

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

January 22, 2018
4:30 PM

INVOCATION: Council Member Bill Gray

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 32:

***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)	SAM & GABES	600 E 5TH ST	C Liquor
(B)	TANGERINE FOOD CO	900 KEO WAY	C Liquor

RENEWAL APPLICATIONS

(C)	300 CRAFT & ROOFTOP	300 W MLK JR PKWY	C Liquor
(D)	AC HOTEL/REPUBLIC	401 E GRAND AVE	B Liquor
(E)	ALBA RESTAURANT	519 DES MOINES ST	C Liquor
(F)	APOSTO	644 18TH ST	C Liquor
(G)	CASEYS #2322	4331 PARK AVE	C Beer
(H)	CHADS CLUB 2000	422 INDIANOLA AVE	C Liquor
(I)	DC MISFITS	607 SE 30TH ST	C Liquor
(J)	DIAMOND JACKS	3000 E GRAND AVE	C Liquor
(K)	FAST MART	1621 UNIVERSITY	E Liquor
(L)	FLYING MANGO	4345 HICKMAN RD	C Liquor
(M)	GIT N GO STORE #29	4900 URBANDALE	C Beer
(N)	GIT N GO STORE #32	2911 DOUGLAS AVE	C Beer
(O)	GUSTO PIZZA CO	1905 INGERSOLL	C Beer/Wine

(P)	HAIKU SUSHI	1315 31ST ST	C Liquor
(Q)	HY VEE #6	420 COURT AVE	E Liquor
(R)	HY VEE MARKET CAFE #6	420 COURT AVE	C Liquor
(S)	HY VEE WINE & SPIRITS	3424 MLK PKWY	E Liquor
(T)	JIFFY #924 *(1)	3718 SW 9TH ST	C Beer
(U)	LIFT *(1)	222 4TH STREET	C Liquor
(V)	MACCABEES DELI & JUDAICA	1150 POLK BLVD	B Wine
(W)	MAD MEATBALL	401 SE 5TH ST	C Liquor
(X)	MARIANAS	1305 UNIVERSITY	B Beer
(Y)	PALMERS DELI & MARKET	2843 INGERSOLL	C Liquor
(Z)	PANCHEROS MEXICAN GRILL	2708 INGERSOLL	B Beer
(AA)	QUINTONS BAR & GRILL	506 E GRAND AVE	C Liquor
(BB)	SAMBETTIS	1430 2ND AVE	C Liquor
(CC)	SNAKE PIT LOUNGE	3100 MCKINLEY AVE	A Liquor
(DD)	TOBACCO OUTLET PLUS #521	3301 E EUCLID AVE	C Beer

SPECIAL EVENT APPLICATION

(EE) WINTER GAMES 520 ROBERT D RAY DR Five (5) Day License
 Class C Liquor License for events on February 8 – 10, 2018.

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

PUBLIC IMPROVEMENTS

6. Ordering construction of the following:

(A) [Court](#) Avenue, SW 1st Street and Scott Avenue Bridge Rehabilitations: Receiving of bids, (2-20-18), Setting date of hearing, (3-19-18). Engineer’s estimate, \$11,133,242.35.

[\(Council Communication No. 18-028\)](#)

(B) [SE](#) 1st and Van Buren Storm Sewer: Receiving of bids, (2-6-18), Setting date of hearing, (2-19-18). Engineer’s estimate, \$1,660,000.

[\(Council Communication No. 18-026\)](#)

(C) [Lower](#) Oak and Highland Park Sewer Separation Phase 2: Receiving of bids, (2-6-18), Setting date of hearing, (2-19-18). Engineer’s estimate, \$3,250,000.

[\(Council Communication No. 18-027\)](#)

7. [Approving](#) renewal of Iowa Department of Transportation (IDOT) Standard Title VI Assurances and Agreement.

[\(Council Communication No. 18-031\)](#)

8. [Approving](#) Change Order No. 4 with Cramer and Associates, Inc. for additional work on the Grand Avenue Bridge over the Des Moines River Replacement, \$80,503.65.

[\(Council Communication No. 18-029\)](#)

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) [City](#)-wide Fixed Time Traffic Signal Upgrade – Phase 2, Hawkeye Paving Corporation.
- (B) [Waveland](#) Golf Course Watershed Improvements and Grading, RW Excavating Solutions, LC.

