



*** DES MOINES CITY COUNCIL MEETING REPORT ***

The City Council took the following action on items listed in the attached meeting agenda summary. Copies of ordinances, resolutions and other Council action may be obtained from the City Clerk's Office (515) 283-4209. The six-digit number beginning with '17-' preceding each item on the agenda is a roll call number assigned by the City Clerk. Please refer to this number when requesting information or copies.

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

March 6, 2017
4:30 PM

INVOCATION: Council Member Coleman

- [17-0337](#) 1. **ROLL CALL: Present: Cownie, Coleman, Gray, Hensley, Moore and Westergaard. Absent: Gatto. Council Member Gatto entered the meeting during item 58.**
- [17-0338](#) 2. **APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0339](#) 3. **APPROVING CONSENT AGENDA * – items 3 through 48: Moved by Hensley to adopt the balance of the Consent Agenda. Motion Carried 6-1. Absent: Gatto.**

***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

[17-0340](#)

4. [Approving](#) Alcoholic Beverage License Applications for the following: **Moved by Hensley to adopt all except items D and FF. Motion Carried 6-1. Absent: Gatto. Council Member Coleman votes No on items B, P and Q. Moved by Hensley to deny item D for lack of good moral character. Motion Carried 6-1. Absent: Gatto. Moved by Coleman to consider item FF at the same time as item 59. Motion Carried 6-1. Absent: Gatto. Moved by Hensley to adopt item FF. Motion Carried 7-0.**

NEW APPLICATIONS

(A)	BARATTAS - BLANK PARK ZOO	7401 SW 9TH ST	C Liquor
*(B)	GIT N GO STORE #23	2930 HICKMAN RD	C Beer
(C)	LA MIE ELEVATE	601 LOCUST ST	C Beer/Wine

RENEWAL APPLICATIONS

*(D)	CARBON C *(1)	216 COURT AVE	C Liquor
(E)	DES MOINES VALERO #205	2829 EASTON BLVD	C Beer
(F)	DOLLAR GENERAL #13292	3102 MERLE HAY RD	C Beer
(G)	DOLLAR GENERAL #313	2570 HUBBELL AVE	C Beer
(H)	DOLLAR GENERAL #4554	1020 E ARMY POST	C Beer
(I)	DOLLAR GENERAL #4991	3223 SE 14TH ST	C Beer
(J)	DOLLAR GENERAL #6077	221 SW 63RD ST	C Beer
(K)	DOLLAR GENERAL #6725	1428 E OVID AVE	C Beer
(L)	DOLLAR GENERAL #6735	2650 INGERSOLL	C Beer
(M)	DOLLAR GENERAL #8594	4213 FLEUR DR	C Beer
(N)	EL RINCON CATRACHO	3310 E 14TH ST	B Beer
(O)	FRANCIES	2100 WAKONDA VIEW	C Liquor
*(P)	GIT N GO STORE #10	816 E EUCLID AVE	C Beer
*(Q)	GIT N GO STORE #5	2700 INDIANOLA	C Beer
(R)	GRANDVIEW GOLF COURSE	2401 E 29TH ST	C Liquor
(S)	IOWA BEEF STEAK HOUSE	1201 E EUCLID AVE	C Liquor
(T)	J & J PIZZA PUB	2500 MLK JR PKWY	C Liquor
(U)	KUNG FU TAP & TACO	210 INDIANOLA AVE	C Liquor
(V)	MALO RESTAURANT	900 MULBERRY ST	C Liquor
(W)	MCCUENS PUB	2565 WEDGEWOOD	C Liquor
(X)	NOAHS ARK	2400 INGERSOLL	C Liquor
(Y)	OVATIONS FOOD SERVICES	233 CENTER ST	C Liquor
(Z)	PAESANOS PIZZERIA	2804 SW 9TH ST	C Beer/Wine
(AA)	QUIK TRIP #527	614 UNIVERSITY	C Beer
(BB)	RICCELLIS SUPPER CLUB	3803 INDIANOLA	C Liquor
(CC)	SCORNOVACCAS PIZZA	3900 E 14TH ST	B Beer
(DD)	VOM FASS	833 42ND ST	E Liquor

TRANSFER TO NEW LOCATION

(EE)	FEDERAL DISTRIBUTORS	3000 E GRAND AVE	C Beer/Wine
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Temporary to the Agri Building for the All Iowa Auto Show on March 9, 2017.

