

**DES MOINES CITY COUNCIL MEETING
City Hall, City Council Chambers
400 Robert D. Ray Drive
Des Moines, Iowa 50309**

**January 13, 2020
4:30 PM**

**Reception 3:30-4:00 PM
Great Hall, 2nd Floor**

**T.M. Franklin Cownie, Mayor
Linda Westergaard, Council Member Ward II
Joe Gatto, Council Member Ward IV
Carl Voss, Council Member At-Large**

Swearing in Ceremony 4:00 PM

INVOCATION: Council Member Gray

1. ROLL CALL:
 - I. Reappointment of the following:
 - (A) [City](#) Manager.
 - (B) [City](#) Attorney.
 - (C) [City](#) Clerk.
 - (D) [Chief](#) Deputy City Clerk and Deputy City Clerk.
 - (E) [Chief](#) Deputy City Attorney, Deputy City Attorneys and Assistant Attorneys.
 - II. [Recommendation](#) of Mayor Cownie for appointment of Joe Gatto as Mayor Pro Tem for Calendar Year 2020.
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 55:

***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)	CASEYS #2786	5150 E 14TH ST	E Liquor
(B)	SCENIC ROUTE BAKERY	350 E LOCUST ST	C Beer/Wine
(C)	WING STOP	521 E 14TH ST	C Beer/Wine

RENEWAL APPLICATIONS

(D)	300 CRAFT & ROOFTOP	300 W MLK JR PKWY	C Liquor
(E)	ALBA RESTAURANT	519 DES MOINES ST	C Liquor
(F)	BEAVER TAP	4050 URBANDALE	C Liquor
(G)	CASEYS #2322	4331 PARK AVE	C Beer
(H)	CASEYS #2641	2849 E EUCLID AVE	C Beer
(I)	CONEY ISLAND #2	3700 SW 9TH ST	B Beer
(J)	DISTRICT	216 COURT AVE	C Liquor
(K)	FAREWAY STORE #183	4313 FLEUR DR	E Liquor
(L)	GIT N GO STORE #24	1142 42ND ST	C Beer
(M)	GIT N GO STORE #27	1240 KEOSAUQUA	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)	HIGHLAND PARK POST NO 374	3712 2ND AVE	A Liquor
(R)	HOLIDAY INN EXPRESS	333 SW 11TH ST	C Beer
(S)	HY VEE FOOD STORE #1	3330 MLK JR PKWY	E Liquor
(T)	JIFFY #924 *(1)	3718 SW 9TH ST	C Beer
(U)	KUM & GO #573	5830 SE 14TH ST	E Liquor
(V)	LA CABANA MEXICAN	1435 ARMY POST RD	C Liquor
(W)	MARIANAS	1305 UNIVERSITY	B Beer
(X)	TARGET T2041	5901 DOUGLAS AVE	E Liquor
(Y)	WAVERLY	2120 INGERSOLL	C Liquor

SPECIAL EVENT APPLICATIONS

(Z)	BARATTAS	519 PARK ST	Five (5) Day License Class C Liquor License for an event on January 31, 2020.
(AA)	VACI	3000 E GRAND AVE	Five (5) Day License Class B Beer License for an event on February 1, 2020.
(BB)	YOUR PRIVATE BARTENDER	504 E LOCUST ST	Five (5) Day License Class C Liquor License for an event on February 1, 2020. Pending approval of Electrical Department.

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

6. [City](#) Clerk to issue Coin Operated Machine Licenses.

PUBLIC IMPROVEMENTS

7. Ordering construction of the following:

- (A) [2020](#) Traffic Signal Replacement Contract 2: Receiving of bids, (1-28-20), Setting date of hearing, (2-24-20). Engineer's estimate, \$600,000.

[\(Council Communication No. 20-021\)](#)

- (B) [2020](#) HMA Resurfacing Program Contract 1: Receiving of bids, (1-28-20), Setting date of hearing, (2-24-20). Engineer's estimate, \$1,900,000.

[\(Council Communication No. 20-020\)](#)

- (C) [16th](#) Street Brick Repair from Day Street to Ascension Street: Receiving of bids, (1-28-20), Setting date of hearing, (2-24-20). Engineer's estimate, \$400,000.

