I. CLOSED SESSION – Ewing Conference Room 213 - 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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SPECIAL PRESENTATIONS – 4:00 PM

Grand View University Wrestling Team National Champions

Variety Club – The Children’s Charity – 2017 Recipient of the Iowa Parks and Recreation Association’s Service Club of the Year

INVOCATION: Council Member Gray

1. ROLL CALL:

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

3. APPROVING CONSENT AGENDA * – items 3 through 62:

*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.
LICENCES AND PERMITS

4. Approving Alcoholic Beverage License Applications for the following:

NEW APPLICATIONS

(A) NOODLE ZOO & THE ZOO BAR  601 E LOCUST ST  C Liquor
(B) PRICE CHOPPER  3425 INGERSOLL  C Liquor

RENEWAL APPLICATIONS

(C) AMERICANA  1312 LOCUST ST  C Liquor
(D) CVS PHARMACY #10329  2303 MERLE HAY RD  E Liquor
(E) DEPOT  3000 E GRAND AVE  B Beer
(F) DES MOINES VALERO #203  4140 PARK AVE  C Beer
(G) EMBASSY SUITES HOTEL  101 E LOCUST ST  B Liquor
(H) GARDEN NIGHTCLUB  112 SE 4TH ST  C Liquor
(I) LEGENDS AMERICAN GRILL  216 COURT AVE  C Liquor
(J) LOUIES WINE DIVE  4040 UNIVERSITY  C Liquor
(K) OLYMPIC FLAME  514 E GRAND AVE  C Beer/Wine
(L) ROCA & SHORTYS  208 COURT AVE  C Liquor
(M) ROYAL FOOD  1443 2ND AVE  C Beer
(N) SOUTH SIDE FOOD MART *(1)  1101 ARMY POST RD  E Liquor
(O) THIRSTY SPORTSMAN  4808 SW 9TH ST  C Liquor

TRANSFER TO NEW LOCATION

(P) FEDERAL DISTRIBUTORS  3000 E GRAND AVE  C Beer/Wine

SPECIAL EVENT APPLICATIONS

(Q) BARKSDALE CONCESSIONS  3000 E GRAND  Five (5) Day License

(R) BUZZARD BILLYS  615 3RD ST  Five (5) Day License

(S) CAPTAIN ROYS  1900 SAYLOR RD  Fourteen (14) Day License

(T) CAPTAIN ROYS  1900 SAYLOR RD  Fourteen (14) Day License
Class B Beer License for events on June 5 – 18, 2017.

(U) COMMONS OFF THE CLOCK  313 WALNUT ST  Five (5) Day License
Class B Beer License for an event on May 19, 2017. Pending approval of Zoning Department.
V) COMMONS OFF THE CLOCK 313 WALNUT ST Five (5) Day License Class B Beer License for an event on June 2, 2017. Pending approval of Zoning Department.

W) DRAKE UNIVERSITY 2505 CARPENTER Five (5) Day License Special Class C Liquor License (Beer/Wine) for Turner Jazz Orchestra on May 11, 2017.

X) GATEWAY MARKET 2909 WOODLAND Five (5) Day License Class C Liquor License for a wedding reception on May 13, 2017.


CC) ROR 710 CORNING Five (5) Day License Class B Beer License for Rendezvous on Riverview event on June 2, 2017.


FF) SARA PORTER 3500 KINGMAN BL Five (5) Day License Class C Liquor License for a wedding reception on May 20, 2017. Pending approval of Building, Electrical and Fire Departments.

GG) TASTE! TO GO 4700 GRAND AVE Five (5) Day License Class C Liquor License for Big Hair Ball on May 13, 2017.

HH) YOUR PRIVATE BARTENDER 519 PARK ST Five (5) Day License Class C Liquor License for an event on May 20, 2017. Pending approval of Zoning Department.

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

6. Ordering construction of the following:

   (A) **Lower** Oak and Highland Park Sewer Separation Phase 1: Receiving of bids, (5-23-17), Setting date of hearing, (6-12-17). Construction estimate, $1,930,000.

