PROCLAMATIONS – 4:15 PM

Homeless Persons’ Memorial Day

Year of the Tree in Des Moines 2020

INVOCATION: Council Member Coleman

1. ROLL CALL:

1-I Naming of Multi-Use Recreational Trail Bridge between Gray’s Lake Park and Gray’s Station Development the Chris and Marcie Coleman Bridge

2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:

3. APPROVING CONSENT AGENDA * – items 3 through 51:

*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) CLIMAXX 216 COURT AVE C Liquor
(B) SCOTTISH RITE PARK  2909 WOODLAND  A Liquor
(C) SETIT ERITREAN RESTAURANT  508 INDIANOLA RD  C Liquor

RENEWAL APPLICATIONS
(D) 801 STEAK & CHOP HOUSE  801 GRAND AVE  C Liquor
(E) A DONG RESTAURANT  1511 HIGH ST  C Beer/Wine
(F) AIR LANES  4200 FLEUR DR  C Liquor
(G) B & B SUPER MARKET  2001 SE 6TH ST  C Beer
(H) BAILEYS PUB N GRUB  918 E EUCLID AVE  C Liquor
(I) CHRISTOPHERS DINING  2816 BEAVER AVE  C Liquor
(J) DES MOINES CLUB  666 GRAND AVE  A Liquor
(K) EASYGO  2723 GRAND AVE  C Beer
(L) GIT N GO STORE #2  1307 ARMY POST RD  C Beer
(M) GOLDEN LAND FOOD MARKET  2740 DOUGLAS AVE  C Beer
(N) HULL AVENUE TAP  834 HULL AVE  C Liquor
(O) HY VEE C-STORE #3  3215 SE 14TH ST  C Beer
(P) KUM & GO #2722  2211 UNIVERSITY  C Beer
(Q) KUM & GO #2731  3104 UNIVERSITY  C Beer
(R) LA TAPATIA  1440 DES MOINES ST  C Beer
(S) LA TAPATIA III  4007 SE 13TH ST  C Beer
(T) LICKETY LIQUOR  2501 HUBBELL AVE  E Liquor
(U) LOS LAURELES  1518 E GRAND AVE  C Liquor
(V) MAINGATE BAR AND GRILL  2956 E GRAND AVE  C Liquor
(W) NOCE  1326 WALNUT ST  C Liquor
(X) NOW OR LATER RESTAURANT  3750 E UNIVERSITY  C Liquor
(Y) PAESANOS PIZZERIA  2804 SW 9TH ST  C Beer/Wine
(Z) PANKA PERUVIAN  2708 INGERSOLL  C Liquor
(AA) PEACE TREE BREWING CO  317 E COURT AVE  C Liquor
(BB) PEGGYS TAVERN  3020 FOREST AVE  C Liquor
(CC) QUIK TRIP #544  3941 SE 14TH ST  E Liquor
(DD) SHOP N SAVE #2  1372 E 14TH ST  E Liquor
(EE) SUPER QUICK 2  1824 HUBBELL AVE  E Liquor
(FF) TANGERINE FOOD CO  900 KEOSAQUA  C Liquor
(GG) TEMPLE THEATER  1011 LOCUST ST  C Liquor
(HH) UNIVERSITY LIBRARY CAFE  3506 UNIVERSITY  C Liquor
(I) WEST END WINES  22 9TH ST  C Liquor
(JJ) W-TAO SUSHI  400 WALNUT ST  C Liquor

SPECIAL EVENT APPLICATIONS
(KK) YOUR PRIVATE BARTENDER  519 PARK ST  Five (5) Day License
Class C Liquor License for an event on January 5, 2020. Pending approval of
Building Department.

(LL) YOUR PRIVATE BARTENDER  504 E LOCUST ST  Five (5) Day License
Class C Liquor License for an event on January 10, 2020. Pending approval of
Building, Electrical and Vice Departments.
4-I **Consideration** of 5-day Class C Liquor License for Des Moines Embassy Club, 100 Locust Street, for a reception dinner on January 11, 2020. Pending approval of Building, Electrical, Fire, Police and Zoning Departments.

