

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

January 27, 2020
4:30 PM

PROCLAMATIONS - 4:15 PM

Drake Bulldog

Human Trafficking Prevention and Awareness Month

INVOCATION: Council Member Gatto

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 34:

***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) | APOSTO | 644 18TH ST | C Liquor |
| (B) | CASEYS #2244 | 2150 E ARMY POST | C Beer |
| (C) | CHRISTOPHERS DINING ROOM | 2816 BEAVER AVE | C Liquor |
| (D) | DES MOINES YACHT CLUB *(1) | 2617 INGERSOLL | C Liquor |
| (E) | DIAMOND JACKS | 3000 E GRAND AVE | C Liquor |
| (F) | FAST MART | 1621 UNIVERSITY | E Liquor |
| (G) | FLYING MANGO | 4345 HICKMAN RD | C Liquor |
| (H) | GIT N GO STORE #18 *(1) | 6501 SE 14TH ST | C Beer |
| (I) | GIT N GO STORE #29 | 4900 URBANDALE | C Beer |
| (J) | HY VEE FOOD STORE #6 | 420 COURT AVE | E Liquor |
| (K) | HY VEE MARKET CAFE #6 | 420 COURT AVE | C Liquor |
| (L) | IOWA TAPROOM | 215 E 3RD ST | C Liquor |

- (C) [Near](#) West Side Sewer Separation Phase 4: Receiving of bids, (2-11-20), Setting date of hearing, (3-9-20). Engineer's estimate, \$8,120,000.

[\(Council Communication No. 20-032\)](#)

- (D) [Ingersoll](#) Avenue Streetscape from M.L. King Jr. Parkway to 24th Street (north side): Receiving of bids, (2-25-20), Setting date of hearing, (3-9-20). Engineer's estimate, \$2,680,000.

[\(Council Communication No. 20-031\)](#)

8. [Authorization](#) to submit a Revitalize Iowa's Sound Economy (RISE) grant application to the Iowa Department of Transportation (IDOT) for the Des Moines Airport Authority's Cowles Drive Reconstruction Program.

[\(Council Communication No. 20-033\)](#)

9. [Approving](#) completion and acceptance of private construction contract for Bridge District, located in E. 2nd, E. 4th and Maple Streets, between McAninch Corporation and Bridge District II, LLC.

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

(A) [MacRae](#) Park Road Reconstruction Phase 2, TK Concrete, Inc.

(B) [E. McKinley Avenue](#) Reconstruction from SE 7th Street to SE 14th Street with Access Bridge, Corell Contractor, Inc.

SPECIAL ASSESSMENTS

11. [Levy](#) Assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2020-01.

LAND/PROPERTY TRANSACTIONS

12. [Acceptance](#) of Letter of Credit and approval of final subdivision plat for the Village at McKinley Acres Final Plat, in the vicinity of 3401 McKinley Avenue.

[\(Council Communication No. 20-037\)](#)

13. [Approving](#) final subdivision plat of the Village at Gray's Lake Final Plat, in the vicinity of 2500 Fleur Drive.

[\(Council Communication No. 20-038\)](#)

BOARDS/COMMISSIONS/NEIGHBORHOODS

14. [Communication](#) from Greg Lewis advising of his resignation from the Neighborhood Revitalization Board, Seat 10, effective immediately.

