2018.

COMMUNICATIONS FROM PLANNING AND ZONING

19. Regarding City-initiated request to vacate east/west segment of alley in the block bounded by Forest Avenue, Indiana Avenue, 3rd Street and 4th Street, in the vicinity of 334 Forest Avenue.

SETTING DATE OF HEARINGS

20. On vacation of City-owned right-of-way on the northeast corner of Fleur Drive and Army Post Road, (2-9-15).

21. On vacation of a portion of Locust Street right-of-way adjoining 400 Locust Street and approval of a permanent easement with the Des Moines Area Regional Transit Authority (DART) for the placement of a bus shelter, (2-9-15).

22. On items regarding vacation of SW McKinley Avenue from SW 46th Street to SW 56th Street:

   (A) Receive and file Plan and Zoning Commission recommendation.

   (B) Setting date of hearing, (2-9-15).

23. On request from Wesley Community Services, Inc. to rezone 944 18th Street from “C-0” (Commercial Residential) to Ltd. “C-2” (General Retail and Highway-Oriented Commercial) subject to conditions to allow “C-0” District permitted uses and limousine/taxi dispatch use only, (2-9-15).
24. **On** request from Arnold DeWitt to rezone property in the vicinity of 3917 Mahaska Avenue from “R1-60” (One-Family Low-Density Residential) to “C-2” (General Retail and Highway-Oriented Commercial), subject to conditions to allow expansion on the existing mini-warehouse complex, (2-9-15).

25. **On** request from Percol Holdings, LLC to rezone 4006 Grand Avenue from “R-3” (Multiple-Family Residential) and “R1-80” (One-Family Residential) to “C-0” (Commercial Residential) subject to conditions, to allow conversion of the existing multiple-family residential dwelling to a professional office use, (2-9-15).

26. **On** Application for Certificate of Public Convenience and Necessity to operate limousine services requested by Cab Trans, LLC, Carlisle, IA, (2-9-15).

27. **On** Application for Certificate of Public Convenience and Necessity to operate limousine services requested by Chauffeurs of Distinction, LLC, Adel, IA, (2-9-15).

**LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS**

28. **Approving** payment to Duncan, Green, Brown & Langeness on matters related to construction disputes, $9,519.

29. **Receive**, file and affirm settlements made by City Attorney, not exceeding, $5,000.

30. **Approving** payment to Ahlers & Cooney, PC Law Firm with respect to general matters, $8,545.32.

31. **Release** of lien for 2440 and 2446 SW 9th Street.

**CITY MANAGER COMMUNICATIONS**

32. **Submitting** travel and training requests for Tonia Fairbanks, Aaron Greiner, Carrie Kruse, David Ness, Moussa Pepouna and Sara Thies.

   *(Council Communication No. 15-037)*
APPROVING

33. **Revised** CDBG Project Agreement with Neighborhood Development Corporation (NDC) for redevelopment project at 2440 and 2446 SW 9th Street.

   *(Council Communication No. 15-025)*

34. **Adopting** the National Interoperability Channels (Metro Interoperability Communication System) as an official method of communication during a multi-agency response.

   *(Council Communication No. 15-038)*

35. **Amendment** to the Development and Completion Agreement with Des Moines Bicycle Collective related to the expansion of the Des Moines B-Cycle Program.

   *(Council Communication No. 15-030)*

36. **Agreement** with Iowa Department of Natural Resources for the installation of dam warning and water trail bridge signs.

   *(Council Communication No. 15-022)*

37. **Procurement** of up to a 24-month supply of fuel for City vehicles and equipment, not to exceed $3,400,000 per fiscal year.

   *(Council Communication No. 15-036)*

38. Bids from the following:

   (A) **Capital** City Equipment Company (Mark Kruse, President) for one mini excavator for use by the Public Works Department, $73,461.02. (Eleven bids mailed, four received).

   *(Council Communication No. 15-035)*

   (B) **Foster** Coach Sales Inc. (Steve Foster, President) for two (2) replacement Type 1 ambulances for use by the Fire Department, $460,338 including $12,500 trade allowance for one existing unit. (Ten bids mailed, one received).

   *(Council Communication No. 15-020)*
(C) Wood Roofing and Sheet Metal (Kevin Alderman, President) for skywalk roof repair services at various sites for use by the Engineering Department, $160,102.95. (Eleven bids mailed, two received).

