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.

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

INVOCATION: Council Member Gatto

1. ROLL CALL:

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

3. APPROVING CONSENT AGENDA * – items 3 through 46:

*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 Applications for the following:

### NEW APPLICATIONS

| (A)  | STOCKMANS INN | 3000 E GRAND AVE | B Beer |

### RENEWAL APPLICATIONS

| (B)  | BUFFALO WILD WINGS | 4345 MERLE HAY RD | C Liquor |
| (C)  | CASEYS #2676 | 2106 ECHO VALLEY | C Beer |
| (D)  | CHEFS KITCHEN | 1903 BEAVER AVE | C Liquor |
| (E)  | DRUGTOWN WINE & SPIRITS | 4100 UNIVERSITY | E Liquor |
| (F)  | EL MERENDEROS | 900 E ARMY POST | C Liquor |
| (G)  | EL PALOMINO | 3116 E 14TH ST | C Beer |
| (H)  | EXILE BREWING COMPANY | 1514 WALNUT ST | C Liquor |
| (I)  | H & A MINI MART | 145 UNIVERSITY | C Beer |
| (J)  | HOSHI SUSHI LOUNGE | 2314 UNIVERSITY | C Beer/Wine |
| (K)  | HY VEE FOOD STORE #4 | 4605 FLEUR DR | E Liquor |
| (L)  | HY VEE FOOD STORE #5 | 1107 E ARMY POST | E Liquor |
| (M)  | MASTER JACKS | 3000 E GRAND AVE | C Liquor |
| (N)  | PRINCIPAL FINANCIAL | 600 7TH ST | C Liquor |
| (O)  | QUIK TRIP #530 | 2300 E 14TH ST | C Beer |
| (P)  | SAVE A LOT | 3200 SW 9TH ST | C Beer |
| (Q)  | SCIENCE CENTER OF IOWA | 401 W MLK JR PKWY | C Liquor |
| (R)  | SOUTH TOWN TAP | 3803 SW 9TH ST | C Liquor |
| (S)  | SOUTHSIDE TOBACCO | 2424 SW 9TH ST | E Liquor |
| (T)  | SPLASH SEAFOOD | 303 LOCUST ST | C Liquor |
| (U)  | STREETCAR 209/THE ROOFTOP | 525 E GRAND AVE | C Liquor |
| (V)  | US GAS | 3000 SW 9TH ST | E Liquor |
| (W)  | VETERANS MEMORIAL | 833 5TH AVENUE | C Liquor |
| (X)  | W CHINA BUFFET | 100 E EUCLID AVE | C Beer/Wine |
| (Y)  | WAKONDA CLUB | 3915 FLEUR DR | C Liquor |

### SPECIAL EVENTS APPLICATIONS

| (Z)  | BUD TENT | 3000 E GRAND AVE | Five (5) Day License Special Class C Liquor License (Beer/Wine) for Goodguys event on July 3 – 5, 2015. |

| (AA) | BUZZARD BILLYS | 615 3RD ST | Five (5) Day License Class C Liquor License for Dave Matthews Band Pre-party on June 30, 2015. |

| (BB) | BUZZARD BILLYS | 615 3RD ST | Five (5) Day License Class C Liquor License for Nickelback Pre-party on July 14, 2015. |

GREATER DM MUSIC 1102 LOCUST ST Five (5) Day License Special Class C Liquor License (Beer/Wine) for 80/35 Music Festival on July 10 – 11, 2015.

GREATER DSM MUSIC 1013 LOCUST ST Five (5) Day License Special Class C Liquor License (Beer/Wine) for 80/35 Music Festival on July 10 – 11, 2015.

GREATER DSM MUSIC 1307 LOCUST ST Five (5) Day License Special Class C Liquor License (Beer/Wine) for 80/35 Music Festival on July 10 – 11, 2015.


PARKS AREA FOUNDATION 3012 6TH AVE Five (5) Day License Class B Beer License for Rendezvous on Riverview event on July 3, 2015.

PARKS AREA FOUNDATION 3012 6TH AVE Five (5) Day License Class B Beer License for Rendezvous on Riverview event on July 10, 2015.

PARKS AREA FOUNDATION 3012 6TH AVE Five (5) Day License Class B Beer License for Rendezvous on Riverview event on July 17, 2015.

PARKS AREA FOUNDATION 3612 6TH AVE Five (5) Day License Class B Beer License for Sweet Corn Feed event on July 18, 2015.

