

**DES MOINES CITY COUNCIL MEETING**  
**\*\*\* NEW LOCATION \*\*\***  
**Municipal Services Center, Council Chambers**  
**1551 E. M. L. King Jr. Pkwy.**  
**Des Moines, Iowa 50317**

**July 25, 2016**  
**4:30 PM**

**I. CLOSED SESSION – 3:30 PM, Municipal Services Center, Ewing Room.**

- (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.

\* \* \* \* \*

**PROCLAMATIONS – 4:15 PM**

**National Night Out, Tuesday, August 2, 2016**

**INVOCATION:** Council Member Skip Moore

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA \* – items 3 through 41:

**\*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) VIVIANS 400 WALNUT ST C Liquor

### RENEWAL APPLICATIONS

- (B) APPLEBEES NEIGHBORHOOD 3900 MERLE HAY RD C Liquor  
(C) APPLEBEES NEIGHBORHOOD 6301 SE 14TH ST C Liquor  
(D) DERRYS LOUNGE 4845 MERLE HAY RD C Liquor  
(E) DRAKE - RATHSKELLER 2875 UNIVERSITY C Liquor  
(F) EL PATIO MEXICAN 611 37TH ST C Liquor  
(G) GIT N GO STORE #26 2140 E PARK AVE C Beer  
(H) GIT N GO STORE #7 3000 MERLE HAY RD C Beer  
(I) LATIN KING RESTAURANT 2200 HUBBELL AVE C Liquor  
(J) MISS VS HONKY TONK 1833 HUBBELL AVE C Liquor  
(K) OLD WEST BARBEQUE 3000 E GRAND AVE B Beer  
(L) RICHARD O JACOBSON 3000 E GRAND AVE C Liquor  
(M) SAKARI SUSHI LOUNGE 2605 INGERSOLL C Liquor  
(N) SOUTH SIDE FOOD MART \*(1) 1101 ARMY POST RD E Liquor  
(O) STREETCAR 209/ROOFTOP \*(1) 525 E GRAND AVE C Liquor  
(P) ZOMBIE BURGER 300 E GRAND AVE C Liquor

### TRANSFER TO NEW LOCATION

- (Q) GRANDSTAND & PITS 3000 E GRAND AVE B Beer  
Temporary transfer to Cattle Barn from August 9–15, 2016 for the Iowa State Fair.  
(R) GRANDSTAND & PITS 3000 E GRAND AVE B Beer  
Temporary transfer to Cattle Barn from August 16–22, 2016 for the Iowa State Fair.

### SPECIAL EVENTS APPLICATIONS

- (S) BIRDS NEST 3000 E GRAND AVE C Beer/Wine  
Fourteen day license for the Iowa State Fair from August 11–21, 2016.  
(T) BUD TENT 3000 E GRAND AVE B Beer  
Fourteen day license for the Iowa State Fair from August 11–21, 2016.  
(U) BUZZARD BILLYS 615 3RD ST Five (5) Day License  
Class C Liquor License for concerts on August 5 and 7, 2016.  
(V) CYDS CATERING 75 E ARMY POST Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for Roosevelt 40<sup>th</sup> Class Reunion on August 13, 2016. Pending approval of the Fire Department.  
(W) GRANDFATHERS BARN 3000 E GRAND AVE C Native Wine  
Fourteen day license for the Iowa State Fair from August 11–21, 2016.

- (X) GRANDSTAND 3000 E GRAND AVE B Beer  
Fourteen day license for the Iowa State Fair from August 11–21, 2016.
  - (Y) ITALIAN AMERICAN FEST 1203 LOCUST ST Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for festival on July 29–30, 2016.
  - (Z) ITALIAN AMERICAN FEST 1215 LOCUST ST Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for festival on July 29–30, 2016.
  - (AA) ITALIAN AMERICAN FEST 451 12TH ST Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for festival on July 29–30, 2016.
  - (BB) KNAPP STAGE 3000 E GRAND AVE B Beer  
Fourteen day license for the Iowa State Fair from August 11–21, 2016.
  - (CC) NICKS 1106 ARMY POST Five (5) Day License  
Class B Beer License for Classic Car Show on August 5, 2016.
- 4-I [Consideration](#) of new Special Class C Liquor License for Ricochet, 504 E. Locust Street, Ste. 200.
- (A) [Approving](#) Coin-Operated Machine License.
5. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits.

