

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

February 19, 2018
4:30 PM

INVOCATION: Council Member Gatto

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 45:

***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:

RENEWAL APPLICATIONS

(A)	ANNIES IRISH PUB	204 3RD ST	C Liquor
(B)	BARATTAS BLANK PARK ZOO	7401 SW 9TH ST	C Liquor
(C)	BEAVER TAP *(1)	4050 URBANDALE	C Liquor
(D)	CENTERPLATE	1 LINE DR	C Liquor
(E)	CENTRAL CITY LIQUOR * (1)	1460 2ND AVE	E Liquor
(F)	DELLA VITI	425 E GRAND AVE	C Liquor
(G)	GATEWAY MARKET MLK	2002 WOODLAND	C Liquor
(H)	GIT N GO STORE #28	3274 E UNIVERSITY	C Beer
(I)	H & A MINI MART *(1)	5901 FLEUR DR	E Liquor
(J)	HAMPTON INN DM AIRPORT	5001 FLEUR DR	C Beer
(K)	INGERSOLL LIQUOR	3500 INGERSOLL	E Liquor
(L)	PUEBLO VIEJO	3841 E 14TH ST	C Liquor
(M)	RESIDENCE INN DES MOINES	100 SW WATER ST	B Liquor
(N)	SAINTS PUB + PATIO	4041 URBANDALE	C Liquor
(O)	SHOWROOM	4100 MERLE HAY RD	C Liquor
(P)	SIMONS	5800 FRANKLIN AVE	C Liquor
(Q)	THAI FLAVORS	1254 E 14TH ST	C Beer/Wine

- | | | | |
|-----|--------------------------|-----------------|----------|
| (R) | TOBACCO OUTLET PLUS #503 | 400 EUCLID AVE | C Beer |
| (S) | WEST END LOUNGE | 2309 FOREST AVE | C Liquor |
| (T) | WOOLYS | 504 E LOCUST ST | C Liquor |

SPECIAL EVENT APPLICATIONS

- (U) GREAT CATERERS OF IA 519 PARK ST Five (5) Day License
Class C Liquor License for an event on February 23, 2018. Pending approval of Fire Department.
- (V) YOUR PRIVATE BARTENDAR 97 INDIANA AVE Five (5) Day License
Class C Liquor License for an event on February 24 - 25, 2018. Pending approval of Fire Department.

PUBLIC IMPROVEMENTS

- 5. Ordering construction of the following:
 - (A) [2018](#) Skywalk HVAC Replacement: Receiving of bids, (3-6-18), Setting date of hearing, (3-19-18). Engineer's estimate, \$220,000.

([Council Communication No. 18-082](#))
 - (B) [River](#) Bend and King Irving Sewer Separation Phase 1: Receiving of bids, (3-6-18), Setting date of hearing, (3-19-18). Engineer's estimate, \$4,635,000.

([Council Communication No. 18-079](#))
 - (C) [2018](#) Brick Sidewalk Repair and Improvements: Receiving of bids, (3-6-18), Setting date of hearing, (3-19-18). Engineer's estimate, \$400,665.

([Council Communication No. 18-075](#))
- 6. [Approving](#) Supplemental Agreement No. 3 to the Professional Services Agreement with Bolten & Menk, Inc. for 42nd Street Streetscape, not to exceed \$100,701.

([Council Communication No. 18-087](#))
- 7. [Approving](#) Agreement for Cooperative Public Service with Polk County, Iowa for the hot-mix asphalt resurfacing of E. Aurora Avenue and NW Morningstar Drive.

([Council Communication No. 18-086](#))

8. [Approving](#) the Programmatic Agreement for levee system alterations implemented under the Des Moines Levee System, Des Moines and Raccoon Rivers, Iowa, Section 408 Permission Application.

[\(Council Communication No. 18-084\)](#)

9. [Approving](#) and authorizing the execution of the amendment to the Programmatic Agreement with the Iowa Department of Natural Resources (DNR), Iowa State Historical Preservation Office (SHPO), and the Iowa Office of the State Archaeologist regarding the Des Moines Sewer Separation Project.

[\(Council Communication No. 18-080\)](#)

10. [Approving](#) Traffic Calming Concept Plan for E. 25th Street from Euclid Avenue to Guthrie Avenue.

[\(Council Communication No. 18-076\)](#)

11. [Approving](#) Private Construction Contract between Corell Contractor, Inc. and Linden Street Investments LLC for paving improvements in Krause Gateway Center.

12. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects.

SPECIAL ASSESSMENTS

13. [Levying](#) Assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2018-02.

14. [Approving](#) deletion of NAC-Emergency Assessment at 1317 Forest Avenue.

15. [Fixing](#) amount and levying assessments against 2302 Indianola Avenue for costs of Public Works Sewer Repair Schedule No. 2018-01, and providing for payment.

LAND/PROPERTY TRANSACTIONS

16. [Authorization](#) to proceed with acquisition of the necessary property interests for the E. 30th Street over Union Pacific Railroad Bridge Rehabilitation Project.

