

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

February 5, 2018
4:30 PM

I. CLOSED SESSION – 3:30 PM, Ewing Conference Room 213

- (A) Roll Call.
- (B) Recess, and reconvene in closed session pursuant to Section 21.5, subsection 1, paragraph C, of the Iowa Code, to discuss necessary strategy with counsel in matters that are presently in litigation or where litigation is imminent, where its disclosure would be likely to prejudice or disadvantage the position of the City.
- (C) Closed Session.
- (D) Terminate closed session and reconvene in open session.
- (E) Motion to adjourn.

* * * * *

INVOCATION: Council Member Coleman

- 1. ROLL CALL:
- 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
- 3. APPROVING CONSENT AGENDA * – items 3 through 39:

***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) | FAREWAY STORE #183 | 4313 FLEUR DR | E Liquor |
| (B) | RENAISSANCE DES MOINES | 401 LOCUST ST | B Liquor |

RENEWAL APPLICATIONS

- | | | | |
|-----|----------------------------|------------------|-------------|
| (C) | CASEYS #2244 | 2150 E ARMY POST | C Beer |
| (D) | CASEYS #3518 *(1) | 1907 ARMY POST | E Liquor |
| (E) | CHRISTOPHERS DINING ROOM | 2816 BEAVER AVE | C Liquor |
| (F) | COONEYS TAVERN | 3708 BEAVER AVE | C Liquor |
| (G) | DES MOINES YACHT CLUB *(2) | 2617 INGERSOLL | C Liquor |
| (H) | EL AGUILA REAL *(1) | 3520 BEAVER AVE | C Liquor |
| (I) | GIT N GO STORE #18 *(1) | 6501 SE 14TH ST | C Beer |
| (J) | GIT N GO STORE #23 | 2930 HICKMAN RD | C Beer |
| (K) | GIT N GO STORE #27 | 1240 KEOSAUQUA | C Beer |
| (L) | IOWA TAPROOM | 215 E 3RD ST | C Liquor |
| (M) | LA CRUZ #3 | 3900 E 14TH ST | C Beer |
| (N) | MICHAELS PIZZA | 2629 BEAVER AVE | C Beer/Wine |
| (O) | MICHELLES LOUNGE | 3925 E 14TH ST | C Liquor |
| (P) | REEDS HOLLOW | 2712 BEAVER AVE | C Liquor |

TRANSFER TO NEW LOCATION

- | | | | | |
|-----|--------------------|------------------|----------|---|
| (Q) | ELWELL FAMILY FOOD | 3000 E GRAND AVE | C Liquor | Temporary to the Cattle Barn for the Iowa Beef Expo on February 12 – 18, 2018. |
| (R) | MASTER JACKS | 3000 E GRAND AVE | C Liquor | Temporary to the Walnut Center for Simmental Cattle Association event on February 11, 2018. |

OUTDOOR SERVICE APPLICATION

- | | | | | |
|-----|--------------------|-------------------|----------|------------|
| (S) | GATEWAY MARKET MLK | 2002 WOODLAND AVE | C Liquor | Permanent. |
|-----|--------------------|-------------------|----------|------------|

SPECIAL EVENT APPLICATION

- | | | | | |
|-----|------------------|-------------------|----------------------|---|
| (T) | DRAKE UNIVERSITY | 2505 CARPENTER ST | Five (5) Day License | Special Class C Liquor License (Beer/Wine) for Turner Jazz Concert on February 14 and 17, 2018. |
|-----|------------------|-------------------|----------------------|---|

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

PUBLIC IMPROVEMENTS

6. Ordering construction of the following:

- (A) [Near](#) West Side Sewer Separation Phase 2: Receiving of bids, (2-20-18), Setting date of hearing, (3-8-18). Engineer's estimate, \$3,915,000.

[\(Council Communication No. 18-060\)](#)

- (B) [2018](#) HMA Residential Paving Program: Receiving of bids, (2-20-18), Setting date of hearing, (3-8-18). Engineer's estimate, \$1,300,000.

[\(Council Communication No. 18-053\)](#)

- (C) [59th](#) and 62nd Streets at Douglas Avenue Traffic Signal Replacements: Receiving of bids, (2-20-18), Setting date of hearing, (3-8-18). Engineer's estimate, \$310,000.

[\(Council Communication No. 18-057\)](#)

7. Accepting completed construction and approving final payment for the following:

- (A) [30th](#) Street Sidewalk from Boston Avenue to Urbandale Avenue, Cerebral Group, LLC.

- (B) [Downtown](#) Bicycle Plan Implementation- Phase 2, Jasper Construction Services, Inc.

- (C) [Glendale](#) Cemetery Abbey HVAC and Electrical Upgrades, Central Iowa Mechanical Company.