5. **City** Clerk to issue Coin Operated Machine Licenses.

PUBLIC IMPROVEMENTS

6. Ordering construction of the following:

   (A) **Weeks** Middle School Park Improvement: Receiving of bids, (1-14-20), Setting date of hearing, (2-10-20). Engineer’s estimate, $917,369.  

   **(Council Communication No. 19-552)**

   (B) **Bell** Avenue Reconstruction from South Union Street to SW 9th Street: Receiving of bids, (1-14-20), Setting date of hearing, (2-10-20). Engineer’s estimate, $1,580,730. 

   **(Council Communication No. 19-542)**

   (C) **3226** University Avenue HVAC Replacement: Receiving of bids, (1-14-20), Setting date of hearing, (2-10-20). Engineer’s estimate, $420,000. 

   **(Council Communication No. 19-540)**

7. **Approving** Professional Services Agreement with Kirkham Michael & Associates, Inc. for Hamilton Drain Storm Water Improvements, not to exceed $1,300,000. 

   **(Council Communication No. 19-545)**

8. **Approving** Professional Services Agreement with Foth Infrastructure and Environment, LLC for Western Ingersoll Sewer Separation, not to exceed $770,070. 

   **(Council Communication No. 19-553)**

9. **Approving** Supplemental Agreement No. 1 to the Professional Services Agreement with Snyder & Associates, Inc. for design and construction phase services for 47th Street and Holcomb Reconstruction, not to exceed $42,500. 

   **(Council Communication No. 19-541)**

10. **Approving** Change Order No. 5 with Jasper Construction Services, Inc. for additional work on Court Avenue, SW 1st Street and Scott Avenue Bridge Rehabilitation, $743,398.21. 

    **(Council Communication No. 19-543)**

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12. Approving completion and acceptance of Private Construction Contracts between the following:

   (A) Corell Contractor, Inc. and Kwik Trip, Inc. for Storm Sewer Improvements at 4101 Hubbell Avenue.

   (B) TK Concrete, Inc. and Des Moines Independent Community School District for Paving Improvements at 5301 Grand Avenue.

   (C) Baker Electric, Inc. and Drake University for Traffic Signal Improvements at 1310 25th Street.

   (D) Fye Excavating, Inc. and Jessen Lodging, Inc. for Storm Sewer Improvements at 1000 Walnut Street.

   (E) Elder Corporation and Rowat Lofts, LLC for Storm and Sanitary Sewer Improvements at 110 SE 7th Street.


   (G) The Underground Company, Ltd. and Solid Ground, LLC for Sanitary Sewer Improvements at Parkside Estates.

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

   (A) 2019 ADA Downtown Sidewalk Ramp Program, Ti-Zack Concrete, Inc.

   (B) Fallen Officer Memorial, GTG Construction, LLC.

   (C) 2018 HMA Residential Paving Program, OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving.

   (D) James W. Cownie Sports Park Signage Improvements, The Samuels Group, Inc.
SPECIAL ASSESSMENTS

14. Levying Assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2019-12.


LAND/PROPERTY TRANSACTIONS


BOARDS AND COMMISSIONS

16-I Approving recommendation from Council Member Gray to appoint Jacob Serfling to the Building and Fire Code Board of Appeals, Seat 11, for the three-year term commencing April 1, 2017 to April 1, 2020.

16-II Approving recommendation from Council Member Westergaard to appoint Lori Bowman to the Access Advisory Board, Seat 13, for a four-year term commencing June 15, 2019 to June 15, 2023.

16-III Approving recommendation from Council Member Coleman to appoint Chase Holm to the Neighborhood Revitalization Board, Seat 6, for a three-year term commencing June 30, 2018 to June 30, 2021.

COMMUNICATIONS FROM PLANNING AND ZONING

17. Regarding City-initiated request to vacate alley right-of-way adjoining 100 E. 2nd Street to allow the Police Department to restrict public access.

