

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

July 10, 2017
4:30 PM

PRESENTATION – 4:30 PM

Award from Michael J. Van Haalen, Des Moines Professional Firefighters Association

INVOCATION: Council Member Gatto

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 36:

***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:

RENEWAL APPLICATIONS

(A)	AIR LANES	4200 FLEUR DR	C Liquor
(B)	BEAVERDALE VFW CLUB	4029 URBANDALE	A Liquor
(C)	BLANK GOLF COURSE	711 COUNTY LINE	C Liquor
(D)	BLU	215 E WALNUT ST	C Beer/Wine
(E)	BUFFALO WILD WINGS *(1)	4345 MERLE HAY RD	C Liquor
(F)	CASEYS #2676	2106 ECHO VALLEY	C Beer
(G)	COPPER CUP	207 4TH ST	C Liquor
(H)	DES MOINES AMVETS POST #2	2818 5TH AVE	C Liquor
(I)	EL PALOMINO	3116 E 14TH ST	C Beer
(J)	H & A MINI MART	145 UNIVERSITY	C Beer
(K)	HOLIDAY INN DOWNTOWN	1050 6TH AVE	B Liquor
(L)	ISLAS DEL PACIFICO	1434 DES MOINES ST	C Liquor

(M)	JASPER WINERY	2400 GEORGE FLAGG	C Native Wine
(N)	MASTER JACKS	3000 E GRAND AVE	C Liquor
(O)	PRINCIPAL FINANCIAL	600 7TH ST	C Liquor
(P)	QUIK TRIP #530	2300 E 14TH ST	C Beer
(Q)	SAVE A LOT	3200 SW 9TH ST	C Beer
(R)	SCIENCE CENTER OF IOWA	401 W MLK JR PKWY	C Liquor
(S)	SPLASH SEAFOOD	303 LOCUST ST	C Liquor
(T)	WAKONDA CLUB	3915 FLEUR DR	C Liquor
(U)	WAVELAND GOLF COURSE	4908 UNIVERSITY	C Liquor

SPECIAL EVENT APPLICATIONS

- (V) BEAVERDALE BETTERMENT 4900 HICKMAN RD Five (5) Day License
Special Class C Liquor License (Beer/Wine) for Bluegrass Festival on July 22, 2017.
- (W) BUD TENT 3000 E GRAND AVE B Beer
Fourteen day license for the Iowa State Fair from August 10 – 20, 2017.
- (X) BUZZARD BILLYS 615 3RD ST Five (5) Day License
Class C Liquor License for Paul McCartney concert on July 21, 2017.
- (Y) COMMONS OFF THE CLOCK 313 WALNUT ST Five (5) Day License
Class B Beer License for an event on August 4, 2017. Pending approval of Zoning Department.
- (Z) GRANDSTAND 3000 E GRAND AVE B Beer
Fourteen day license for the Iowa State Fair from August 10 – 20, 2017.
- (AA) IOWA BEEF STEAK HOUSE 1201 E EUCLID AVE Five (5) Day License
Class C Liquor License for bike night on July 25, 2017.
- (BB) ITALIAN AMERICAN FEST 1102 LOCUST ST Five (5) Day License
Special Class C Liquor License (Beer/Wine) for festival on July 27 – 28, 2017.
Pending approval of Zoning Department.
- (CC) WOODYS PICKLE SHACK 1500 E ARMY POST Five (5) Day License
Class B Beer License for bike night on August 3, 2017.

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

PUBLIC IMPROVEMENTS

6. Ordering construction of the following:

- (A) [63rd](#) Street and Creston Avenue Traffic Signals, Receiving of bids, (7-25-17),
Setting date of hearing, (8-14-17). Construction estimate, \$215,000.

[\(Council Communication No. 17-538\)](#)

- (B) [Hubbell](#) Avenue and University Avenue Intersection Improvements: Receiving of bids, (7-25-17). Setting date of hearing, (8-14-17). Construction estimate, \$155,000.

