

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

June 26, 2017
4:30 PM

INVOCATION: Council Member Westergaard

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 48:

***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)	1ST STOP BEVERAGE SHOP	2839 E UNIVERSITY	E Liquor
(B)	BIG ALS BBQ & CATERING	1810 ARMY POST RD	C Liquor
(C)	HUSH	216 COURT AVE	C Liquor
(D)	OLD CHICAGO PIZZA	3800 MERLE HAY RD	C Liquor
(E)	TIPSY CROW TAVERN	102 3RD ST	C Liquor
(F)	TOBACCO HUT	5714 HICKMAN RD	C Beer

RENEWAL APPLICATIONS

(G)	BROTHER MART	4121 SE 14TH ST	C Beer
(H)	BUBBA-SOUTHERN COMFORTS	200 10TH ST	C Liquor
(I)	CHEFS KITCHEN	1903 BEAVER AVE	C Liquor
(J)	DES MOINES PLAYHOUSE	831 42ND ST	C Liquor
(K)	DRUGTOWN WINE *(1)	4100 UNIVERSITY	E Liquor
(L)	EXILE BREWING COMPANY	1514 WALNUT ST	C Liquor
(M)	HY VEE FOOD STORE #4	4605 FLEUR DR	E Liquor
(N)	HY VEE FOOD STORE #5	1107 E ARMY POST	E Liquor
(O)	LOCUST TAP	434 E LOCUST ST	C Liquor
(P)	ROYAL FOOD	1443 2ND AVE	E Liquor

- | | | | |
|-----|-------------------|----------------|----------|
| (Q) | SOUTH TOWN TAP | 3803 SW 9TH ST | C Liquor |
| (R) | US GAS | 3000 SW 9TH ST | E Liquor |
| (S) | VETERANS MEMORIAL | 833 5TH AVE | C Liquor |

TRANSFER TO NEW LOCATION

- | | | | |
|-----|--|------------------|----------|
| (T) | CAMPBELLS CONCESSIONS | 3000 E GRAND AVE | B Beer |
| | Temporary transfer to the Grandstand for an event on July 1, 2017. | | |
| (U) | PHAT DADDYZ BBQ | 508 INDIANOLA RD | C Liquor |
| | Permanent transfer from 3811 Douglas Avenue. | | |

OUTDOOR SERVICE APPLICATIONS

- | | | | |
|-----|--|----------------|-------------|
| (V) | HIGH LIFE LOUNGE | 200 SW 2ND ST | C Liquor |
| | Temporary for Mountains vs The Midwest on July 15, 2017. | | |
| (W) | STRUDL HAUS | 1951 INDIANOLA | C Beer/Wine |
| | Permanent. | | |

SPECIAL EVENT APPLICATIONS

- | | | | |
|------|--|------------------|----------------------|
| (X) | BUD TENT | 3000 E GRAND AVE | Five (5) Day License |
| | Class B Beer License for Goodguys event on June 30 – July 2, 2017. | | |
| (Y) | CAPTAIN ROYS | 1900 SAYLOR RD | Five (5) Day License |
| | Class B Beer License for events on July 17 – 30, 2017. | | |
| (Z) | COMMONS OFF THE CLOCK | 313 WALNUT ST | Five (5) Day License |
| | Class B Beer License for an event on July 21, 2017. | | |
| (AA) | IOWA TAPROOM | 215 E 3RD ST | Five (5) Day License |
| | Class B Beer License for Moonlight Classic on July 15, 2017. | | |
| (BB) | ROR | 710 CORNING A | Five (5) Day License |
| | Class B Beer License for Rendezvous on Riverview on July 28, 2017. | | |

5. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits.

6. [City](#) Clerk to issue Coin Operated Machine Licenses.

PUBLIC IMPROVEMENTS

7. [Ordering](#) construction of 100 E. 2nd Street Site Grading and Improvements: Receiving of bids, (7-11-17), Setting date of hearing, (7-24-17). Construction estimate, \$160,000.00.

[\(Council Communication No. 17-508\)](#)

8. Approving and authorizing the execution of Iowa Department of Transportation (IDOT) agreements for:
 - (A) [Earmark](#) Repurposing Addendum for the Indianola Avenue Widening from East Porter Avenue to East Army Post Road Project.

