

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

**January 24, 2022
5:00 P.M.**

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.

PROCLAMATION (4:45 P.M.)

Black History Month.

1. ROLL CALL:
- I. [Amending](#) the procedural rules of the Des Moines City Council.
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 24:

***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) MAD MEATBALL PIZZERIA | 210 SW 11TH ST | Class C Liquor |
| (B) SUITE 203 | 216 COURT AVE | Class C Liquor |

RENEWAL APPLICATIONS

| | | |
|--------------------------------|---------------------------|-------------------------|
| (C) 300 CRAFT & ROOFTOP | 300 W MLK JR | Class C Liquor |
| (D) A DONG RESTAURANT | 1511 HIGH ST | Special Class C |
| (E) APOSTO | 644 18TH ST | Class C Liquor |
| (F) BEAVER TAP | 4050 URBANDALE | Class C Liquor |
| (G) CASEYS GENERAL STORE #2244 | 2150 E ARMY POST | Class C Beer |
| (H) CASEYS GENERAL STORE #3518 | 1907 ARMY POST | Class E Liquor |
| (I) CASH SAVER #33 | 1320 E EUCLID | Class E Liquor |
| (J) FAST MART | 1621 UNIVERSITY | Class E Liquor |
| (K) FLYING MANGO | 4345 HICKMAN | Class C Liquor |
| (L) GIT N GO STORE #18 | 6501 SE 14TH ST | Class C Beer |
| (M) GIT N GO STORE #29 | 4900 URBANDALE | Class C Beer |
| (N) GUSTO PIZZA CO | 1905 INGERSOLL | Special Class C |
| (O) HAIKU SUSHI INC | 1315 31ST ST | Class C Liquor |
| (P) HOLIDAY INN EXPRESS/SUITES | 333 SW 11TH ST | Class C Beer |
| (Q) HULL AVENUE TAP | 834 HULL AVE | Class C Liquor |
| (R) HY VEE MARKET GRILLE #6 | 420 COURT AVE | Class C Liquor |
| (S) HY VEE #6 | 420 COURT AVE | Class E Liquor |
| (T) IOWA TAPROOM | 215 E 3RD ST #100 | Class C Liquor |
| (U) LA CABANA MEXICAN | 1435 ARMY POST | Class C Liquor |
| (V) LA TAPATIA 2 | 3504 MERLE HAY | Class C Beer |
| (W) LIFT | 222 4TH ST | Class C Liquor |
| (X) MACCABEES DELI & JUDAICA | 1150 POLK BLVD | Class B Wine |
| (Y) MARIANAS | 1305 UNIVERSITY | Class B Beer |

| | | | |
|-----------------|-------------------------------------|----------------------------|---------------------------|
| (Z) | PALMERS DELI & MARKET | 2843 INGERSOLL | Class C Liquor |
| (AA) | PANCHEROS MEXICAN GRILL | 2708 INGERSOLL | Class B Beer |
| (BB) | PANKA PERUVIAN | 2708 INGERSOLL | Class C Liquor |
| (CC) | PUEBLO VIEJO | 3841 E 14TH ST | Class C Liquor |
| (DD) | QUINTONS BAR & GRILL | 506 E GRAND AVE | Class C Liquor |
| (EE) | RESIDENCE INN DES MOINES | 100 SW WATER ST | Class B Liquor |
| (FF) | SNAKE PIT LOUNGE | 3100 MCKINLEY | Class A Liquor |
| (GG) | TANGERINE FOOD COMPANY | 4700 GRAND AVE | Class C Liquor |
| (HH) | TOBACCO OUTLET PLUS #521 | 3301 E EUCLID | Class C Beer |

SPECIAL EVENT APPLICATION

(II) CATTLE BARN 3000 E GRAND 14 days
 Class C Liquor License for Iowa Beef Expo on February 12 – 20, 2022.

- 4I. [Approving](#) new Class C Liquor License for Maggie’s Rumble Room at 1430 2nd Avenue.
- 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 Des Moines Levee Alterations – Phase B: Receiving of bids, (2-22-22) and Setting date of hearing, (3-21-22), Engineer’s estimate, \$13,830,000.

