

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

July 11, 2016
4:30 PM

PROCLAMATION – 4:15 PM

Play Ball Week

INVOCATION: Council Member Linda Westergaard

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 42:

***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) | BUBBA SOUTHERN COMFORTS | 200 10TH ST | C Liquor |
| (B) | MAGNOLIA | 1420 LOCUST ST | C Liquor |

RENEWAL APPLICATIONS

- | | | | |
|----------------|---------------------------|-------------------------------|---------------------|
| (C) | AIR LANES | 4200 FLEUR DR | C Liquor |
| (D) | AIRPORT HOLIDAY INN | 6111 FLEUR DR | B Liquor |
| (E) | BEAVERDALE VFW CLUB | 4029 URBANDALE | A Liquor |
| (F) | BLANK GOLF COURSE | 711 COUNTY LINE | C Liquor |
| (G) | BLU | 215 E WALNUT ST | C Beer/Wine |
| (H) | BOWLERAMA | 1313 E DIEHL AVE | C Liquor |
| (I) | COPPER CUP | 207 4TH ST | C Liquor |
| (J) | DES MOINES AMVETS POST #2 | 2818 5TH AVE | C Liquor |
| (K) | EL MERENDEROS | 900 E ARMY POST RD | C Liquor |
| (L) | HOSHI SUSHI LOUNGE | 2314 UNIVERSITY | C Beer/Wine |
| (M) | ISLAS DEL PACIFICO | 1434 DES MOINES ST | C Liquor |

(N)	JASPER WINERY	2400 GEORGE FLAGG	C Native Wine
(O)	JOKERS	216 COURT AVE	C Liquor
(P)	MASTER JACKS	3000 E GRAND AVE	C Liquor
(Q)	NOODLES & COMPANY	5840 DOUGLAS AVE	C Liquor
(R)	ORLONDOS	4337 PARK AVE	C Liquor
(S)	PRINCIPAL FINANCIAL	600 7TH ST	C Liquor
(T)	QUIK TRIP #530	2300 E 14TH ST	C Beer
(U)	SMOKIN' JOES #4	2800 E UNIVERSITY	E Liquor
(V)	SOUTHSIDE TOBACCO	2424 SW 9TH ST	E Liquor
(W)	TEQUILA RESTAURANT	2824 EASTON BLVD	C Liquor
(X)	WAVELAND GOLF COURSE	4908 UNIVERSITY	C Liquor

TRANSFER TO NEW LOCATION

(Y)	ELWELL FAMILY FOOD	3000 E GRAND AVE	C Liquor
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Temporary to the Bill Riley Stage for the National Governor's Association event.

OUTDOOR SERVICE APPLICATIONS

(Z)	HIGH LIFE LOUNGE	200 SW 2ND ST	C Liquor
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Temporary for Mountains vs Midwest (Colorado & Iowa Beers) on July 15 – 16, 2016.

SPECIAL EVENTS APPLICATIONS

(AA)	BEAVERDALE BETTERMENT	4900 HICKMAN RD	Five (5) Day License Special Class C Liquor License (Beer/Wine) for Bluegrass Festival on July 23, 2016.
(BB)	BUDWEISER STAGE	3000 E GRAND AVE	B Beer Fourteen day license for the Iowa State Fair from August 11 – 21, 2016.
(CC)	CHEESE SHOP OF DM	4151 ROLLINS AVE	Five (5) Day License Class B Beer License for an event on July 27, 2016. Pending approval of Fire Department.
(DD)	COWNIE SOCCER COMPLEX	2600 HARTFORD	B Beer Fourteen day license for various events July 24 – August 6, 2016. Pending approval of Fire Department.
(EE)	DES MOINES EMBASSY CLUB	100 E LOCUST ST	Five (5) Day License Class C Liquor License for Ag Careers event on August 3, 2016.
(FF)	HY VEE	519 PARK ST	Five (5) Day License Special Class C Liquor License (Beer/Wine) for a wedding reception on July 30, 2016.
(GG)	IOWA BEEF STEAK HOUSE	1201 E EUCLID AVE	Five (5) Day License Class C Liquor License for bike night on July 19, 2016. Pending approval of Fire and Zoning Departments.

