

DES MOINES CITY COUNCIL MEETING

Excerpts of procedural rules of City Council

January 9, 2012 4:30 PM

Reception 3:00 – 4:00 PM

Great Hall, 2nd Floor

400 Robert D. Ray Drive

Frank Cownie, Mayor

Bob Mahaffey, Council Member Ward II

Brian Meyer, Council Member Ward IV

Chris Coleman, Council Member At-Large

Oath of Office Ceremony 4:00 – 4:15 PM

100th Anniversary of City Hall 4:15 PM

Municipal Housing Governing Board Meeting 4:30 PM

INVOCATION: Council Member Chris Coleman

1. ROLL CALL:

I. Approving reappointment of the following:

(A) City Manager.

(B) City Attorney.

(C) City Clerk.

(D) Chief Deputy City Clerk.

(E) Deputy City Attorney and Assistant City Attorneys.

II. Recommendation of Mayor Cownie for appointment of Mayor Pro Tem for 2012.

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

3. APPROVING CONSENT AGENDA * – items 3 through 35:

***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)	EAST 25TH STREET TAP	509 E 25TH ST	C Liquor
(B)	LA PIZZA HOUSE	1013 SE 14TH ST	C Liquor
(C)	QUIK TRIP #544	3941 SE 14TH ST	E Liquor
(D)	SUPER STOP	727 SE 14TH ST	E Liquor
(E)	UNIVERSITY LIBRARY	3506 UNIVERSITY	C Liquor

RENEWAL APPLICATIONS

(F)	CASEYS #2641	2849 E EUCLID AVE	C Beer
(G)	CONEY ISLAND #2	3700 SW 9TH ST	B Beer
(H)	FEDERAL DISTRIBUTORS INC	3000 E GRAND AVE	C Beer/Wine
(I)	GIT N GO STORE #24	1142 42ND ST	C Beer
(J)	GOLDEN LAND ASIA GROCERY	3814 DOUGLAS AVE	C Beer
(K)	HAIKU	1315 31ST ST	C Liquor
(L)	HIGHLAND PARK POST NO 374	3712 2ND AVE	A Liquor
(M)	HY VEE WINE & SPIRITS	3424 MLK PKWY	E Liquor
(N)	JIFFY #924	3718 SW 9TH ST	C Beer
(O)	SHOP N SAVE #2	1372 E 14TH ST	E Liquor
(P)	TARGET T2041	5901 DOUGLAS AVE	E Liquor

SPECIAL EVENTS APPLICATIONS

- (Q) GLAZA STUDIO 502 E LOCUST ST Five (5) Day License
Special Class C Liquor License for Salsa Blizzard on January 14, 2012. Pending approval of Fire Department.

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

PUBLIC IMPROVEMENTS

6. [Ordering](#) construction of Des Moines River Regional Trail – Phase 1: Receiving of bids, (1-18-12), Setting date of hearing, (2-13-12), Construction estimate, \$1,800,000.

[\(Council Communication No. 12-010\)](#)

7. [Approving](#) an application to the Iowa Department of Transportation (IDOT) for the “All Town Sign Replacement Program”.

[\(Council Communication No. 12-002\)](#)

8. [Approving](#) Chapter 28E Agreement with Des Moines Metropolitan Wastewater Reclamation Authority for the design, property acquisition and construction of Hawthorne Pump Station, Force Main and Lateral Sewers as part of the WRA New Main Outfall, Phase 17, Segment 5 and 6 Project.

[\(Council Communication No. 12-001\)](#)

9. Accepting completed construction and approving final payment for the following:
 - (A) [SW](#) 8th Street Viaduct over M. L. King Jr. Parkway Rehabilitation, Cramer and Associates, Inc.
 - (B) [Harriet](#) Street Boat Ramp Repair, Jenco Construction Inc.
 - (C) [Pump](#) Station Emergency Power Generation – Phase 2, C. L. Carroll Co., Inc.
 - (D) [SW](#) 7th Street Bridge over Raccoon River Rehabilitation, Cramer and Associates, Inc.
 - (E) [2011](#) Sewer Repair – Contract 3, The Underground Company, Ltd.
 - (F) [Gray's](#) Lake Shoreline Restoration, Sunram Construction, Inc.

LAND/PROPERTY TRANSACTIONS

10. [Approving](#) Amended Special Warranty Deed for conveyance to Kemin Industries, Inc.

[\(Council Communication No. 12-019\)](#)

11. [Establishing](#) fair market value of multiple properties for the Southeast Connector Project – SE 15th Street to SE 23rd Street.