## **PUBLIC IMPROVEMENTS**

6. Ordering construction of the following:
- (A) [7<sup>th</sup>](#) & Center Park and Ride Facility Rehabilitation: Receiving of bids, (8/9/16), Setting date of hearing, (8/22/16). Construction estimate, \$255,000.  
  
([Council Communication No. 16-405](#))
  - (B) [Scott](#) Avenue Closure at BNSF Railroad Crossing: Receiving of bids, (8/9/16), Setting date of hearing, (8/22/16). Construction estimate, \$60,000.  
  
([Council Communication No. 16-406](#))
  - (C) [Fire](#) Station No. 5 and No. 9 Reroofing: Receiving of bids, (8/9/16), Setting date of hearing, (8/22/16). Construction estimate, \$175,000.  
  
([Council Communication No. 16-404](#))

(D) [City](#)-wide Fixed Time Traffic Signal Upgrade – Phase 2: Receiving of bids, (8/16/16), Setting date of hearing, (9/12/16). Construction estimate, \$630,000.

[\(Council Communication No. 16-407\)](#)

7. [Agreement](#) with MidAmerican Energy Company to replace the pedestrian lights with new LED lights for the Walnut Street Streetscape from 5<sup>th</sup> Avenue to 8<sup>th</sup> Street, not to exceed \$75,517.68.

[\(Council Communication No. 16-419\)](#)

8. [Approving](#) Supplemental Agreement No. 2 to the Professional Services Agreement with Shuck-Britson, Inc. for additional analysis and design services for the Pedestrian Bridge Structural Evaluation, not to exceed \$38,500.

[\(Council Communication No. 16-416\)](#)

9. [Supplemental](#) Agreement No. 1 to the Professional Services Agreement with Foth Infrastructure and Environment, Inc. for additional professional services for the Hubbell Avenue Corridor Safety Improvements, not to exceed \$997,600.

[\(Council Communication No. 16-413\)](#)

10. [Approving](#) Amendment Number One to the Agreement with the Flood Mitigation Board and the Des Moines Metropolitan Wastewater Reclamation Authority (WRA).

[\(Council Communication No. 16-412\)](#)

11. Approving Private Construction Contracts for the following;

(A) [Correll](#) Contractor, Inc. and Quad M’s Inc. for storm sewer improvements in 2455 M.L.K. Jr. Parkway, \$11,800.

(B) [Baker](#) Mechanical, Inc. d/b/a Baker Group and Principal Financial Group, Inc. for storm sewer improvements in 701 Grand Avenue, \$31,000.

12. [Communication](#) from contractors requesting permission to sublet certain items on Public Improvement Projects.

13. Accepting completed construction and approving final payment for the following:
  - (A) [Four](#) Mile Community Center Reroofing, Northern Winds Insulation, LLC.
  - (B) [Greenwood](#) Park Water Playground, Joiner Construction Co., Inc.
  - (C) [Pioneer](#)-Columbus Community Center Reroofing, Northern Winds Insulation, LLC.

#### **SPECIAL ASSESSMENTS**

14. [Levy](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development) Schedule 2016-07.

#### **COMMUNICATIONS FROM PLANNING AND ZONING**

15. [Regarding](#) request from Robert J. Tursi, Jr. for vacation of 15<sup>th</sup> Street, east of 1514 Walnut Street.