18. Regarding City-initiated request to vacate an irregular parcel of excess right-of-way from the E. M. L. King Jr. Parkway project in the vicinity of 1422 Scott Avenue adjoining SE 14th Street, to assemble with adjoining City owned property for redevelopment.

19. Regarding request from Hubbell Realty Company (Eric Bohnenkamp, Officer) for approval of a Preliminary Plat “Grover Woods” in the vicinity of 4500 Hubbell Avenue, to allow subdivision of the property into 84 single-family development lots.
20. **Regarding** request from Annett Holdings, Inc. (Jason Webb, Officer) for vacation of a segment of right-of-way, south of and adjoining the 6101 block of SW Leland Avenue, to allow it to be assembled with the applicant’s property to the south for future commercial development.

**SETTING DATE OF HEARINGS**

21. **On** the proposition of the issuance of not to exceed $32,000,000 General Obligation Refunding Bonds (Series 2020A) for refunding and refinancing certain current outstanding bonds (Essential Corporate Purpose), and providing for publication of notice of the hearing, (1-13-20).

   *(Council Communication No. 19-536)*

22. **On** request from 3750 Grand, LLC (Kate Miller, Officer) to rezone property located at 3750 Grand Avenue from “R-3” (Multiple-Family Residential) and “R1-80” (One-Family Residential) to “PUD” (Planned Unit Development) and to approve the “Thirty Seven Fifty on Grand” PUD Conceptual Plan, to allow for redevelopment of the existing vacant First Church of Christ, Scientist with demolition of a portion and addition of an 8-story, 42-unit residential condominium tower with two levels being indoor parking, with commercial uses on the first floor, (1-13-20).

23. **On** request from Catholic Health Initiatives – Iowa Corporation d/b/a Mercy Medical Center (Sandra Swanson, Officer) for review and approval of a proposed 6th Amendment to the Mercy Medical Center PUD Conceptual Plan on property in the vicinity of 1111 6th Avenue, to allow revision to the campus sign plan, (1-13-20).

**LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS**

24. **Approving** payment to Shuttleworth & Ingersoll Law Firm.


26. **Approving** payment to 3121RF, LLC and K.R.U. LTD, d/b/a Feed Energy to resolve a condemnation dispute.

**CITY MANAGER COMMUNICATIONS**

27. **Submitting** travel and training request for Josh Rhamy.

   *(Council Communication No. 19-524)*
APPROVING

28. Approve and execute amended HOME Investment Partnership Program (HOME) promissory note with Christ the King Housing Services for a project at 5602 SW 9th Street.

(Council Communication No. 19-531)

29. Loan Agreement with Neighborhood Development Corporation (NDC) for acquisition of property at 3615 6th Avenue.

(Council Communication No. 19-557)

30. Second Amended and Restated Parcel Development Agreement with Gray’s Landing Office LLC and Redevelopment Plan for construction of an office building in Gray’s Landing and acknowledging amount of parcel grant allocated to the project.

(Council Communication No. 19-537)

31. Final terms of an Urban Renewal Development Agreement with Terrace Hill 1, LLC for the redevelopment of an 87-room hotel at 2525 Grand Avenue and redevelopment of the 2,100-square foot commercial building at 2515 Grand Avenue.

(Council Communication No. 19-546)

32. First Amendment to Economic Development Assistance Contract with Iowa Economic Development Authority (IEDA) and Crossroads Cold Storage, LLC for the development of property at SE 43rd and Vandalia Road to revise the project completion date to September 30, 2020 and the maintenance period completion date to September 30, 2022.

33. Preliminary Terms of an Urban Renewal Development Agreement with Bridge District Level, LLC for the new construction of a 5-story, 114-unit multi-family housing project in the 300 block of Maple Street.

(Council Communication No. 19-556)

34. Second Amendment to Urban Renewal Development Agreement with Krause Group, LTD. f/k/a Krause Holdings, Inc. and Linden Street Investments, LLC, and Second Amendment to Economic Development Assistance Contract with Iowa Economic Development Authority (IEDA), for the redevelopment of property at 1459 Grand Avenue.

