

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

**February 24, 2020  
4:30 PM**

**I. CLOSED SESSION – 3:30 PM, Lower Level Conference Room 1**

- (A) Roll Call.
- (B) Recess, and reconvene in closed session pursuant to Section 21.5, subsection 1, paragraph C, of the Iowa Code, to discuss necessary strategy with counsel in matters that are presently in litigation or where litigation is imminent, where its disclosure would be likely to prejudice or disadvantage the position of the City.
- (C) Closed Session.
- (D) Terminate closed session and reconvene in open session.
- (E) Motion to adjourn.

\* \* \* \* \*

**PROCLAMATIONS – 4:15 PM**

**19<sup>th</sup> Amendment Centennial Commemoration**

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA \* – items 3 through 42:

**\*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) | CURBIN CUISINE  | 2713 BEAVER AVE  | C Beer/Wine |
| (B) | STEER AND STEIN | 3000 E GRAND AVE | B Beer      |

### RENEWAL APPLICATIONS

- |     |                           |                   |          |
|-----|---------------------------|-------------------|----------|
| (C) | ANNIES IRISH PUB          | 204 3RD ST        | C Liquor |
| (D) | BARATTAS - BLANK PARK ZOO | 7401 SW 9TH ST    | C Liquor |
| (E) | CENTRAL CITY LIQUOR       | 1460 2ND AVE      | E Liquor |
| (F) | CHUCKS                    | 3608 6TH AVE      | C Liquor |
| (G) | ERNIES BOONDOCK           | 440 E GRAND AVE   | C Liquor |
| (H) | GATEWAY MARKET MLK        | 2002 WOODLAND     | C Liquor |
| (I) | GIT N GO STORE #18 *(1)   | 6501 SE 14TH ST   | C Beer   |
| (J) | GIT N GO STORE #28        | 3274 E UNIVERSITY | C Beer   |
| (K) | GIT N GO STORE #29        | 4900 URBAN DALE   | C Beer   |
| (L) | H & A MINI MART           | 5901 FLEUR DR     | E Liquor |
| (M) | HAMPTON INN DM AIRPORT    | 5001 FLEUR DR     | C Beer   |
| (N) | HIGHLAND PARK COUNTRY     | 518 EUCLID AVE    | C Liquor |
| (O) | HILTON DES MOINES         | 435 PARK ST       | B Liquor |
| (P) | INGERSOLL LIQUOR          | 3500 INGERSOLL    | E Liquor |
| (Q) | SAINTS PUB + PATIO        | 4041 URBAN DALE   | C Liquor |
| (R) | SIMONS                    | 5800 FRANKLIN AVE | C Liquor |
| (S) | TRUMANS                   | 400 SE 6TH ST     | C Liquor |
| (T) | WASABI CHI                | 5418 DOUGLAS AVE  | C Liquor |
| (U) | WEST END LOUNGE *(1)      | 2309 FOREST AVE   | C Liquor |
| (V) | WISCO GRUB & PUB          | 3015 MERLE HAY RD | C Liquor |
| (W) | WOOLYS                    | 504 E LOCUST ST   | C Liquor |

### SPECIAL EVENT APPLICATION

- |     |                |               |   |
|-----|----------------|---------------|---|
| (X) | GATEWAY MARKET | 2633 FLEUR DR | Five (5) Day License<br>Special Class C Liquor License (Wine/Beer) for Iowa Architectural Foundation event<br>on March 12, 2020. Pending approval of Electrical, Fire and Zoning Departments. |
|-----|----------------|---------------|---|

## PUBLIC IMPROVEMENTS

5. Ordering construction of the following:

- (A) [Armory](#) Parapet Tuckpoint: Receiving bids (3-10-20), and Setting date of hearing, (4-6-20), Engineer's estimate, \$172,500.

[\(Council Communication No. 20-094\)](#)

- (B) [E. 1<sup>st</sup>](#) and Market Street Storm Water Pump Station Repairs: Receiving bids, (3-24-20), and Setting date of hearing, (4-20-20). Engineer's estimate, \$1,000,000.

[\(Council Communication No. 20-090\)](#)

- (C) [Fourmile](#) Community Center Renovation and Sprinkler System: Receiving bids, (3-24-20), and Setting date of hearing, (4-20-20). Engineer's estimate, \$500,500.

[\(Council Communication No. 20-091\)](#)

- (D) [Riverwalk](#) Improvements – Paver Replacement: Receiving bids, (3-10-20), and Setting date of hearing, (4-6-20). Engineer's estimate, \$400,000.

[\(Council Communication No. 20-096\)](#)

- (E) [2020](#) City-wide PCC Pavement Restoration Program: Receiving bids, (3-10-20), and Setting date of hearing, (3-23-20). Engineer's estimate, \$627,000.

