

**DES MOINES CITY COUNCIL MEETING  
MSC Board Room, Municipal Services Center  
1551 E. M.L. King, Jr. Pkwy  
Des Moines, Iowa 50317**

**March 22, 2021  
4:30 PM**

*Iowa Code Section 21.4 requires that each Council meeting shall be held at a place reasonably accessible to the public and at a time reasonably convenient to the public, unless for good cause such a place or time is impossible or impracticable. Given Mayor Cownie's March 17, 2020 Proclamation Amendment, as amended, prohibiting indoor gatherings of ten or more persons on public property and Section One of the Governor's March 5, 2021 Proclamation strongly encouraging vulnerable Iowans to limit participation in gatherings of any size and any purpose during the COVID19 outbreak and further given Section One Hundred Eight of the Governor's March 5, 2021 Proclamation suspending the regulatory provisions of Iowa Code §§ 21.8, 26.12, and 414.12, or any other statute imposing a requirement to hold a public meeting or hearing, the City Council has determined that a meeting at a physical place is impossible or impracticable and all Council meetings for the time being will be conducted electronically with the public allowed to attend per the instructions on this agenda. Meeting minutes will continue to be provided per the City's normal course of business.*

*Mayor and Council Members will be participating by ZOOM meeting due to COVID-19.*

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.

<https://dmgov-org.zoom.us/j/88235551829?pwd=MkNHd2VSZ0hHNmtuZ3NLenhBaEhwQT09>

Passcode: 389003

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Dial (for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or 877 853 5257 (Toll Free)

Webinar ID: 882 3555 1829

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA \* – items 3 through 30:

**\*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)	CENTERPLATE	1 LINE DR	C Liquor
(B)	DES MOINES SOFTBALL	4980 E 46TH ST	B Beer
(C)	ROYAL FOOD & LIQUOR	1443 2ND AVE	E Liquor

#### RENEWAL APPLICATIONS

(D)	BEST TRIP	1516 SE 1ST ST	E Liquor
(E)	BIG DOG BILLIARDS	4510 E 14TH ST	C Liquor
(F)	CHICAGO SPEAKEASY	1520 EUCLID AVE	C Liquor
(G)	DOWNTOWN PANTRY	218 6TH AVENUE	E Liquor
(H)	DRAGON HOUSE EAST	2470 E EUCLID AVE	C Beer/Wine
(I)	EATARY/A	2932 INGERSOLL	C Liquor
(J)	FAT TUESDAY	6112 SW 9TH ST	C Liquor
(K)	GIT N GO STORE #10 *(1)	816 E EUCLID AVE	C Beer
(L)	HARBINGER RESTAURANT	2724 INGERSOLL	C Liquor
(M)	HAWKEYE ELKS LODGE #160	1401 WALKER ST	A Liquor
(N)	HY VEE FOOD STORE #3	3221 SE 14TH ST	E Liquor
(O)	HY VEE WINE & SPIRITS	2310 HUBBELL AVE	E Liquor
(P)	KUNG FU TAP & TACO	210 INDIANOLA AVE	C Liquor
(Q)	LDS CORNER	344 E JACKSON AVE	C Liquor
(R)	LEFTYS LIVE MUSIC	2307 UNIVERSITY	C Liquor
(S)	NEW ORIENTAL FOOD STORE	515 E GRAND AVE	C Beer
(T)	NOAHS ARK	2400 INGERSOLL	C Liquor
(U)	NUT POB RESTAURANT	3322 INDIANOLA	C Beer/Wine
(V)	OASIS	1401 BUCHANAN ST	E Liquor
(W)	OVATIONS FOOD SERVICES	233 CENTER ST	C Liquor
(X)	PRICE CHOPPER	4341 MERLE HAY RD	C Beer
(Y)	PRICE CHOPPER	3401 INGERSOLL	C Beer
(Z)	PRICE CHOPPER	4343 MERLE HAY RD	E Liquor
(AA)	PRICE CHOPPER	3425 INGERSOLL	E Liquor
(BB)	PRICE CHOPPER	1819 BEAVER AVE	E Liquor
(CC)	QUIK TRIP #527	614 UNIVERSITY	C Beer

#### TRANSFER TO NEW LOCATION

(DD)	GARDEN NIGHTCLUB	525 E GRAND AVE	C Liquor
	Permanent transfer from 112 SE 4 <sup>th</sup> Street. Pending approval of Building, Electrical and Zoning Departments.		

#### SPECIAL EVENT APPLICATION

(EE)	DSM BOOK FESTIVAL	400 LOCUST ST	Five (5) Day License
	Class C Liquor License for festival on April 10, 2021.		