[\(Council Communication No. 17-535\)](#)

- 7. [Iowa](#) Department of Transportation (IDOT) Agreement for Maintenance and Repair of Primary Roads in Municipalities and supplemental agreements for Maintenance of Primary Roads and Emergency Maintenance of State of Iowa Owned Traffic Signals for July 1, 2017 to June 30, 2018.
- 8. Approving private construction contracts for the following:
 - (A) [Storm](#) Sewer Improvements in Beaver Cove, Spring Lake Construction, Inc. and T and M Ventures, LLC.
 - (B) [Sanitary](#) Sewer Improvements in Beaver Cove, Spring Lake Construction, Inc. and T and M Ventures, LLC.
- 9. Approving completion of private construction contracts for the following:
 - (A) [Storm](#) Sewer Improvements, 600 E. 5th Street, between Premier Commercial Services, LLC and East Village Tower Partners, LLC.
 - (B) [Skywalk](#) Improvements, R & T Lofts at 717 Locust Street, between TWG Construction, LLC and R & T Lofts, LP.
 - (C) [Sanitary](#) Sewer Improvements, City Gateway, between Corell Contractor, Inc. and Electro Management Corp.
 - (D) [Storm](#) Sewer Improvements, City Gateway, between Corell Contractor, Inc. and Electro Management Corp.
- 10. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects.
- 11. Accepting completed construction and approving final payment for the following:
 - (A) [Skywalk](#) Bridge 7D-8D Repairs, Jasper Construction Services, Inc.
 - (B) [Pedestrian](#) Crossing Signal Upgrades, Iowa Signal Inc.

SPECIAL ASSESSMENTS

12. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2017-06.

LAND/PROPERTY TRANSACTIONS

13. [Authorizing](#) and approving the relocation of an easement for public ingress and egress in portions of 1501 E. Grand Avenue with QuikTrip Corporation.

BOARDS/COMMISSIONS/NEIGHBORHOODS

14. [Communication](#) from Samuel Reno advising of his resignation from the Sister Cities Commission, Seat 9, effective immediately.
15. [Approving](#) recommendation from Council Member Christine Hensley to appoint Bill Nassif to the Park and Recreation Board, Seat 11, for a 4-year term commencing June 30, 2016 and ending June 30, 2020.

SETTING DATE OF HEARINGS

16. [To](#) correct the vacation of a segment of Ingersoll Avenue right-of-way located north of and adjoining 539 Polk Boulevard and conveyance to Elizabeth J. Carter and Jared M. Carter, \$150, (7-24-17).
17. [On](#) vacation and conveyance of a dead-end segment of SW 19th Street adjoining 1821 Frazier Avenue to Larry J. Butler and Mary E. Butler, \$300, (7-24-17).
18. [On](#) conveyance of excess City-owned property at E. 18th Street and Easton Boulevard to Des Moines Independent Community School District, \$1, (7-24-17).
19. [On](#) conveyance of vacated City right-of-way located south of and adjoining 12 Fulton Drive to Dustin L. Schaefer and Cynthia A. Schaefer, \$100, (7-24-17).

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

20. [Approving](#) payment to Kenworthy Law, PC on matters related to construction disputes, \$11,721.80.

CITY MANAGER COMMUNICATIONS

21. [Submitting](#) travel and training requests for Darlene Blake and Tim Woods.

([Council Communication No. 17-541](#))

APPROVING

22. [Reprogramming](#) and carryover of prior year's unspent Community Development Block Grant (CDBG) funding and other funds for the 2017 HUD Consolidated Plan Programs.

([Council Communication No. 17-530](#))

23. [Certification](#) of Local Government Approval for Nonprofit Organizations to receive Emergency Solutions Grant (ESG) Funds from the State of Iowa.

24. [2017](#) and 2018 Emergency Solutions Grant (ESG) Funding.

([Council Communication No. 17-532](#))

25. [Grant](#) agreement with the Polk County Housing Trust Fund (PCHTF) for funding of the Minor Home Repair Program, \$100,000.

([Council Communication No. 17-531](#))

26. [First](#) Amendment to Urban Renewal Agreement for Sale of Land for Private Redevelopment with 5th and Walnut Parking LLC regarding the sale and redevelopment of the Fifth and Walnut Parking Garage at 422 Walnut Street.

([Council Communication No. 17-527](#))

- (A) [Approving](#) private construction contract between the Weitz Company, LLC and 5th and Walnut Parking, LLC for Skywalk Bridge Improvements in Skywalk Bridges 4C-4D (Over Walnut) and 4C-5C (Over 5th), \$137,000.

27. [Economic](#) Development Assistance Contract between Cognizant Technology Solutions U.S. Corporation and the Iowa Economic Development Authority (IEDA).

([Council Communication No. 17-528](#))

28. [Support](#) of the Des Moines Community Playhouse Renovation Project and Enhance Iowa Grant Application.

29. [Donation](#) Agreement with Greater Des Moines Community Foundation regarding resetting of monuments at Woodland Cemetery.

[\(Council Communication No. 17-523\)](#)

30. [Acceptance](#) of US Department of Homeland Security FEMA 2016 Assistance to Firefighters Grant for the purchase of a power lift system, approval of grant terms, and authorizing the Fire Chief to execute implementing agreements, \$230,364.