[\(Council Communication No. 20-084\)](#)

- (F) [2020](#) Neighborhood Sidewalk Program Contract 1: Receiving bids, (3-10-20), and Setting date of hearing, (4-6-20). Engineer's estimate, \$2,800,000.

[\(Council Communication No. 20-086\)](#)

6. [Approving](#) completion and acceptance of private construction contract for traffic signal improvements at southeast corner of 6<sup>th</sup> Avenue and Watson Powell Jr. Parkway, between Baker Electric, Inc. and HRC 6<sup>th</sup> Street LLC.
7. [Approving](#) Supplemental Agreement No. 2 to the Professional Services Agreement with Hartman Trapp Architecture Studio, LLC for additional value engineering and design development phase services for Animal Control Building Design, not to exceed \$55,680.

[\(Council Communication No. 20-087\)](#)

8. [Approving](#) Supplemental Agreement No. 3 to the Professional Services Agreement with Snyder & Associates, Inc. for additional design and construction phase services for Near West Side Sewer Separation Project, not to exceed \$947,800.

[\(Council Communication No. 20-097\)](#)

## **SPECIAL ASSESSMENTS**

9. [Levying](#) Assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2020-02.

## **LAND/PROPERTY TRANSACTIONS**

10. [Approving](#) tax abatement applications for the additional value added by improvements completed during 2019 (99 applications).

[\(Council Communication No. 20-076\)](#)

## **BOARDS/COMMISSIONS/NEIGHBORHOODS**

11. [Recommendation](#) from Council Member Voss to reappoint Emily Shields to the Des Moines Civil and Human Rights Commission, Seat 3, for the three-year term commencing April 1, 2020 and expiring April 1, 2023.
12. [Recommendation](#) from Council Member Voss to appoint Spencer Burton to the Neighborhood Revitalization Board, Seat 13, for the term expiring June 30, 2022.
- 12-I [Recommendation](#) from Council Member Mandelbaum to appoint Stacey Hanley to the Urban Design Review Board, Seat 6, for the term expiring June 30, 2021.
13. [Communication](#) from Scott Durham advising of his resignation from the Housing Appeals Board, Seat 3, effective immediately.

## **SETTING DATE OF HEARINGS**

14. [On](#) conveyance of vacated alley right-of-way adjoining 909 SE 9<sup>th</sup> Street and adjoining 904 SE 10<sup>th</sup> Street to GNS Investments, LC for \$125, (3-9-20).
15. [On](#) request from Newbury Living (Frank Levy, Officer) to rezone 3801, 3721, 3707 and 3705 Grand Avenue and 3810 Ingersoll Avenue from “R-4” Multiple Family Residential and “NPC” Neighborhood Pedestrian Commercial to “PUD” Planned Unit Development and approve the PUD Conceptual Plan to allow for development of a 4-story, 57-unit multi-household independent senior living apartment building, in addition to an existing 4-story, 35-unit independent senior living apartment building, an existing 3-story, 56-unit assisted living apartment building, and an existing 2-story, 5,720 square foot office building, (3-9-20).

16. [On](#) request from Christian Printers, Inc. (Bryan Goos, Officer) to amend the existing PlanDSM: Creating Our Tomorrow Plan future land use designation and rezone 1415 21<sup>st</sup> Street from “N-5” Neighborhood to Limited “RX-1” Mixed Use to conform to the commercial service, consumer maintenance and repair use (printing business) to the south and allow a potential expansion of the existing printing business or development for assembly use, (3-9-20).
17. [On](#) approval of the 2019 U.S. Department of Housing and Urban Development (HUD) Consolidated Annual Performance and Evaluation Report (CAPER), (3-23-20).
18. [On](#) the matter of proposed authorization of a loan and disbursement agreement and issuance of not to exceed \$12,000,000 Sewer Revenue Capital Loan Notes, and on the issuance thereof, (4-6-20).
19. [On](#) proposed amendment to the City-wide Zoning Map for properties at 600 and 610 E. 30th Street, 2944 Des Moines Street and Polk County District/Parcel No. 050/04387-000-000 to be shown as “MX3” Mixed Use that are erroneously shown as “MX1” Mixed Use to accommodate expansion and redevelopment of the portions of the existing Greater Iowa Credit Union, (3-9-20).
20. [On](#) the Fourth Amendment to the Third Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area, (3-9-20).

[\(Council Communication No. 20-072\)](#)

21. [On](#) proposed Twelfth Amendment to the Urban Renewal Plan for the SE Agribusiness Urban Renewal Area, (4-6-20).

[\(Council Communication No. 20-078\)](#)

22. [On](#) the Sixteenth Amendment to the Central Place Industrial Park Redevelopment Program Urban Renewal Plan, (4-6-20).

[\(Council Communication No. 20-079\)](#)

23. [On](#) the proposed Twenty-Sixth Amendment to the Metro Center Urban Renewal Plan, (4-6-20).

