

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

**January 10, 2022
5:00 P.M.**

**Reception 4:15-4:45 PM
Great Hall, 2nd Floor**

**Connie Boesen, Council Member At-Large
Indira Sheumaker, Council Member Ward I
Josh Mandelbaum, Council Member Ward III**

Masks Required

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:

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.

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.

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.

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.

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.

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.

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.

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.

Swearing in Ceremony 4:45 P.M.

PROCLAMATION

Human Trafficking Prevention and Awareness Month

1. ROLL CALL:

I. Reappointment of the following:

- (A) [City Manager](#).
- (B) [City Attorney](#).
- (C) [City Clerk](#).
- (D) [Chief Deputy](#) City Clerk and Deputy Clerk.
- (E) [Chief Deputy](#) City Attorney, Deputy City Attorneys and Assistant Attorneys.

II. [Recommendation](#) of Mayor Cownie for appointment of Josh Mandelbaum as Mayor Pro Tem for Calendar Year 2022.

2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:

3. APPROVING CONSENT AGENDA * – items 3 through 43:

***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 APPLICATION

- (A) STAYBRIDGE SUITES 201 E LOCUST ST Class C Beer

RENEWAL APPLICATIONS

- (B) ALBA RESTAURANT 519 DES MOINES ST Class C Liquor

(C)	BAILEYS PUB N GRUB	918 E EUCLID AVE	Class C Liquor
(D)	CASEYS GENERAL STORE #2322	4331 PARK AVE	Class C Beer
(E)	CASEYS GENERAL STORE #2641	2849 E EUCLID AVE	Class C Beer
(F)	CASEYS GENERAL STORE #2786	5150 E 14TH ST	Class E Liquor
(G)	CHRISTOPHERS DINING ROOM	2816 BEAVER AVE	Class C Liquor
(H)	CINCO ESTRELLAS BAR & GRILL	1833 HUBBELL AVE	Class C Liquor
(I)	EASTGATE LAUNDROMAT	1424 E OVID AVE	Class B Beer
(J)	FAREWAY STORE #183	4313 FLEUR DR	Class E Liquor
(K)	GARDEN NIGHTCLUB	525 E GRAND AVE	Class C Liquor
(L)	GIT N GO STORE #32	2911 DOUGLAS AVE	Class C Beer
(M)	GIT N GO STORE #24	1142 42ND ST	Class C Beer
(N)	GIT N GO STORE #27	1240 KEOSAUQUA WAY	Class C Beer
(O)	HIGHLAND PARK POST NO 374	3712 2ND AVE	Class A Liquor
(P)	HY VEE FOOD STORE #1	3330 MLK JR PKWY	Class E Liquor
(Q)	JIFFY #924	3718 SW 9TH ST	Class C Beer
(R)	KUM & GO #573	5830 SE 14TH ST	Class E Liquor
(S)	SHOP N SAVE #2	1372 E 14TH ST	Class E Liquor
(T)	TARGET STORE T2041	5901 DOUGLAS AVE	Class E Liquor
(U)	UNIVERSITY LIBRARY CAFE	3506 UNIVERSITY AVE	Class C Liquor
(V)	WEST END WINES	22 9TH ST	Class C Liquor

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) [Observatory](#) Road Reconstruction from Polk Blvd West to Parking Lot: Receiving of bids, (1-25-22) and Setting date of hearing, (2-21-22), Engineer's estimate, \$524,000.

[\(Council Communication No. 22-010\)](#)

(B) [Neal](#) Smith Trail Rehabilitation – Euclid Avenue to Saylor Creek Bridge: Receiving of bids, (1-25-22) and Setting date of hearing, (2-21-22), Engineer's estimate, \$821,000.

[\(Council Communication No. 22-009\)](#)

(C) [Des](#) Moines Levee Alterations – Phase C: Receiving of bids, (2-8-22), and Setting date of hearing, (3-7-22), Engineer's estimate, \$14,200,000.

[\(Council Communication No. 22-012\)](#)

- (D) [Animal](#) Control Facility Bid Package No. 1 – Structural Steel and Erection: Receiving of bids, (2-1-22), and Setting date of hearing, (2-21-22), Engineer’s estimate, \$455,000.

[\(Council Communication No. 22-008\)](#)

8. [Approving](#) Professional Services Agreement (PSA) with Olsson, Inc. for traffic engineering services for the Traffic Signal System Timing Updates – Phase 4, not to exceed \$284,051.44.

