INVOCATION: Council Member Joe Gatto

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) IN & OUT MARKET 1829 6TH AVE C Beer
(B) PANKA PERUVIAN 2708 INGERSOLL C Liquor

RENEWAL APPLICATIONS

(C) CASEYS #3518 *(1) 1907 ARMY POST RD E Liquor
(D) DC MISFITS 607 SE 30TH ST C Liquor
(E) DELLA VITI 425 E GRAND AVE C Liquor
(F) GIT N GO STORE #23 2930 HICKMAN RD C Beer
(G) MICHAELS PIZZA 2629 BEAVER AVE C Beer/Wine
(H) SHOWROOM 4100 MERLE HAY RD C Liquor
(I) SNAKE PIT LOUNGE 3100 McKinley Ave A Liquor
(J) TOBACCO OUTLET #503 *(1) 400 EUCLID AVENUE C Beer

TRANSFER TO NEW LOCATION

(K) CAMPBELLS CONCESSIONS 3000 E GRAND AVE B Beer
Temporary transfer to the Paul Knapp Learning Center for Annual Tet Festival on February 16, 2019. Pending approval of Vice Department.
SPECIAL EVENT APPLICATIONS

(G) GATEWAY MARKET MLK  4025 TONAWANDA DR  Five (5) Day License
Class C Liquor License for DSM Westside Chamber Victory Celebration on
February 21, 2019. Pending approval of Building Department.

5. **City** Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits.

PUBLIC IMPROVEMENTS

6. Ordering construction of the following:
   
   (A) **E.** 1st and Market Street Storm Water Pump Station: Receiving of bids, (3-12-19),
   Setting date of hearing, (4-8-19). Engineer’s estimate, $6,600,000.
   
   (Council Communication No. 19-054)

   (B) **County** Line Road Culvert Replacement: Receiving of bids, (2-26-19), Setting date
   of hearing, (3-25-19). Engineer’s estimate, $267,000.
   
   (Council Communication No. 19-051)

   (C) **Gray** Street Concrete Culvert Rehabilitation: Receiving of bids, (2-26-19), Setting
date of hearing, (3-25-19). Engineer’s estimate, $1,220,000.

   (Council Communication No. 19-053)

   (D) **Police** Academy Firing Range HVAC Improvements: Receiving of bids, (2-26-19), Setting
date of hearing, (3-25-19). Engineer’s estimate, $360,000.

   (Council Communication No. 19-057)

   (E) **Riverview** Park Site Improvements: Receiving of bids, (2-26-19), Setting date of
hearing, (3-25-19). Engineer’s estimate, $845,000.

   (Council Communication No. 19-059)

7. **Approving** and authorizing the execution of the Iowa Department of Transportation
(IDOT) Addendum for the Des Moines River Trail, Phase 2: SE 22nd Street to Easter
Lake.

   (Council Communication No. 19-052)
8. **Approving** Supplemental Agreement No. 1 to the Professional Services Agreement with Kirkham Michael & Associates, Inc. for additional design services for Vandalia Road Storm Sewer Improvements, not to exceed $55,000.

   (Council Communication No. 19-050)

9. **Accepting** proposal from MidAmerican Energy Company to remove old street lights and install decorative street lights for 6th Avenue Streetscape – College Avenue to Hickman Road, not to exceed $115,410.65.

   (Council Communication No. 19-055)

10. **Communication** from contractors requesting permission to sublet certain items on public improvement projects.

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

    (A) **South** Union Street Bridge over Middle South Creek Replacement, Herberger Construction Company, Inc.

    (B) **E. 2nd** Street Reconstruction from E. Locust Street to E. Grand Avenue, MPS Engineers, PC d/b/a Kingston Services, PC.

    (C) **2018 ADA Sidewalk Ramp Program- Contract 1**, Ti-Zack Concrete, Inc.

**SPECIAL ASSESSMENTS**

12. **Levying** assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2019-02.

13. **Approving** deletion of NAC-Emergency Assessment at 1528 12th Street.
LAND/PROPERTY TRANSACTIONS

14. Approving applications for tax abatement on improvements made to the sites of the new parking garage at 215 5th Avenue and the new theater building at 475 Court Avenue.

SETTING DATE OF HEARINGS

15. On approval of documents for vacation of a portion of E. Shawnee Avenue right-of-way adjoining 4101 Amherst Street and conveyance of a permanent easement for building encroachment to True Bible Baptist Church, $168, (2-25-19).


17. On request from Home Opportunities Made Easy (HOME), Inc. (purchaser) to rezone property located at 1321 and 1325 Fremont Street from “R1-60” (One-Family Low-Density Residential) to “R-2” (Two-Family Residential) to allow the properties to be combined and to allow development of a two-family dwelling. The property is owned by Community Housing Initiatives, (2-25-19).

