Due to the increased community transmission of COVID-19 in Polk County, we have implemented a face covering requirement in City buildings. The requirement applies to both staff and the visiting public and includes attendance at Council meetings. If you do not have a face covering, one will be provided for you.

The public is hereby notified that the City Council will not tolerate disruption of its business meetings. Persons wishing to attend this meeting are reminded of the following:

1. We welcome germane comments from the public at the appropriate time, but this is a Council business meeting and the Council needs to conduct the people’s business and Council has rules that are validly adopted under Iowa law and those rules will be followed.
2. Anyone engaging in disruptive conduct in the Council Chambers or Great Hall will result in those being disruptive being ordered to leave the building and being denied readmittance for the remainder of the day.
3. No person will be permitted to stand in the council chamber during council sessions between the audience seats and the councilmembers except the persons addressing the council at the speakers’ microphone and only after being recognized by the Mayor.
4. All persons desiring to address the council may do so only when recognized by the Mayor, but the council reserves the right to limit the speaker’s time and the order in which the speakers may address the council.
5. Under Section 2-70 of the City Code, it is illegal to interrupt any person who is addressing the council except by a council member and it is illegal to disrupt the Council meeting.
6. EVERYONE in attendance has First Amendment rights and any disruptive conduct by one person or group impinges on the rights of others present, so disruptive conduct will not be tolerated.
7. If the meeting is disrupted, the public speaking portion of the meeting may be moved to the next in-person meeting which is not disrupted.
8. Those who disrupt the meeting will not be called on during the meeting, will be ordered to leave the building and may be cited or arrested for disorderly conduct, trespass or interfering with the good order of the meeting or other applicable charges.
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) ALLEGED LEES 510 E GRAND AVE Class C Liquor
   (B) CHAMLING FOOD & LIQUOR 200 ARMY POST RD 20 Class C Beer
   (C) CRAFT BRU 210 SW 11TH ST SUITE 7 Class B Beer
   (D) FRESH IDEAS 3200 GRAND AVE Class C Liquor
   (E) HOT TAMALE CATERING 2811 SE 14TH ST Class C Liquor
   (F) SECRET ADMIRER 110 SW 5TH ST Class C Liquor
   (G) WESLEY ACRES 3520 GRAND AVE Class A Liquor
   (H) ZORA BAR ROOFTOP 2120 INGERSOLL AVE Class C Liquor

   **RENEWAL APPLICATIONS**

   (I) AIRPORT RAMADA 1810 ARMY POST RD Class B Liquor
   (J) AIS ON EAST COURT 419 E COURT AVE Class C Liquor
   (K) BEECHWOOD LOUNGE 416 E WALNUT ST Class C Liquor
   (L) BLACKBIRD HOSPITALITY 713 WALNUT ST Class C Liquor
   (M) BLUE SUSHI SAKE GRILL 316 COURT AVE Class C Liquor
   (N) BUDDYS CORRAL 418 E 5TH ST Class C Liquor
   (O) DOUGH CO PIZZA 2330 UNIVERSITY AVE Special Class C Liquor
   (P) GIT N GO STORE #26 2140 E PARK AVE Class C Beer
   (Q) GIT N GO STORE #36 4164 EASTON BLVD Class C Beer
   (R) HOMEWOOD SUITES 7201 SW 22ND ST Special Class C Liquor
   (S) HY VEE C STORE 1113 E ARMY POST RD Class E Liquor
   (T) HY-VEE GAS #4 4701 FLEUR DR Class E Liquor
   (U) INGERSOLL TAP 2837 INGERSOLL AVE Class C Liquor
   (V) KUM & GO #0731 3104 UNIVERSITY AVE Class E Liquor
   (W) NEW DISCOUNT MARKET 3207 DOUGLAS AVE Class C Beer
   (X) PINTS PUB N PATIO 319 COURT AVE Class C Liquor
   (Y) QUIK TRIP #516 1000 E UNIVERSITY Class C Beer
   (Z) SAMBETTIS RESTAURANT 1430 2ND AVE Class C Liquor
(AA) SCIENCE CENTER OF IA  401 W M L KING JR  Class C Liquor
(BB) STAR BAR  2811 INGERSOLL AVE  Class C Liquor
(CC) TEQUILA RESTAURANT  2824 EASTON BLVD  Class C Liquor
(DD) TOADS TAVERN  3002 STATE AVE  Class C Liquor

SPECIAL EVENT APPLICATIONS

(EE) SA PRESENTS  2251 GEORGE FLAGG  14 days
CLASS C LIQUOR LICENSE FOR UMPHREYS MCGEE CONCERT ON AUGUST 15 AND KEO WETZEL CONCERT ON AUGUST 27, 2021.