SPECIAL EVENT APPLICATIONS

- (FF) 1908 DRAUGHT HOUSE 407 COURT AVE Five (5) Day License
Class C Liquor License for March Madness Street Party on March 16, 2017.
- (GG) ALL IOWA AUTO SHOW 3000 E GRAND AVE Five (5) Day License
Special Class C Liquor License (Beer/Wine) for an event on March 9, 2017.
- (HH) DAVID DEFOREST 3000 E GRAND AVE Five (5) Day License
Special Class C Liquor License (Beer/Wine) for a wedding reception at the John Deere Ag Building on June 24, 2017.
- (II) DRAKE UNIVERSITY 2505 CARPENTER ST Five (5) Day License
Special Class C Liquor License (Beer/Wine) for Turner Jazz Orchestra on March 30, 2017.
- (JJ) DRAKE UNIVERSITY 2615 CARPENTER AVE Five (5) Day License
Special Class C Liquor License (Beer/Wine) for Drake Law Review Recognition Dinner on March 31, 2017.
- (KK) JOHNNYS ITALIAN 1200 GRAND AVE Five (5) Day License
Class C Liquor License for an event on March 30, 2017.
- (LL) TOWNSQUARE LIVE 730 3RD ST Five (5) Day License
Special Class C Liquor License (Beer/Wine) for America on Tap on March 25, 2017.

[17-0341](#) 4-I [Consideration](#) of new Class C Liquor License for Annie's Irish Pub at 204 3rd Street. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**

[17-0342](#) 5. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits. **Moved by Hensley to adopt. Motion Carried 4-2-1. Nays: Cownie and Moore. Absent: Gatto.**

PUBLIC IMPROVEMENTS

6. Ordering construction of the following:

[17-0343](#) (A) [Howe](#) and Windsor Elementary School Pedestrian Bridge Repairs: Receiving of bids, (3-21-17), Setting date of hearing, (4-3-17). Construction estimate, \$229,687. ([Council Communication No. 17-273](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**

[17-0344](#) (B) [Birdland](#) Marina Utility Improvements: Receiving of bids, (3-21-17), Setting date of hearing, (4-3-17). Construction estimate, \$125,000. ([Council Communication No. 17-272](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**

[17-0345](#) (C) [2017](#) ADA Sidewalk Ramp Program-Contract 2: Receiving of bids, (3-21-17), Setting date of hearing, (4-3-17). Construction estimate, \$625,000. ([Council Communication No. 17-265](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**

- [17-0346](#) (D) [2017](#) HMA Residential Paving Program: Receiving of bids, (3-21-17), Setting date of hearing, (4-3-17). Construction estimate, \$736,000. ([Council Communication No. 17-266](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0347](#) (E) [2017](#)-2018 HMA Pavement Scarification and Resurfacing: Receiving of bids, (3-21-17), Setting date of hearing, (4-3-17). Construction estimate, \$927,500. ([Council Communication No. 17-269](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0348](#) 7. [Approving](#) Professional Services Agreement with HR Green, Inc. for Restoration Grand Traffic Study Services, not to exceed \$44,000. ([Council Communication No. 17-277](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0349](#) 8. [Approving](#) Professional Services Agreement with Foth Infrastructure and Environment, LLC for Easton Boulevard Corridor Study Services, not to exceed \$49,900. ([Council Communication No. 17-264](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0350](#) 9. [Approving](#) Change Order No. 5 with Cramer and Associates, Inc. for additional work on Riverwalk Red Multi-Use Trail Bridge Rehabilitation, not to exceed \$105,835. ([Council Communication No. 17-274](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0351](#) 10. [Approving](#) Supplemental Agreement No. 1 to the Professional Services Agreement with Stantec Consulting Services, Inc. for SE 9th Street Storm Water Pump Station, not to exceed \$59,000. ([Council Communication No. 17-276](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0352](#) 11. [Approval](#) of Fiscal Year 2016-2017 Annual Right-of-Way Management Fee. ([Council Communication No. 17-275](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0353](#) 12. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
13. Accepting completed construction and approving final payment for the following:
- [17-0354](#) (A) [Neal](#) Smith Trail Rehabilitation-Riverview Park to Euclid Avenue, OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0355](#) (B) [Scott](#) Avenue Closure at BNSF Railroad Crossing, Absolute Concrete Construction, Inc. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0356](#) (C) [SW](#) 5th Street (Jackson Avenue) Bridge Rehabilitation, Cramer and Associates, Inc.

Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.

SPECIAL ASSESSMENTS

- [17-0357](#) 14. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2017-03. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0358](#) 15. [Levying](#) Assessments for costs of Public Works Emergency Sewer Repair, Schedule No. 2017-02. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**

LAND/PROPERTY TRANSACTIONS

16. Approving tax abatement applications for the additional value added by improvements completed during 2016 for the following: ([Council Communication No. 17-278](#))
- [17-0359](#) (A) [34](#) applications. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0360](#) (B) [1](#) application. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [17-0361](#) 17. [Communication](#) from Jim Hinkle, Chair of the Power Engineers Examining Board, requesting that Seat 4 be declared vacant. **Moved by Hensley to receive, file and approve the request. Motion Carried 6-1. Absent: Gatto.**
- [17-0362](#) 18. [Recommendation](#) from Council Member Linda Westergaard, to appoint Reyma McCoy McDeid to the Access Advisory Board, Seat 13, for a four-year term commencing June 15, 2015 and expiring June 15, 2019. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0363](#) 19. [Recommendation](#) from Council Member Linda Westergaard to appoint Michael Gass to the Citizen Odor Board, Seat 12, for a three-year term commencing April 1, 2016 and expiring April 1, 2019. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0364](#) 20. [Recommendation](#) from Council Member Chris Coleman to appoint Emily Shields to the Civil and Human Rights Commission, Seat 3, for a three-year term commencing April 1, 2017 and expiring April 1, 2020, (effective 4-1-17). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0365](#) 20-I [Recommendation](#) from Council Member Christine Hensley to appoint Brendan Greiner to the Traffic Safety Committee, Seat 6, for a three-year term commencing December 31, 2014 and expiring December 31, 2017. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**

SETTING DATE OF HEARINGS

- [17-0366](#) 21. On vacation of a portion of Mulberry Street and 12th Street rights-of-way adjoining 121 12th Street and conveyance of a permanent easement for building encroachment to 12th Street Lofts, LLC for \$2,000, (3-20-17). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0367](#) 22. On conveyance of City-owned property at 3807 50th Street to Matthew Nolan, \$107,000, (3-20-17). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0368](#) 23. On conveyance of the south 8 feet of the vacated alley right-of-way located north of and adjoining 3015 High Street to Chad S. Pickering for \$25, (3-20-17). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0369](#) 24. On request from Glen and April Brown to rezone property at 4518 SW 33rd Street from “M-3” (Limited Industrial) to Ltd. “R1-80” (One-family Residential) to allow for development of a single-family dwelling with access from SW 33rd Street, subject to conditions, (3-20-17). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0370](#) 25. On request from Tiger Knight, LLC to rezone 1210 Army Post Road from “C-2” (General Retail and Highway-Oriented Commercial) to Ltd. “M-1” (Light Industrial) to allow reuse of the building for warehouse and bowling pin refurbishing, (3-20-17). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0371](#) 26. On request from M & R Holdings, LLC for review and approval of the 1st Amendment to the Woodlawn PUD Conceptual Plan for 4209 Lower Beaver Road to reduce the number of proposed single-family semi-detached units from 38 to 34 and to reduce the number of dwelling types from three to one proposing alternate finish options, subject to conditions, (3-20-17). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0372](#) 27. On request from Quik Trip Corporation for review and approval of a 1st Amendment to the Quik Trip No. 0518 PUD Conceptual Plan at 1930 Indianola Avenue to allow reconfiguration of the proposed pump island canopy, subject to conditions, (3-20-17). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0373](#) 28. On 8th Amendment to the SE Agribusiness Urban Renewal, (4-3-17). ([Council Communication No. 17-263](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0374](#) 29. On 20th Amendment to the Metro Center Urban Renewal Plan, (4-3-17). ([Council Communication No. 17-262](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [17-0375](#) 30. [Approving](#) payment for the property damage claim of Russell and Lori Herold. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0376](#) 31. [Approving](#) payment to Kenworthy Law, PC on matters related to construction disputes, \$18,180.75. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0377](#) 32. [Retention](#) of outside counsel to represent the interests of former Des Moines Police Officer Vanessa Miller. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0378](#) 33. [Approving](#) payment to John Adams for a workers' compensation claim. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**