#### **SETTING DATE OF HEARINGS**

16. [On](#) conveyance of excess City-owned property currently leased to the Des Moines Airport Authority and located at the southeast corner of Highway 28 and Army Post Road adjoining 4240 Army Post Road to Electro Management Corp., \$512,000, (8-8-16).
17. [On](#) request from J.J. Equity, LLC to rezone properties in the vicinity of 3300 E. 56<sup>th</sup> Street and 3734, 3735 and 3768 E. 55<sup>th</sup> Street and to amend the “Brook Landing” PUD Conceptual Plan for single-family residential development, (8-8-16).
  - (A) [Communication](#) from Plan and Zoning Commission.
18. [On](#) request from Core Corp. to rezone 120-133 Hughes Avenue from “R-2” (One and Two-Family Residential) to Ltd. “R-3” (Multiple-Family Residential) to allow assemblage of parcels containing six existing two-family dwellings and an off-street parking lot, (8-8-16).
19. [On](#) petition to establish the Roosevelt Cultural District Self-Supported Municipal Improvement District, (SSMID), (8-22-16).
  - (A) [Communication](#) from Plan and Zoning Commission.
20. [On](#) request from Neighborhood Development Corporation to rezone 3201, 3211 and 3221 Forest Avenue and 1414 and 1420 32<sup>nd</sup> Street from Ltd. “NPC” (Neighborhood Pedestrian Commercial) and “R1-60” (One-Family Low-Density Residential) to an amended Ltd. “NPC” to allow development with 50 units of 2-story multi-family dwellings, (8-8-16).

21. [On](#) the Proposed Urban Renewal Plan for the Forest Avenue Urban Renewal Area, (9-12-16).

[\(Council Communication No. 16-402\)](#)

22. On requests from Grand View University to rezone the following:
  - (A) [Property](#) in the vicinity of 2800 E. 14<sup>th</sup> Street and to amend the Grand View West PUD Conceptual Plan, (8-8-16).
  - (B) [Property](#) in the vicinity of 2811 E. 14<sup>th</sup> Street and to amend the Grand View East PUD Conceptual Plan, (8-8-16).
23. [On](#) License Agreement with Youth and Shelter Services, Inc. on a portion of alley right-of-way, south of and adjoining 612 Locust Street to mitigate the existing encroachment, \$3,220, (8-8-16).
24. [On](#) License Agreement with Iowa Communication Network on City property leased by the Blank Park Zoo Foundation at 7401 SW 9<sup>th</sup> Street, (8-8-16).

#### **LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS**

25. [Approving](#) payment of \$950 to Peddicord, Wharton, Spencer, Hook, Barron & Wegman, LLP for representation of former Police Officer Colin Boone.
26. [Communication](#) from Legal Department concerning settlements made by City Attorney, not exceeding \$5,000.
27. [Approving](#) payment of \$150 to Belin McCormick Law Firm for matters regarding Kragnes v. City of Des Moines.

#### **CITY MANAGER COMMUNICATIONS**

28. [Submitting](#) travel and training requests for Carrie Kruse, Erin Olson Douglas, Patrick Phelan and Kandi Reindl.

[\(Council Communication No. 16-431\)](#)

29. [Regarding](#) Preliminary Terms of Agreement with Neighborhood Development Corporation (NDC) for development of a 50-unit multi-family housing project at 3201 Forest Avenue.

[\(Council Communication No. 16-429\)](#)

## **APPROVING**

30. [Issuance](#) of a Certificate of Partial Completion for the mixed-use project by East Village Tower Partners, LLC at 600 E. 5<sup>th</sup> Street.

31. [Amendment](#) to the contract to rent space on the West Des Moines Water Works 88<sup>th</sup> Street Tower for the Metro Interoperability Communications System.

[\(Council Communication No. 16-394\)](#)

32. [Committee](#) advised fund agreement with the Greater Des Moines Community Foundation to establish a fund entitled Des Moines Police Foundation.

[\(Council Communication No. 16-396\)](#)

33. [Contract](#) with Langley Productions, Inc. to film Des Moines' police officers for inclusion in the television series "COPS".

[\(Council Communication No. 16-422\)](#)

34. [Adopting](#) the Amended Des Moines Metropolitan Wastewater Reclamation Authority (WRA) Security Information Policy as the WRA's Operating Contractor.

[\(Council Communication No. 16-397\)](#)

35. [Memorandum](#) of Understanding with What Works Cities partners for advancing the goals of open data and performance management.

36. [Application](#) from Just Go Faster for a banner to be placed on an inflatable arch on W. River Drive on July 31, 2016 for the Run for the Cheese 5K.

37. [Receive](#) and file Quarterly Treasurer's Report as of June 30, 2016.

38. Bids from the following:

- (A) [Ed](#) Stivers Ford (Scott Politte, General Manager) to furnish thirty (30) replacement public safety vehicles per State of Iowa Contract for use by the Police and Fire Departments, \$820,447.52.