(FF) YOUR PRIVATE BAR  519 PARK ST  5 days
CLASS C LIQUOR LICENSE FOR A WEDDING RECEPTION ON AUGUST 21, 2021.

TRANSFER TO NEW LOCATION

(GG) ELWELL FAMILY FOOD CENTER  3000 E GRAND AVE  Class C Liquor
TEMPORARY TO THE CATTLE BARN FOR FAIR AFTER DARK ON AUGUST 20, 2021

5. City Clerk to issue Coin Operated Machine Licenses.

PUBLIC IMPROVEMENTS

6. Endorsing the Broadway Avenue – 2nd Avenue to Hubbell Avenue Project as part of a Transportation Safety Improvement Program (TSIP) Grant Application.

(Council Communication No. 21-353)

7. Approving Professional Services Agreement (PSA) with Shive-Hattery, Inc. for design services for the E. Court Avenue Improvement Project – Des Moines River to E. 14th Street, not to exceed $384,100.

(Council Communication No. 21-354)

8. Supplemental Agreement No. 1 to the Professional Services Agreement (PSA) with Stanley Consultants, Inc. for additional design and construction phase services for the Guthrie Avenue Viaduct over Union Pacific Railroad Rehabilitation, not to exceed $231,200.

(Council Communication No. 21-355)
9. Approving Change Order No. 9 with Jasper Construction Services, Inc. for additional work on Court Avenue, SW 1st Street and Scott Avenue Bridge Rehabilitation, in the amount of $348,456.57.

(Council Communication No. 21-350)

10. Approving completion and acceptance of Private Construction Contract for Eagle Pointe Manufactured Home Development Phase 1 and 2 between Team Excavating, Inc. and Flummerfelt Eagle Pointe, LLC.

11. Communication from contractors requesting permission to sublet certain items on public improvement project.

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

   (A) Fleur Drive Reconstruction from George Flagg Parkway to Watrous Avenue, Phase 1, Northbound Lanes, Synergy Contracting, LLC.

   (B) Center Street Park and Ride Lighting Improvements, ABC Electrical Services, LLC.

   (C) Police Academy Firing Range HVAC Improvements, Corn States Metal Fabricators, Inc.

   (D) E. 1st and Market Street Storm Water Pump Station Repairs, Woodruff Construction, Inc.

   (E) Historic Pillar Repair on Southwest Corner of Chaffee Road and Army Post Road, Renaissance Restoration, Inc.

   (F) Lower Oak and Highland Park Sewer Separation Phase 2, Rognes Corp. dba Rognes Corporation.
LAND/PROPERTY TRANSACTIONS

13. **Releasing** PUD Restoration Bond for Birdland Vista Plat 1.

BOARDS/COMMISSIONS/NEIGHBORHOODS

14. **Communication** from Madeline Goebel advising of her resignation from the Greater Des Moines Sister Cities Commission, Seat 15, effectively immediately.

SETTING DATE OF HEARINGS

15. **On** request from James Hunter and Connie Conrad-Hunter (Owners) for designation of the “Snookies Neon Sign” located at 1810 Beaver Avenue as a Local Landmark, (8-23-21).

16. **On** request from Bakkie Properties, LLC (Owner) to rezone property located at 914 East Euclid Avenue from MX3 Mixed Use District to RX2 Mixed Use District to allow development of additional Multiple Household Living dwellings on the property, where the structures would contain dwelling units on the ground level, (8-23-21).

17. **On** request from KG Store 543, LLC (Gerard Haberman, Officer) to rezone property located in the vicinity of 1619 Ingersoll and 1620 High Street, and to receive and file request to vacate Linden Street from 17th Street to Ingersoll Avenue and 16th Street from Ingersoll Avenue to the southern line of east-west alley between 15th Street and 16th Street to allow reuse of the property at 555 17th Street for a microbrewery with additional commercial uses, (8-23-21).