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

PUBLIC IMPROVEMENTS

6. Ordering construction of the following:

(A) 2015 Diamond Grinding Program: Receiving of bids, (7-14-15), Setting date of hearing, (7-27-15), Construction estimate, $550,000.

   (Council Communication No. 15-339)

(B) Emergency Lighting – Center Street Park and Ride: Receiving of bids, (7-14-15), Setting date of hearing, (7-27-15), Construction estimate, $265,000.

   (Council Communication No. 15-328)
(C) 2015-2016 HMA Pavement Scarification and Resurfacing: Receiving of bids, (7-14-15), Setting date of hearing, (7-27-15), Construction estimate, $536,500.

(Council Communication No. 15-340)

(D) 2015 City-wide PCC Pavement Restoration Program, (7-14-15), Setting date of hearing, (7-27-15), Construction estimate, $257,175.

(Council Communication No. 15-335)

(E) Guthrie Avenue Viaduct over UPRR Expansion Joint Replacement: Receiving of bids, (7-14-15), Setting date of hearing, (7-27-15), Construction estimate, $393,000.

(Council Communication No. 15-333)

7. Approving private construction contracts for the following:

(A) Halbrook Excavating, Inc. and 201, LLC for storm sewer improvements in 201 E. Locust Street.

(B) Sandstone Management, LTD. And Yes Companies EXP, LLC for sanitary sewer improvements in Southridge Estates.

(C) Elder Corporation and Iowa Machine Shed Co. for storm sewer improvements in 409 E. Grand Avenue.

BOARDS/COMMISSIONS/NEIGHBORHOODS

8. Approving removal of the Drake Park and Ewing Woods-Evergreen Neighborhood Associations from the list of recognized neighborhoods and amending the map to show the Drake Park area as part of the Drake Neighborhood.

(Council Communication No. 15-345)

9. Recommendation from Council Member Bill Gray to appoint Brian Millard to the Plan and Zoning Commission, Seat 8, for a five-year term commencing July 6, 2015 and to expire July 6, 2020.
9-I  **Approving** recommendation from Council Member Bob Mahaffey, to reappoint Marjorie Ramsey to the Neighborhood Revitalization Board, Seat 3, for a three-year term, June 30, 2015 through June 30, 2018.

10. Recommendations from Council Member Chris Coleman to reappoint the following:

   (A) **Carole** Jones to the Neighborhood Revitalization Board, Seat 6, for a three-year term commencing June 30, 2015 to expire June 30, 2018.

   (B) **Greg** Wattier to the Plan and Zoning Commission, Seat 6, for a five-year term commencing July 1, 2015 to expire July 1, 2020.

   (C) **James** Windsor to the Traffic Safety Committee, Seat 3, for a three-year term commencing December 31, 2014 to expire December 31, 2017.

11. **Approving** appointments to the Airport Authority Board.

   (A) **Jacob** Christensen advising of his resignation from the Zoning Board of Adjustment, Seat 6, effective June 30, 2015.

**COMMUNICATIONS FROM PLANNING AND ZONING**

12. **Regarding** request to vacate segment of east/west alley between Woodland Avenue and High Street adjoining 615 16th Street.

13. Number not used.

**SETTING DATE OF HEARINGS**

14. **On** vacation of parkland in Ashworth Park and Addendum and Amendment of Lease to Bergman Academy of Greenwood Building at 100 45th Street in Ashworth Park, (7-13-15).

   *(Council Communication No. 15-351)*

15. **On** conveyance of City-owned property adjoining 3601 Forest Avenue to William and Marcy Essy, $50 and City-owned property adjoining 1424 Beaver Avenue to Frank, Mary and Ann Demarco, $50, (7-13-15).
16. **On** conveyance of previously vacated Carpenter Avenue and vacation and conveyance of segments of 27th Street, Carpenter Avenue and the north/south alley right-of-way adjoining 1300 25th Street to Drake University, $116,500, (7-13-15).

17. **On** vacation and conveyance of a segment of Linden Street and the north/south alley adjoining 1430 Linden Street to Linden Street Investments, LLC, $1,240,000, (7-13-15).