       *(Council Communication No. 17-412)*

   (B) **MacRae** Park Road Reconstruction from Davis Ave 500 Feet North: Receiving of bids, (5-23-17). Setting date of hearing, (6-12-17). Construction estimate, $212,000.

       *(Council Communication No. 17-413)*

7. **Approving** exception to request for proposals process for good cause and approving Professional Services Agreement with Calhoun-Burns & Associates, Inc. for the City-Wide Bridge Evaluation – 2017, not to exceed $188,000.

       *(Council Communication No. 17-409)*

8. **Approving** exception to request for proposals process for good cause and approving Professional Services Agreement with RDG IA Inc. d/b/a RDG Planning & Design for the Principal Park Batting Tunnel, not to exceed $75,550.

       *(Council Communication No. 17-411)*

9. **Approving** exception to request for proposals process for good cause and approving Professional Services Agreement with IMEG Corp. for design and construction services for the 2017 Parking Garage Repair Program, not to exceed $79,499.

       *(Council Communication No. 17-407)*

10. **Approving** Professional Services Agreement with HR Green, Inc. for conceptual design of the Hamilton Drain East System Storm Sewer Improvements, not to exceed $217,600.

      *(Council Communication No. 17-414)*

11. **Approving** 28E Agreement with the City of Pleasant Hill for a public improvement project, SE 43rd Street from Carlisle Road to Vandalia Road.

      *(Council Communication No. 17-410)*
12. Approving Change Order No. 7 with Henning Paric Commercial, LLC for additional work on the City Hall Improvements Project, not to exceed $544,679.

   (Council Communication No. 17-406)

13. Approving Change Order No. 8 with Henning Paric Commercial, LLC for additional work on the City Hall Improvements Project and increase project budget by $950,000.

   (Council Communication No. 17-419)

14. Approving contract and bond and permission to sublet with RW Excavating Solutions, LC (Dan E. Wilson, Managing Member) on the Agrimergent Storm Sewer Phase 1, $1,059,070.31.

15. Approving private construction contracts for the following:

   (A) Paving and Storm Improvements in Bici Flats, Corell Contractor, Inc. and Bici Flats, LLC.

   (B) Sanitary Sewer Improvements in 3703 SE 14th Street, Koester Construction Company, Inc. and Discount Tire Company of Iowa, Inc.

   (C) Skywalk Bridge Improvements in Skywalk Bridge 7F-8F, over 8th Street North of Grand Avenue, Weitz Company, LLC and 7 & Grand Ramp Developer, LLC.

   (D) Paving and Storm Sewer Improvements in Vue Apartments, Estes Company LLC d/b/a Ester Construction and 23 Ingersoll LLC.

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

17. Accepting completed construction and approving final payment for SE Connector Paving – SE 9th Street to SE 15th Street, Elder Corporation.
SPECIAL ASSESSMENTS

18. **Ordering** preparation of plat and schedule of assessments for SE 14th Street Sidewalks from Various Locations between Indianola Avenue and Army Post Road.

   (A) **Adopting** and levying final schedule of assessments, and providing for payment thereof.

19. **Levying** assessments for fees, fines, penalties, costs, and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2017-04.

20. **Approving** deletion of NAC-Emergency Assessment at 2620 Cornell Street.

21. **Approving** deletion of NAC-Emergency Assessment at 3018 York Street.

LAND/PROPERTY TRANSACTIONS

22. **Request** to purchase 2015 Tax Sale Certificate from the current certificate holder and to request the Polk County Treasurer to assign the 2017 Tax Sale Certificate to the City of Des Moines for property located at 1637 Huntland Drive.

   *(Council Communication No. 17-396)*

23. **Authorization** and approving partial abandonment and release of public utility easement in property located north of Des Moines Street between East 2nd Street and East 4th Street.

24. **Authorization** and approving partial abandonment and release of sewer and public utility easement in property located north of Des Moines Street between East River Drive and East 4th Street.

25. **Approving** Final Subdivision Plat, Saylor Fire Station Plat 1, located at 211 NW 54th Avenue within the two-mile distance for extra territorial review.