CITY MANAGER COMMUNICATIONS

- [17-0379](#) 34. [Submitting](#) travel and training requests for Benjamin Campbell, Brady Carney, Lisa Crabbs, Ryan Moffatt, Hannah Schabilion, Jason Underwood, and Todd Wilshusen. ([Council Communication No. 17-279](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**

APPROVING

35. Items related to the sale of the Fifth and Walnut Parking Garage at 422 Walnut Street for private development:
- [17-0380](#) (A) [Directing](#) the termination of all easements, leases, licenses and permits for the private use of the Fifth and Walnut Parking Garage and the grounds thereof. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0381](#) (B) [Setting](#) date of hearing on the vacation of the west 6.5 feet of the north/south alley right-of-way lying east of and adjoining 422 Walnut Street, (3-20-17). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0382](#) (C) [Setting](#) date of hearing on the vacation of the east/west alley rights-of-way located within 422 Walnut Street, (3-20-17). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0383](#) 36. [Center](#) Street Park and Ride Facility Annual Budget and submittal to Des Moines Area Regional Transit Authority (DART) and authorizing budget expenditures. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**
- [17-0384](#) 37. [Budget](#) for the Downtown Self-Supported Municipal Improvement District (SSMID) for

the Fiscal Year ending June 30, 2018. **Moved by Coleman to adopt; refer to the City Manager to schedule a meeting with the Downtown SSMID Board and Operation Downtown before the next budget cycle, to assure that Council priorities are being met. Motion Carried 6-1. Absent: Gatto.**

[17-0385](#) 38. **Budget** for the Ingersoll Grand Self-Supported Municipal Improvement District (SSMID) for the Fiscal Year ending June 30, 2018. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**

39. Abatement of public nuisances at the following locations:

[17-0386](#) (A) **1814** 8th Street. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**

[17-0387](#) (B) **1544** 19th Street. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**

[17-0388](#) 40. **Receipt** of communication regarding fire escrow being held for 2711 South Union Street. **Moved by Hensley to receive and file and to direct the City Attorney to bring legal action within one hundred eighty (180) days of certified mail notice dated February 14, 2017, if owner(s) has not demolished or renovated the structure. Motion Carried 6-1. Absent: Gatto.**

41. Bids from the following:

[17-0389](#) (A) **Absolute** Property Services (Justin Garfield, President) for an annual contract with two (2) additional one-year renewal options to furnish masonry block and brick wall repair services on as needed basis for Principal Park to be used by the City Manager's Office Facilities Management Division, estimated annual cost \$75,000. (Twelve (12) potential bidders, five received). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**

[17-0390](#) (B) **Stew** Hanson Dodge City (Dan Boettcher, General Manager) and Dewey Ford (Dan Boettcher, General Manager) for nineteen (19) replacement vehicles and three additional vehicles for city-wide use by Fleet Maintenance, \$1,089,969. (Nineteen (19) potential bidders, five received). ([Council Communication No. 17-258](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**

[17-0391](#) (C) **Foster** Coach Sales Inc. (Steve Foster, President) for two replacement ambulances per Houston Galveston Area Council (HGAC) Contract for use by the Fire Department, \$580,971. ([Council Communication No. 17-254](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**

[17-0392](#) (D) **Elliott** Equipment Company (Gene Elliott, President), as sole area-wide distributor, for closed circuit television (CCTV) equipment to be used for sanitary and storm

sewer inspections by the Public Works Department, estimated annual cost \$144,489.08. ([Council Communication No. 17-252](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**

[17-0393](#) (E) [Ed Stivers Ford](#) (Scott Politte, General Manager) for three replacement vehicles per State of Iowa Contract for use by the Engineering Department Construction Inspection Division, \$78,237. ([Council Communication No. 17-257](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**

[17-0394](#) 42. [Exception](#) to procurement ordinance competitive bidding requirements for good cause and approving a one year contract with up to four additional one-year renewals with Carpenter Uniform & Promotional Products for uniform services for the Police and Fire Departments, \$165,000. ([Council Communication No. 17-256](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**