- (HH) IOWA CRAFT BEER TENT 3000 E GRAND AVE B Beer
Fourteen day license for the Iowa State Fair from August 11 – 21, 2016.
- (II) JAZZ IN JULY 1701 6TH AVE Five (5) Day License
Special Class C Liquor License (Beer/Wine) for annual event on July 23, 2016.
Pending approval of Fire Department.
- (JJ) NICKS 1106 ARMY POST Five (5) Day License
Class B Beer License for Classic Car Show on July 29, 2016.
- (KK) NICKS 1106 ARMY POST Five (5) Day License
Class B Beer License for Classic Car Show on July 22, 2016.
- (LL) PARKS AREA FOUNDATION 710 CORNING AVE Five (5) Day License
Class B Beer for Rendezvous on Riverview event on July 29, 2016.
- (MM) TOP OF THE VINE 3000 E GRAND AVE C Beer/Wine
Fourteen day license for the Iowa State Fair from August 11 – 21, 2016.

4-I [Consideration](#) of Class B Liquor License renewal for Holiday Inn Downtown, 1050 6th Avenue.

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

PUBLIC IMPROVEMENTS

6. Ordering construction of the following:

(A) [Municipal](#) Buildings Reroofing – Contract 1: Receiving of bids, (7-26-16), Setting date of hearing, (8-8-16). Construction estimate, \$329,000.

[\(Council Communication No. 16-374\)](#)

(B) [SW](#) 30th Street Curb and Gutter from Park Avenue to Fox Hollow Circle: Receiving of bids, (7-26-16), Setting date of hearing, (8-8-16). Construction estimate, \$224,000.

[\(Council Communication No. 16-377\)](#)

(C) [2016](#) City-Wide PCC Pavement Restoration Program: Receiving of bids, (7-26-16), Setting date of hearing, (8-8-16). Construction estimate, \$450,000.

[\(Council Communication No. 16-365\)](#)

7. [Approving](#) Professional Services Agreement with RDG IA, Inc. d/b/a RDG Planning and Design for design and construction services for City Hall, Armory and Police Station Façade Improvements, not to exceed \$78,022.

[\(Council Communication No. 16-368\)](#)

8. Approving Private Construction Contracts with Corell Contractor, Inc. and Electro Management Corporation for the following:
 - (A) [Sanitary](#) sewer improvements in City Gateway, \$257,443.
 - (B) [Storm](#) sewer improvements in City Gateway, \$78,545.
9. [Communication](#) from contractors requesting permission to sublet certain items on Public Improvement Projects.
10. Accepting completed construction and approving final payment for the following:
 - (A) [Grimes](#) Asphalt and Paving Corporation – Cownie Baseball Facility Parking Lot.
 - (B) [Absolute](#) Concrete Construction, Inc. – Hull Avenue Roadway Improvements at UPRR.

SPECIAL ASSESSMENTS

11. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2016-06.

LAND/PROPERTY TRANSACTIONS

12. [Authorization](#) to proceed with acquisition of the necessary property interests for the Beaver Avenue and Madison Avenue Traffic Signal Repair Project.

[\(Council Communication No. 16-376\)](#)

13. [Establishing](#) fair market value of multiple properties for the McKinley Avenue Widening Project – SE 9th Street to SE 14th Street.

[\(Council Communication No. 16-370\)](#)

14. [Establishing](#) fair market value of property owned by The Community Drama Association of Des Moines at 831 42nd Street for the 42nd Street Streetscape Project.

[\(Council Communication No. 16-369\)](#)

15. [Ingress/Egress Easement](#) in conjunction with an approved sidewalk café adjacent to Big Lar's at 215 E. 2nd Street.

[\(Council Communication No. 16-392\)](#)

16. [Approving](#) assignment of lease by lessee for billboard leases located at 63rd Street, south of Grand Avenue, and west of I-235, south of Ovid Avenue, **continued from June 27, 2016 Council meeting.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

17. [Recommendation](#) from Council Member Joe Gatto to reappoint Jessica Kreho to the Access Advisory Board, Seat 15, for a four-year term commencing June 15, 2015 to expire June 15, 2019.
18. [Recommendation](#) from Council Member Linda Westergaard to appoint Pamela Steffen to the Historic Preservation Commission, Seat 8, for a three-year term commencing October 18, 2013 to expire October 18, 2016 with one additional three-year term to expire October 18, 2019.

SETTING DATE OF HEARINGS

19. [On](#) vacation and conveyance of a portion of east/west alley right-of-way located south of and adjoining 810 26th Street to Rally Cap Properties, LLC for incorporation into adjoining property in order to mitigate existing gravel driveway and garage encroachments, \$100, (7-25-16).
20. [On](#) vacation and conveyance of the east 4.5 feet of 9th Street right-of-way located west of and adjoining 1429 9th Street to Scott A. Slaughter and Todd D. Schroder for incorporation into their property in order to eliminate an existing fence encroachment, \$50, (7-25-16).
21. [On](#) vacation and conveyance of a portion of West Martin Luther King, Jr. Parkway (former Market Street) right-of-way, west of 16th Street and north of West Martin Luther King, Jr. Parkway, to Exile Brewing Company, LLC for surface parking for employees and patrons, \$49,000, (7-25-16).
22. [On](#) the Second Amendment to the Third Restated City-wide Urban Revitalization Plan to amend the construction and sustainability design standards, (7-25-16).