[\(Council Communication No. 20-019\)](#)

- (D) [Des](#) Moines River Simon Estes Amphitheater Floodwall Improvements: Receiving of bids, (2-11-20), Setting date of hearing, (3-9-20). Engineer's estimate, \$400,000.

[\(Council Communication No. 20-013\)](#)

- (E) [Reno](#) Dog Park Improvements: Receiving of bids, (1-28-20), Setting date of hearing, (2-24-20). Engineer's estimate, \$360,000

[\(Council Communication No. 20-024\)](#)

8. [Approving](#) and authorizing the execution of the Iowa Department of Transportation (IDOT) Agreement for the 6th Avenue Streetscape Phase 2: College Avenue to University Avenue.

[\(Council Communication No. 20-023\)](#)

9. [Approving](#) and authorizing the execution of the Iowa Department of Natural Resources Agreement for the Carlisle Trail Connection Project.

[\(Council Communication No. 20-012\)](#)

10. [Approving](#) Professional Services Agreement with Veenstra & Kimm, Inc. for design services for the Western Ingersoll Sewer Separation Phase 2, not to exceed \$350,332.

[\(Council Communication No. 20-027\)](#)

11. [Approving](#) Professional Services Agreement with OPN Architects, Inc. for design and construction services for the Municipal Services Center – Phase 2, not to exceed \$1,381,000.

[\(Council Communication No. 20-014\)](#)

12. Approving completion and acceptance of private construction contracts for the following:

- (A) [Storm](#) Sewer Improvements, 400 SW 7th Street, between McAninch Corporation and SW7 Flats, LLC.
- (B) [Paving](#) Improvements, Grandview Meadows, between Concrete Technologies, Inc. and Bloomfield Acres LLC.
- (C) [Sanitary](#) Sewer Improvements, Grandview Meadows, between Little Kading Construction Company, Inc. and Bloomfield Acres LLC.
- (D) [Storm](#) Sewer Improvements, Grandview Meadows, between Little Kading Construction Company, Inc. and Bloomfield Acres LLC.
- (E) [Storm](#) Sewer Improvements, 665 Grand Avenue, between Elder Corporation and Miesblock Commercial LLC.
- (F) [Sanitary](#) and Storm Sewer Improvements, 7600 Fleur Drive, between Detrick Excavating Inc. and MDBR Properties LLC.
- (G) [Storm](#) Sewer Improvements, 1501 Woodland Avenue, between Elder Corporation and Hoyt Sherman Place Foundation.
- (H) [Sanitary](#) Sewer Improvements, 212 E. 3rd Street, between Elder Corporation and H. Glass Partners, LLC.

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

- (A) [SW](#) 9th Street Rehabilitation from Wall Avenue to Army Post Road, Grimes Asphalt and Paving Corporation.
- (B) [Gray](#) Street Concrete Culvert Rehabilitation, Proshot Concrete, Inc.
- (C) [Storm](#) Drainage Category D Repair Contract 2, TK Concrete, Inc.

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

SPECIAL ASSESSMENTS

15. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2020-01.
16. [Levying](#) assessments for costs of Public Works Sewer Repair Schedule No. 2020-01, 1933 10th Street.
17. [Levying](#) assessments for costs of Public Works Sewer Repair, Schedule No. 2020-02, 1410 6th Avenue.

LAND/PROPERTY TRANSACTIONS

18. [Acceptance](#) of real estate documents from Ryan R. Andreini and Tami L. Andreini for voluntary acquisition of property at 206 E. Hillside Avenue for the Columbus Park Parking Lot Improvements Project.

[\(Council Communication No. 20-025\)](#)

19. [Approving](#) and authorizing execution of grant agreement and cost share obligation, approving Hazard Mitigation Grant Program (HMGP) Administrative Plan, and authorizing voluntary acquisition of property for the FEMA 2019 HMGP Buyout Project, Grant No. DR-4386.

[\(Council Communication No. 20-028\)](#)

BOARDS/COMMISSIONS/NEIGHBORHOODS

20. [Appointing](#) Linda Westergaard as the Public Official and Robert Mahaffey as the Senior Representative to the Aging Resources of Central Iowa Board of Directors.
21. [Recommendation](#) to appoint Connie Boesen as representative to the Riverwalk Development Authority.
22. [Recommendation](#) from Council Member Gatto to appoint Dave D. Dykstra to the Building and Fire Code Board of Appeals, Seat 7, for the term expiring April 1, 2021.
23. [Recommendation](#) from Mayor Cownie to appoint Alec Quijano to the Civil Service Commission, Seat 3, for the term expiring April 1, 2022.