(Council Communication No. 15-032)

(D) Performance Safety Group (Chris Sanders, Owner/President) for an annual contract with two (2) additional one-year renewal options to furnish nitrile gloves for use by the Fire Department, estimated annual cost $30,000. (Nine bids mailed, five received).

(Council Communication No. 15-021)


(Council Communication No. 15-024)


41. Civil Service Entrance Lists for Street Maintenance Worker and Assistant Planner and Promotional List for Park Planner III.

42. Authorizing Finance Director to draw checks on registers for the weeks of January 26 and February 2, 2015; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of January 26 and February 2, 2015 and to draw checks for biweekly payroll due on February 6, 2015.

ORDINANCES - FINAL CONSIDERATION

43. Amending Chapter 114 of the Municipal Code regarding traffic regulation changes regarding All-way stop installation at the intersection of E. 5th Street and E. Locust Street.

* * * * * * * END CONSENT AGENDA * * * * * * *
ORDINANCES - FIRST CONSIDERATION

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

   (Council Communication No. 15-033)

   (A) Revised parking restrictions and installation of traffic signals at Indianola and E. McKinley Avenue, and at Indianola and Easter Lake Drive.

   (B) Installation of pedestrian signals on Martin Luther King Jr. Parkway near Jefferson and Allison Avenue.

*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 45 THRU 50)

45. **On** proposed amendments to the Zoning Ordinance regarding off-street parking and loading regulations and requirements for paving and paved access drives.

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

46. **On** proposed amendments to the Zoning Ordinance regarding remedial measures relating to PUD and PBP development plans (continued from January 12, 2015).

   (Council Communication No. 15-039)

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

47. **On** request from Leonardo Diaz to rezone 1123 Maury Street and 810 SE 12th Street from “R1-60” (One-Family Low-Density Residential) to Ltd. “C-2” (General Retail and Highway-Oriented Commercial) to allow for mobile vendor uses.

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

   (B) **Final** consideration of ordinance above (waiver requested by the applicant), requires six votes.
48. **On** proposed Third Amendment to the Second Restated City-wide Urban Revitalization Plan to address the reclassification of Multi-Family Commercial Property as Multi-Residential Property for tax purposes.

49. **Dismissing** proceeding on request from 304 15th Street, LLC, (Owner), represented by Jake Christensen (Officer), to rezone property located at 304 15th Street.

50. **On** assessment of $500 penalty to QuikTrip, 2945 E. University Avenue, for first violation of selling alcohol to a person under legal age.

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

CITY MANAGER RECOMMENDATIONS

51. **Regarding** the creation of an Urban Renewal Area utilizing Tax Increment Financing (TIF) for the Eastgate development area at NE 14th Street and E. Euclid Avenue.

   *(Council Communication No. 15-027)*

APPROVING

52. **Approving** agreement with the Des Moines Police Gold Braid Organization.

   *(Council Communication No. 15-023)*

53. **Support** for Workforce Housing Tax Credit benefit application to be submitted to the Iowa Economic Development Authority by R & T Lofts, LP for the R & T Lofts at 717 Locust Street and 421 8th Street (formerly the Des Moines Register and Tribune Building).

   *(Council Communication No. 15-042)*

54. **Authorizing** the City Manager and Legal Department to negotiate agreement with the Red Rock Area Community Action Program, Inc. in anticipation of Red Rock assuming Community Action Agency programs and services in Des Moines.

   *(Council Communication No. 15-040)*

55. **Authorizing** the City Manager to explore opportunities and constraints for alternative forms of housing agency governance.

   *(Council Communication No. 15-041)*
BOARD OF HEALTH

MOTION TO CONVENE.

1. Approving the legal Department to proceed with court action seeking authority to abate the public nuisances at the following locations:

   (A) 3732 Easton Blvd., commercial building structure; Titleholder: Tax Partnership 26.

   (B) 2240 E. Grand Avenue, main structure; Titleholder: Daniel J. Gilchrist.

   (C) 2260 E. Grand Avenue, commercial building structure; Titleholder: Ben Mortensen d/b/a One Oak, LLC.

   (D) 1311 E. Sheridan Avenue, garage structure; Titleholder: Marin Flores and Maria Ramos; Mortgage Holder: Wells Fargo Bank, NA.

   (E) 5538 SW 15th Street, main structure; Titleholder: Matilde Guerrer; Mortgage Holder: Wells Fargo Bank, NA.

MOTION TO ADJOURN.

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