[\(Council Communication No. 16-387\)](#)

23. [On](#) the proposed First Amendment to the Urban Renewal Plan for Fleur Drive Commercial Urban Renewal Area, (8-8-16).

[\(Council Communication No. 16-385\)](#)

24. On the following bond issues:

- (A) [Not](#) to exceed \$33,500,000 General Obligation Refunding Bonds, Series 2016B, (Essential Corporate Purposes), (7-25-16).

[\(Council Communication No. 16-390\)](#)

- (B) [Not](#) to exceed \$5,400,000 Stormwater Management Utility Revenue Bonds, Series 2016C, (current refunding portion), (8-22-16).

[\(Council Communication No. 16-391\)](#)

- (C) [Not](#) to exceed \$9,400,000 Stormwater Management Utility Revenue Bonds, Series 2016C, (new money CIP portion), (8-22-16).

[\(Council Communication No. 16-391\)](#)

- (D) [Not](#) to exceed \$10,900,000 of Stormwater Management Utility Revenue Refunding Bonds, Series 2016D, (8-22-16).

[\(Council Communication No. 16-393\)](#)

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

25. [Approving](#) payment of billing from Duncan, Green, Brown & Langeness on matters related to construction disputes, \$12,673.00.
26. [Approving](#) payment to Scott Seaman for a Workers' Compensation Claim
27. [Approving](#) payment to Joseph Clinton for a personal injury claim.

CITY MANAGER COMMUNICATIONS

28. [Submitting](#) travel and training requests for Brian Joseph, Benjamin McCarthy, Tim Woods and Darlene Blake.

[\(Council Communication No. 16-381\)](#)

APPROVING

29. [Community](#) Development Block Grant (CDBG) funding allocations for 2015 and 2016, receipt of City Manager recommendations for future allocations and authorize the City Manager to execute an agreement with Impact Community Action Partnership.

[\(Council Communication No. 16-383\)](#)

30. [CDBG](#) Project Agreement with 6th Avenue Corridor, Inc. for redevelopment project in the 6th Avenue Corridor at 1714 6th Avenue.

[\(Council Communication No. 16-380\)](#)

31. [Economic](#) Development Assistance Contract with the Iowa Economic Development Authority, Electro Management Corp., and Electrical Power Products, Inc. under the High Quality Jobs Program.

[\(Council Communication No. 16-386\)](#)

32. Support of Workforce Housing Tax Credit Benefit Applications to be submitted to the Iowa Economic Development Authority by the following:

[\(Council Communication No. 16-388\)](#)

(A) [23](#) Ingersoll, LLC for a housing project at 2301 Ingersoll Avenue.

(B) [14](#) Walnut, LLC for a housing project at 1400 Walnut Street.

33. [Metropolitan](#) Planning Organization (MPO) Unified Planning Work Program and budget for Fiscal Year 2016-17 and FY2017 assessment, \$204,220.

[\(Council Communication No. 16-389\)](#)

34. [Professional](#) Services Agreement with Vital Neighborhood Consulting, LLC to provide technical assistance, education, and recommendations for addressing issues of vacant, abandoned and blighted properties.

[\(Council Communication No. 16-382\)](#)

35. [Parking](#) License Agreement with Youth and Shelter Services, Inc. for use of spaces in Fifth and Keo, and Eighth and Mulberry Garages.

[\(Council Communication No. 16-378\)](#)

36. [Issuance](#) of certificate of completion to Artisan Row, LLC for the Artisan Row Project in the 1700 block of Grand Avenue.

37. [Communication](#) of fire escrow being held for 2045 Maple Street.

38. Bids from the following:

(A) [Midwest](#) Safety Counselors (Scott Schoenberger, President) for replacement gas sensors for existing gas detection equipment for use by the six (6) state-wide Weapons of Mass Destruction (WMD)/ SWAT Teams, \$26,130. (Two potential bidders, two bids received).

(B) [Office](#) Depot (Chris McEntee, Regional Vice President) to furnish office supplies for fiscal year 2017 per State of Iowa Contract for use by City Departments, estimated annual cost \$175,000.

[\(Council Communication No. 16-384\)](#)

(C) [Hewlett](#)-Packard Company (Meg Whitman, President) for replacement employee desktop personal computers for fiscal year 2017 per State of Iowa Contract for use by the IT Department, \$75,000.