20. **On** request from JOPPA (Joe Stevens, Officer) to amend PlanDSM: Creating Our Tomorrow future land use designation for property located at 1661 County Line Road from Business Park to Neighborhood Mixed and Medium Density Residential to allow rezoning to ‘RX1’ Mixed Use District and ‘NX2’ Neighborhood Mix District to allow redevelopment of the property as a JOPPA village for 50 units of Household Living use and Professional Office use as a transitional housing community, (8-23-21).
21. **On** vacation of excess City right-of-way located north of and adjoining 1661 County Line Road, and conveyance to JOPPA for $30,000, (8-23-21).


23. **On** vacation of the north-south alley right-of-way located east of and adjoining 1106 Scott Avenue, and conveyance to Des Moines Climate Controlled Self Storage, LLC for $9,280, (8-23-21).

24. **To** correct the vacation of a portion of East Martin Luther King, Jr. Parkway right-of-way located between East 15th Street and East 18th Street, and conveyance to Des Moines Industrial, LLC for $100, (8-23-21).

25. **On** vacation of segments of street and alley right-of-way in the vicinity of Southeast Astor Street and Shaw Street, and in the vicinity of Southeast 16th Street and Vale Street as part of the Municipal Services Center Phase 2 Project, (8-23-21).

26. **On** vacation of a portion of Southeast 3rd Street right-of-way located north of East Market Street and south of vacated East Vine Street adjoining 200 Southeast 3rd Street as part of the Market District Redevelopment Project, (8-23-21).

27. **On** the competitive bid process for sale and redevelopment of 503 SE 12th Street in the Metro Center Urban Renewal Project Area, and receipt of redevelopment proposal from Des Moines Climate Controlled Self Storage, LLC (Mark Bockenstedt, Owner), (9-13-21).

**Council Communication No. 21-357**

**LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS**

28. **Approving** payment for the claim of Aaron and Tina Ehrlich.

29. **Retention** of Outside Counsel.
APPROVING

30. **Grant** Agreements with the U.S. Department of Housing and Urban Development (HUD) for funding the City’s Second Year (2021) Action Plan of the 2020-2024 Consolidated Plan.

   *(Council Communication No. 21-356)*

31. **Amended** Home Investment Partnership Program (HOME) Promissory Note and Mortgage with the Rose of Des Moines, 1330 19th Street.

   *(Council Communication No. 21-346)*

32. **Issuance** of Certificate of Completion to Nelson Development, LLC for the construction of a HOME2 Suites Hotel at 2650 University Avenue across from Drake University.

33. **Regarding** City initiation of request to rezone property located at 3312 East Granger Avenue from EX Mixed Use District to I2 Industrial District for expansion of operations.

34. **Iowa** Department of Transportation (IDOT) Agreements for the Iowa Volkswagen Settlement Environmental Mitigation Trust Project: 4th and Grand and 9th and Locust Parking Garages.

   *(Council Communication No. 21-340)*

35. **Amended** Parking Meter Rate and Time Zone 1.

36. Number Not Used.

37. Number Not Used.

38. Number Not Used.

39. Abatement of public nuisances as follows:

   - (A) **1305** McKinley Avenue.
   - (B) **2591** Easter Lake Drive.
   - (C) **1300** E. Watrous Avenue.
   - (D) **525** SE 7th Street.
   - (E) **2010** 6th Avenue.
   - (F) **233** E. Park Avenue.
40. Purchases from the following:

(A) Ziegler CAT Inc. (William Hoeft, President) for one compact excavator per Sourcewell purchasing contract as requested by the Department of Public Works Sewers Division, $94,552.17.

(Council Communication No. 21-342)

(B) Ziegler CAT Inc. (William Hoeft, President) for one replacement used motor grader per Sourcewell purchasing contract as requested by the Department of Public Works Street Maintenance Division, $165,000.

(Council Communication No. 21-343)

(C) Housby Mack Inc. (Kelly Housby, CEO) for three conventional cab heavy duty truck replacements, $370,028 and Henderson Products, Inc. (John Sievert, President) for dump bodies and snowplows including installation, $313,141 per Sourcewell purchasing contracts as requested by the Department of Public Works Street Cleaning and Sewers Division, total $683,169.

(Council Communication No. 21-345)

(D) Heartland Business Systems (Peter Helander, CEO) for Cisco Catalyst 9300 and Catalyst 9500 network hardware per State of Iowa Contract as requested by the Information Technology Department, $215,196.62.

(Council Communication No. 21-347)

(E) Stivers Ford (Scott Politte, General Manager) for two replacement hybrid pursuit SUVs per State of Iowa contract as requested by the Fleet Services Division for use by the Police Department, $72,109.