SPECIAL ASSESSMENTS

8. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2018-02.

9. [Approving](#) deletion of NAC-Emergency Assessment at 2746 Skeies Dr.

10. Number not used.

BOARDS/COMMISSIONS/NEIGHBORHOODS

11. [Recommendation](#) from Council Member Bill Gray to appoint Breanne Barnum to the Urban Design Review Board, Seat 8, for a three-year term commencing June 30, 2016 to June 30, 2019.
12. Recommendation from Council Member Josh Mandelbaum to appoint Anne Pham to the Transportation Safety Committee, Seat 6, for a three-year term commencing December 31, 2017 to December 31, 2020.
13. [Approving](#) appointment to the Neighborhood Finance Corporation (NFC) Board of Directors as Primary Member, Connie Boesen.
14. [Communication](#) from Tim Woods advising of his resignation from the Greater Des Moines Sister Cities Commission, Seat 7, effective February 1, 2018.
15. [Approving](#) six-month suspension of the ACCENT Neighborhood from the list of recognized neighborhoods.

[\(Council Communication No. 18-047\)](#)

COMMUNICATIONS FROM PLANNING AND ZONING

16. [Regarding](#) requests for vacation of right-of-way in the vicinity of 244 and 308 SE 30th Street to allow for assemblage with the adjoining property.
17. [Regarding](#) request from Miesblock Commercial, LLC for vacation of segments of Grand Avenue adjoining 665 Grand Avenue to allow for encroachment of subsurface foundations and projecting entrance canopy and building sunscreens as part of a 3-story commercial building development.

SETTING DATE OF HEARINGS

18. [On](#) vacation of portions of E. 12th Street right-of-way adjoining 623 E. 12th Street and conveyance of a permanent easement for building encroachment and a permanent easement for air space above City-owned property to Capital View Credit Union, \$514, (2-19-18).
19. [On](#) conveyance of a portion of excess City-owned property at 915 College Avenue to CFUM, LLC, \$97,174, (2-19-18).

[\(Council Communication No. 18-044\)](#)

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

20. [Approving](#) payment to Ahlers & Cooney, PC Law Firm regarding legal services, \$180, \$159, and \$4816.50.
21. [Approving](#) payment to Mark Bainter for a workers' compensation claim.
22. [Approving](#) payment to Lance Woods for a workers' compensation claim.
23. [Approving](#) payment for the auto claim of Maria Rubio Gonzalez.
24. [Approving](#) payment for a sewer claim of 216 E. Court, LLC.

CITY MANAGER COMMUNICATIONS

25. [Submitting](#) travel and training requests for Justin Armatis, Benjamin Campbell, Natale Chiodo, Brian Hommer, Mike Houseman Jr, Carrie Kruse, David Ness, Vinnie Quang, Mike Steil, Sara Thies, and Brian Willham.

[\(Council Communication No. 18-066\)](#)

APPROVING

26. [Economic](#) Development Assistance Contract between Accordia Life & Annuity Company and Global Atlantic Financial Company and the Iowa Economic Development Authority (IEDA) and the City of Des Moines Development Agreement.

[\(Council Communication No. 18-048\)](#)

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

28. [Request](#) to Polk County Board of Supervisors to assign tax sale certificates of purchase to the City, authorization for execution of Polk County Agreements, approval of City acquisition of properties through tax deed, authorization to request release of property taxes and special assessments, and release of all City liens and special assessments in order to encourage housing redevelopment at 1311 Laurel Street and 1124 13th Street.

[\(Council Communication No. 18-045\)](#)

29. [Receipt](#) of communication from the Highland Park SSMID Board regarding the recommended budget for the Highland Park Self-Supported Municipal Improvement District (SSMID) for the Fiscal Year commencing July 1, 2018.
30. [Chapter](#) 28E Agreement with the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) for the Storm Sewer and Sewer Separation Improvements for the WRA Eastside Interceptor, Phase 27, Segment 5.

[\(Council Communication No. 18-055\)](#)

31. [Substitution](#) of the insurance attachment to Exhibit E of the first amended and restated Chapter 28E Agreement with West Des Moines, providing for the Management, Operation, Maintenance and Security of the Raccoon River and Walnut Creek Flood Protection Improvements and permanent easement for storm sewer right-of-way, pump station, and flood protection levee.

[\(Council Communication No. 18-069\)](#)

32. [Application](#) to the Prairie Meadows Community Betterment Program for a Water Quality Initiative Targeted Demonstration Watershed Project Grant on City-owned land.

[\(Council Communication No. 18-051\)](#)

33. [Application](#) to the Iowa Department of Agriculture and Land Stewardship (IDALS) for a Water Quality Initiative Targeted Demonstration Watershed Project Grant on City-owned land.