[\(Council Communication No. 16-364\)](#)

39. [Civil](#) Service Entrance Lists for IT Network Engineer, Senior Public Safety Dispatcher, Truck Driver and Wastewater Operator Specialist.

40. [Authorizing](#) Finance Director to draw checks on registers for the weeks of July 11 and 18, 2016; and to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of July 11 and 18, 2016; and to draw checks for biweekly payroll due on July 22, 2016.

ORDINANCES - FINAL CONSIDERATION

41. [On](#) vacation of segments of street right-of-way in the vicinity of 1628 E. 42nd Street.

ORDINANCES - SECOND CONSIDERATION

42. [Amending](#) Chapter 114 of the Municipal Code submitting traffic regulation changes as follows:

- (A) Revisions regarding the opening of Tuttle Street between SW 9th Street and SW 11th Street.
- (B) Revisions regarding the close of Hull Avenue between Delaware Avenue and Dixon Street.
- (C) Removal of Parking Restriction – north side of Leland Avenue from Airport parking lot driveway to 250 feet east.
- (D) Parking Restriction – south side of E. Maxwellton Drive from 101 E. Maxwellton Drive to 129 E. Maxwellton Drive.
- (E) Final consideration of ordinance above, (waiver request by Council Member Coleman), requires 6 votes.

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

ORDINANCES - FIRST CONSIDERATION

43. [Amending](#) Chapter 114 of the Municipal Code regarding licensing of Pedicabs.

[\(Council Communication No. 16-375\)](#)

COMMUNICATIONS/REPORTS

~~44. From Robert Martin, 2117 36th Street, to speak regarding the function of the City Council and City Clerk Staff.~~

45. [From](#) Patrick Stall, 1310 7th Street, to speak regarding repeated evictions of people camping along the river and on other deserted properties.

APPROVING

46. [Site](#) plan for a QuikTrip Convenience Store at 1200 Keosauqua Way and 1201 Center Street.
([Council Communication No. 16-379](#))
- (A) [Setting](#) date of hearing on an irregular segment of Center Street right-of-way adjoining 1201 Center Street to QuikTrip Corporation, \$18,295, (7-25-16).
47. Discussion and direction to City Staff regarding amendments to the Transient Merchant/Mobile Vendor Ordinance. [English Version](#) [Spanish Version](#)

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 48 THRU 55)

48. [On](#) conveyance of a portion of vacated north/south alley right-of-way located east of and adjoining 1023 25th Street to Christopher H. Draper for \$25.
([Council Communication No. 16-373](#))
49. [On](#) request from Children and Families of Iowa to rezone property at 1011 Park Avenue from “R1-60” (One-Family Low-Density Residential) to Ltd. “C-1” (Neighborhood Retail Commercial) to allow conversion of the existing supervised group residence to professional offices for agency human services staff.
- (A) [First](#) consideration of ordinance above.
- (B) [Final](#) consideration of ordinance above (waiver requested by the applicant), requires six votes.
50. [On](#) request from The Des Moines Community Playhouse for the 1st Amendment to the Des Moines Playhouse PUD Conceptual Plan on property at 831 42nd Street, to allow an elevator corridor addition and new sign allowances, including an additional freestanding monument sign with electronic display.
51. [On](#) Amendment to Lease Agreement with Drake University to add a license allowing installation of a water line across a portion of Prospect Park.

52. On 42nd Street Reconstruction from University Avenue to Forest Avenue: Resolution approving plans, specifications, form of contract document, Engineer's Estimate and designating lowest responsible bidder as OMG Midwest, Inc. d/b/a/ Des Moines Asphalt & Paving (Jeff A. Chapman, General Manager), \$324,355.

[\(Council Communication No. 16-367\)](#)

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

53. On 2016 HMA and PCC Partial Depth Repair Program: Resolution approving plans, specifications, form of contract document, Engineer's Estimate and designating lowest responsible bidder as Hawkeye Paving Corporation (Glen E. Perkins, President), \$955,056.

[\(Council Communication No. 16-366\)](#)

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

54. On Grand Avenue Bridge Over the Des Moines River Replacement: Resolution approving plans, specifications, form of contract document, Engineer's Estimate and designating lowest responsible bidder as Cramer and Associates, Inc. (Robert Cramer, President/CAO), \$9,060,752.68.

[\(Council Communication No. 16-372\)](#)

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

55. Reject all bids on Glendale Cemetery Abbey HVAC and Electrical Upgrades and to close the hearing on the plans, specifications, form of contract documents and Engineer's estimate, (two bids received, both over estimate).

[\(Council Communication No. 16-371\)](#)

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

Motion to adjourn.

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All-America City