[17-0395](#) 43. [Preliminary](#) terms of an Urban Renewal Development Agreement for Federal Home Loan Bank's expansion and purchase of 909 Locust Street. ([Council Communication No. 17-280](#)) **Moved by Hensley to receive, file and approve the preliminary terms of agreement as set forth in Council Communication No. 17-280 and to direct the Office of Economic Development to proceed with negotiation of a formal agreement with Federal Home Loan Bank of Des Moines consistent with the terms set forth in Council Communication No. 17-280. Motion Carried 6-1. Absent: Gatto.**

[17-0396](#) 44. [Accepting](#) proposal from Sandry Fire Supply, LLC (Mary Sandry, Manager) for Self-Contained Breathing Apparatus (SCBA) equipment and supporting systems and approving contract, \$1,624,329.19. (Five potential bidders, three received). ([Council Communication No. 17-255](#)) **Moved by Hensley to approve. Motion Carried 6-1. Absent: Gatto.**

[17-0397](#) 45. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of March 6 and 13, 2017; and to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of March 6 and 13, 2017 and to draw checks for biweekly payroll due on March 17, 2017. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**

ORDINANCES - SECOND CONSIDERATION

[17-0398](#) 46. [Amending](#) Chapter 118 of the Municipal Code regarding Stormwater Management Utility (Best Management Rebate Program). **Moved by Moore that this ordinance be considered and given second vote for passage. Motion Carried 6-1. Absent: Gatto.**

[17-0399](#) 47. [Amending](#) Chapter 118 of the Municipal Code regarding a Private Property Protection Program. **Moved by Moore that this ordinance be considered and given second vote for passage. Motion Carried 6-1. Absent: Gatto.**

[17-0400](#) 48. [Amending](#) Chapter 114 of the Municipal Code submitting traffic regulation changes as

follows: **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 6-1. Absent: Gatto.**

(A) Code modifications related to Lake View Ridge Plat 1 residential development, SE 34th Street.

(B) Code correction – E. 50th Street.

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

COMMUNICATIONS/REPORTS

[17-0401](#) 49. From David Costello, 1105 Orchard Lane, to speak regarding clean water for citizens of Des Moines. **Moved by Hensley to receive and file document and comments. Motion Carried 6-1. Absent: Gatto.**

[17-0402](#) 50. From Jess Mazour, Iowa CCI, to speak regarding the Des Moines Water Works. **Moved by Hensley to receive and file comments. Mr. Moore requested that an item be placed on the March 20 City Council agenda regarding changing the City’s registration concerning the water utility bill. Motion Carried 6-1. Absent: Gatto.**

WITHDRAWN

[17-0403](#) 51. ~~From Michael Welch, 300 Walnut Street, Ste. 205, to speak regarding the importance of keeping the skywalk open during the 5th and Walnut demolition and construction project.~~

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 52 THRU 75)

[17-0404](#) 52. On Second Amendment to lease agreement with South Des Moines Little League for the James W. Cownie Baseball Park. ([Council Communication No. 17-260](#)) **Moved by Coleman to adopt. Motion Carried 6-1. Absent: Gatto.**

[17-0405](#) 53. On Amendment of Lease Agreement with Greater Des Moines Baseball Co. (Iowa Cubs) for Lease of Principal Park. ([Council Communication No. 17-259](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.**

[17-0406](#) 54. On 6th Avenue and Madison Avenue Traffic Signal Replacement: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Iowa Signal, Inc. (Wayne Lesley, President), \$116,119.72.

[\(Council Communication No. 17-271\)](#) Moved by Westergaard to adopt. Motion Carried 6-1. Absent: Gatto.

[17-0407](#) (A) [Approval](#) of contract and bond and permission to sublet. Moved by Westergaard to adopt. Motion Carried 6-1. Absent: Gatto.

[17-0408](#) 55. [On](#) 2017 Municipal Building Reroofing – Contract 1: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Academy Roofing & Sheet Metal of the Midwest, Inc. d/b/a Academy Roofing & Sheet Metal Co. (Brian Krumm, President), \$192,700. [\(Council Communication No. 17-267\)](#) Moved by Moore to adopt. Motion Carried 6-1. Absent: Gatto.

[17-0409](#) (A) [Approval](#) of contract and bond and permission to sublet. Moved by Moore to adopt. Motion Carried 6-1. Absent: Gatto.