[\(Council Communication No. 17-513\)](#)
 - (B) [SW](#) 63rd Street and Creston Avenue Improvements.

[\(Council Communication No. 17-515\)](#)
9. [Approving](#) exception to Request for Proposals process for good cause and approving Professional Services Agreement with Kirkham, Michael & Associates, Inc. for Vandalia Road Storm Sewer Improvements, not to exceed \$295,000.

[\(Council Communication No. 17-514\)](#)
10. [Approving](#) the 2017 revisions to the Contract Compliance Program.

[\(Council Communication No. 17-512\)](#)
11. Approving Private Construction Contracts for the following:
 - (A) [Sanitary](#) Sewer Improvements in 4021 Fleur Drive, Edge Commercial, LLC and QuikTrip Corporation.
 - (B) [Paving](#) Improvements in 4021 Fleur Drive, Edge Commercial, LLC and QuikTrip Corporation.
12. [Communication](#) from contractors requesting permission to sublet certain items on Public Improvement Projects.
13. [Accepting](#) completed construction and approving final payment for Municipal Service Center Ductwork Modifications, Cunningham, Inc.

SPECIAL ASSESSMENTS

14. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2017-06.

BOARDS/COMMISSIONS/NEIGHBORHOODS

15. [Removing](#) ACCENT Neighborhood from the list of recognized neighborhoods.

[\(Council Communication No. 17-495\)](#)

16. [Approving](#) recommendation from Council Member Joe Gatto to reappoint Bart Caldwell to Seat 14 on the Building and Fire Code Board of Appeals for a three-year term commencing on April 1, 2017 and ending on April 1, 2020.
17. [Approving](#) recommendation from Mayor Frank Cownie to reappoint Elizabeth Ward to Seat 5 on the Airport Authority Board for a 4-year term commencing June 30, 2017 and ending on June 30, 2021.
- 17-I [Approving](#) recommendation from Mayor Frank Cownie to appoint Christine Sand to the Airport Authority Board, Seat 3, for a four-year term commencing June 30, 2017 and expiring June 30, 2021.

COMMUNICATIONS FROM PLANNING AND ZONING

18. [Regarding](#) City Council initiated request for vacation of the east/west alley adjoining 1212 Hutton Street.
19. [Regarding](#) Preliminary Plat “Birdland Vista” on property in the vicinity of 2426 Saylor Road to allow 3.69 acres of land to be divided into 23 lots for single-family residential development.

SETTING DATE OF HEARINGS

20. [On](#) conveyance of an easement for overhead and underground electric lines located within Waveland Golf Course to MidAmerican Energy Company, \$2,220, (7-10-17).
21. [On](#) request from Hy-Vee, Inc. to rezone 3212 Merle Hay Road, 5801 Hickman Road and 2315 59th Street from “R1-60” (One-Family Low-Density Residential) and “C-1” (Neighborhood Retail Commercial) to “C-2” (General Retail and Highway-Oriented Commercial) to allow for anticipated redevelopment with a gas station/convenience store with more than eight fueling locations and a coffee shop with drive-through window, (7-10-17).

22. [On](#) request from Macerich Southridge Mall, LLC for approval of the 32nd Amendment to the Southridge Mall C-4 Development Plan for property in the vicinity of 1111 E. Army Post Road to allow a 15.78 acre parcel to be used for multiple family residential dwellings and office use, and to allow a 19,111 square foot expansion of the existing retail/education use for Des Moines Area Community College within the main mall building subject to revisions to the Plan amendment, (7-10-17).
23. [On](#) the proposed Second Amendment to the Urban Renewal Plan for the Fleur Drive Commercial Urban Renewal Area, (8-14-17).

[\(Council Communication No. 17-504\)](#)

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

24. [Approving](#) payment for the property claim of Ruan Center Corporation.
25. [Approving](#) payment of billing from Peddicord, Wharton, Spencer, Hook, Barron, & Wegman, LLP to represent former Police Officer Vanessa Miller, \$137.50.
26. [Approving](#) payment of billings from the Belin McCormick Law Firm, \$3,030.
27. [Approving](#) the retention of Charles Becker and Belin McCormick, PC on environmental issues related to the acquisition and disposition of property for the East 42nd Street and Hubbell Avenue improvement project.