[\(Council Communication No. 22-011\)](#)

9. [Approving](#) Private Construction Contract between Vanderpool Construction, Inc. and MidState Properties, LLC for Storm Sewer Improvements in 1929 SE 14th Court.

10. Approving completion and acceptance of Private Construction Contracts:

(A) [Storm](#) Sewer Improvements in the Woods of Copper Creek Plat 3 between Team Excavating, Inc. and HDR Land Development, LLC.

(B) [Storm](#) Sewer Improvements in 2650 University Avenue between Corell Contractor, Inc. and Hotel Francis, LLC.

(C) [Storm](#) Sewer Improvements in 401 SE 6th Street between Corell Contractor, Inc. and Connolly Lofts Associates, LP.

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) [Meredith](#) Trail Bank Repair Near SW 7th Street, RW Excavating Solutions, LC.

(B) [Euclid](#) Avenue Three Lane Pilot Project-2nd Avenue to 12th Street, Van Maanen Electric, Inc.

(C) [Glendale](#) Cemetery Road Reconstruction Phase 3, Hawkeye Paving Corporation.

LAND/PROPERTY TRANSACTIONS

13. [Acquisition](#) of the necessary property interests for the Easton Boulevard Reconstruction – E. 33rd Street to Fourmile Creek Project.

[\(Council Communication No. 22-006\)](#)

14. [Partially](#) releasing Letter of Credit Surety for Parkside Estates Plat 1.

BOARDS/COMMISSIONS/NEIGHBORHOODS

15. [Communication](#) from Carole Jones advising of her resignation from the Housing Appeals Board, Seat 7, effective immediately.
16. [Communication](#) from Jake Grothoff advising of his resignation from the Greater Des Moines Sister Cities Commission, Seat 3, effective immediately.
17. [Communication](#) from Jared Morford advising of his resignation from the Transportation Safety Committee, Seat 7, effective immediately.
18. [Communication](#) from Steve Wallace advising of his resignation from the Plan and Zoning Commission, Seat 10, effective immediately.
19. [Recommendation](#) from Council Member Westergaard to appoint Andrew Lorentzen to the Plan and Zoning Commission, Seat 10, to fill vacancy with a term expiring July 5, 2024.
20. [Appointing](#) Mayor T.M. Franklin Cownie, Ward III Council Member Josh Mandelbaum, and Ward I Council Member Indira Sheumaker to the Homeless Coordinating Council (HCC).
21. [Appointments](#) for Calendar Year 2022 to the Metropolitan Planning Organization (MPO), MPO Executive Committee and the Transportation Technical Committee (TTC).
22. [Appointing](#) Carl Voss to the Des Moines Arts Festival Board of Directors.
23. [Appointing](#) Joe Gatto as the Primary and Indira Sheumaker as the Alternate Members to the Metro Waste Authority (MWA) for the calendar year of 2022.
24. [Appointing](#) Linda Westergaard as primary member to the Neighborhood Finance Corporation (NFC) Board of Directors.
25. [Appointing](#) Council Member Indira Sheumaker to the IMPACT Community Action Partnership.

COMMUNICATIONS FROM PLANNING AND ZONING

26. [Regarding](#) City-initiated request for vacation of a remaining east-to-west alley segment to the west of 6th Avenue in the block between Walnut Street and Mulberry Street.

SETTING DATE OF HEARINGS

27. [On](#) request from Drake University for review and approval of an amendment to the “University Square” Legacy Planned Unit Development and rezoning for property at 1236 24th Street, to remove approximately 0.56 acres to be rezoned to MX2 Mixed Use District to allow development of a mixed-use project including residential and commercial uses, (1-24-22).
28. [To](#) correct the vacation of a portion of Cohen Park located north of and adjoining 1106 Scott Avenue and to issue a corrected quit claim deed to Des Moines Climate Controlled Self Storage, LLC, (1-24-22).
29. [On](#) appeal by Shelden Holdings, LLC of denial of Type 2 Design Alternative for Site Plan for property located at 2551 Douglas Avenue, (1-24-22).
30. [On](#) appeal from Glad Tidings Assembly of God Church (Owner), represented by Bill Wenig, (Officer), on denial of a Type 2 Design Alternative for Site Plan for property located at 2145 East Army Post Road, (1-24-22).