[\(Council Communication No. 16-425\)](#)

- (B) [Frontier](#) Technology (Kerry Northway, President) sole area-wide distributor for six pole cameras and accessories to be compatible with existing equipment for use by the Police Department, \$43,252.

[\(Council Communication No. 16-395\)](#)

- (C) [Communication](#) Innovators (Kirk Galwe, President) for data and telephone technician labor services for the temporary City Hall location at 400 E. Court Avenue per State of Iowa Contract for use by the Information Technology Department, \$30,402.

[\(Council Communication No. 16-423\)](#)

- (D) [Office](#) Depot (Chris McEntee, Regional Vice President) to furnish office supplies for fiscal year 2017 per State of Iowa Contract for use by City Departments, estimated annual cost \$175,000, **(continued from July 11, 2016)**.

[\(Council Communication No. 16-428\)](#)

- 39. [Purchase](#) of additional services to relocate the voting and audio systems for the Council Chambers, from Triad Productions Inc., \$11,952.43.

[\(Council Communication No. 16-399\)](#)

- 40. [Civil](#) Service Entrance List for Senior Refuse Collector.
- 41. [Authorizing](#) Finance Director to draw checks on registers for the weeks of July 25 and August 1, 2016; and to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of July 25 and August 1, 2016; and to draw checks for biweekly payroll due on August 5, 2016.

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

**ORDINANCES - FINAL CONSIDERATION**

- 42. [Amending](#) Chapter 78 of the Municipal Code regarding transient merchants and mobile vendors, (as amended). [Spanish Version](#)

[\(Council Communication No. 16-400\)](#)

- (A) [Approving](#) amendment to the Schedule of Fees.



## ORDINANCES - FIRST CONSIDERATION

43. [Amending](#) Chapter 60 of the Municipal Code regarding residential property maintenance code, public nuisance code and real estate contract sales inspection.

[\(Council Communication No. 16-398\)](#)

44. [Amending](#) Chapter 70 of the Municipal Code regarding specified crime property.
45. [Amending](#) Chapter 114 of the Municipal Code regarding the vacation of E. 42<sup>nd</sup> Street and E. Washington Avenue.

[\(Council Communication No. 16-421\)](#)

(A) Final consideration of ordinance above.

46. [To](#) establish the SW 9<sup>th</sup> Corridor Self-Supported Municipal Improvement District (SSMID), **(requires six votes for approval)**.

## COMMUNICATIONS/REPORTS

47. [From](#) Claudia Addy, 3818 Pleasant Street, to speak regarding Black Lives Matter.
48. [From](#) Des Moines Workers' Alliance, Patrick Stall, 1301 8<sup>th</sup> Street, to speak regarding continued evictions of homeless camps and available housing for those currently homeless in the City of Des Moines.
49. [From](#) Jenni Klise, 2505 47th Street, to speak regarding chronic flooding on 47<sup>th</sup> Street and Holcomb Avenue.
50. [From](#) Jeff Witte, 2501 Morton Avenue, to speak regarding E. Hull Avenue.

## APPROVING

51. [Allocating](#) certain Park and Ride funds to DART to establish Start-up Saturday D-Line service and other transportation purposes.
52. [Donation](#) and Construction Agreement with A Mid-Iowa Organizing Strategy (AMOS) regarding downtown regional skateboard park.

[\(Council Communication No. 16-424\)](#)

**HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 53 THRU 63)**

53. [Hearing](#) on issuance of not to exceed \$33,500,000 General Obligation Refunding Bonds, Series 2016B for Essential Corporate Purposes.

[\(Council Communication No. 16-430\)](#)

- (A) [Authorization](#) for additional action for issuance of not to exceed \$33,500,000 General Obligation Refunding Bonds, Series 2016B.