18. **On** request from Jerome T. Bassman and Sari D. Bassman Irrevocable Trust to rezone 1240 and 1244 2nd Avenue from “R1-60” (One-Family Low-Density Residential), “NPC” (Neighborhood Pedestrian Commercial) and “M-1” (Light Industrial) to Ltd. “M-1” (Light Industrial) for expansion of the existing Commercial Bag & Supply and from “M-1”, “R1-60” and Ltd. “NPC” to Ltd. “NPC” to allow for development of a restaurant with pedestrian-oriented placement toward 2nd Avenue, subject to conditions, (7-13-15).

(A) **Receive** and file communication from Plan and Zoning Commission regarding request to vacate the north/south segment of alley between 2nd Avenue and 3rd Street from Indiana Avenue to Creighton Avenue.


   *(Council Communication No. 15-326)*


   *(Council Communication No. 15-327)*

**LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS**

21. **Approving** payment to Ahlers & Cooney, PC Law Firm with respect to general matters, $3,243.06.

22. **Approving** payment to Peddicord, Wharton, Spencer, Hook, Barron & Wegman, LLP for representation of former Police Officer, $1,800.

23. **Approving** retention of outside counsel, Attorney Mark Godwin.

24. **Approving** employment of Hall & Associates to provide professional evaluation and comments on regulatory proposals by Iowa Department of Natural Resources.

25. **Authorization** to reserve funds for potential claims resulting from litigation.
CITY MANAGER COMMUNICATIONS


(Council Communication No. 15-352)

APPROVING

27. Support for Workforce Housing Tax Credit Benefit Applications to be submitted to the Iowa Economic Development Authority (IEDA) for the following:

(Council Communication No. 15-356)

(A) 200 10th Street LLC (Ryan Doyle, Officer, Blackbird Investments) for a $13 million project constructing 44 housing units at 200 10th Street.

(B) 400 SE 6th Street LLC (Jake Christensen, Officer, Christensen Development) for a $6 million project constructing 45 housing units at 400 SE 6th Street.

(C) Dunham Square, LLC (Abbey Gilroy, Director of Real Estate, Neighborhood Development Corporation) for a $25 million project constructing 150 housing units at 15 Granger Avenue, 23 Jackson Avenue, 1714 South Union Street and 8 Dunham Avenue.

(D) Roers Investments, Inc. (Jeff Koch, Partner) for a $40 million project constructing 211 housing units at 103 SW 3rd Street.

(E) 1621 6th Ave (Russ Frazier, Executive Director, Anawim Housing Inc.) for a $10 million project constructing 64 housing units at 1621 6th Avenue.

(F) 1521 6th Avenue (Russ Frazier, Executive Director, Anawim Housing Inc.) for an $891,600 project constructing 6 housing units at 1521 6th Avenue.

28. Sponsorship of an application for financial assistance to the Iowa Economic Development Authority (IEDA) under the High Quality Jobs (HQJ) Program and preliminary approval of a City Economic Development Loan up to $21,600 for Flying Hippo, Inc.

(Council Communication No. 15-353)
29. **Amended** and Restated Urban Renewal Agreement with Macerich Southridge Mall LLC and Southridge Adjacent LLC for the redevelopment and repurposing of Southridge Mall at SE 14th Street and E. Army Post Road and approving amended Conceptual Plan.

   *(Council Communication No. 15-349)*

30. **Issuance** of Certificate of Completion to Principal Life Insurance Company for the renovation of its corporate offices at 750 Park Street.

   *(Council Communication No. 15-350)*

31. Items regarding the Des Moines Performing Arts Cowles Commons and Civic Center block improvement project:

   (A) **Acceptance** of a permanent public pedestrian-way easement.

   (B) **Setting** date of hearing on the vacation of a portion of Walnut Street abutting Cowles Commons and Fourth Amendment to lease with Des Moines Performing Arts, (7-13-15).

   *(Council Communication No. 15-342)*

32. **Amendment** No. 4 to Operating Contract with the Des Moines Metropolitan Wastewater Reclamation Authority (WRA).

   *(Council Communication No. 15-355)*

33. **Agreement** with Des Moines Water Works, Metro Waste Authority (MWA) and Des Moines Metropolitan Wastewater Reclamation Authority (WRA) to terminate Urban Environmental Partnership 28E Agreement.

   *(Council Communication No. 15-317)*

34. **Submitting** an application to The Center for Community Progress Technical Assistance Scholarship Program.

   *(Council Communication No. 15-344)*

35. **Submittal** of Center Street Park and Ride Facility Annual Budget to Des Moines Area Regional Transit Authority (DART) and authorization of budget expenditures.