[17-0410](#) 56. [On](#) 2017 Municipal Building Reroofing – Contract 2: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Southern Minnesota Urethanes, LLC (Steven W. Popplewell, President-Owner), \$34,800. [\(Council Communication No. 17-268\)](#) Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.

[17-0411](#) (A) [Approval](#) of contract and bond and permission to sublet. Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.

[17-0412](#) 57. [On](#) 42nd Street Streetscape from I-235 to Crocker Street: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Jasper Construction Services, Inc. (Cliff Rhoads, President), \$2,243,774.33. [\(Council Communication No. 17-261\)](#) Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.

[17-0413](#) (A) [Approving](#) Second Amendment to Memorandum of Understanding with the Roosevelt Cultural District for the implementation of the 42nd Street Streetscape Project. Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.

[17-0414](#) (B) [Approval](#) of contract and bond and permission to sublet. Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.

[17-0415](#) (C) [Approving](#) Supplemental Agreement No. 2 to the Professional Services Agreement with Bolten & Menk, Inc. for additional services on the 42nd Street Streetscape, not to exceed \$202,562. [\(Council Communication No. 17-270\)](#) Moved by Hensley to adopt. Motion Carried 6-1. Absent: Gatto.

[17-0416](#) 58. [Appeal](#) of the Street Use Team’s decision to issue a street use permit to Mickey’s Irish

Pub/DH50 Walnut LLC for a street closure on Court Avenue between 3rd and 4th Streets on St. Patrick's Day, March 17, 2017. ([Council Communication No. 17-281](#)) **Moved by Hensley to issue the permit to AGB, LLC. Motion Carried 6-1. Pass: Cownie.**

[17-0417](#)

59. [Consideration](#) of the following Alcoholic Beverage License Applications: **Moved by Hensley to approve the application for AGB, LLC and deny the application for DH50 Walnut LLC. Motion Carried 6-1. Pass: Cownie.**

(A) DH50 Walnut LLC for a Five-Day Class C Liquor License for an event on Court Avenue between 3rd and 4th Street on March 17, 2017.

(B) AGB, LLC for a Five-Day Class C Liquor License for an event on Court Avenue between 3rd and 4th Street on March 17, 2017.

[17-0418](#)

60. [On](#) appeal by Quik Trip Corporation of the conditions of a site plan for property at 1501 E. Grand Avenue. **Moved by Gatto to approve the site plan, subject to the following conditions:**

~~*1. The "urban edge" along East Grand Avenue shall incorporate piers and trellis elements.~~

2. The Site Plan is subject to compliance with all administrative review comments including but not limited to:

a. Providing an amount of open space on the site that is no less than the amount of open space identified on the site plan presented to the Plan and Zoning Commission by Case Number 10-2017-7.19 on September 15, 2016.

b. Providing minimum buffer yard plantings as required by the City's Landscaping Standards, to the extent and in the locations discussed at the Plan and Zoning Commission meeting (Case No. 10-2017-7.77, February 2, 2017).

c. Providing the minimum pavement perimeter setback distance (10 feet along street right-of-way).

d. Providing the minimum landscape perimeter plantings along Capitol Avenue.

e. Providing a special landscape treatment at the intersection corner of East Grand Avenue and E. 15th Street as defined by the City's design guidelines for gas stations/convenience stores.

f. Providing a pedestrian route to East 15th Street from the building.

g. Providing lighting coverage that complies with City of Des Moines lighting standards.

h. Complying with the City's design guidelines for gas stations/convenience stores maximum fuel canopy height provisions.

i. Providing sidewalk and planter bed details on the site plan.

j. Utilizing cut-off light fixtures for all building mounted lighting.

k. Providing consistent architectural detail on all sides of the building including porcelain elements and cornices on the rear façade that match the other three facades.