CITY MANAGER COMMUNICATIONS

28. [Submitting](#) travel and training requests for Kurt Bender, Daniel Blom, Matt Kalcevich, Ben Page, Jenny Richmond and John F. TeKippe.

[\(Council Communication No. 17-521\)](#)

APPROVING

29. [Assignment](#) of Parking License Agreement for parking spaces in the Eighth and Mulberry Parking Garage to Wells Fargo Properties, Inc.
30. [Urban](#) Renewal Development Agreement with Raccoon Valley Investment Company, LC for the construction of a new hotel at Fleur Drive and McKinley Avenue.

[\(Council Communication No. 17-505\)](#)

31. [First](#) Amendment to Urban Renewal Development Agreement and Parking License Agreement with 220 SE 6th Street Properties, LLC regarding the construction of a new office building and parking structure at 220 SE 6th Street.

[\(Council Communication No. 17-519\)](#)

32. [Assumption](#) and Extension Agreement for City Loan with Hoxie's Addition, LC.

[\(Council Communication No. 17-506\)](#)

33. [Authorizing](#) City Manager to negotiate and execute a Short Term Equipment and Vehicle Use Agreement with the International Association of Firefighters.

- 33-I [Payment](#) to the Greater Des Moines Partnership for \$100,000 in Calendar Year 2016 and payments for Calendar Years 2017 and 2018.

34. [One](#)-year contract with three subsequent one-year renewal options with All City Management Services (ACMS), Inc. (Baron Farwell, President) to provide school crossing guard services at or near Des Moines Public Schools (DMPS) elementary schools, not to exceed \$322,078. (Three potential vendors, two proposals received)

[\(Council Communication No. 17-517\)](#)

35. [Professional](#) Services Agreement with czbLLC to provide an evaluation and recommendations for updating the Neighborhood Revitalization Program, not to exceed \$131,750.

[\(Council Communication No. 17-500\)](#)

36. [Payment](#) to RSM US, LLP for successful completion of amended single audits for fiscal years 2014 and 2015, \$30,000.

37. [Annual](#) insurance renewal for July 1, 2017-18 of property and casualty insurance.

[\(Council Communication No. 17-520\)](#)

38. Abatement of public nuisances at the following addresses:

- (A) [3125](#) 6th Avenue.
- (B) [817](#) Boyd Street.
- (C) [1211](#) E. 32nd Street.
- (D) [3213](#) E. 42nd Street.
- (E) [2203](#) E. 14th Street.
- (F) [2202](#) E. 14th Street.
- (G) [2020](#) 10th Street.
- (H) [726](#) 27th Street.
- (I) [408](#) Titus Avenue.
- (J) [808](#) SE 10th Street.

39. Communication of Fire Escrows being held for the following:

- (A) [1013](#) E. 8th Street.
- (B) [1521](#) 9th Street.

40. [Administrative](#) removal of public nuisances at 1116 14th Place.

41. [Application](#) from Just Go Faster for a start and finish arch at the Des Moines Firecracker 5K on July 4th, 2017 to be placed over East 4th Street.

42. [Exception](#) to procurement ordinance competitive bidding requirements for good cause and approving renewal amendment for Automated Traffic Enforcement (ATE) Services Contract with GATSO USA, Inc. to provide automated electronic speed and red light enforcement cameras and citation processing services for use by the Police Department.

[\(Council Communication No. 17-494\)](#)

43. [Exception](#) to procurement ordinance competitive bidding requirement for good cause and accepting proposal of Lyle Sumek Associates, Inc. to provide Strategic Planning Consulting Services and authorizing City Manager to negotiate and execute contract.

[\(Council Communication No. 17-522\)](#)

44. Purchases from the following:

- (A) [General](#) Traffic Controls (Allen Glover, President) for various traffic signal equipment for use by the Engineering Department, \$32,020. (Seven potential bidders, four received).
- (B) [Tennis](#) Courts Unlimited (Chan Laurent, President) to resurface two (2) courts at Columbus Park for use by the Parks & Recreation Department, \$40,852. (Nine potential bidders, one received).

[\(Council Communication No. 17-498\)](#)

- (C) [Trans](#)-Iowa Equipment Inc. (Eric Thorson, General Manager) for six (6) replacement street sweeper trucks per Houston-Galveston Area Council Contract for use by Fleet Maintenance, \$1,498,862.34.