18. On request from Des Moines University (owner) to rezone a portion of property located at 3200 Grand Avenue from “R1-80” (One-Family Residential) and Ltd. “R-4” (Multiple-Family Residential) to revised Ltd. “R-4” (Multiple-Family Residential) to remove the current zoning condition stating “There shall be no further extension of parking to serve the use occurring upon the Property into any of the adjoining land zoned to a single family residential district classification,” and allow expansion of the campus for an emergency generator for Ryan Hall and additional surface parking to the southeast, (4-22-19).

19. On the proposed First Amendment to the Southwest Gateway Urban Renewal Plan, (3-11-19).

(Council Communication No. 19-063)


(Council Communication No. 19-061)
21. On items regarding the budget, (3-11-19):

(A) On amendments to the annual budget for current fiscal year ending June 30, 2019.

(B) On proposed budget for the fiscal year ending June 30, 2020.

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

22. Approving payment to Unite Private Networks, LLC for a property claim.


APPROVING


26. First Amendment to Urban Renewal Development with Market District One, LLC (401 SE 6th Street and 400 SE 7th Street, Metro Center Urban Renewal Area).

   (Council Communication No. 19-062)

27. Release of fire escrow at 1656 Des Moines Street.

28. Communication from Downtown Community Alliance, on behalf of the Meredith Corporation, requesting approval for up to 7 banners to be displayed on 7 poles in downtown Des Moines between 18th and 15th Street for Spring 2019.

29. Abatement of public nuisances at the following:

(A) 1044 19th Street.

(B) 814 Olinda Avenue.
30. **Purchase** from Keltek Inc. (Kelly Milligan, CEO) for Police vehicle emergency response equipment per State of Iowa Contract for use by the Police Department, $70,845.90.

   *(Council Communication No. 19-048)*


32. **Authorizing** Finance Director to draw checks on registers for the weeks of February 11 and February 18, 2019; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of February 11 and February 18, 2019; and to draw checks for biweekly payroll due February 15, 2019.

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

**ORDINANCES - FIRST CONSIDERATION**

33. **Amending** Chapter 60 of the Municipal Code regarding the Housing Code.

   *(Council Communication No. 19-060)*

**COMMUNICATIONS/REPORTS**

34. **From** Rita Mason, 2744 Arnold Road, to speak requesting implementation of a weather ordinance for pets left outside and to further define adequate shelter for dogs in the existing ordinance.

35. **From** Brad Podray, 400 Walnut Street, to speak regarding billing after a property is condemned.
HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 36 THRU 41)

36. On approval of documents for conveyance of a License Agreement for a building canopy over 5th Avenue right-of-way and a License Agreement for a private pocket park on City property adjoining 555 5th Avenue, all to LT Associates, LP, for $1,000.

37. Items regarding City-initiated request for property at 3500 Vandalia Road, to allow development of a steel fabrication plant with outdoor storage of materials and finished products:

   (A) Amending the existing PlanDSM: Creating Our Tomorrow Plan future land use designation from Business Park to Industrial.

   (B) Hearing to rezone the property from “M-1” (Light Industrial) to Ltd. “M-2” (Heavy Industrial).

   (C) First consideration of ordinance above.

   (D) Final consideration of ordinance above (waiver requested by the City Manager), requires six votes.

38. On approval of documents for vacation of portions of 27th Street and University Avenue right-of-way adjoining 2650 University Avenue, and of the north/south alley right-of-way between 26th and 27th Street from University Avenue to a point 329 feet to the south and conveyance of said alley and a permanent easement for Air Space above City-owned property and a permanent easement for subsurface building encroachment to Nelson Development 1, LLC for $37,226 and acceptance of a permanent easement for public ingress and egress.

   (A) First consideration of ordinance above.

   (B) Final consideration of ordinance above (waiver requested by the applicant), requires six votes.
39. Items regarding request from Agape Pregnancy Center, (owner) for property at 2008 and 2222 Bennett Avenue, to allow conversion of an existing supervised group residence to a medical and professional counseling office:

(A) **Amending** the existing PlanDSM: Creating Our Tomorrow Plan future land use designation from Low Density Residential to Community Mixed Use.

(B) **Hearing** to rezone the property from “R1-60” (One-Family Low Density Residential) to “C-0” (Commercial-Residential).

(C) **First** consideration of ordinance above.

(D) **Final** consideration of ordinance above (waiver requested by the applicant), requires six votes.

40. **On** Fleur Drive Reconstruction from George Flagg Parkway to Watrous Avenue Phase 1 Northbound Lanes: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Synergy Contracting, LLC (Jesse Rognes, President), $7,388,888.30.

(Council Communication No. 19-056)

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

41. **On** Riverview Park Improvements: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Synergy Contracting, LLC (Jesse Rognes, President), $902,630.

(Council Communication No. 19-058)

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

*** END OF HEARINGS AT ____________ PM ***

MOTION TO ADJOURN.

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