- **1. Removal of the commercial access drive on to Capitol Avenue.**
***(1) Provide an “Urban edge” along East Grand Avenue, (no piers or trellis required).**
*****(2) 1. Commercial access drive to Capitol Avenue shall be through alley – design to be approved by the City Engineer. Motion Carried 7-0.**

- [17-0419](#) 61. **On** consideration of the recommended Capital Improvement Program (CIP) for fiscal years 2017-2018 through 2022-2023. ([Council Communication No. 17-282](#)) **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Coleman and Gatto.**
- [17-0420](#) 62. **On** issuance of not to exceed \$25,420,000 General Obligation Bonds (for Essential Corporate Purposes). **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Coleman and Gatto.**
- [17-0421](#) (A) **Authorization** for additional actions. ([Council Communication No. 17-283](#)) **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Coleman and Gatto.**
- [17-0422](#) 63. **On** issuance of not to exceed \$4,550,000 General Obligation Bonds (for Essential Corporate Urban Renewal Purposes). **Moved by Gray to adopt. Motion Carried 5-2. Nays: Coleman and Gatto.**
- [17-0423](#) (A) **Authorization** for additional actions. **Moved by Gray to adopt. Motion Carried 5-2. Nays: Coleman and Gatto.**
- [17-0424](#) 64. **On** issuance of not to exceed \$7,780,000 General Obligation Bonds (for Essential Corporate Urban Renewal Purposes). **Moved by Westergaard to adopt. Motion Carried 6-1. Nays: Gatto.**
- [17-0425](#) (A) **Authorization** for additional actions. **Moved by Westergaard to adopt. Motion Carried 6-1. Nays: Gatto.**
- [17-0426](#) 65. **On** issuance of not to exceed \$955,000 General Obligation Bonds (for General Corporate Purposes). **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Coleman and Gatto.**
- [17-0427](#) (A) **Authorization** for additional actions. **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Coleman and Gatto.**
- [17-0428](#) 66. **On** issuance of not to exceed \$995,000 General Obligation Bonds (for General Corporate Purposes). **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Coleman and Gatto.**
- [17-0429](#) (A) **Authorization** for additional actions. **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Coleman and Gatto.**
- [17-0430](#) 67. **On** issuance of not to exceed \$920,000 General Obligation Bonds (for General Corporate Purposes). **Moved by Westergaard to adopt. Motion Carried 5-2. Nays: Coleman and Gatto.**
- [17-0431](#) (A) **Authorization** for additional actions. **Moved by Westergaard to adopt. Motion**

Carried 5-2. Nays: Coleman and Gatto.

- [17-0432](#) 68. On issuance of not to exceed \$735,000 General Obligation Bonds (for General Corporate Purposes). **Moved by Gray to adopt. Motion Carried 5-2. Nays: Coleman and Gatto.**
- [17-0433](#) (A) Authorization for additional actions. **Moved by Gray to adopt. Motion Carried 5-2. Nays: Coleman and Gatto.**
- [17-0434](#) 69. On issuance of not to exceed \$970,000 General Obligation Bonds (for General Corporate Purposes). **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Coleman and Gatto.**
- [17-0435](#) (A) Authorization for additional actions. **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Coleman and Gatto.**
- [17-0436](#) 70. On issuance of not to exceed \$520,000 General Obligation Bonds (for General Corporate Purposes). **Moved by Moore to adopt. Motion Carried 5-2. Nays: Coleman and Gatto.**
- [17-0437](#) (A) Authorization for additional actions. **Moved by Moore to adopt. Motion Carried 5-2. Nays: Coleman and Gatto.**
- [17-0438](#) 71. On issuance of not to exceed \$970,000 General Obligation Bonds (for General Corporate Purposes). **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Coleman and Gatto.**
- [17-0439](#) (A) Authorization for additional actions. **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Coleman and Gatto.**
- [17-0440](#) 72. On issuance of not to exceed \$740,000 General Obligation Bonds (for General Corporate Purposes). **Moved by Gray to adopt. Motion Carried 5-2. Nays: Coleman and Gatto.**
- [17-0441](#) (A) Authorization for additional actions. **Moved by Gray to adopt. Motion Carried 5-2. Nays: Coleman and Gatto.**
- [17-0442](#) 73. Authorizing issuance of \$44,415,000 General Obligation Bonds, Series 2017, and levying a tax for payment. **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Coleman and Gatto.**
- [17-0443](#) 74. On amendment to the annual budget for current fiscal year ending June 30, 2017. (Council Communication No. 17-282) **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Coleman and Gatto.**
- [17-0444](#) 75. On proposed budget for the fiscal year ending June 30, 2018. (Council Communication No. 17-282) **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Coleman and Gatto.**

*** END OF HEARINGS AT 7:57 PM ***

[17-0445](#) MOTION TO ADJOURN. Moved by Hensley to adjourn at 7:58 PM. Motion Carried 7-0.

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