[\(Council Communication No. 17-503\)](#)

- (D) [Stew](#) Hanson Dodge City (Dan Boettcher, General Manager) and Ed Stivers Ford (Scott Politte, General Manager) for seven (7) replacement vehicles per State of Iowa Contract for use by various departments, \$164,725.

[\(Council Communication No. 17-502\)](#)

- (E) [Hewlett](#)-Packard Co. (Meg Whitman, President) for annual maintenance and support for a three-year period of existing Hewlett Packard Storage Area Network Servers (SANS) mass storage system per State of Iowa Contract for use by the IT Department, \$256,902.15.

[\(Council Communication No. 17-492\)](#)

- (F) [W.W.](#) Grainger (Shannon Waddell, Branch Manager) for blanket purchase order of miscellaneous supplies and equipment per State of Iowa Contract for use by the Public Works Department, estimated annual cost \$50,000.

[\(Council Communication No. 17-488\)](#)

- (G) [Menards](#) for blanket purchase order of miscellaneous building materials and supplies to be purchased during fiscal year 2018 per State of Iowa Contract for use by the Public Works Department, estimated annual cost \$100,000.

[\(Council Communication No. 17-490\)](#)

- (H) [Hewlett-Packard](#) Company (Dion Weisler, President) for replacement employee desktop personal computers for the 2018 fiscal year per State of Iowa Contract for use by the IT Department, \$100,000.

[\(Council Communication No. 17-497\)](#)

- (I) [Logan](#) Contractor's Supply (Bruce Logan, President) for non-competitive procurement of two (2) concrete dowel pin drills with dust control system to be used by the Public Works Department, \$26,800.

[\(Council Communication No. 17-489\)](#)

- (J) [IPS](#) Group (Dave King, President) for non-competitive procurement blanket purchase order for monthly software support fees and transaction fees for credit card enabled meters to be used during fiscal year 2018 for use by the Engineering Department, estimated annual cost \$110,000.

[\(Council Communication No. 17-507\)](#)

- (K) [AP/M](#) Permaform (Bill Shook, President) for non-competitive procurement blanket purchase order for high-strength grout products (for use with previously purchased sewer manhole rehabilitation equipment) to be used during fiscal year 2018 for use by the Public Works Department, estimated annual cost \$85,000.

[\(Council Communication No. 17-487\)](#)

- (L) [Black](#) Box Network Services (E.E. Sykes, President and CEO) for non-competitive procurement of annual telephone software maintenance and support services for Unify telephone equipment, which is used as the Citywide telephone system for use by the IT Department, \$64,536.23.

[\(Council Communication No. 17-491\)](#)

- (M) [Communication](#) Innovators (Kirk Glawe, President) for inside data and telephone technician labor services for the 2018 fiscal year per State of Iowa Contract Iowa Communications Network Contract for use by the IT Department, annual estimated cost \$32,000.

[\(Council Communication No. 17-496\)](#)

- 45. [Civil](#) Service Entrance Lists for Fire Fighter and Traffic Signal Technician and Promotional List for Senior Police Officer.
- 46. [Authorizing](#) Finance Director to draw checks on registers for the weeks of June 26 and July 3, 2017; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of June 26 and July 3, 2017; and to draw checks for biweekly payroll due on July 7, 2017.

ORDINANCES - SECOND CONSIDERATION

- 47. [Amending](#) Chapters 42 and 102 of the Municipal Code regarding maintenance of border areas.
 - (A) [Final](#) consideration of ordinance above (waiver requested by the City Traffic Engineer), requires six votes.
- 48. [Amending](#) Chapter 114 of the Municipal Code regarding the Traffic Safety Advisory Committee.
 - (A) [Final](#) consideration of ordinance above (waiver requested by the City Traffic Engineer), requires six votes.

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

ORDINANCES - FIRST CONSIDERATION

- 49. [Amending](#) Chapter 114 of the Municipal Code regarding traffic regulation changes as follows:
 - [\(Council Communication No. 17-516\)](#)
 - (A) Parking meter updates around the new Hy-Vee Store at 4th and Court Avenue.
 - (B) Parking restriction modifications due to Crocker Street restriping from 15th Street to 19th Street.
 - (C) SW 42nd Street – No Parking Anytime.
 - (D) Code Modifications related to Brook Landing Plat 1.
 - (E) Code modifications related to Bloomfield Acres.