SETTING DATE OF HEARINGS

15. [On](#) request from ND Drake Multifamily, LLC (Michael Nelson, Officer) to amend the existing PlanDSM: Creating Our Tomorrow Plan future land use designation and rezone property at 2530 University Avenue and 1157, 1159 and 1161 26th Street from MX1 (Mixed Use) and N5 (Neighborhood) to MX2 (Mixed Use) to allow for a 4-story mixed-use building with 136 household units and 6,000 square feet of ground floor retail/office use, (2-10-20).
 - (A) [Communication](#) from Plan and Zoning Commission on vacation of north/south alley right of way.
16. [On](#) request from Jeff and Tonya Nicholson d/b/a P&P Small Engines to amend the existing PlanDSM: Creating Our Tomorrow Plan future land use designation and rezone property located at 905 and 909 E. 27th Street and 916 and 917 E. 27th Court from N3c (Neighborhood) to Limited MX3 (Mixed Use), (2-10-20).
17. [On](#) request from Lucky Gal I, Inc. (Chris Pruisner, Officer) to rezone 3104 SW 9th Street from RX1 (Mixed Use) to Limited MX1 (Mixed Use) to allow use of the building for an amusement arcade (Sports and Recreation, Private/Participant - Indoor) use, (2-10-20).
18. [On](#) proposed amendments to the approved Zoning Ordinance in Chapter 134 of the City Code relating to Lodging – Short-Term Commercial Rental uses, non-conforming uses, separation distance requirements for Eating and Drinking Places – Bars uses in a MX2 (Mixed Use), and regarding proposed amendments to the approved Zoning Map relating to portions of Legacy PUD Districts that are erroneously shown as Flood Districts, (2-10-20).
19. [To](#) adopt a resolution establishing the total maximum property tax dollars certified for levy for the fiscal year ending June 30, 2021, (2-10-20).

APPROVING

20. [Corrective](#) Second Amended and Restated Parcel Development Agreement with Gray's Landing Office LLC.
21. [Amended](#) Conceptual Development Plan for commercial and residential development by Des Moines Griffin Building, LLC at 319 7th Street.

[\(Council Communication No. 20-042\)](#)

22. [Subordination](#) Mortgage Agreement for rehabilitation of 1345 7th Street under the Blighted Property Rehabilitation Program (BPRP).

[\(Council Communication No. 20-040\)](#)

23. [Parking](#) License Agreement with the United States General Services Administration.
24. [Renewal](#) of Concession Agreement with Port of Des Moines, LLC (Michael LaValle, Manager) for the Hub Spot.

[\(Council Communication No. 20-041\)](#)

25. [Directing](#) the advertisement for sale of \$29,525,000 General Obligation Refunding Bonds, Series 2020A, and approving Electronic Bidding Procedures and [Official Statement](#) (bonds will be sold at 10:00 AM on February 12, 2020 and a Special Council meeting will be held at 4:30 PM).
26. [Receive](#) and file the Comprehensive Annual Financial Report (CAFR) for Fiscal Years (FYs) ending June 30, 2019, June 30, 2018 and June 30, 2017.

[\(Council Communication No. 20-036\)](#)

27. [Receive](#) and file Quarterly Treasurer's Report as of December 31, 2019.

28. [Amendments](#) to the Schedule of Fees imposed by Chapter 60, Housing Code.

[\(Council Communication No. 20-039\)](#)

29. Abatement of public nuisances at the following:
 - (A) [1704](#) 24th Street.
 - (B) [211](#) Leach Avenue.
 - (C) [3810](#) 2nd Avenue.
 - (D) [2917](#) 2nd Avenue.
 - (E) [1500](#) Douglas Avenue.
 - (F) [5660](#) SE 19th Street.
 - (G) [4914](#) SW 8th Street.
 - (H) [909](#) E. 28th Street.
 - (I) [1602](#) Martin Luther King Jr. Parkway.
30. [Purchase](#) from Interstate Power Systems (Travis Penrod, President), which was approved on July 12, 2017 for Standby Generator Maintenance and Repair Services at various City-wide buildings for use by the Facilities Operations Division, additional \$50,000.
- 30-I. [Accept](#) and approve the overall lowest compliant bid for sign making services as submitted by Vulcan Signs (Thomas Lee, President) at a total annual estimated cost of \$50,000 for use by Traffic and Transportation Division and other city departments.
31. [Civil](#) Service entrance lists for HVAC Technician and Wastewater Gas and Power Systems Specialist.
32. [Authorizing](#) Finance Director to draw checks on registers for the weeks of January 27 and February 3, 2020; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of January 27 and February 3, 2020; and to draw checks for biweekly payroll due January 31, 2020.