[\(Council Communication No. 20-077\)](#)

24. [On](#) the proposed Sixth Amendment to the Urban Renewal Plan for Ingersoll Grand Commercial Urban Renewal Area, (4-6-20).

[\(Council Communication No. 20-080\)](#)

## LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

25. [Approving](#) payment to Fernando Chia's representative for a workers' compensation claim.

## APPROVING

26. [Economic](#) Development Grant Agreement with the Blank Park Zoo Foundation, Inc for costs related to the acquisition of furniture and equipment for the Zoo Plex Event Center expansion.

[\(Council Communication No. 20-070\)](#)

27. [Final](#) terms of an Urban Renewal Development Agreement with 611 Fifth Avenue, LLC for substantial renovation of the existing office building at 611 5<sup>th</sup> Avenue.

[\(Council Communication No. 20-073\)](#)

28. [Preliminary](#) terms for an Urban Renewal Development Agreement with Nelson Development for the construction of a mixed-use building located on the southwest corner of 26<sup>th</sup> Street and University Avenue, across from Drake University.

[\(Council Communication No. 20-098\)](#)

29. [Final](#) terms of an Urban Renewal Development Agreement with BH 3750 Grand, LLC for the partial preservation and construction of an eight-story residential building with approximately 42 condominiums and 36 indoor parking stalls at 3750 Grand Avenue.

[\(Council Communication No. 20-099\)](#)

30. [Issuance](#) of \$25,135,000 General Obligation Refunding Bonds, Series 2020A, and Levying a Tax to pay said bonds; approval of the Tax Exemption Certificate and Continuing Disclosure Certificate.

31. [Capital](#) Crossroads Memorandum of Understanding – Greater Des Moines Fair Play Agreement.

32. [Douglas](#) Avenue Corridor Plan as an element of the PlanDSM: Creating Our Tomorrow Plan.

[\(Council Communication No. 20-075\)](#)

33. [Application](#) to Prairie Meadows Legacy grant program to support the construction of a new Animal Control and Care Facility.

[\(Council Communication No. 20-068\)](#)

34. [Submission](#) of the Fiscal Year 2021 Governor's Safety Traffic Bureau (GSTB) grant application.

[\(Council Communication No. 20-067\)](#)

35. [Amendment](#) to Schedule of Fees for Chapter 46, Decorative Flame Appliances, Service Station Pump and Demolition Permits for Fire Protective Systems.

[\(Council Communication No. 20-069\)](#)

36. [Receive](#) and file the Public Works Stormwater Infrastructure Advisory Committee Policy and Rules, and initial committee membership list.

[\(Council Communication No. 20-066\)](#)

37. [Purchase](#) of traffic paint from Diamond Vogel Paint Company (Jeff Powell, President) per State of Iowa Department of Transportation (IDOT) Contract for use by the Engineering Department, \$65,000.

[\(Council Communication No. 20-093\)](#)

38. [Purchase](#) of Cisco Network hardware from Heartland Business Systems, LLC (Peter Helander, CEO) per State of Iowa Contract, \$108,043.

[\(Council Communication No. 20-071\)](#)

39. [Civil](#) Service Entrance lists for Industrial Plant Mechanic and Sustainability Program Manager and Promotional lists for Sewer Maintenance Worker and Street Maintenance Worker.

40. [Authorizing](#) Finance Director to draw checks on registers for the weeks of February 24 and March 2, 2020; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of February 24 and March 2, 2020; and to draw checks for biweekly payroll due February 28, 2020.

**ORDINANCES - FINAL CONSIDERATION**

- 41. [Amending](#) Chapter 114 of the Municipal Code regarding traffic regulation changes on Proposed parking restriction — E. Pleasant View Drive between South Union Street and SE 5<sup>th</sup> Street.

**ORDINANCES - SECOND CONSIDERATION**

- 42. [Amending](#) Section 2-5 of the Municipal Code relating to elections.

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

**ORDINANCES - FIRST CONSIDERATION**

- 43. [Amending](#) Chapter 114 of the Municipal Code regarding traffic regulations changes as follows:

[\(Council Communication No. 20-095\)](#)

- (A) Proposed parking restriction – E. Market Street between E. 5<sup>th</sup> Street and E. 6<sup>th</sup> Street.
- (B) Removal of bus loading zone – E. 32<sup>nd</sup> Street between Cleveland Avenue and Indianapolis Avenue.
- (C) Proposed parking restriction - Bundy Street between SW 11<sup>th</sup> Street and SW 13<sup>th</sup> Street.
- (D) Code modification to allow parking on the south side of Watson Powell Jr. Way between 5<sup>th</sup> Avenue and 6<sup>th</sup> Avenue.
- (E) Code modifications to match field conditions on E. Walnut Street between E. 6<sup>th</sup> Street and E. 14<sup>th</sup> Street.
- (F) Proposal to allow reserved parking for the Criminal Courts District along 6<sup>th</sup> Avenue between Cherry Street and Mulberry Street.
- (G) Final consideration of ordinance above, requires six votes.