(Council Communication No. 19-534)
35. First Amendment to Urban Renewal Development Agreement with JARCOR, LLC for the Argonne Apartment Building renovation project, 1723 Grand Avenue.

(Council Communication No. 19-533)

36. Preliminary terms of an Urban Renewal Development Agreement with Aust Real Estate, LLC for the historic renovation of the Ferrington Place building at 1201 Keosauqua Way for a commercial development.

(Council Communication No. 19-548)

36-I Approval of advance of funds to the Metro Center Urban Renewal Project for the payment of reimbursement to the Fed Title-23 Land Sales account related to Connolly Lofts property acquisition.

37. First Amendment to Municipal Parking Facilities Management Services Agreement with ABM Parking Services, Inc.

(Council Communication No. 19-535)

38. Acceptance of 2019 Project Safe Neighborhood Grant award from the Office of Drug Control Policy.

(Council Communication No. 19-530)

39. Items regarding Futsal Court at Birdland Sports Park:

(Council Communication No. 19-528)

(A) Amendment to Donation and Construction Agreement with Kick It Forward.

(B) Acceptance of Mini-Pitch System Futsal Court.

40. Amendment of Agreement with Astilbe Morning, LLC for property located at 1124 13th Street and 1311 Laurel Street to extend contract until December 30, 2020.

(Council Communication No. 19-532)

41. Intergovernmental Transfer (IGT) of Public Funds Agreement with the Iowa Department of Human Services (IDHS).

(Council Communication No. 19-555)
42. “Franklin Junior High School” PUD Development Plan for property at 4801 Franklin Avenue, We Can Build It, LC (Jeff Young, Officer).

43. Communication from Downtown Community Alliance, on behalf of the Iowa Caucus Consortium, requesting approval for up to 180 banners to be displayed on 90 poles on Locust Street, Grand Avenue, 8th Street, and 13th Street in downtown and Western Gateway Park, beginning January 2020.

44. Abatement of public nuisances at the following:

   (A) 646 25th Street.
   (B) 217 E. Payton Avenue.
   (C) 1422 22nd Street.
   (D) 400 E. Creston Avenue.
   (E) 805 Lally Street.
   (F) 3307 Linworth Lane.

45. Release of fire escrow for 923 Park Avenue.

46. Communication of fire escrow for 1507 32nd Street.

47. Amendments to the Schedule of Fees for fees imposed by Chapter 134, Zoning Code, and Chapter 135 Planning and Design Code.

48. Purchases from the following:

   (A) Electric Pump (Tom Miller, CEO) as sole area-wide distributor for replacement propeller, shaft, mechanical seal, and miscellaneous components for damaged pump #2 at the MLK pump station located at 420 SW 14th Street for use by the Public Works Department, $99,171.54.

   (Council Communication No. 19-526)

   (B) Family Tree Care (Rick Hanson, Owner) for City-wide hazardous tree removal services for use by the Public Works Department, $74,530. (Six potential bidders, one received).

   (Council Communication No. 19-538)
49. Civil Service entrance list for Engineering Technician and promotional list for Senior Police Officer.

50. Authorizing Finance Director to draw checks on registers for the weeks of December 16, 23 and 30, 2019; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of December 16, 23 and 30, 2019; and to draw checks for biweekly payroll due December 20, 2019 and January 3, 2020.

ORDINANCES - FINAL CONSIDERATION

51. Items regarding amendments to Zoning Ordinance:  

   (A) Final consideration of amendments to Zoning Ordinance.  

   (B) Final consideration of amendments to the Planning and Design Ordinance.  

   (C) Final consideration of amendments to the Citywide Zoning Map.

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

ORDINANCES - FIRST CONSIDERATION

52. Amending Sections 114-1103 and 114-1105 of the Municipal Code, relating to speed limits and parking and parking fines in municipality owned parks.  