[\(Council Communication No. 18-085\)](#)

BOARDS/COMMISSIONS/NEIGHBORHOODS

17. [Recommendation](#) from Council Member Connie Boesen to appoint Molly Hanson to the Neighborhood Revitalization Board, Seat 12, for a three-year term commencing June 30, 2017 to June 30, 2020.
18. [Recommendation](#) from Council Member Connie Boesen to appoint Kari Warren to the Neighborhood Revitalization Board, Seat 1, for a three-year term commencing June 30, 2017 to June 30, 2020.
19. [Recommendation](#) from Council Member Connie Boesen to reappoint Naura Heiman-Godar to the Urban Design Review Board, Seat 2, for a three-year term commencing June 30, 2016 to June 30, 2019.
20. [Recommendation](#) from Council Member Connie Boesen to appoint James Trower to the Historic Preservation Commission, Seat 5, for a three-year term commencing October 18, 2016 to October 18, 2019.
21. [Communication](#) from Chad Mason advising of his resignation from the Transportation Safety Committee, Seat 4, effective February 14, 2018.
 - (A) [Recommendation](#) from Council Member Bill Gray to appoint Dave Ferree to the Transportation Safety Committee, Seat 4, for a three-year term commencing December 31, 2015 to December 31, 2018.

SETTING DATE OF HEARINGS

22. [On](#) vacation of portions of the north/south alley lying east of and adjoining 121 12th Street and conveyance of a permanent easement for building encroachment to 12th Street Lofts, LLC, \$3,200, (3-8-18, 8:00 AM)
23. [On](#) 2017 U.S. Department of Housing and Urban Development (HUD) Consolidated Annual Performance and Evaluation Report (CAPER), (3-19-18).
24. [On](#) the proposed Twenty-Second Amendment to the Metro Center Urban Renewal Plan, (4-9-18).

[\(Council Communication No. 18-074\)](#)

25. [On](#) assessment of \$500 penalties to the following liquor license holders for violation of Iowa Alcoholic Beverage Laws, sale to minor, (3-8-18, 8:00 AM).
- (A) Git-N-Go Store # 10, 816 E. Euclid Avenue.
 - (B) Vickie's, 2801 2nd Avenue.
 - (C) Shop-N-Save #1, 2127 M. L King Jr. Pkwy.
 - (D) Tobacco Outlet Plus #503, 400 Euclid Avenue.
26. On items regarding the budget, (3-8-18, 8:00 AM):
- (A) [On](#) consideration of the recommended Capital Improvement Program (CIP) for fiscal years 2018-2019 through 2023-2024.
 - (B) [On](#) amendment to the annual budget for current fiscal year ending June 30, 2018.
 - (C) [On](#) proposed budget for the fiscal year ending June 30, 2019.
27. Items regarding General Obligation Bonds (2018/2019 CIP):
- [\(Council Communication No. 18-093\)](#)
- (A) [Resolution](#) Electing Classifications and procedures for proposed bond projects.
 - (B) [Setting](#) date of hearing on proposition of the issuance of not to exceed \$33,780,000 General Obligation Bonds (for Essential Corporate Purposes) and providing for publication, (3-8-18, 8:00 AM).
 - (C) [Setting](#) date of hearing on proposition of the issuance of not to exceed \$920,000 General Obligation Bonds (for General Corporate Purposes) and providing for publication, (3-8-18, 8:00 AM).
 - (D) [Setting](#) date of hearing on proposition of the issuance of not to exceed \$870,000 General Obligation Bonds (for General Corporate Purposes) and providing for publication, (3-8-18, 8:00 AM).
 - (E) [Setting](#) date of hearing on proposition of the issuance of not to exceed \$830,000 General Obligation Bonds (for General Corporate Purposes) and providing for publication, (3-8-18, 8:00 AM).
 - (F) [Setting](#) date of hearing on proposition of the issuance of not to exceed \$655,000 General Obligation Bonds (for General Corporate Purposes) and providing for publication, (3-8-18, 8:00 AM).

- (G) [Setting](#) date of hearing on proposition of the issuance of not to exceed \$720,000 General Obligation Bonds (for General Corporate Purposes) and providing for publication, (3-8-18, 8:00 AM).
- (H) [Setting](#) date of hearing on proposition of the issuance of not to exceed \$520,000 General Obligation Bonds (for General Corporate Purposes) and providing for publication, (3-8-18, 8:00 AM).
- (I) [Setting](#) date of hearing on proposition of the issuance of not to exceed \$660,000 General Obligation Bonds (for General Corporate Purposes) and providing for publication, (3-8-18, 8:00 AM).
- (J) [Setting](#) date of hearing on proposition of the issuance of not to exceed \$775,000 General Obligation Bonds (for General Corporate Purposes) and providing for publication, (3-8-18, 8:00 AM).
- (K) [Setting](#) date of hearing on proposition of the issuance of not to exceed \$520,000 General Obligation Bonds (for General Corporate Purposes) and providing for publication, (3-8-18, 8:00 AM).