[\(Council Communication No. 17-525\)](#)

31. [Application](#) from Beaverdale Neighborhood Association requesting approval to display banners through 2017 from Forest Avenue to Meredith Drive for the Centennial Celebration.

32. Purchases from the following:

- (A) [McNeilus](#) Truck & Manufacturing (Brad Nelson, President) for seventeen (17) camera systems for refuse truck equipment per HGAC contract for use by the Public Works Department, \$34,272.

[\(Council Communication No. 17-526\)](#)

- (B) [Menards](#) for blanket purchase orders of miscellaneous building materials and supplies to be purchased during fiscal year 2018 per State of Iowa Contract for use by the City Manager's Office, estimated annual cost \$65,000.

[\(Council Communication No. 17-540\)](#)

- (C) [Graybar](#) Electric (Kathy Mazzarella, President) for blanket purchase orders for miscellaneous electrical products and supplies to be purchased during fiscal year 2018 per State of Iowa Contract for use by the City Manager's Office, estimated annual cost \$50,000.

[\(Council Communication No. 17-539\)](#)

- (D) [Jerico](#) Services (John Marshall, General Manager) and Smith Fertilizer and Grain (Max Smith, President) for an annual agreement for deicing chemicals for a joint purchase along with the Cities of West Des Moines, Waukee, Johnston, Windsor Heights and Dallas County for use by the Public Works Department, estimated annual cost \$137,000. (Eighteen (18) potential bidders, five received).

[\(Council Communication No. 17-524\)](#)

33. [Promotional](#) Lists for Street Sweeper Operator, Mobile Data Technician, and Performance and Innovation Manager.

34. [Authorizing](#) Finance Director to draw checks on registers for the weeks of July 10 and July 17, 2017; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of July 10 and July 17, 2017; and to draw checks for biweekly payroll due on July 21, 2017.

ORDINANCES - SECOND CONSIDERATION

35. [Amending](#) Chapters 3 and 114 of the Municipal Code regarding the State Income Tax Offset Program.
- (A) [Final](#) consideration of ordinance above (waiver requested by the City Manager), requires six votes.
36. [To](#) vacate Royal Park at 1809 8th Street.
- (A) [Final](#) consideration of ordinance above (waiver requested by the Parks and Recreation Director), requires six votes.

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

ORDINANCES - FINAL CONSIDERATION

37. [Amending](#) Chapter 60 of the Municipal Code regarding real estate contract sales inspections, as amended.

[\(Council Communication No. 17-529\)](#)

COUNCIL REQUESTS

38. [Request](#) from Mayor Cownie and Council Members Hensley and Westergaard to discuss the fireworks pilot program.
- (A) [From](#) Dartanyan Brown, 2723 Columbia Street, to speak regarding the impact of fireworks legalization.
- (B) [From](#) Karen Markley, 2525 Grandview Avenue, to speak regarding fireworks.
- (C) [From](#) Ramona Fiscus, 3103 E. 43rd Court, to speak regarding banning fireworks.

COMMUNICATIONS/REPORTS

39. [From](#) Kathleen Kelly, 5175 NE 38th Street, to speak regarding annexation of property into Des Moines without water hookup.

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 40 THRU 45)

40. [On](#) conveyance of an easement for overhead and underground electric lines located within Waveland Golf Course to MidAmerican Energy Company, \$2,220.

[\(Council Communication No. 17-536\)](#)

41. Items regarding 3212 Merle Hay Road, 5801 Hickman Road and 2315 59th Street **and to continue to July 24, 2017 at 5:00 PM:**

(A) [Amend](#) the existing PlanDSM: Creating Our Tomorrow Plan Future Land Use Designation from Low Density Residential and Low-Medium Density Residential to Community Mixed Use.

(B) [Hearing](#) 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.

(C) [First](#) consideration of ordinance above.

42. [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.

43. [Regarding](#) petition to establish the Sherman Hill Self-Supported Municipal Improvement District (SSMID) **and to continue the hearing until August 14, 2017 at 5:00 PM.**

[\(Council Communication No. 17-533\)](#)

44. [On](#) 2017 Traffic Signal Repairs and E. Grand Complete Street Conversion: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Iowa Signal, Inc. (Wayne Lesley, President), \$341,662.69.

[\(Council Communication No. 17-534\)](#)

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

45. [On](#) Parks Restroom Facilities: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Edge Commercial, LLC (Jason Ceretti, Partner), \$107,240.00.

[\(Council Communication No. 17-537\)](#)

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

END 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 Council Member Skip Moore to discuss the Des Moines Neighbors' resolution supporting a study to analyze the Des Moines Police force and operations.

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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