**SETTING DATE OF HEARING**

- 44. [On](#) request from Hope Ministries Center for Women and Children (Leon Negen, Officer) to amend the PlanDSM: Creating Our Tomorrow future land use designation and to rezone 3800 E. Douglas Avenue from “R1-60” One-Family Low-Density Residential to “PUD” Planned Unit Development and to approve the PUD Conceptual Plan to allow the existing church building to be converted to a 50-bed short-term program and 50-bed long-term life support program for homeless women and children, including classroom, office, daycare and similar supporting uses, (3-23-20).



## COMMUNICATIONS/REPORTS

45. [From](#) Jamie Yowler, 4400 Park Avenue Apt. 60, to speak regarding skywalk surveillance.
46. [From](#) Thomas Sergio, 3926 14<sup>th</sup> Street, to speak regarding a request for a red-light camera to be installed on Keo Way and entrance to I-235 eastbound.

## HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 47 THRU 55)

47. [On](#) conveyance of excess City-owned property located east of, south of and adjoining 2400 George Flagg Parkway to Groben Wine, LLC, d/b/a Jasper Winery for \$53,300.

[\(Council Communication No. 20-082\)](#)

48. [On](#) vacation of Fremont Street right-of-way between E. 14<sup>th</sup> and E. 15<sup>th</sup> Street, and E. 15<sup>th</sup> Street right-of-way between Fremont Street and E. University Avenue and conveyance to Des Moines Independent Community School District.
  - (A) [First](#) consideration of the ordinance above.
  - (B) [Final](#) consideration of the ordinance above (waiver requested by Bill Good, COO, Des Moines Public Schools), requires six votes.
49. [On](#) correcting the vacation of portions of E. 4<sup>th</sup> Street, Des Moines Street and E. 5th Street right-of-way adjoining 415 and 421 Des Moines Street, and conveyance of a Corrected Permanent Easement for Subsurface Building Encroachment on City-owned property to 555 E Fourth Parking, LLC.
  - (A) [First](#) consideration of ordinance above.
  - (B) Final consideration of ordinance above, requires six votes.

50. On approval of license agreements with Edmundson Art Foundation, Inc., d/b/a The Des Moines Art Center as follows:
- (A) [Display](#) and maintenance of a sculpture and fountain at Hansen Triangle.
    - (1) [Termination](#) of an agreement with Edmundson Art Foundation, Inc. d/b/a The Des Moines Art Center and Riverfront Development Authority for display and maintenance of Quantum Leaf Sculpture and fountain at Hansen Triangle.
  - (B) [Display](#) and maintenance of a sculpture at Long Look Civic Gardens.
    - (1) [Termination](#) of an agreement with Riverfront Development Authority and Edmondson Art Foundation, Inc. d/b/a The Des Moines Art Center for installation and maintenance of unnamed Shapiro Sculpture at Long Look Civic Gardens.
51. [On](#) proposed amendments to the approved Zoning Ordinance in Chapter 134 of the City Code relating to Lodging – Short-Term Commercial Rental uses.
- (A) [First](#) consideration of ordinance above.
  - (B) [First](#) consideration of an ordinance amending Sections 60-19 and 60-35, relating to short-term rental inspections.

[\(Council Communication No. 20-081\)](#)

52. [On](#) 16<sup>th</sup> Street Brick Repair from Day Street to Ascension Street: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating lowest responsible bidder as Miner Hardscape, LLC (Matthew J. Miner, Owner), \$259,365.

[\(Council Communication No. 20-083\)](#)

- (A) [Approval](#) of contract and bond and permission to sublet.

53. On 2020 HMA Resurfacing Program Contract 1: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids and designating lowest responsible bidder as Grimes Asphalt and Paving Corporation (Kurt Rasmussen, President), \$1,308,542.50.

(Council Communication No. 20-085)

(A) Approval of contract and bond and permission to sublet.

54. On 2020 Traffic Signal Replacement Contract 2: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating lowest responsible bidder as Van Maanen Electric, Inc. (Nathan S. Van Maanen, President), \$512,624.

(Council Communication No. 20-089)

(A) Approval of contract and bond and permission to sublet.

55. On Reno Dog Park Improvements: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating lowest responsible bidder as Berkey Homebuilders, Inc. d/b/a Concrete Professionals (Eric Berkey, President), \$204,873.56.

(Council Communication No. 20-088)

(A) Approval of contract and bond and permission to sublet.

\*\*\* END OF HEARINGS AT \_\_\_\_\_ PM \*\*\*

MOTION TO ADJOURN.