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- 28. [Approving](#) payment to Belin McCormick Law Firm for representation on environmental issues related to landfills, \$195.
- 29. [Approving](#) payment to Kenworthy Law, PC for matters related to construction disputes, \$8,600.
- 30. Number Not Used.
- 31. [Approving](#) payment to Peddicord, Wharton, Spencer, Hook, Barron & Wegman, LLP for representation of former Police Officer Tyson Teut, \$200.

CITY MANAGER COMMUNICATIONS

- 32. [Submitting](#) travel and training requests for Jimmie Bennett, Pa Goldbeck, Laura Graham, Jennifer McCoy, James Remington, Lillie Sams, Nick Schaul, and James Wells.

[\(Council Communication No. 18-094\)](#)

APPROVING

~~33. Urban Renewal Development Agreement with 206 6th Avenue, LLC for the historic renovation and conservation of the Midland Building to a 138 room hotel.~~

34. [Preliminary](#) Terms of Agreement with 207 Crocker, LLC for converting an office building at 207 Crocker Street to a 91-room hotel.

[\(Council Communication No. 18-073\)](#)

35. [Issuance](#) of Certificate of Completion to Neighborhood Development Corporation for the construction of a 50-unit multi-family housing project at 3201 Forest Avenue.

36. [Option](#) to extend Municipal Parking Facilities Management Services Agreement with ABM Parking Services, Inc.

[\(Council Communication No. 18-083\)](#)

37. [Application](#) to the Iowa Department of Natural Resources (IDNR) for a Water Resources Restoration Sponsored Project to fund implementation of rural and urban storm water best management practices.

[\(Council Communication No. 18-090\)](#)

38. [Form](#) of Loan Agreement and authorizing and providing for the issuance of \$44,325,000 General Obligation Refunding Capital Loan Notes, Series 2018A, and levying a tax to pay, and approval of the Tax Exempt Certificate and Continuing Disclosure Certificate.

39. [Release](#) of Fire Escrow at 3634 E. 8th Street.

40. Communication of Fire Escrows being held for the following:

(A) [1656](#) Des Moines Street.

(B) [1805](#) E. 27th Street.

(C) [1412](#) 6th Avenue.

41. Abatement of public nuisances at the following addresses:

- (A) [613](#) Pioneer Road.
- (B) [930](#) 23rd Street.
- (C) [1644](#) 22nd Street.
- (D) [1714](#) Jefferson Avenue.

42. [Grant](#) application for FY2019 Governor’s Traffic Safety Bureau (GTSB), \$202,000.

[\(Council Communication No. 18-092\)](#)

43. [Purchase](#) from Foster Coach Sales Inc. (Steve Foster, President) for three (3) replacement ambulances per Houston-Galveston Area Council (HGAC) Contract for use by the Fire Department, \$858,900.

[\(Council Communication No. 18-091\)](#)

44. [Civil](#) Service Entrance List for Wastewater Operator Specialist.

45. [Authorizing](#) Finance Director to draw checks on registers for the weeks of February 19 and 26, 2018; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of February 19 and 26, 2018; and to draw checks for biweekly payroll due on March 2, 2018.

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

ORDINANCES - FIRST CONSIDERATION

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

- (A) Parking restriction on 48th Street from University Avenue to Franklin Avenue.
- (B) Allow angle parking on E. Hillside Avenue, Murphy Street, E. Shaw Street and 23rd Street to match field conditions.
- (C) Reduction of certain hourly and maximum rates in City-owned parking garages as part of the City’s downtown parking strategy.

[\(Council Communication No. 18-077\)](#)

47. [Amending](#) Chapter 60 of the Municipal Code regarding real estate contract sales inspections.

[\(Council Communication No. 18-089\)](#)

- (A) [Final](#) consideration of ordinance above (waiver requested by the City Manager), requires six votes.

COMMUNICATIONS/REPORTS

48. [From](#) Kevin Foley, Executive Director of the Des Moines International Airport, requesting renaming of streets within the Airport campus.

APPROVING

49. [Appointment](#) of Pamela S. Cooksey as Assistant City Manager.

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 50 THRU 53)

50. [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.

[\(Council Communication No. 18-088\)](#)

- (A) [First](#) consideration of ordinance above.

51. [On](#) conveyance of a portion of excess City-owned property at 915 College Avenue to CFUM, LLC, \$97,174.

[\(Council Communication No. 18-071\)](#)

52. [On](#) SE 1st and Van Buren Storm Sewer: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as S.M. Hentges & Sons Inc. (Steven M. Hentges, President), \$1,368,195.85.

[\(Council Communication No. 18-081\)](#)

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

53. On Lower Oak and Highland Park Sewer Separation Phase 2: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Rognes Corp. d/b/a Rognes Corporation (Warren Rognes, President), \$3,742,750.

(Council Communication No. 18-078)

- (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.

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