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

## **PUBLIC IMPROVEMENTS**

6. Ordering construction of the following:
  - (A) [Keosauqua](#) Way Rehabilitation – 9<sup>th</sup> Street to 19<sup>th</sup> Street: Receiving of bids, (4-6-21) and Setting date of hearing, (5-10-21). Engineer’s estimate, \$1,325,000.  

[\(Council Communication No. 21-129\)](#)
  - (B) [2021-2022](#) HMA Pavement Scarification and Resurfacing: Receiving of bids, (4-6-21) and Setting date of hearing, (5-10-21). Engineer’s estimate, \$334,185.  

[\(Council Communication No. 21-126\)](#)
  - (C) [2021](#) Sanitary and Storm Sewer Televising Program: Receiving of bids, (4-6-21) and Setting date of hearing, (5-10-21). Engineer’s estimate, \$495,280.  

[\(Council Communication No. 21-128\)](#)
  - (D) [Closes](#) Creek Storm Sewer Improvements Phase 2A and 2B: Receiving of bids, (4-6-21), and Setting date of hearing, (5-10-21). Engineer’s estimate, \$8,000,000.  

[\(Council Communication No. 21-127\)](#)
7. [Approving](#) Change Order No. 1 with Cramer and Associates, Inc. for additional work on E 30<sup>th</sup> Street Bridge Rehabilitation over U.P.R.R, \$70,212.20.  

[\(Council Communication No. 21-122\)](#)
8. [Approving](#) Private Construction Contract between Team Excavating, Inc. and Flummerfelt Eagle Pointe, LLC for sanitary sewer improvements in Eagle Pointe Manufactured Home Development, Phase 1 and 2.
9. [Communication](#) from contractors requesting permission to sublet certain items on public improvement project.
10. [Accepting](#) completed construction and approving final payment for Grand Avenue Bridge over the Des Moines River Replacement, Cramer and Associates, Inc.

## **BOARDS/COMMISSIONS/NEIGHBORHOODS**

11. [Communication](#) from Claudia Schabel advising of her resignation from the Des Moines Civil and Human Rights Commission, Seat 6, effective immediately.
12. [Recommendation](#) by Council Member Mandelbaum to appoint Sonia Reyes to the Des Moines Civil and Human Rights Commission, Seat 6, to fill a vacancy with a term ending on April 16, 2022.
13. [Appointments](#) for Calendar Year 2021 to the Metropolitan Planning Organization (MPO) and the Transportation Technical Committee (TTC).

## **SETTING DATE OF HEARINGS**

14. [On](#) vacation of a portion of 6<sup>th</sup> Avenue right-of-way adjoining 1230 6<sup>th</sup> Avenue and conveyance of a Permanent Easement for Air Space above City-owned property and a Permanent Easement for Subsurface Building encroachment to allow for construction of structural footings, roof overhang and architectural elements as part of its 5-story, Storefront Type “6<sup>th</sup> Avenue Flats” building project to Anawim a/k/a Anawim Housing, Inc. for \$575, (4-5-21).
  - (A) [Receive](#) and file communication from Plan and Zoning Commission.
15. [On](#) conveyance of vacated East/West alley right-of-way adjoining 200, 210 and 216 East Court Avenue to 217 E. Second, LC for \$38,665, (4-5-21).
16. [On](#) the intent to commence a public improvement project to construct the Indianola Avenue Widening – E Army Post Road to Highway 69 Project and to authorize acquisition of the necessary property interests, (4-5-21).

## **LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS**

17. [Approving](#) payment for the claim of Rosalie Gedler.
18. [Approving](#) payment to Patrick and Mary Knueven in condemnation action.

## **APPROVING**

19. [Reprogramming](#) of prior years’ unspent Community Development Block Grant (CDBG) funding to the 2021 Consolidated Plan Program Year under the U.S. Department of Housing and Urban Development (HUD).

[\(Council Communication No. 21-139\)](#)

20. [Receipt](#) of FY 2021 Certified Local Government (CLG) Grant Award from the State Historical Society of Iowa to partially fund development of City-wide Historic Preservation Plan and authorization to proceed with RFP for professional services to assist with plan development.

[\(Council Communication No. 21-141\)](#)

21. [Renaming](#) of Open-Air Shelter at MacRae Park the “Julia and Woodward Brenton Shelter”.

22. [Birdland](#) Park and Marina Master Plan.

[\(Council Communication No. 21-135\)](#)

23. [Ratification](#) of the National Park Service (NPS) Land and Water Conservation Fund (LWCF) grant application by the Parks and Recreation Department seeking \$200,000 towards the SW 1<sup>st</sup> Bridge Improvement.