   *(Council Communication No. 17-388)*

BOARDS/COMMISSIONS/NEIGHBORHOODS

26. **Recommendation** from the Des Moines Skywalk Association, regarding their appointments to the Skywalk Committee, Seats 4 and 5.

27. **Recommendation** from the Des Moines Public Schools regarding their appointment of Kara Longfield to the Traffic Safety Committee, Seat 9.
COMMUNICATIONS FROM PLANNING AND ZONING

28. **Regarding** Preliminary Plat “Beaver Cove” at 4209 Lower Beaver Road.

SETTING DATE OF HEARINGS

29. **On** request from HDR Land Development, LLC to rezone property in the vicinity of 4896 Easton Boulevard from “A-1” (Agricultural) to “PUD” (Planned Unit Development) and for approval of a 2nd Amendment to the Woods at Copper Creek PUD Conceptual Plan to add approximately 38.68 acres to the east of the existing development to provide approximately 130 additional lots for single-family residential that would each be a minimum of 70 feet wide, (5-22-17).

30. **On** vacation of a segment of Ingersoll Avenue right-of-way, north of and adjoining 539 Polk Boulevard, and conveyance to Elizabeth J. Carter and Jared M. Carter, $150, (5-22-17).

31. **On** conveyance of City-owned property at 1445 6th Avenue to 6th Avenue Corridor, Inc., in conjunction with redevelopment of the property, $12,000, (5-22-17).

   *(Council Communication No. 17-393)*

32. **On** conveyance of City-owned property at 1321 Fremont Street to Community Housing Initiatives, Inc. in conjunction with redevelopment of the property, $6,000, (5-22-17).

   *(Council Communication No. 17-392)*

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

33. **Approving** payment to Premier Homes for a property damage claim at 613 Pioneer Road.

34. **Approving** payment to Michael and Mary Knodle for a property damage claim.

35. **Approving** settlement and payment to Douglas Triplett to resolve an employment claim.

36. **Approving** payment to Kenworthy Law, PC on matters related to construction disputes, $15,127.58.

37. **Approving** payment to Charles Becker and the Belin McCormick Law Firm for legal representation on environmental issues related to landfills, $7,487.16.

38. **Approving** payment to Belin McCormick Law Firm for consulting and legal services, $6,846.00.
CITY MANAGER COMMUNICATIONS


   (Council Communication No. 17-423)

APPROVING

40. Support of a Workforce Housing Tax Credit Benefit Application to be submitted to the Iowa Economic Development Authority (IEDA) by Rally Cap Properties, LLC for a housing rehabilitation project at various locations.

   (Council Communication No. 17-403)

41. First Amendment to Amended and Restated Development Agreement with FDM Development Partnership, LLLP for the rehabilitation of existing buildings in Historic Fort Des Moines for residential use.

   (Council Communication No. 17-404)

42. Development Agreement with H. Glass Partners, LLC for the redevelopment of 212 E. 3rd Street and approving Conceptual Development Plan.

   (Council Communication No. 17-402)

   (A) Setting date of hearing on sale of vacated City right-of-way adjoining 212 E. 3rd Street to H. Glass Partners, LLC, $1,000, (5-22-17).

43. First Amendment to Iowa Great Places Program Grant Agreement for Sixth Avenue Corridor Streetscaping Project.

   (Council Communication No. 17-395)

44. Payment of $100,000 to the Greater Des Moines Partnership for calendar year 2016 and payments for calendar years 2017 and 2018.

   (Council Communication No. 17-421)
45. **Support** for the Home Base Iowa initiative.

   (Council Communication No. 17-382)

46. **Donation** and Naming Agreement with Employers Mutual Casualty Company for Overlook at MacRae Park and naming of overlook as “EMC Overlook”.

   (Council Communication No. 17-400)

   (A) **Communication** from the Fundraising Committee, requesting that the new shelter be named for Julia Brenton.

47. **Reimbursement** for geotechnical costs associated with redevelopment of City-owned land in Central Place Business Park.

   (Council Communication No. 17-418)

48. **Receipt** of petitions to establish a Sherman Hill Self-Supported Municipal Improvement District (SSMID), merging two districts into a single district.