24. [Recommendation](#) from Mayor Cownie to appoint Juan Carlos Cadenillas to the Des Moines Civil and Human Rights Commission, Seat 1, for the term expiring April 1, 2021.
25. Accepting resignations from the Transportation Safety Committee for the following:
 - (A) [James](#) H. Windsor, III, Seat 3, effective immediately.
 - (B) [Carl](#) Voss, Seat 7, effective immediately.
26. [Communication](#) from David Courard-Hauri advising of his resignation from the Plan and Zoning Commission, Seat 2, effective immediately.
- 26-I [Recommendation](#) from Mayor Cownie to appoint the primary and alternate representatives to the Wastewater Reclamation Authority Management Agency from January 1, 2020 to December 31, 2020 term.
- 26-II Approving Appointments to the following:
 - A. [Appointing](#) Mayor T.M. Franklin Cownie to the Greater Des Moines Convention and Visitors Bureau Board of Directors, replacing Chris Coleman.
 - B. [Appointing](#) Carl Voss to the Blank Park Zoo Foundation Board of Directors replacing Chris Coleman.
 - C. [Reappointing](#) Connie Boesen to the Bravo Greater Des Moines Board of Directors.
 - D. [Appointing](#) Josh Mandelbaum as Primary Member to the Neighborhood Finance Corporation (NFC) Board of Directors.
 - E. [Appointing](#) Joe Gatto and Bill Gray as the Primary and Alternate Members to the Metro Waste Authority (MWA).
 - F. [Appointing](#) Carl Voss to the Invest DSM Board replacing Chris Coleman.
 - G. [Appointing](#) Connie Boesen to the Metropolitan Advisory Council (MAC) replacing Chris Coleman.
 - H. [Appointing](#) Josh Mandelbaum to the Greater Des Moines Partnership Board of Directors.

COMMUNICATIONS FROM PLANNING AND ZONING

27. [Regarding](#) City-initiated request to vacate a segment of E. Market Street from E. 14th Street to E. 18th Street in the vicinity of 1605 E. Market Street, to assemble with adjoining City-owned property for redevelopment.
28. [Regarding](#) City-initiated request to vacate a segment of E. 15th Street from E. M.L. King Jr. Parkway to E. Market Street in the vicinity of 200 SE 15th Street, to assemble with adjoining City-owned property for redevelopment.
29. Items requested by Bridge District II, LLC (Kris Sadoris, Officer) for 220 Maple Street:
 - (A) [Receive](#) and file communication from Plan and Zoning Commission regarding approval of the Preliminary Plat “Level” to allow Outlot C of Bridge District Plat 2 to be re-platted as a development lot.
 - (B) [Approval](#) of a PUD Development Plan for “Level” to allow development of a 5-story, 121-unit multiple-family dwelling with 53 indoor parking spaces and 153 surface off-street parking spaces.

SETTING DATE OF HEARINGS

30. [On](#) vacation of alley right-of-way north of and adjoining 100 E. 2nd Street, (1-27-20).
31. [On](#) vacation of excess E. Martin Luther King, Jr. Parkway right-of-way adjoining 1422 Scott Avenue for assemblage with City-owned property for future redevelopment, (1-27-20).
32. [On](#) conveyance of vacated alley right-of-way north of and adjoining 2714 Scott Avenue to William and Elizabeth Tornquist for assemblage with their residential parcel, \$25, (1-27-20).
33. [On](#) conveyance of excess City-owned property east of and adjoining 601 Kenyon Avenue to McKayla D. Sloan and Caleb Sloan for assemblage with their residential parcel, \$100, (1-27-20).