[\(Council Communication No. 21-134\)](#)

24. [Round](#) One Neighborhood Commercial Revitalization (NCR) Program Funding, and authorizing execution of agreements with funding recipients.

[\(Council Communication No. 21-143\)](#)

25. [Request](#) from Downtown Community Alliance, on behalf of the Downtown Farmers’ Market, for approval of up to 28 banners to be displayed on 28 poles in downtown Des Moines Court Avenue between 5<sup>th</sup> Street and Water Street beginning April 29 through October 2021.

26. Number Not Used.

27. Abatement of public nuisances at the following:

- (A) [3829](#) 13<sup>th</sup> Street.
- (B) [255](#) E 18<sup>th</sup> Street.
- (C) [2321](#) Adams Avenue.
- (D) [818](#) E 27<sup>th</sup> Street.
- (E) [1816](#) Allison Avenue.

28. Purchases from the following:

- (A) [Central](#) Iowa Ready Mix (Keith Kuennen, General Manager), Norwalk Ready Mix Concrete (Todd Bohlender, President), Liberty Ready Mix (Jeff Tucker, President) and CT1 Ready Mix (Brian Blackford, President) for an annual agreement with four additional one-year renewal options to furnish portland cement concrete products to be used by the Public Works Department, annual estimated cost \$500,000. (Four potential bidders, four received)
- (B) [Clark](#) Equipment Company d/b/a Bobcat Company (David Rowles, President) for one compact tracked skid steer loader to be used by the Public Works Department per State of Iowa Contract, \$62,800.11.

[\(Council Communication No. 21-137\)](#)

- (C) [Galls LLC](#) (R. Michael Andrews, CFO) and Streicher's Inc. (Jeremy Jenniges, President) for the replacement of 120 ballistic personal protective systems as requested by the Police Department per NASPO ValuePoint Agreement, State of Iowa Master Agreement, \$120,000.

[\(Council Communication No. 21-144\)](#)

- (D) [Stew Hansen](#) Dodge City (Dan Boettcher, General Manager) for seven additional vehicles for use in the Neighborhood Services Department, Development Services Department, and Engineering Department per State of Iowa Contract, \$172,795.

[\(Council Communication No. 21-138\)](#)

29. [Authorizing](#) Finance Director to draw checks on registers for the weeks of March 22 and 29, 2021; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of March 22 and 29, 2021; to draw checks for biweekly payroll due March 26, 2021.

## **ORDINANCES - FINAL CONSIDERATION**

- 30. [Amending](#) Chapter 114 of the Municipal Code regarding Traffic Regulation changes as follows:
  - (A) Code modifications related to the vacation of 25<sup>th</sup> Street between Clark Street and Forest Avenue.
  - (B) Code modifications related to the Franklin Avenue Resurfacing from Beaver Avenue to Merle Hay Road Project.
  - (C) Code Modifications related to the Brook Landing Plat 2 Development.

**ORDINANCES - FIRST CONSIDERATION**

30I. [Amending](#) the Municipal Code by adding Division 3, Sections 2-105, 2-106, 2-107, 2-108, 2-109, 2-110, 2-111, 2-112 relating to City Council Ethics Code.

31. [Amending](#) Chapter 114 of the Municipal Code regarding Traffic Regulation changes as follows:

[\(Council Communication No. 21-125\)](#)

- (A) Code Modifications related to the Three Lakes Estates Plat 7 Development.
- (B) Code Modifications related to the Grover Woods Plat 1 Development.
- (C) Code Modifications related to The Woods of Copper Creek Plat 5 Development.
- (D) Code Modifications related to the Grandview Meadows Development.
- (E) Proposed Parking Restriction – Carlisle Road, west of SE 43rd Street.

**APPROVING**

31I. [Receive](#) and file the Comprehensive Annual Financial Report for the City of Des Moines for Fiscal Year ending June 30, 2020.

[\(Council Communication No. 21-142\)](#)

32. [Collective](#) Bargaining Agreement with the Des Moines Police Gold Braid Organization (GBO) for July 1, 2021 through June 30, 2024.

[\(Council Communication No. 21-132\)](#)

33. [Collective](#) Bargaining Agreement with the Des Moines Police Bargaining Unit (PBU) for July 1, 2021 through June 30, 2024.

[\(Council Communication No. 21-131\)](#)

34. [Collective](#) Bargaining Agreement with Central Iowa Public Employees Council (CIPEC) for the period July 1, 2021 through June 30, 2026.