(Council Communication No. 21-349)

41. Short form agreement for the diagnosis and repair of Mack branded truck chassis, including use of Mack OEM installed telematics, and McNeilus refuse collection body installed on truck chassis and associated parts not supplied by Fleet Services Department with Housby Mack Inc. (Kelly Housby, CEO) in the amount of up to $250,000 annually.

(Council Communication No. 21-344)
42. **Authorizing** Finance Director to draw checks on registers for the weeks of August 9 and 16; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of August 9 and 16; to draw checks for biweekly payroll due August 13, 2021.

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

**HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 43 THRU 64)**

43. **On** the issuance not to exceed $30,000,000 Stormwater Management Utility Revenue Bonds.

   *(Council Communication No. 21-348)*

   (A) **Authorization** to take additional action.

44. **On** the issuance of not to exceed $40,000,000 General Obligation Urban Renewal Bonds of the City of Des Moines, State of Iowa (For Essential Corporate Purposes).

   *(Council Communication No. 21-348)*

   (A) **Authorization** to take additional action.

45. **On** the issuance of not to exceed $53,000,000 General Obligation Bonds of the City of Des Moines, State of Iowa (For Essential Corporate Purposes).

   *(Council Communication No. 21-348)*

   (A) **Authorization** to take additional action.

46. **On** the issuance of not to exceed $1,000,000 General Obligation Bonds of the City of Des Moines, State of Iowa (for General Corporate Purposes (GCP-1)).

   *(Council Communication No. 21-348)*

   (A) **Authorization** to take additional action.

47. **On** the issuance of not to exceed $1,000,000 General Obligation Bonds of the City of Des Moines, State of Iowa (for General Corporate Purposes (GCP-2)).

   *(Council Communication No. 21-348)*

   (A) **Authorization** to take additional action.
48. **On** the issuance of not to exceed $1,000,000 General Obligation Bonds for the City of Des Moines, State of Iowa (For General Corporate Purposes, (GCP-3)).

   *(Council Communication No. 21-348)*

   (A) **Authorization** to take additional action.

49. **On** the issuance of not to exceed $1,000,000 General Obligation Bonds of the City of Des Moines, State of Iowa (for General Corporate Purposes, (GCP-4)).

   *(Council Communication No. 21-348)*

   (A) **Authorization** to take additional action.

50. **On** the issuance of not to exceed $1,000,000 General Obligation Bonds of the City of Des Moines, State of Iowa (for General Obligation Corporate Purposes, (GCP-5)).

   *(Council Communication No. 21-348)*

   (A) **Authorization** to take additional action.

51. **On** the issuance of not to exceed $1,000,000 General Obligation Bonds of the City of Des Moines, State of Iowa (for General Corporate Purposes, (GCP-6)).

   *(Council Communication No. 21-348)*

   (A) **Authorization** to take additional action.

52. **On** the issuance of not to exceed $1,000,000 General Obligation Bonds of the City of Des Moines, State of Iowa (for General Corporate Purposes, (GCP-7)).

   *(Council Communication No. 21-348)*

   (A) **Authorization** to take additional action.

53. **On** the issuance of not to exceed $1,000,000 General Obligation Bonds of the City of Des Moines, State of Iowa (for General Corporate Purposes, (GCP-8)).

   *(Council Communication No. 21-348)*

   (A) **Authorization** to take additional action.
54. **On** the issuance of not to exceed $1,000,000 General Obligation Bonds of the City of Des Moines, State of Iowa (for General Corporate Purposes, (GCP-9)).

*(Council Communication No. 21-348)*

(A) **Authorization** to take additional action.

55. **On** the issuance of not to exceed $1,000,000 General Obligation Bonds of the City of Des Moines, State of Iowa (for General Corporate Purposes, (GCP-10)).

*(Council Communication No. 21-348)*

(A) **Authorization** to take additional action.

56. **On** the issuance of not to exceed $1,000,000 General Obligation Bonds of the City of Des Moines, State of Iowa (for General Corporate Purposes, (GCP-11)).

*(Council Communication No. 21-348)*

(A) **Authorization** to take additional action.

57. **On** the issuance of not to exceed $1,000,000 General Obligation Bonds of the City of Des Moines, State of Iowa (for General Corporate Purposes, (GCP-12)).