34. [On](#) conveyance of excess City-owned property at 2412, 2500, 2504, 2508 and 2512 George Flagg Parkway to Des Moines Water Works, (1-27-20).
35. [On](#) City-initiated request to rezone 3200 and 3212 SW 9th Street and 930 Park Avenue from “C-1” (Neighborhood Retail Commercial) and “R1-60” (One-Family Low-Density Residential) to “PUD” (Planned Unit Development) and on request from Casey’s (Marni Beck, Officer) for approval of PUD Conceptual Plan to allow for redevelopment of the existing 21,664-square foot general food sales store with a 4,817-square foot gas station/convenience store to include sales of wine and beer and a pump island canopy with 14 fueling locations, (1-27-20).
36. [On](#) exchange of real property with HRC NFS I, LLC for property located south of Martin Luther King, Jr. Parkway between SW 11th Street and SW 16th Street, (1-27-20).

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

37. [Approving](#) payment to Ahlers & Cooney, PC Law Firm regarding legal services.
38. [Approving](#) payment to James Miller.
39. [Communication](#) from Legal Department concerning settlements made by City Attorney, not exceeding \$5,000.

CITY MANAGER COMMUNICATIONS

40. [Submitting](#) travel and training request for T.M. Franklin Cownie.

[\(Council Communication No. 20-007\)](#)

APPROVING

41. [Corrected](#) First Amendment to Urban Renewal Development Agreement with Jarcor, LLC.
42. [Sponsorship](#) of an application for financial assistance to the Iowa Economic Development Authority (IEDA) under the High-Quality Jobs Program for Fidelity & Guaranty.

[\(Council Communication No. 20-018\)](#)

43. [First](#) Amendment to Urban Renewal Agreement with Nelson Development 1, LLC to purchase and develop City-owned property at 418 E. Grand Avenue in the Metro Center Urban Renewal Area.

[\(Council Communication No. 20-003\)](#)

- 43-I [City](#)-initiated request to rezone property in the vicinity of 200 SE 15th Street, 350 SE 18th Street and 302 SE 18th Street.

44. Grant and sponsorships for the following:

[\(Council Communication No. 20-016\)](#)

- (A) [\\$40,000](#) grant to Polk County for the implementation of a welcoming center for foreign born populations in the greater Des Moines area.
- (B) [\\$50,000](#) to the Golf Charitable Foundation of Greater Des Moines for a sponsorship of the 2020, 2021 and 2022 Principal Charity Classic.
- (C) [\\$50,000](#) to Catch Des Moines for a sponsorship of the 2020, 2021 and 2022 Ironman hosted events.

45. [\\$20,000](#) funding to Polk Soil and Water Conservation District to support water quality monitoring in Fourmile Creek and Walnut Creek Watersheds.

[\(Council Communication No. 20-011\)](#)

46. [Receipt](#) of Des Moines Water Works budget for calendar year ending December 31, 2020.

47. [Agreement](#) for the shared use and fees for golf badges at City of Des Moines Golf Courses, Jester Park Golf Course and Terrace Hills Golf Course with Polk County Conservation Board, City of Altoona, C Corporation and CS Corporation.

[\(Council Communication No. 20-002\)](#)

48. [Sale](#) of plaques for placement on the Chris and Marcie Coleman Multi-Use Recreational Trail Bridge to raise funds for Parks and Recreation Department Youth Sports Scholarship Program.

49. [Acceptance](#) of the 2019 Justice Assistance Innovation Grant (JAG) award through the Office of Drug Control Policy, \$37,500.

[\(Council Communication No. 20-005\)](#)

50. Abatement of public nuisances at the following:

- (A) [1727](#) Mondamin Avenue.
- (B) [2612](#) E. Elm Street.
- (C) [804](#) E. 26th Street.
- (D) [631](#) SE 27th Court.
- (E) [2815](#) 2nd Avenue.
- (F) [3236](#) N. Union Street.
- (G) [845](#) E. 24th Court.
- (H) [509](#) E. 16th Street.
- (I) [4115](#) 8th Place.
- (J) [2020](#) 10th Street.
- (K) [3109](#) Woodland Avenue.

51. Approving purchases from the following:

- (A) [Concrete](#) Repair for Structures (Greg Meinders, Owner) for an annual contract with four (4) additional one-year renewal options to furnish masonry block and brick wall repair services on an as needed basis for City owned buildings for use by the City Manager's Office Facilities Management Division, estimated annual cost \$100,000, with price increases complying with agreement. (Fourteen (14) potential bidders, one received).
- (B) [Crow](#) Tow, Inc. (Randy Crow, President) for a 36-month contract with one (1) additional 36-month renewal option to furnish vehicle towing and impoundment services for use by the Police Department, estimated annual cost \$30,000. (Nine potential bidders, two received).