ORDINANCES - FINAL CONSIDERATION

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

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

ORDINANCES - FIRST CONSIDERATION

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

[\(Council Communication No. 20-034\)](#)

- (A) Proposed parking restriction – E. Pleasant View Drive between South Union Street and SE 5th Street.
- (B) Proposed commercial loading zone – 1150 Polk Boulevard.
- (C) Code modification related to one-way to two-way conversion of Pennsylvania Avenue from E. Locust Street to E. Grand Avenue.

COUNCIL REQUESTS

- 35-I. [Request](#) to speak from Council Member Josh Mandelbaum regarding gun violence prevention.

COMMUNICATIONS/REPORTS

36. [Request](#) to speak from Kari Carney, 3850 Merle Hay Road, regarding Annual Report from the Des Moines Citizen’s Taskforce on sustainability.
37. [Request](#) to speak from Spencer Burton, 4324 Forest Avenue, for support of a full time Sustainability Director and a sense of urgency to take action on climate.

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 38 THRU 44)

38. [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.
- (A) [First](#) consideration of ordinance above.
39. [On](#) vacation of alley right-of-way north of and adjoining 100 E. 2nd Street.
- (A) [First](#) consideration of ordinance above.
40. [On](#) conveyance of excess City-owned property between 2412, 2500, 2504, 2508 and 2512 George Flagg Parkway to Des Moines Water Works.

41. [On](#) conveyance of excess City property east of and adjoining 601 Kenyon Avenue to McKayla D. and Caleb Sloan for assemblage with their residential parcel, \$100.
42. [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.
43. Items regarding 3200 and 3212 SW 9th Street:
 - (A) [Amend](#) the existing PlanDSM: Creating Our Tomorrow Plan future land use designation from Low Density Residential in a Neighborhood Node to Community Mixed Use in a Neighborhood Node.
 - (B) [Hearing](#) to rezone 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 Marketing Company (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-foot gas station/convenience store to include sales of wine and beer and a pump island canopy with 14 fueling stations.
 - (C) [First](#) consideration of ordinance above.
44. Items regarding Gray's Station:
 - (A) [Hearing](#) 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.
 - (B) Approving completion and acceptance of the following private construction contract improvements:
 - (1) [Bridge](#) over the Raccoon River between City of Des Moines, Hubbell Realty Company and HRC NFS I, LLC.
 - (2) [Storm](#) Sewer Improvements in Gray's Station Plat 2, between McAninch Corporation and HRC NFS I, LLC.
 - (3) [Sanitary](#) Sewer Improvements in Gray's Station Plat 2, between McAninch Corporation and HRC NFS I, LLC.
 - (4) [Storm](#) Sewer Improvements in Gray's Station Plat 2, between McAninch Corporation and HRC NFS I, LLC.
 - (5) [Sanitary](#) Sewer Improvements in Gray's Station Plat 2, between McAninch Corporation and HRC NFS I, LLC.
 - (6) [Sanitary](#) Sewer Improvements in Gray's Station Plat 1, between McAninch Corporation and Gray's Station I, LLC.
 - (7) [Paving](#) Improvements in Gray's Station Plat 2, between Alliance Construction Group, LLC and HRC NFS I, LLC.
 - (8) [Paving](#) Improvements in Gray's Station Plat 2, between Alliance Construction Group, LLC and HRC NFS I, LLC.

- (C) [Approving](#) the map and designation of a multi-use recreational trail.
- (D) [Approving](#) Second Amendment to the Urban Renewal Development Agreement with HRC NFS I, LLC and Hubbell Realty Company for construction of a multi-family housing project at Gray's Station.

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

MOTION TO ADJOURN.

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