   (Council Communication No. 19-525)

53. Amending Chapter 42 of the Municipal Code regarding the noise ordinance.  

   (Council Communication No. 19-527)

   (A) Final consideration of ordinance above (waiver requested by the Community Development Director), requires six votes.
54. Items related to Boards and Commissions:

(Council Communication No. 19-558)

(A) Amending Chapter 2 of the Municipal Code eliminating the Des Moines Music Commission.

(B) Amending Section 2-1046 of the Municipal Code, relating to boards, commissions, committees and agencies relating to appointment of members and qualifications.

(C) Amending Section 42-304 and 42-305 of the Municipal Code by removing Citizen Odor Board and by striking references to the Citizen Odor Board.

55. Amending Chapter 74 of the Municipal Code regarding changes to golf fees and the addition of Terrace Hills Golf Course, now owned by the City of Altoona, to the golf courses eligible for use by annual badge holders.

(Council Communication No. 19-529)

COUNCIL REQUESTS

55-I From Council Member Coleman a request to speak on a variety of items.

APPROVING

56. Appointment of Nickolas Schaul as Interim Finance Director and confirmation as Interim City Treasurer.

57. Revising the PlanDSM: Creating Our Tomorrow Future Land Use Map designation for property in the vicinity of 4560 Hubbell Avenue from Medium-Density Residential to Industrial to allow for development of 7.12 acres of agricultural land designated for residential development to be developed with a building for a training center and equipment and outdoor training site.

58. Number Not Used.

59. Receive and file proposal from JSC Properties, LLC to redevelop the City-owned properties located within the Market District, and directing staff to negotiate details of a redevelopment proposal.

(Council Communication No. 19-554)
60. **Parcel** Development Agreement with Blackacre Development, LLC (A wholly owned subsidiary of Krause Group Real Estate) and River Point West LLC, regarding the construction of a mixed-use development with an outdoor sports and entertainment venue along SW 14th Street, south of Martin Luther King Jr. Parkway.

   (Council Communication No. 19-547)

**HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 61 THRU 70)**

61. **On** issuance of a replacement Quit Claim Deed conveying a portion of vacated Bryant Street right-of-way to Benny Genovese and Diane Marie Renzo.


63. **On** Second Amendment to Service Agreement and Lease with Metro Waste Authority for operation of a program for the collection and processing of yard waste materials to correct a scrivener’s error.

   (Council Communication No. 19-539)

64. **On** conveyance of excess City property south of and adjoining 1530 E. McKinley Avenue to Galinsky Family Real Estate, LLC and Alviv Properties, LLC, $2,960.

65. **On** conveyance of City-owned property at 200 SE 15th Street to Des Moines Industrial, LLC for development of a multi-modal transloading facility within the SE AgriBusiness Urban Renewal Area, $1,434,000.

66. Items regarding Des Moines Transloading facility:

   (A) **Approving** development agreement with Des Moines Area Metropolitan Planning Organization (MPO) for the Des Moines Transloading facility and authorizing contingent assignment and assumption of IDOT Railroad Revolving Loan and Grant Program (RRLGP) Obligations.

   (B) **Authorization** for additional action.
67. **On** SE 9th Street Storm Water Pump Station and Improvements: Resolution approving plans, specifications, form of contract documents, and Engineer’s estimate and designating lowest responsible bidder as Woodruff Construction, LLC (Donald A. Woodruff, President), $8,186,736.62.

   (Council Communication No. 19-550)

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

68. **On** Des Moines Fire Station No. 11: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Rochon Corporation of Iowa, Inc. (Russell Carew, President), $6,129,000.

   (Council Communication No. 19-544)

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

69. **On** River Bend and King Irving Sewer Separation Phase 2B: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Corell Contractor, Inc. (Grant S. Corell, President), $2,706,122.15.

   (Council Communication No. 19-549)

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

70. **On** Waveland Clubhouse Reroofing and Window Repair: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Bergstrom Construction, Inc. (Tom Gorgas, President), $131,400.

   (Council Communication No. 19-551)

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

*** END OF HEARINGS AT ______________ PM ***

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