[\(Council Communication No. 12-011\)](#)

BOARDS/COMMISSIONS/NEIGHBORHOODS

12. [Resignation](#) of Nadine Hogate from the Neighborhood Revitalization Board, Seat 10, effective January 9, 2012 and recommendation from Council Member Brian Meyer to appoint Lisa Howard to the Neighborhood Revitalization Board, Seat 10, for a three-year term to expire June 30, 2012, and an additional three-year term expiring June 30, 2015.
13. [Recommendation](#) from Council Member Brian Meyer to appoint Stacie Mitchell to the Housing Appeals Board, Seat 7, for a three-year term commencing March 16, 2010 to expire March 16, 2013.

COMMUNICATIONS FROM PLANNING AND ZONING

14. [Regarding](#) request from Neighborhood Development Corporation for vacation of an irregular portion of E. Hartford Avenue that adjoins 1938 SE 6th Street, subject to reservation of easements for all public utilities in place.
15. Regarding proposed River Bend Local Historic District located generally in the area on both frontages of 9th Street from University Avenue to Hickman Road, the area on both frontages of Oakland and Arlington Avenue between College and Franklin Avenue, and the area north of Franklin Avenue to the Des Moines River between Arlington Avenue and 9th Street:
 - (A) [Plan](#) and Zoning Commission recommendation.
 - (B) [Historic](#) District Commission recommendation.
 - (C) [Setting](#) date of hearing, (1-23-12).

SETTING DATE OF HEARINGS

16. [On](#) conveyance of 1512 13th Street to Home Opportunities Made Easy, Inc. (HOME, Inc.), \$1, (1-23-12).
17. [On](#) sale of 801 University Avenue (former Top Value Grocery Store) to Des Moines Area Community College (DMACC) and CDT Investment, LLC, \$1,200,000, (1-23-12).
18. [On](#) request from SDG Macerich Properties, LP for an amendment to “C-4” Preliminary Development Plan for Southridge Mall, 1111 E. Army Post Rd., to redevelop a portion of the mall in the vicinity of the food court for retail/office/assembly uses accessed from an outdoor plaza on the north side of the mall and a 94,000 square foot area for athletic/fitness/assembly uses on the west side of the mall, subject to conditions, (1-23-12).
19. [On](#) request from Hubbell Realty Company to amend the Summersfield PUD Conceptual Plan on 4605 Hubbell Avenue to define the layout and design of Tract 3 for 20 row home units, (1-23-12).
20. [On](#) request from K G Store 573, LLC for an amendment to the PUD Conceptual Plan for Kum & Go Store at 5830 SE 14th Street to allow for the sale of alcoholic liquor as a permitted use, subject to conditions, (1-23-12).

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

21. Approving payment to Ahlers & Cooney, P.C. for the following:
 - (A) [Consultation](#) services in conjunction with collective bargaining, \$4,983.55.
 - (B) [Representation](#) of the City with respect to general matters through December 21, 2011, \$4,300.50.
 - (C) [Legal](#) services relating to parking revenue refunding, \$634.50.

CITY MANAGER COMMUNICATIONS

22. [Submitting](#) travel and training requests for Daniel Gray and David Jahn.

[\(Council Communication No. 12-012\)](#)

APPROVING

23. [Grant](#) requests to Polk County Housing Trust Fund and Downtown Community Alliance by the Neighborhood Development Division for the Neighborhood Revitalization Program neighborhood planning efforts, \$5,000 each.

[\(Council Communication No. 12-013\)](#)

24. [Submission](#) of application to the Iowa Economic Development Authority for direct financial assistance in the amount of \$120,000 and preliminary approval of a City loan in the amount of \$24,000 to Tactical 8 Technologies, LLC dba T8 Webware.

[\(Council Communication No. 12-017\)](#)

25. [Application](#) to the Iowa Economic Development Authority for Enterprise Zone benefits for the Bloomsbury Apartments and Stewart Park Townhomes, LLLP Rehabilitation Project in the SE Agribusiness Enterprise Zone.

[\(Council Communication No. 12-014\)](#)

26. [Application](#) to the Iowa Economic Development Authority to certify the expansion of the River South Enterprise Zone.

[\(Council Communication No. 12-016\)](#)

27. [Issuance](#) of Certificate of Completion for 3801 LLC (Richard Eychaner, Managing Member) for the redevelopment of 3801 Merle Hay Road.

[\(Council Communication No. 12-015\)](#)

28. [Blank](#) Park Zoo Foundation application for a Vision Iowa Community Attraction and Tourism (CAT) Grant to be used for expenses related to the Africa Exhibit at A. H. Blank Park Zoo and authorizing City Manager to send a letter of support.

[\(Council Communication No. 12-020\)](#)

- (A) [Greater](#) Des Moines Botanical Garden application for a Vision Iowa Community Attraction and Tourism (CAT) Grant to be used for expansion at the Botanical Center and authorizing City Manager to send a letter of support. Sponsor: Council Members Mahaffey and Meyer.