[\(Council Communication No. 22-020\)](#)

- 8. Items regarding the Neal Smith Trail Rehabilitation – Euclid Avenue to Saylor Creek Bridge Project:

[\(Council Communication No. 22-028\)](#)

- (A) [Supplemental](#) Agreement No. 3 to lease contract No. DACW25-1-93-4040 with the Department of the Army – U.S. Army Corps of Engineers (USACE).
- (B) [Consent](#) to Easement Structures (Consent No. DACW25-9-22-4022) with the Department of the Army – U.S. Army Corps of Engineers (USACE).

- 8I. [Approving](#) Supplemental Agreement No. 1 to the Professional Services Agreement (PSA) with JEO Consulting Group, Inc. for Additional Design Phase Services for Indianola Avenue Reconstruction – E. Army Post Road to U.S. Highway 69, not to exceed \$62,020.

[\(Council Communication No. 22-025\)](#)

9. [Approving](#) Change Order No. 1 with Rognes Corporation for additional work on River Bend and King Irving Storm Sewer Separation Phase 3A in the amount of \$129,543.77.

[\(Council Communication No. 22-027\)](#)

10. [Approving](#) completion and acceptance of Private Construction Contract for Storm Sewer Improvements at 3401 University Avenue between the Hansen Company, Inc. and Kum and Go, L.C.

11. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects.

12. [Accepting](#) completed construction and approving final payment for the Woman of Achievement Bridge Lighting Improvements, Baker Electric, Inc.

LAND/PROPERTY TRANSACTIONS

13. [Approving](#) tax abatement applications for the additional value added by improvements completed during 2021, (50 applications).

[\(Council Communication No. 22-018\)](#)

BOARDS/COMMISSIONS/NEIGHBORHOODS

14. [Approving](#) appointment of Council Member Suresh Reddy as the Primary Representative and City Manager Jim Sanders as the Alternate Representative to the Greater Des Moines Sister Cities Commission for the City of Johnston effective December 20, 2021.

15. [Receive](#) and file communication from the Parks and Recreation Board regarding approval of the Southwest Infrastructure and Planning Study and recommendation of dedication of Gray's Lake Wetlands Project Area as parkland.

SETTING DATE OF HEARING

16. [To](#) adopt a resolution establishing the total maximum property tax dollars certified for levy for the fiscal year ending June 30, 2023, (2-7-22).

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

17. [Approving](#) payment to Richie Paz for a personal injury claim.

APPROVING

18. [Support](#) of the proposed final application for the Merle Hay Mall Campus Reinvestment District.

[\(Council Communication No. 22-030\)](#)

19. [Amendment](#) to the agreement for the shared use and fees for golf badges at the City of Des Moines Golf Courses, Jester Park Golf Course and Terrace Hills Golf Course between City of Des Moines, Polk County Conservation Board, City of Altoona, C Corporation and CS Corporation.

[\(Council Communication No. 22-015\)](#)

20. [Acceptance](#) of an increase in funding through the COPS Anti-Heroin Grant Program issued by the Governor's Drug Control Policy Office.

[\(Council Communication No. 22-021\)](#)

21. [Intergovernmental](#) 28E Agreement with Central Iowa Traffic Safety Task Force (CITSTF), which includes Law Enforcement Agencies from Polk, Dallas and Story Counties in Iowa.

[\(Council Communication No. 22-022\)](#)

22. [Purchase](#) of new office and common area furniture for the Municipal Services – Phase 2 Building in the following amounts, totaling \$500,551.87: All Makes Office Interiors (Jeff Kavich, President) for flip-top tables, high seating, and office furniture \$40,494.98 utilizing DAS contract; Duet Resource Group (Dan Mahlik, President) for office chairs \$11,137.69, using DAS contract; Pigott Inc. (John Stenberg, Owner) for office systems furniture, conference tables, and office storage \$367,812.70 using DAS contract; Saxton Inc. (Kim Augspurger, President/Owner) for office and break room chairs \$81,106.50 using OMNIA Partners contract.

[\(Council Communication No. 22-019\)](#)

23. [Authorizing](#) Finance Director to draw checks on registers for the weeks of January 24 and 31, 2022; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of January 24 and 31, 2022; to draw checks for biweekly payroll due January 28, 2022.