APPROVING

31. [Issuance](#) of Certificate of Completion to Stapek Partners, LLC (Tim Rypma) for historic renovation of existing commercial building located at 112 SE 4th Street.
32. [Issuance](#) of Certificate of Completion to Des Moines Cold Storage Company, Inc. and Crossroads Cold Storage, LLC (C.J. Morton) a 112,000 square-foot Office/Warehouse located at SE 43rd and Vandalia Road.
33. [Issuance](#) of Certificate of Completion for JR Partners, LLC for the historic renovation of 401 East Court Avenue.
34. [Second](#) renewal agreement to License Agreement with Islamic Center of Des Moines for use of a portion of Glendale Cemetery to bury deceased members of Islamic Faith.

[\(Council Communication No. 22-002\)](#)

35. Communication of fire escrow at the following locations:

- (A) [1513](#) E. 23rd Street.
- (B) [1738](#) Evergreen Avenue.
- (C) [2301](#) Forest Avenue.
- (D) [729](#) Boyd Street.

36. [Release](#) of fire escrow at 1662 Northwest Drive.

37. Abatement of public nuisances as follows:

- (A) [125](#) SE 18th St.
- (B) [5902](#) Hickman Road.

38. [Purchase](#) of a remote-operated explosive ordnance robot system for use by the statewide certified Explosive Ordnance Detection (EOD) teams from Safeware Inc. with the 2021 Homeland Security Explosive Ordnance Device Grant.

[\(Council Communication No. 22-004\)](#)

39. [Purchase](#) of two (2) ruggedized portable digital imaging systems for statewide Explosive Ordnance Detection (EOD) teams from Scanna MSC, Inc. with 2021 Homeland Security Explosive Ordnance Grant.

[\(Council Communication No. 22-005\)](#)

40. [Purchase](#) from B & G Construction (Gary Bowen, Owner) for an annual contract with five (5) additional one year renewal options to furnish board-up services for vacant and abandoned houses, (Eight potential bidders, one bid received).

[\(Council Communication No. 22-001\)](#)

41. [Authorizing](#) Finance Director to draw checks on registers for the weeks of January 10 and 17, 2022; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of January 10 and 17, 2022; to draw checks for biweekly payroll due January 14, 2022.

ORDINANCES - FINAL CONSIDERATION

- 42. [Amending](#) Chapter 114 of the Municipal Code to facilitate the use of multi-space parking meters.
- 43. [Amending](#) Sections 2-1176 and 2-1177, relating to the creation, composition, appointment and powers and duties of the Youth Advisory Board.

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

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 44 THRU 47)

- 44. Regarding items related to EMC Lease Agreement as follows:
 - (A) [Public](#) hearing on the proposition to authorize a lease with Employers Mutual Casualty Company (EMC) for the lease of real estate and park improvements at located at 701 Walnut Street for use by the Parks and Recreation Department as a public park.

[\(Council Communication No. 22-003\)](#)
 - (B) [Approving](#) form and authorizing execution of the lease agreement.
- 45. [On](#) request from Employers Mutual Casualty Company to amend the PlanDSM: Creating Our Tomorrow future land use designation of 701 Walnut Street from Downtown Mixed Use to Park/Open Space and to rezone the property from DX1 Downtown District to P2 Public Civic and Institutional District to allow development of a Public Recreation Area use.
 - (A) [First](#) consideration of ordinance above.
 - (B) [Final](#) consideration of ordinance above (waiver requested by Cindy McCauley, VP Admin Services, EMC), requires six votes.

46. [On](#) request from Mid-Eastern Council on Chemical Abuse to amend PlanDSM: Creating Our Tomorrow future land use designation for property located at 3451 Easton Boulevard from Low Density Residential to Neighborhood Mixed Use, to allow rezoning and Group Living use of the Property for expansion of an existing outpatient rehabilitation facility and provision of overnight stay accommodations for patients.

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

(B) [Final](#) consideration of ordinance above (waiver requested by Michelle De La Riva, Executive Director), requires six votes.

47. [On](#) 2022 PCC Pavement Patching Program: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating the lowest responsible bidder as TK Concrete, Inc. (Tony J. Ver Meer, President), \$924,675.

[\(Council Communication No. 22-007\)](#)

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

**** END OF HEARINGS _____ P.M.****

COMMUNICATIONS/REPORTS

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

- (A) Adam Callanan.
- (B) Taylor Webber.
- (C) Bridget Pedersen.
- (D) Jolene Prescott.
- (E) John Noble.
- (F) Natalie Harwood.

MOTION TO ADJOURN.

The City of Des Moines is pleased to provide accommodations to disabled individuals or groups and encourages participation in City government. To better serve you, please notify us at least three business days in advance when possible at 515-283-4209, should special accommodations be required. Assistive Listening Devices are available for meetings in the City Council Chambers.

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