*(Council Communication No. 21-348)*

(A) **Authorization** to take additional action.

58. **On** the issuance of not to exceed $1,000,000 General Obligation Bonds of City of Des Moines, State of Iowa (for General Corporate Purposes, (GCP-13)).

*(Council Communication No. 21-348)*

(A) **Authorization** to take additional action.

(B) **Directing** the advertisement for sale of $96,845,000 General Obligation Bonds, Series 2021F, and approving Electronic Bidding Procedures and **Official Statement** (bonds will be sold at 10:00 a.m. on August 18, 2021 and a Special Meeting will be held at 4:30 p.m.).
(C) Directing the advertisement for sale of $5,050,000 Taxable Obligation Bonds, Series 2021G, and approving Electronic Bidding Procedures and Official Statement (bonds will be sold at 10:00 a.m. on August 18, 2021 and a Special Meeting will be held at 4:30 p.m.)

(D) Directing the advertisement for sale of $29,085,000 Stormwater Management Utility Revenue Bonds, Series 2021H, and approving Electronic Bidding Procedures and Official Statement (bonds will be sold at 10:00 a.m. on August 18, 2021 and a Special Meeting will be held at 4:30 p.m.)

59. On request from Oscar and Enrique Zenteno to amend the PlanDSM: Creating our Tomorrow future land use classification for 2354 E Grand Avenue from Neighborhood Mixed Use to Community Mixed Use District and to rezone from MX1 Mixed Use District to MX3 Mixed Use District to allow ongoing operation of a Minor Vehicle/Maintenance Repair use on the property. Plan and Zoning Commission recommends denial (Continued from June 14, 2021).  Note: Six affirmative votes are required to approve the proposed rezoning due to the Plan and Zoning Commission’s recommendation for denial. Des Moines City Code §134-6.3.9.B.1.

(A) First consideration of ordinance above.  Note: Six affirmative votes are required to approve the proposed rezoning due to the Plan and Zoning Commission’s recommendation for denial. Des Moines City Code §134-6.3.9.B.1.

(B) Final consideration of ordinance above (waiver requested by Oscar and Enrique Zenteno), requires six votes.

60. On request from Des Moines Film for a Certificate of Appropriateness for proposed exterior alternations to the Varsity Theater located at 1207 25th Street.

61. On vacation of a portion of Southwest McKinley Avenue located north of and adjoining 6020 Southwest McKinley Avenue and conveyance to Nickolas Van Patten for $250.

(A) First consideration of ordinance above.

(B) Final consideration of ordinance above (waiver requested by Nickolas Van Patten), requires six votes.
62. On conveyance of a permanent gas easement located at 101 East 2nd Street to MidAmerican Energy Company for the East 2nd Street Reconstruction – Court Avenue to Iowa Interstate Railroad project.

63. On vacation of portions of Southeast 3rd Street and Southeast 4th Street right-of-way located north of Martin Luther King, Jr. Parkway and south of vacated East Elm Street as part of the Market District Redevelopment project.

   (A) First consideration of ordinance above.

   (B) Final consideration of ordinance above (waiver requested by Erin Olson-Douglas, Development Services Director), requires six votes.

64. On vacation of Ohio Street right-of-way located north of Franklin Avenue and east of and adjoining 101 Franklin Avenue.

   (A) First consideration of ordinance above.

   (B) Final consideration of ordinance above, requires six votes.

   **** END OF HEARING ___________________ P.M. ****

ORDINANCES - FIRST CONSIDERATION

65. Amending Chapter 114 of the Municipal Code regarding Traffic Regulation Changes as follows:

   (Council Communication No. 21-341)

   (A) Loading Zone Removal—east side of 6th Avenue between Euclid Avenue and Clinton Avenue.

   (B) Final consideration of ordinance above, requires six votes.
COUNCIL REQUESTS

66. From Mayor Cownie, Council Member Mandelbaum and Council Member Voss to discuss deer and water fowl management.

COMMUNICATIONS/REPORTS

67. Requests to speak as follows:

(A) Taylor Webber.
(B) Adam Callanan.
(C) K.T. Menke.
(D) Mimi Habhab.
(E) Garland Armstrong.
(F) Heather Armstrong.
(G) Jean A. O’Donnell.
(H) Colin Coulter--WITHDRAWN
(I) Carrie Gosnell.
(J) Rick Prettyman.
(K) Ed Fallon.

MOTION TO ADJOURN.

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