ORDINANCES - FINAL CONSIDERATION

- 24. 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 25 THRU 35)

- 25. 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.

(A) First consideration of ordinance above.

- 26. On appeal by Shelden Holdings, LLC of denial of Type 2 Design Alternative for Site Plan for property located at 2551 Douglas Avenue. **(Choose Alternative A – to deny the Type 2 Design Alternative in form requested by Shelden Holdings, LLC or Alternative B to approve the Type 2 Design Alternative in the form recommended by the City’s Planning Administrator or Alternative C - to approve the Type 2 Design Alternative in form requested by Shelden Holdings, LLC).**

- 27. 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. **(Choose Alternative A – to deny and Approve the Type 2 Design Alternative or Alternative B - to approve the proposed Type 2 Design Alternatives in form requested by Glad Tidings Assembly of God Church).**

- 28. 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.

(A) First consideration of ordinance above.

- 29. On 2021 Parking Garage Repair Program: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating the lowest responsible bidder as Fisher Building Services, Inc. (Douglas R. Fisher, President), \$177,768.

(Council Communication No. 22-013)

(A) Approval of contract and bond.

30. [On](#) 2022 Midblock Pedestrian Signal Improvements: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating the lowest responsible bidder as Ti-Zack Concrete, Inc. (Steve J. Rutt, President), \$434,210.

[\(Council Communication No. 22-016\)](#)

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

31. [On](#) Closes Creek Storm Water Improvements Phase 3: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating the lowest responsible bidder as S.M. Hentges & Sons, Inc. (Steven M. Hentges, President), \$8,376,076.22.

[\(Council Communication No. 22-017\)](#)

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

32. [On](#) George Flagg Parkway Resurfacing from Fleur Drive to SW 30th Street: Resolution approving plans, specifications, engineer's estimate, receive and file bids, and designating lowest responsible bidder as InRoads, LLC (Joseph J. Manatt, CEO), \$428,073.

[\(Council Communication No. 22-023\)](#)

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

33. [On](#) Indianola Avenue Reconstruction – E. Army Post Road to U.S. Highway 69: Resolution approving plans and specifications, form of contract documents, engineer's estimate, receive and file bids, and designating lowest responsible bidder as Absolute Concrete Construction, Inc. (Sonny E. Hall, President), \$5,996,191.17.

[\(Council Communication No. 22-024\)](#)

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

34. [On](#) Pennsylvania Avenue Reconstruction from North of E. University Avenue to E. Washington Avenue: Resolution approving plans, specifications form of contract documents, engineer's estimate, receive and file bids, and designating lowest responsible bidder as InRoads, LLC (Joseph J. Manatt, CEO), \$1,469,107.88.

[\(Council Communication No. 22-029\)](#)

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

35. [Reject](#) all bids on Nahas Pool Painting Improvements and close hearing on the plans, specifications, form of contract documents, and engineer's estimate.

[\(Council Communication No. 22-014\)](#)

- (A) [Ordering](#) construction of Nahas Pool Painting Improvements: Receiving of bids, (2-8-22), and setting date of hearing, (2-21-22), and Engineer's estimate, \$135,000.

[\(Council Communication No. 22-026\)](#)

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

ORDINANCES - FIRST CONSIDERATION

36. [Amending](#) the Municipal Code by amending Ordinance No. 16,091 to repeal and replace the description of Precinct 48 contained in Section 1.48 and Precinct 50 contained in 1.50 of Appendix B, Election Precincts and Wards to comply with the review of and request by Secretary of State to conform the adopted boundary descriptions with the mapped depictions of those precincts.

- (A) [Final](#) consideration of ordinance above (To meet statutory guidelines and avoid additional special city council meetings to adopt the ordinance, waiver of readings and consideration is requested by the City Manager), requires six votes.

COMMUNICATIONS/REPORTS

37. [Request](#) to speak as follows:

- (A) Marco Battaglia
- (B) Taylor Webber.
- (C) Natalie Harwood
- (D) Adam Callanan
- (E) Bridget Pedersen
- (F) Molly Arndt
- (G) Noah Johnson
- (H) Abby Bankes
- (I) Jolene Prescott

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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