[\(Council Communication No. 21-133\)](#)

## COMMUNICATIONS/REPORTS

35. [Requests](#) to speak as follows:

- (A) Adam Callanan.
- (B) Jack Groepper.
- (C) Jerrod Appenzeller.
- (D) Denver Foote.
- (E) Shirley Evans.
- (F) Lori A. Young.
- (G) Lori Jones.
- (H) Jane Alderman.
- (I) Paden Sheumaker.
- (J) Indira Sheumaker.
- (K) Leah Waller.
- (L) Bridget Pedersen.
- (M) Leah Plath.
- (N) Molly Arndt.
- (O) Luke Bascom.
- (P) Rev. Emily E. Ewing.

## HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 36 THRU 48)

36. [On](#) request from Woodsonia Acquisitions, LLC to rezone property located at 2510 Ingersoll Avenue from MX2 Mixed Use District to MX3 Mixed Use District to allow use as a restaurant with a drive through as an accessory use.

- (A) [First](#) consideration of ordinance above.
- (B) [Final](#) consideration of ordinance above (waiver requested by Anntoinette Erickson, Trustee), requires six votes.

37. [On](#) request from Meier Family, LLC (Charles Meier, Officer) to rezone property at 1324 and 1328 East Euclid Avenue from MX3 Mixed Use District to RX2 Mixed Use District to allow the property to be redeveloped with ground floor Multiple Household Living use.

- (A) [First](#) consideration of ordinance above.

38. [On](#) request from Calvin Park Mixed-Use Condominiums for approval of 1<sup>st</sup> Amendment to the “Calvin Community” Legacy PUD Conceptual Plan for property located at 4326 Hickman Road.

39. [On](#) request from Hilltop Housing, LLC (Owner) to amend PlanDSM Future Land Use Designation and approve 1<sup>st</sup> Amendment to the “Hilltop Apartments” Legacy PUD Conceptual Plan for property located at 3722 & 3726 Hubbell Avenue and 3680 & 3688 Kennedy Drive.



40. On the proposed Hilltop Urban Renewal Plan for the Hilltop Urban Renewal Area in the 3500-3600 block of Hubbell Avenue at the intersection of E. Douglas Avenue and Kennedy Drive.

[\(Council Communication No. 21-145\)](#)

- (A) [Recommendation](#) of the Plan and Zoning Commission.
  - (B) [Resolution](#) of Necessity for the Hilltop Urban Renewal Plan.
  - (C) [Closing](#) the hearing and adopting the Urban Renewal Plan.
  - (D) [First](#) consideration of ordinance designating the area as a TIF district.
  - (E) [Final](#) consideration of ordinance above (waiver requested by Erin Olson-Douglas, Development Services Director), requires six votes.
41. [On](#) vacation of portions of East 35<sup>th</sup> Street, East 39<sup>th</sup> Street, East 40<sup>th</sup> Street, East 41<sup>st</sup> Street, East Sheridan Avenue and Osceola Avenue right-of-way located in the Lower Fourmile Creek Floodplain and conveyance to Polk County Conservation Board for the Lower Fourmile Creek Greenway Project.
- (A) [First](#) consideration of ordinance above.
42. [On](#) conveyance of excess City-owned property located at 620 Douglas Avenue and 994 25<sup>th</sup> Street to Invest DSM, Inc. for \$33,500.
43. [On](#) proposed short-term lease with Westbrooke Apartments, LLC for the rental of apartments at 4001 EP True Parkway for temporary housing for Americorps Volunteers serving the Parks and Recreation Department.

[\(Council Communication No. 21-130\)](#)

- (A) [Approving](#) form and authorizing execution of a short-term lease.

44. On an amendment to the 2019 Action Plan for the U.S. Department of Housing and Urban Development (HUD) 2015-2019 Consolidated Plan.

(Council Communication No. 21-140)

45. On the 2020 U.S. Department of Housing and Urban Development (HUD) Consolidated Annual Performance and Evaluation Report (CAPER).

(Council Communication No. 21-136)

46. On Euclid Avenue Three Lane Pilot Project, 2<sup>nd</sup> Avenue to 12<sup>th</sup> Street: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receiving bids and designating lowest responsible bidder as Van Maanen Electric, Inc. (Nathan S. Van Maanan, President), \$127,825.67.

(Council Communication No. 21-123)

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

47. On 2021 PCC Residential Paving Program: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receiving bids and designating lowest responsible bidder as MPS Engineers, P.C. d/b/a Kingston Services, P.C. (Umesh G. Shetye, President), \$769,583.00.

(Council Communication No. 21-121)

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

48. Women of Achievement Bridge Lighting Improvements: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids.

(Council Communication No. 21-124)

\*\*\*\* END OF HEARINGS: \_\_\_\_\_ P.M.\*\*\*\*

MOTION TO ADJOURN.

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