[\(Council Communication No. 18-050\)](#)

34. [Letter](#) of support for Beaver Creek Watershed Management Authority Application to Iowa Department of Natural Resources (DNR) for development of watershed planning grant and authorizing \$5,000 local grant match.

[\(Council Communication No. 18-064\)](#)

35. [Donation](#) agreement with the Community Foundation of Greater Des Moines for partial private funding of the James W. Cownie Sports Complex Signage Improvements.

[\(Council Communication No. 18-063\)](#)

- (A) [Approving](#) exception to request for proposal process for good cause and approving a Professional Services Agreement with Simonson & Associates Architects, LLC for design and construction phase services for the James W. Cownie Sports Complex Signage Improvements, not to exceed \$71,500.

[\(Council Communication No. 18-061\)](#)

36. [Application](#) from Wellmark YMCA requesting approval to place arches at the start and finish lines for the Red Flannel Run, February 10, 2018.

36-I [Revised](#) 2018 City Council Meeting schedule.

37. Purchases from the following:

(A) [Edwards](#) Graphic Arts (James E. Edwards, President) for a twenty-four month (24) contract with three (3) additional one-year renewal options to furnish City Manager newsletter printing services for the Public Information Office, annual estimated cost \$150,000. (Thirteen (13) potential bidders, three received).

(B) [Ennis](#) Traffic Safety Solutions (Steve Vetter, President) for traffic paint per State of Iowa Department of Transportation (IDOT) Contract for use by the Engineering Department, \$60,000.

[\(Council Communication No. 18-052\)](#)

38. [Civil](#) Service Entrance Lists for Wastewater Facility Maintenance Supervisor and Housing Services Application Specialist and Promotional List for Senior Crime Scene Investigator.

39. [Authorizing](#) Finance Director to draw checks on registers for the weeks of February 5 and 12, 2018; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of February 5 and 12, 2018; and to draw checks for biweekly payroll due on February 16, 2018.

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

ORDINANCES - FIRST CONSIDERATION

40. [Amending](#) Chapter 42 of the Municipal Code adding a Type “L” permit under application standards, relating to sound equipment, sound amplifying equipment and construction equipment.

[\(Council Communication No. 18-046\)](#)

(A) [Final](#) consideration of ordinance above (waiver requested by Community Development Director), requires six votes.

COMMUNICATIONS/REPORTS

41. [From](#) Pillars of Promise, represented by Rob Best, to speak regarding the long-term lease and redevelopment of approximately 7 acres of City-owned property located between 9th and 11th Streets and between Jefferson and College Avenues (Site of Grubb YMCA) for a new YMCA facility, non-profit building and recreational fields.

[\(Council Communication No. 18-067\)](#)

APPROVING

42. [Restated](#) Commencement Date Agreement for lease of the East 2nd Street Parking Garage in accordance with the Lease Purchase Agreement with 101 East Grand Parking, LLC and West Bank.

[\(Council Communication No. 18-068\)](#)

43. [Agreement](#) to provide services to the Des Moines Airport Authority and a Memorandum of Understanding regarding the existing lease of real estate to the Des Moines Airport Authority.

[\(Council Communication No. 18-070\)](#)

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 44 THRU 50)

44. [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.
45. [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.

[\(Council Communication No. 18-059\)](#)

46. [On](#) Fifteenth Amendment to the Central Place Industrial Park Redevelopment Program Urban Renewal Plan.

[\(Council Communication No. 18-049\)](#)

- (A) [Reimbursement](#) resolution for tree clearing and undergrowth grubbing services on City-owned redevelopment parcels in Central Place Industrial Park.

[\(Council Communication No. 18-065\)](#)

47. [On](#) 2018 Martin Luther King Jr. Parkway Streetlights Upgrade: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as ABC Electrical Services, LLC (Leroy Claire, President), \$178,370.

[\(Council Communication No. 18-054\)](#)

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

48. [On](#) E. 42nd Street and Hubbell Avenue Intersection Improvements: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Absolute Concrete Construction, Inc. (Matt Triggs, President), \$1,169,224.88.

[\(Council Communication No. 18-058\)](#)

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

49. [On](#) 43rd Street and Crocker Street Sewer Separation: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as J & K Contracting, LLC (Jeremy Feldmann, President), \$884,202.78.

[\(Council Communication No. 18-056\)](#)

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

50. On Skywalk Bridge 6F-7F: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Henkel Construction Company (Gary J. Schmit, President), \$888,750.

(Council Communication No. 18-062)

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

*** 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.

This notice is intended to comply with accessibility requirements of the Americans with Disabilities Act.

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