- (F) Code Modifications related to the SE 3rd Street Improvement Project.
 - (G) Code modifications related to the vacation of E. Granger Avenue.
 - (H) Parking restriction modifications on 25th Street, north of University Avenue.
50. [Amending](#) Chapters 3 and 114 of the Municipal Code regarding the State Income Tax Offset Program.

COMMUNICATIONS/REPORTS

51. [From](#) MaryAnn Spicer, 6001 Creston Avenue, Unit 8, to speak regarding concerns in the vicinity of the River Oaks Townhomes at 6001 Creston Avenue.

APPROVING

52. Decision regarding Hearing Officer's Report overruling appeal of Intermedix on the RFP Evaluation and Selection Committee recommendation for award of contract for the provision of ambulance billing services to Digitech Computer, Inc.: (**Choose alternative A or B below**)

[\(Council Communication No. 17-493\)](#)

- (A) [Affirming](#) Hearing Officer's Report and accepting Digitech Computer, Inc. proposal and approving award of contract to Digitech Computer, Inc. and authorizing the City Manager to negotiate and execute a contract.

OR

- (B) [Overruling](#) Hearing Officer's Report rejecting the Committee's recommendation and directing the Committee to reconvene to reevaluate proposals.

53. [Professional](#) Services Agreement with OPN, Inc. dba OPN Architects, Inc. for design and construction services for the Municipal Service Center – Phase 2, not to exceed \$3,051,780.

[\(Council Communication No. 17-510\)](#)

54. [28E](#) Agreement with the Neighborhood Finance Corporation.

[\(Council Communication No. 17-518\)](#)

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 55 THRU 62)

55. On Des Moines Parks and Recreation Department request to vacate Royal Park at 1809 8th Street.

(Council Communication No. 17-499)

(A) First consideration of ordinance above.

56. On conveyance of City-owned property at 911 25th Street to Mark and Nancy McCaune, \$15,000 and payment of delinquent taxes and special assessments.

(Council Communication No. 17-501)

57. 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) to allow expansion of the existing mini-warehouse complex, subject to conditions.

(A) First consideration of ordinance above.

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

58. On request from Solid Ground LLC to rezone property located at 150 E. County Line Road from “R1-80” (One-Family Residential District) to Ltd. “R1-60” (One-Family Low-Density Residential District) to allow subdivision of the property for minimum 60-foot wide single-family residential lots, subject to conditions. **(continued from June 12, 2017)**

(A) First consideration of ordinance above.

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

59. 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 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. **(continued from June 12, 2017)**

(A) First consideration of ordinance above.

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

(C) Receive and file communication from Plan and Zoning Commission regarding Preliminary Plat “Woods at Copper Creek East”.

60. Dismissing proceedings on request from Extreme Auto Plaza, Inc. to rezone property at 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”. **(continued from June 12, 2017)**

61. On 2017 Parking Garage Repair Program: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as E & H Restoration, LLC (Mark F. Emde, President), \$508,849.

(Council Communication No. 17-509)

(A) Approval of contract and bond and permission to sublet.

62. On 5th and Keo Parking Garage Elevator Lobby HVAC: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Air-Con Mechanical Corporation (James M. Shaffer, President), \$52,817.

(Council Communication No. 17-511)

(A) Approving contract and bond.

*** END OF HEARINGS AT _____ PM ***

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. [Request](#) from Joel Templeman, representing QuikTrip Corporation, to receive and file letter regarding 3700 Hubbell Avenue, QuikTrip Corporation and Grandview Plaza II LLC, Hubbell Avenue Corridor Redesign project. Sponsor: Council Member Westergaard.
2. [Imposing](#) a temporary moratorium on the creation of new dwelling units and transient lodging within accessory buildings in residential districts. Sponsor: Council Member Hensley.
 - (A) [Urging](#) caution by the Zoning Board of Adjustment in considering applications for variances and exceptions to allow new dwellings and transient lodging within accessory buildings in residential districts. Sponsor: Council Member Hensley.

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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