[\(Council Communication No. 12-022\)](#)

29. [Authorizing](#) City Manager to negotiate an agreement with Des Moines Independent Community Public School District, not to exceed three years, for parking in the Ninth and Locust Garage and reduced rates in the Eighth and Mulberry Garage.

30. [Service](#) Agreement for joint maintenance of the Walnut Street Transit Mall between the City, Des Moines Area Regional Transit Authority (DART) and the Downtown Des Moines Self-Supported Municipal Improvement District (SSMID).

31. [Procurement](#) from Office Systems Division Inc. (OSDI) Spacesaver (Dean Sandstoe, President) for KI Spacesaver storage units per National Joint Powers Alliance (NJPA) Contract for use by the Police Department, \$91,521.

[\(Council Communication No. 12-018\)](#)

32. [Exception](#) to the procurement ordinance competitive RFP process requirements for good cause and approving contract with Electric Pump & Tool Services, Inc. (Richard S. Miller, President) for the provision of new pump stations, replacement pumps for existing pump stations, pump repair parts, management of the City's pump repair parts inventory, and for the provision of pump repair services.

[\(Council Communication No. 12-005\)](#)

33. [An](#) increase in FY2011-12 blanket purchase contract for electrical work from Commonwealth Electric Company (David Firestone, President) to provide electrical services to ready the Public Works Supply Yard for winter storm operations, \$95,000.

[\(Council Communication No. 12-007\)](#)

34. ~~Civil Service Entrance List for Plant Field Worker.~~

35. [Authorizing](#) Finance Director to draw checks on registers for weeks of January 9 and 16, 2012; to draw checks for the bills of the Des Moines Municipal Housing Agency for weeks of January 9 and 16, 2012; and to draw checks for biweekly payroll due January 13, 2012.

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

ORDINANCES - FIRST CONSIDERATION

36. [Amending](#) Chapter 114 of the Municipal Code regarding traffic regulation changes as follows:
- (A) 10-hour parking meters on the south side of Grand, west of 13th Street.
 - (B) Removal of special school loading and unloading restrictions on 5th Avenue from Grand Avenue to Locust Street.
 - (C) Parking citations for illegal off-street parking.
 - (D) Extension of existing Loading Zone – south side of 400 block of Watson Powell Jr. Way.
 - (E) Parking restriction due to intersection improvements – north side of Hull Avenue, east of E. 14th Street.
 - (F) Adjustments to the loading and unloading times adjacent to Walnut Street School – west side of 9th Street and east side of 10th Street, north of Walnut to Locust Street.

[\(Council Communication No. 12-004\)](#)

COUNCIL REQUESTS

37. [From](#) Council Member Christine Hensley to discuss exit strategy and permitting policy for Stewart Square Park.

COMMUNICATIONS/REPORTS

38. [From](#) Bob Wessel, 212 University, to speak regarding finances.
39. [From](#) Chet Guinn, 1041 8th Street, to speak regarding changing the name of Nollen Plaza to “Nollen Peace Plaza.”

***Note: If the City Council completes all items above before 5:00 PM, they will skip the Hearing Items, and continue the agenda starting with the next item following the Hearings. At 5:00 PM, they will return to this point in the agenda to consider the Hearing Items and then continue with all the remaining items on the agenda.**

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 40 THRU 43)

40. On conveyance of City-owned property adjoining 700 Locust Street to 0906116 BC Ltd., \$5,000.

[\(Council Communication No. 12-009\)](#)
41. On conveyance of permanent water main easement to Des Moines Water Works for the Grand Avenue over Walnut Creek Bridge Replacement Project.
42. On request from Hue Nguyen to rezone 1435 University Avenue from “R-3” (Multiple-Family Residential) to Ltd. “C-1” (Neighborhood Retail Commercial) to allow for retail development. Plan and Zoning Commission recommends DENIAL. **(Roll Call contains alternatives for Denial or Approval).**
43. On request from Imperial Properties, Inc., to rezone 4141 E. 14th Street from “C-2” (General Retail and Highway Oriented Commercial) to “M-1” (Light Industrial) for a chrome plating operation, **and to continue to April 23, 2012 at 5:00 P.M.**

[\(Council Communication No. 12-021\)](#)

*** END HEARINGS AT _____ PM ***

APPROVING

44. Schedule of Street Cut Restoration Fees, for street restoration work performed by the Public Works Department for 2012, 2013 and 2014.

[\(Council Communication No. 12-006\)](#)
45. Approving a policy to evaluate the removal of existing sidewalks within City Right-of-Way.

[\(Council Communication No. 12-003\)](#)

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. [Setting](#) date of hearing on sale of Southern Meadows site at 2800 SE 8th Street and adjoining parcels and on vacation and conveyance of City-owned property and approving proposed development agreement with Hatch Development Group, LLC, (1-23-12). Sponsor: Council Member Meyer.

MOTION TO ADJOURN.

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