SPECIAL ASSESSMENTS

11. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2018-01.
12. [Approving](#) deletion of NAC-Emergency Assessment at 2201 E. 12th Street.

LAND/PROPERTY TRANSACTIONS

13. [Approving](#) tax abatement applications for the additional value added by improvements completed during 2017 (89 applications).

[\(Council Communication No. 18-037\)](#)

BOARDS/COMMISSIONS/NEIGHBORHOODS

14. [Approving](#) appointments to the Metro Waste Authority Board of Directors as Primary Member, Josh Mandelbaum and Alternate Member, Bill Gray.
15. [Communication](#) from James Johnson advising of his resignation from the Building and Fire Code Board of Appeals, Seat 15, effective immediately.
16. [Attendance](#) reports for the various City Boards and Commissions from January 1 through December 31, 2017.

SETTING DATE OF HEARINGS

17. [On](#) conveyance of vacated north-south alley right-of-way located west of and adjoining 1540 and 1544 DeWolf Street to NFC Properties, LLC, \$100, (2-5-18).
18. [On](#) conveyance of a Permanent Easement for Sanitary Sewer Facilities and Quitclaim of Interest in Existing Sanitary Sewer Facilities to the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) for the WRA Southern Tier Interceptor, Phase 10, Segments 15-17 Project, (2-5-18).

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

19. [Approving](#) payment to Belin McCormick for representation on environmental issues related to landfills, \$97.50.
20. [Communication](#) from Legal Department concerning settlements made by City Attorney, not exceeding \$5,000.

CITY MANAGER COMMUNICATIONS

21. [Submitting](#) travel and training requests for Gretchen Hays, Shellie Mackel, Kelly Stuhr and Chris Westhoff.

[\(Council Communication No. 18-041\)](#)

APPROVING

22. [Preliminary](#) terms of agreement with Nelson Development LLC for development of a 162-unit multi-family housing project at 110 SE 7th Street.

([Council Communication No. 18-034](#))

23. [Issuance](#) of Certificate of Completion to Eagle View Lofts, LLC for the redevelopment of property located at SE 6th Street and Shaw Street for a multi-family housing project.

24. [Issuance](#) of Final Certificate of Completion for the Cityville on 9th Improvements.

25. [Iowa](#) Department of Natural Resources (IDNR) REAP (Resource Enhancement and Protection) Grant Agreement for Witmer Park Master Plan Improvements.

([Council Communication No. 18-040](#))

26. [Receive](#) and file Quarterly Treasurer's Report as of December 31, 2017.

27. Abatement of public nuisances at the following addresses:

- (A) [3135](#) 7th Street.
- (B) [4535](#) 51st Street.
- (C) [2537](#) ~~Maple Street.~~
- (D) [1900](#) Williams Street.
- (E) [1400](#) ~~E. 14th Street.~~
- (F) [3817](#) ~~Lanewood Drive.~~

28. Bids from the following:

- (A) [Kaldenberg's](#) PBS (Matt Kaldenberg, President) for 300 trees to be planted along various public right-of-way (ROW) locations for use by the Public Works Department, \$82,500. (Thirteen (13) potential bidders, five received).
- (B) [VSS](#) Macropaver (Jeff Reed, President) for one micro surfacing paver for use by the Public Works Department, \$187,975. (Three potential bidders, two received).

- (C) [E.D. Etnyre & Company](#) (Patrick O'Brien, President) for one bituminous distributor for use by the Public Works Department, \$87,926. (Five potential bidders, two received).
- (D) [Jasper Construction Services](#) (Scott Cunningham, President) for Gray's Lake Bridge joint replacement services for use by the Parks & Recreation Department, \$51,265. (Eight potential bidders, two received).
- (E) [Hewlett-Packard Company](#) (Dion Weisler, President) for replacement employee desktop personal computers for the 2018 fiscal year per State of Iowa Contract, additional funding \$50,000.