36. **Des** Moines Area Metropolitan Planning Organization amended and substituted assessment for fiscal year 2015/16.
37. **Receive** and file communication from Greater Des Moines Sister Cities Commission and refer to the City Manager to work with the Community Foundation to establish a funding agreement for account management in conjunction with the summer visit of delegates from our Sister City, Shijiazhuang, China.

38. **Third** Addendum to Boundary Streets and Roads Maintenance Agreement with Warren County.

   *(Council Communication No. 15-324)*

39. **Application** from The Color Run LLC requesting approval for banners to be placed at the start line at 1248 E. Court Avenue, E. 6th Street, W. Martin Luther King Jr. Parkway, E. Martin Luther King Jr. Parkway, SE 6th, and E. 13th Street on July 11, 2015 for The Color Run.

40. **Exception** to the procurement ordinance competitive process requirements for good cause and approving the second amendment for extension of contract for financial advisory services with Public Financial Management, Inc. until August 31, 2015.

41. **Annual** insurance renewal for property and casualty insurance.

   *(Council Communication No. 15-337)*

42. **Selection** of McGladrey & Pullen, LLP as the City’s independent auditor and directing the negotiation of a contract.

   *(Council Communication No. 15-336)*

43. Bids from the following:

   (A) **Spaulding** Mfg., Inc. (Edward Brettrager, President) for one asphalt recycler/heater as requested by the Public Works Department, $41,305. (Two potential bids, two received).

   (B) **Graybar** Electrical (Kathy Mazzarella, President) per Western States Contracting Alliance for a blanket purchase order for miscellaneous electrical products and supplies to be purchased during fiscal year 2016 as requested by the Parks and Recreation Department, $50,000 annual estimate.

   *(Council Communication No. 15-321)*

   (C) **Chestnut** Sign (Don Chestnut, President) for sign fabrication and installation services at various park sites as requested by the Parks and Recreation Department, $18,449. (Eleven potential bids, three received).

   *(Council Communication No. 15-320)*
(D) *Menards*, per State of Iowa Contract, for a blanket purchase order for miscellaneous building materials and supplies to be purchased during fiscal year 2016 as requested by the Parks and Recreation Department, $65,000 annual estimate.

*(Council Communication No. 15-319)*

(E) *Hewlett Packard Co.*, (Mark Hurd, President) for replacement employee desktop personal computers per Western States Contracting Alliance as requested by the IT Department, $75,000.

*(Council Communication No. 15-322)*


45. *Authorizing* Finance Director to draw checks on registers for the weeks of June 22, June 29 and July 6, 2015; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of June 22, June 29 and July 6, 2015; and to draw checks for biweekly payroll due on June 26 and July 10, 2015.

**ORDINANCES - SECOND CONSIDERATION**


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

**COUNCIL REQUESTS**

47. Number not used.

**COMMUNICATIONS/REPORTS**

48. *From* Colleen Kinney, on behalf of the North of Grand Neighborhood Association, to speak regarding zoning conditions at 3625 Ingersoll Avenue.

49. *From* Richard Anhalt, 5087 Broadway, to speak regarding equipment bid for new loader backhoes.
50. **From** Tina Muhammed and Lynx Tyus, 2740 Cottage Grove, to speak regarding funding for 515 Ebony and Ivory Love Movement.

*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 51 THRU 62)**

51. **On** vacation of surface and subsurface rights in portions of 4th Street, Court Avenue and 5th Avenue adjoining Court Avenue and conveyance of surface and subsurface easements to 420 Court Avenue, LLC, $15,280.  
   
   (Council Communication No. 15-330)  
   
   (A) **First** consideration of ordinance above.  
   (B) **Final** consideration of ordinance above (waiver requested by the applicant), requires six votes.

52. **On** vacation and conveyance of a portion of the north/south alley between 15th and 16th Street, south of Crocker Street, 831 and 849 16th Street to Edward Brafford and Kristin Brafford, $50 and to Ryan P. Howell, $150.  
   
   (Council Communication No. 15-331)  
   
   (A) **First** consideration of ordinance above.  
   (B) **Final** consideration of ordinance above (waiver requested by the applicant), requires six votes.

53. **On** vacation and conveyance of a segment of Martin Luther King Jr. Pkwy (formerly Elm Street) adjoining 300 West Martin Luther King Jr. Pkwy to Green Ltd., LC, $9,090.  
   