[\(Council Communication No. 20-004\)](#)

- (C) [Beautiful](#) Lawns by Long’s LLC (Brandon Long, Owner), A Cut Above Lawncare & Landscape, LLC (Brian Steinfeldt, Owner), Stamper Lawn Care (Cody Stamper, Owner), ADA Mowing (Joel Huggins, Owner) and Devig Services (Taylor Devig, Owner) for a two (2) year contract with three (3) additional one-year renewal options to furnish citywide mowing, trimming and litter removal services for use by the Parks and Recreation Department, estimated annual cost \$752,336. (Fifty-one (51) potential bidders, seven received).

[\(Council Communication No. 20-001\)](#)

- (D) [Ziegler](#) CAT Inc. (William Hoeft, President) for a compact track loader with cold planer per Sourcewell Cooperative Contract for use by the Fleet Services Division, \$106,395.10.

[\(Council Communication No. 20-008\)](#)

- (E) [LEEDS](#) (John S. Crouch, Owner) sole-source provider for a Firearms Comparison Microscope for use by the Police Department, Justice Assistance Innovation Grant (JAG) Grant funding \$77,140.

[\(Council Communication No. 20-006\)](#)

- (F) [ABM](#) Equipment & Supply (Ron Zimmer, President) for the replacement and installation of two (2) forestry chipper box bodies and one (1) additional forestry aerial lift with chipper box body per State of Minnesota Purchasing Contract for use by the Fleet Services Division, \$189,615.

[\(Council Communication No. 20-009\)](#)

- (G) [Foster](#) Coach Sales, Inc. (Steve Foster, President) for two (2) Type 1 replacement ambulances with two (2) Stryker Power Load Systems per Houston Galveston Area Council (HGAC) Contract for use by the Fire Department, \$599,500.

[\(Council Communication No. 20-010\)](#)

- 52. [Civil](#) Service Entrance lists for Enterprise Application Analyst, Human Rights Specialist, Senior Budget Analyst and Senior Construction Inspector.
- 53. [Authorizing](#) Finance Director to draw checks on registers for the weeks of January 13 and 20, 2020; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of January 13 and 20, 2020; and to draw checks for biweekly payroll due January 17, 2020.

ORDINANCES - SECOND CONSIDERATION

- 54. [Amending](#) Sections 114-1103 and 114-1105, relating to speed limits and parking and parking fines in municipality owned parks.
- 55. [Amending](#) Chapter 42 of the Municipal Code regarding the noise ordinance.

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

COUNCIL REQUESTS

- 56. ~~[From](#) Council Members Gray and Mandelbaum to speak regarding billboards.~~
- 56-I [From](#) Council Members Gatto and Boesen to speak regarding Runoff Election.

APPROVING

- 57. [Request](#) from Coluzzi Construction, LLC (Mitch Coluzzi, Officer) for an appeal of the administrative and Plan and Zoning Commission denial of a Plat of Survey submitted for property in the 5600 block of SE 27th Street, currently described as Outlot Y in Prairie Hills Des Moines Plat No. 1.

[\(Council Communication No. 20-017\)](#)

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 58 THRU 63)

- 58. [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. The building would have first floor commercial uses.
 - (A) [First](#) consideration of ordinance above.
 - (B) [Final](#) consideration of ordinance above (waiver requested by Kate Miller, Project Manager), requires six votes.

59. 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).

(A) Authorization for additional action.

60. 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.

61. On E. 30th Street Bridge Rehabilitation Over UPRR: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Cramer and Associates, Inc. (Robert Cramer, President/CAO), \$8,168,859.12.

(Council Communication No. 20-015)

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

62. On 42nd Street Reconstruction from Grand Avenue to Pleasant Street: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Grimes Asphalt and Paving Corporation (Kurt Rasmussen, President), \$616,036.38.

(Council Communication No. 20-022)

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

63. On Market District Sanitary Sewer and Force Main: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as MPS Engineers, PC d/b/a Kingston Services, PC (Umesh G. Shetye, President), \$3,396,233.50.

(Council Communication No. 20-026)

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

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

MOTION TO ADJOURN.

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