   (Council Communication No. 17-394)

49. **Expenditures** under agreement with the Ingersoll Grand Self-Supported Municipal Improvement District (SSMID).

50. **Memorandum** of Understanding with Iowa Soybean Association to conduct a North Raccoon River Watershed Study and authorizing submission of a Water Resource Restoration Sponsored Project Application for the North Raccoon River Watershed to the Iowa Department of Natural Resources.

   (Council Communication No. 17-417)

51. **28E** Agreement for Public Works Mutual Assistance with the Counties of Boone, Dallas, Jasper, Madison, Marion, Marshall, Polk, Story and Warren and Cities within these Counties.

   (Council Communication No. 17-387)

52. **Receive** and file Des Moines Strategic Communications Plan 2017.

   (Council Communication No. 17-422)
53. **Application** from RipRoar Events, LLC requesting approval to place banners at the start and finish lines for the Des Moines Women’s Half Marathon.

54. **Communication** from Downtown Community Alliance, on behalf of the Greater Des Moines Partnership, requesting approval to place banners on Locust Street, E. Locust Street, Grand Avenue, and 8th, 10th, 12th and 13th Street banner poles in June through December 2017.

55. **Application** from Bubble Run, LLC requesting approval to place arches at the start and finish lines for the Bubble Run on May 12th and 13th, 2017.

56. **Application** from Pink Gorilla Events requesting approval to place two inflatable arches, feather flags, and event fence with a banner attached to assist runners with navigation for the Market to Market Relay on May 13th, 2017.

57. Abatement of public nuisances at the following addresses:

   (A) 6030 Urbandale Avenue.

   (B) 2908 SE 14th Street.

   (C) 1423 E. 9th Street.

58. **Exception** to the procurement ordinance competitive bidding requirements for good cause and approving a contract amendment with Marsden Building Maintenance for services for Municipal Buildings, Fleet Services and Public Works Facilities, for an additional annual amount, $117,024.

   *(Council Communication No. 17-420)*

59. Bids from the following:

   (A) **Vetter** Equipment (Glen Vetter, Owner) for one (1) replacement agricultural tractor per State of Iowa Contract for use by Public Works Department Sewers Division, $119,829.65.

   *(Council Communication No. 17-385)*
(B) **Murphy** Tractor & Equipment (Thomas Udland, President) for one (1) replacement rubber-tired tractor backhoe and accessories per State of Iowa Contract for use by the Public Works Department Sewer Division, $214,810.51.

(Council Communication No. 17-384)

(C) **Sutphen** Corporation (Thomas Sutphen, President) for two (2) replacement ladder trucks per Houston-Galveston Area Council (HGAC) Contract for use by the Fire Department, $1,759,860.

(Council Communication No. 17-398)

(D) **Central** Service & Supply (Dan Abramovich, President) for twenty-two (22) replacement trash pumps for use by the Public Works Department Sewer Division, $648,560. (Sixteen (16) potential bidders, seven received).

(Council Communication No. 17-383)

(E) **Municipal** Pipe & Tool (Mark Kaler, Owner) for one (1) hose reel easement machine for use by the Public Works Department Sewer Division, $56,500. (Seven potential bidders, three received).

(Council Communication No. 17-386)

60. **Civil** Service Entrance List for Park and Recreation Supervisor, Senior Police Officer, Senior Construction Inspector, Police Officer, Sewer Maintenance and Senior Traffic Device Maintenance Worker.

61. **Authorizing** Finance Director to draw checks on registers for the weeks of May 8 and 15, 2017; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of May 8 and 15, 2017; and to draw checks for biweekly payroll due on May 26, 2017.
ORDINANCES - SECOND CONSIDERATION

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

(A) Code corrections – Ingersoll Bus Lane.

(B) Parking Restriction Modifications – Ingersoll east of Martin Luther King Jr. Parkway.

(C) Code modifications related to Easter Lake Estates Plat 6 and 7 and Prairie Hills Des Moines Plat 1.

(D) Code changes to allow for electric vehicle charging stations in City parking ramps.

(E) Addition of a bus loading area and removal of peak hour parking restrictions, south side of Cherry Street, west of 7th Street.