[\(Council Communication No. 16-426\)](#)

- (B) [Directing](#) advertisement for sale of \$42,825,000 General Obligation Bonds, Series 2016A, \$31,595,000 General Obligation Refunding Bonds, Series 2016B, and approving electronic bidding procedures and Official [Statement](#), **(bids will be opened at 10:00 AM August 3<sup>rd</sup>, and a special Council meeting will be held at 4:00 PM).**

54. [On](#) vacation and conveyance of the east 4.5 feet of 9<sup>th</sup> Street right-of-way located west of and adjoining 1429 9<sup>th</sup> Street to Scott A. Slaughter and Todd D. Schroder for incorporation into their property in order to eliminate an existing fence encroachment, \$50.

[\(Council Communication No. 16-411\)](#)

- (A) [First](#) consideration of ordinance above.
- (B) [Final](#) consideration of ordinance above (waiver requested by the applicants), requires six votes.

55. [On](#) vacation and conveyance of a portion of east/west alley right-of-way located south of and adjoining 810 26<sup>th</sup> Street to Rally Cap Properties, LLC for incorporation into adjoining property in order to mitigate existing gravel driveway and garage encroachments, \$100.

[\(Council Communication No. 16-410\)](#)

- (A) [First](#) consideration of ordinance above.
- (B) [Final](#) consideration of ordinance above (waiver requested by the applicant), requires six votes.

56. On an irregular segment of Center Street right-of-way adjoining 1201 Center Street to QuikTrip Corporation, \$18,295.

[\(Council Communication No. 16-409\)](#)

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

57. On vacation and conveyance of a portion of West Martin Luther King, Jr. Parkway (former Market Street) right-of-way, west of 16<sup>th</sup> Street and north of West Martin Luther King, Jr. Parkway to Exile Brewing Company, LLC for surface parking for employees and patrons, \$49,000.

[\(Council Communication No. 16-403\)](#)

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

58. On the Second Amendment to the Third Restated City-wide Urban Revitalization Plan to amend the Construction and Sustainability Design Standards.

[\(Council Communication No. 16-401\)](#)

59. On 2016-2017 HMA Pavement Scarification and Resurfacing: Approving plans, specifications, form of contract documents, Engineer's estimate, receive and file bids and designating lowest responsible bidder as OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving (Jeffrey A. Chapman, General Manager), \$325,479.25

[\(Council Communication No. 16-408\)](#)

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

60. On Municipal Building Reroofing – Contract 2: Approving plans, specifications, form of contract documents, Engineer's estimate, receive and file bids and designating lowest responsible bidder as Brazos Urethane, Inc. (Howard W. Scoggins III, President), \$183,457.

[\(Council Communication No. 16-414\)](#)

(A) [Approving](#) contract and bond, and permission to sublet.

61. [On](#) Pioneer Park Road Reconstruction: Approving plans, specifications, form of contract documents, Engineer's estimate, receive and file bids and designating lowest responsible bidder as Elder Corporation (Jared R. Elder II, President), \$622,000.

[\(Council Communication No. 16-417\)](#)

(A) [Approving](#) contract and bond, and permission to sublet.

62. [On](#) Police Station North and South Elevator Replacement: Approving plans, specifications, form of contract documents, Engineer's estimate, receive and file bids and designating lowest responsible bidder as Eletech, Inc. (Mike Cimino, President), \$257,233.

[\(Council Communication No. 16-418\)](#)

(A) [Approving](#) contract and bond, and permission to sublet.

63. [Reject](#) all bids on Women of Achievement Bridge Deck Surface Replacement and close the hearing on the plans, specifications, form of contract documents and Engineer's estimate, (one bid received, over estimate).

[\(Council Communication No. 16-420\)](#)

\*\*\* END OF HEARINGS AT \_\_\_\_\_ PM \*\*\*

MOTION TO ADJOURN.

**\*\*\*Attention DART Riders**

***DART will provide public transportation to and from City of Des Moines meetings at their temporary location in the Richard A. Clark Municipal Services Center at 1551 E. Martin Luther King Jr. Parkway.***

***Transportation can be scheduled to and from DART Central Station at 620 Cherry Street. To reserve your ride, please call DART On Call Scheduling at (515) 283-8136. Calls for trips will be accepted up to 5:00PM the day before the meeting. Be sure to mention in your request you require transportation for the City of Des Moines meetings at the temporary location.***

*This notice is intended to comply with accessibility requirements of the Americans with Disabilities Act.*

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All-America City  
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