[\(Council Communication No. 18-035\)](#)

- 29. [Civil](#) Service Entrance Lists for Courier and Assistant Police Property Manager and Promotional List for Police Lieutenant.
- 30. [Authorizing](#) Finance Director to draw checks on registers for the weeks of January 22 and 29, 2018; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of January 22 and 29, 2018; and to draw checks for biweekly payroll due on February 2, 2018.

ORDINANCES - SECOND CONSIDERATION

- 31. [Amending](#) Chapter 2 of the Municipal Code regarding powers and duties of the City Manager.
- 32. [Amending](#) Chapter 78 of the Municipal Code regarding application for a Transient Merchant Premises Permit.
 - (A) [Final](#) consideration of ordinance above (waiver requested by the Community Development Department), requires six votes.

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

ORDINANCES - FIRST CONSIDERATION

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

[\(Council Communication No. 18-032\)](#)

- (A) On-street handicap parking – east side of SW 11th Street, Tuttle Street to Murphy Street.
- (B) Code revisions related to the vacation of City right-of-way in the area bound by Martin Luther King, Jr. Parkway on the north, Maury Street on the south, SE 23rd Street on the east, and the Union Pacific Railroad right-of-way on the west.
- (C) Code corrections – Hull Avenue, E. 14th Street to E. 40th Court.
- (D) Removal of daytime parking restriction – south side of Lyon Street from E. 6th Street to Pennsylvania Avenue.

COMMUNICATIONS/REPORTS

34. [From](#) Tim Lane, representing Iowa WWI Centennial Committee, to speak regarding planting poppies in 2018.

APPROVING

35. [Purchase](#) from Housby Mack Inc. (Kelly Housby, President) per Houston-Galveston Area Council (HGAC) contract and Henderson Products (Jon Sievert, President) per National Joint Powers Alliance (NJPA) contract for eleven (11) replacement truck chassis, plus snow and ice control equipment to be outfitted on nine of the chassis for use by the Public Works Department, \$2,058,834.70.

[\(Council Communication No. 18-033\)](#)

- (A) [Request](#) from Jim O'Halloran to speak on item above.

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 36 THRU 43)

36. On vacation of a portion of Des Moines Street right-of-way adjoining 621 Des Moines Street and conveyance of an easement for building encroachment to Sari D. Bassman, Trustee of the Jerome R. Bassman and Sari D. Bassman Irrevocable Trust dated September 25, 2012, \$5,040.

(Council Communication No. 18-030)

- (A) First consideration of ordinance above.

37. On conveyance of vacated E. Court Avenue located south of and adjoining 3104 E. Court Avenue to Woodrow W. Strait Jr., \$8,215.

(Council Communication No. 18-025)

38. On conveyance of City-owned property at 1637 Huntland Drive to Realty Concepts, LLC for redevelopment of housing.

(Council Communication No. 18-038)

39. On conveyance of a permanent easement for storm sewer right-of-way, pump station, and flood protection levee, on City-owned property at 227 63rd Street to the City of West Des Moines.

- (A) Approving First Amended and Restated Chapter 28E Agreement with the City of West Des Moines for the management, operation, maintenance and security of the Raccoon River and Walnut Creek flood protection improvements.

(Council Communication No. 18-036)

40. On correction of conveyance of vacated alley right-of-way adjoining 4101 Amherst Street and 4112 North Union Street to True Bible Baptist Church, and adjoining 4110 North Union Street to Erik Deiber.

41. On Donation and Concession Agreement for Riverview Park concessions with Parks Area Foundation.

(Council Communication No. 18-039)

- (A) Approving agreement with Polk County Conservation Board and Iowa Department of Natural Resources (DNR) for donation of fill soil at Riverview Park.

(Council Communication No. 18-043)

- (B) Approval of donation agreement with Variety - the Children's Charity of Iowa regarding playground at Riverview Park.

(Council Communication No. 18-042)

42. On request from HOME, Inc. to rezone 210 Watson Avenue from "R1-60" (One-Family Low-Density Residential) to "R-2" (Two-Family Residential) to allow development of a two-family dwelling.

- (A) First consideration of ordinance above.

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

43. On request from HOME, Inc. to rezone 215 Watson Avenue from "R1-60" (One-Family Low-Density Residential) to "R-2" (Two-Family Residential) to allow development of a two-family dwelling.

- (A) First consideration of ordinance above.

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

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

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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