(F) Code corrections around Moulton Learning Center on 7th and 8th Streets, south of College Avenue.

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

ORDINANCES - FIRST CONSIDERATION

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

(Council Communication No. 17-416)

(A) Stop Signs on E. Court Avenue from SE 32nd to E. 33rd Court.

(B) Ingersoll Bus Stop change at 38th Street.

(C) Addition of Parking Restrictions – Scott Avenue.

(D) Final consideration of ordinance above (waiver requested by Council Member Gatto), requires six votes.

64. Amending Chapter 60 of the Municipal Code regarding real estate contract sales inspections.

(Council Communication No. 17-397)
COUNCIL REQUESTS

65. Number not used.

66. From Council Member Chris Coleman to discuss the current City definition for “restaurant” and “bar” with regards to City licensing.

67. From Council Member Bill Gray to submit a petition regarding recent gunshot incidents in Beaverdale.

68. From Council Member Christine Hensley to speak regarding parking meter options and potential impact for the City.

69. From Council Member Skip Moore to discuss City ordinances and City Council-established policies regarding employees.

COMMUNICATIONS/REPORTS

70. From citizens to speak regarding Johnny Mac’s Bar and Grill, 2279 Hubbell Avenue.

71. From Teneshia Spears, 1831 Fuller Road, West Des Moines, to speak regarding enforcement of violations at a local bar.

APPROVING

72. Receive and file letter and proposed draft resolution from the Des Moines Civil and Human Rights Commission proclaiming Des Moines a Welcoming City.

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 73 THRU 83)

73. On the designation of the Stockdale Double House, including the existing garage, at 4018-20 Ingersoll Avenue as a local landmark.

(Council Communication No. 17-399)

74. On conveyance of portions of the vacated north/south alley right-of-way between E. 23rd Street and E. 24th Street, north of Guthrie Avenue to adjoining property owners, $175.

(Council Communication No. 17-401)

75. On conveyance of City-owned property at 1074 26th Street to DSMBLC Holdings, Inc.

(Council Communication No. 17-390)
76. **On** conveyance of City-owned property at 3011 5th Avenue to Greater Des Moines Habitat for Humanity, Inc.

(Council Communication No. 17-391)

77. **On** conveyance of City-owned property at 2019 30th Street to Home Revivals, LLC.

(Council Communication No. 17-389)

78. **On** request from TWG Development, LLC to rezone property in the vicinity of 201 SE 6th Street from “M-2” (Heavy Industrial) to Ltd. “C-3B” (Central Business Mixed-Use) to allow redevelopment with a four-story mixed use project and an estimated 211 dwelling units, estimated 2,200 square feet of ground floor commercial space, and an estimated 205 parking spaces in an underground garage.

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

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

79. **On** request from NB Golf, LLC to rezone 4905 Hubbell Avenue from Ltd. “M-1” (Light Industrial) to an amended Ltd. “M-1” to remove the zoning condition that prohibits a “vehicle display lot” use and allow use of the premises for the sale of golf carts.

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

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

80. **On** request from Extreme Auto Plaza, Inc. to rezone 1453 E. 14th Street from Ltd. “C-2” (General Retail and Highway-Oriented Commercial) and “R-2A” (General Residential) to an amended Ltd. “C-2” (General Retail and Highway-Oriented Commercial) to allow future expansion of the existing vehicle display lot and sales of new vehicles and small trailers, subject to conditions and to continue to May 22, 2017 at 5:00 PM.

81. Items regarding property acquisition for the Municipal Services Center, Phase 2 project:

(A) **Resolution** rescinding Roll Call No. 17-0661 of April 17, 2017.

(B) **Resolution** regarding authorization to proceed with acquisition of necessary property interests.

(Council Communication No. 17-405)
82. **On** 30th Street Sidewalk from Boston Avenue to Urbandale Avenue: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Cerebral Group, LLC (Kalyan Venkatraman, President), $183,199.

   (Council Communication No. 17-408)

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

83. **On** Locust Street Reconstruction from 9th Street to 12th Street: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as J&K Contracting, LLC (Jeremy Feldmann, President), $892,892.

   (Council Communication No. 17-415)

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

*** 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.

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