   (Council Communication No. 15-332)  
   
   (A) **First** consideration of ordinance above.  
   (B) **Final** consideration of ordinance above (waiver requested by the applicant), requires six votes.
54. **On** conveyance of 3015 Seneca Avenue to Cuai Sang and Eidid Sang, $76,000.

   *(Council Communication No. 15-329)*

55. **On** request from First Federated Church (owner) to rezone property located at 4801 Franklin Avenue from "R1-60" (One-Family Low-Density Residential) to Ltd. “C-1” (Neighborhood Retail Commercial) to allow reuse of a portion of the previous parochial school building for a private daycare center and pre-school.

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

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

56. Items regarding 3826 Easton Blvd. (3826 Easton Blvd LLC) to allow development of a 4-unit multiple-family dwelling *(Plan and Zoning Commission recommends DENIAL): A, B & C require 6/7 votes for approval*

   (A) **Amending** the Des Moines 2020 Community Character Plan existing land use designation from Low-Density Residential to Medium-Density Residential.

   (B) **On** rezoning the property from “R1-60” (One-Family Low-Density Residential) to “R-3” (Multiple-Family Residential).

   (C) **Approving** first consideration of ordinance above (if necessary).

57. **On** request from Riverpoint West, LLC for a Second Amendment to the Riverpoint Flex Office Park West PUD Conceptual Plan on property at 209 SW 9th Street to allow development of a 3-story office building with subsurface parking and additional surface off-street parking and changing the name of the PUD to Gray’s Landing Office I.

58. **On** issuance of not to exceed $36,550,000 General Obligation Bonds, for essential corporate purpose.

   *(Council Communication No. 15-347)*

   (A) **Authorization** for additional action.

   (B) **Directing** advertisement for sale of $43,035,000 General Obligation Bonds, Series 2015A, $21,580,000 General Obligation Refunding Bonds, Series 2015B, $1,920,000 Taxable General Obligation Refunding Bonds, Series 2015C, and approving the distribution of a Preliminary Official **Statement** and the use of electronic bidding procedures in conjunction with the sale of the bonds. *(Bonds will be sold on July 8th, and a special Council meeting will be held at 3:00 p.m.)*

   *(Council Communication No. 15-346)*

60. **On** 2015 Median Island Replacement: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designation of lowest responsible bidder as Absolute Concrete Construction, Inc., (Sonny E. Hall, President), $426,260.

   *(Council Communication No. 15-338)*

   (A) **Approving** contract and bond.

61. **On** 2015 Brick Street Repair Program: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designation of lowest responsible bidder as Iowa State Contractors, Inc., (Joseph Cichowski, President), $110,444.

   *(Council Communication No. 15-334)*

   (A) **Approving** contract and bond.


   *(Council Communication No. 15-341)*

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

*** END OF HEARINGS AT __________ PM ***

**CITY MANAGER RECOMMENDATIONS**

63. Regarding development of the City-owned parking lot, east of City Hall.

   *(Council Communication No. 15-318)*
64. **Regarding** proposed redevelopment of alley right-of-way and adjoining properties located at 103 and 123 SW 3rd Street and 106 and 112 SW 2nd Street by Roers Investment for proposed multi-family residential housing project.

   *(Council Communication No. 15-325)*

**APPROVING**

65. **Community** Development Department request to increase fees collected for services provided pursuant to Chapter 26, Buildings and Building Regulations, and Chapter 60, Housing Code.

   *(Council Communication No. 15-323)*

66. Items regarding the proposed sale of City-owned property in the vicinity of SE 43rd Street and Vandalia Road in the SE Agrimergent Business Park:

   (A) **Receive** and file proposal for redevelopment and direct the City Manager to negotiate preliminary terms of agreement with Des Moines Cold Storage.

   *(Council Communication No. 15-348)*

   (B) **Communication** from City Manager regarding Electrical Power Products (EP2).

   *(Council Communication No. 15-354)*

**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. Items regarding the Flood Mitigation Application:

   *(Council Communication No. 15-357)*

   (A) **Approving** agreement with the Flood Mitigation Board and the Des Moines Metropolitan Wastewater Reclamation Authority. Sponsor: Mayor Cownie.

   (B) **Authorizing** the use of sales tax increment revenue to fund the costs of the Des Moines-WRA Flood Mitigation Project. Sponsor: Mayor Cownie.
MOTION TO ADJOURN.

View City Council agendas online at www.dmgov.org

Des Moines

All-America City