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

April 18, 2022  
5:00 PM  

PROCLAMATIONS – 4:45PM  

Arbor Day  

1. ROLL CALL:  

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

3. APPROVING CONSENT AGENDA * – items 3 through 50:  

   *Note: These are routine items and will be enacted by one roll call vote  
   without separate discussion unless pursuant to Council rules, Council  
   requests an item be removed to be considered separately.  

LICENSES AND PERMITS  

4. Approving Alcoholic Beverage License Applications for the following:  

   NEW APPLICATIONS  
   (A) BASH EVENTS & CATERING  1312 LOCUST ST  Class C Liquor  
   (B) CHICKEN SHACK  1501 E EUCLID AVE  Class B Beer  
   (C) FAIRFIELD INN  207 CROCKER ST  Class B Liquor  
   (D) FAMILY DOLLAR #21841  2231 E UNIVERSITY AVE  Class B Beer  
   (E) JK AFRICAN STORE  2312 UNIVERSITY AVE  Class E Liquor  
   (F) LA RANCHERITA  1106 ARMY POST RD  Class C Liquor  
   (G) PAVILION  3000 E GRAND AVE  Class B Beer  
   (H) SANDS VOLLEYBALL  6214 GRAND AVE  Class C Liquor  
   (I) STEER N STEIN  3000 E GRAND AVE  Class B Beer  
   (J) VIBES KITCHEN & BAR  1303 WALNUT ST  Class C Liquor  

   RENEWAL APPLICATIONS  
   (K) ALPINE TAP ROOM  2720 INGERSOLL AVE  Class C Liquor  
   (L) BARATTAS RESTAURANT  2320 SOUTH UNION ST  Class C Liquor  
   (M) BEST FOOD MART  4028 E 14TH ST  Class E Liquor
(N) CAPITAL CITY MOOSE 2515 WEDGEWOOD RD  Class A Liquor
(O) CHEESE BAR 2925 INGERSOLL AVE  Class C Liquor
(P) EMBASSY SUITES HOTEL 101 E LOCUST ST  Class B Liquor
(Q) FRANKA PIZZERIA 111 E GRAND AVE  Class C Liquor
(R) GERRIS 232 E 30TH ST  Class C Liquor
(S) GIT N GO STORE #5 2700 INDIANOLA AVE  Class C Beer
(T) GREENWOOD LOUNGE 3707 INGERSOLL AVE  Class C Liquor
(U) H & A MINI MART 145 UNIVERSITY AVE  Class E Liquor
(V) H & A MINI MART 5901 FLEUR DR  Class C Beer
(W) JETHROS 3100 FOREST AVE  Class C Liquor
(X) JOHNNYS HALL OF FAME 302 COURT AVE  Class C Liquor
(Y) MARIAS MEXICAN 5405 DOUGLAS AVE  Class B Beer
(Z) QUIK TRIP #515 1421 INGERSOLL AVE  Class C Beer
(AA) RITUAL CAFE 1301 LOCUST ST  Special Class C
(BB) SCORNOVACCAS 1930 SE 14TH ST  Class C Liquor
(CC) THAI FLAVOR 2301 INGERSOLL AVE  Class C Liquor
/DD) THIRSTY SPORTSMAN 4808 SW 9TH ST  Class C Liquor
(EE) WOODYS 2117 E UNIVERSITY  Class C Liquor

SPECIAL EVENT APPLICATIONS

(FF) APRES BAR CO 411 LAUREL ST  5 days
CLASS C LIQUOR LICENSE FOR AN EVENT ON APRIL 28, 2022.

(GG) BUZZARD BILLYS 615 3RD ST (PARKING)  5 days
CLASS C LIQUOR LICENSE FOR MORGAN WALLEN CONCERT ON APRIL 29, 2022.

(HH) CED 3000 E GRAND AVE  5 days
CLASS C LIQUOR LICENSE FOR A WEDDING RECEPTION ON MAY 14, 2022.

(II) CHRIST THE KING 5711 SW 9TH ST  5 days
CLASS C LIQUOR LICENSE FOR 2022 PARISH AUCTION - PROM NIGHT ON APRIL 30, 2022.

(JJ) DRAKE UNIVERSITY 2615 CARPENTER AVE  5 days
CLASS C LIQUOR LICENSE FOR CLASS REUNION ON MAY 6, 2022.

(KK) IOWA BEER BUS 2201 GEORGE FLAGG  5 days
CLASS C LIQUOR LICENSE FOR THE UKRAINE BENEFIT CONCERT ON APRIL 24, 2022.

(LL) THIRSTY PIGS 1320 34TH ST (TENT)  5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR GREEK STREET PARTY ON APRIL 30, 2022
(MM) THIRSTY PIGS  
2698 FOREST AVE #F  
5 days  
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR DRAKE ALUMNI PARTY ON APRIL 29, 2022.

(NN) YOUR PRIVATE BAR  
519 PARK ST  
5 days  
CLASS C LIQUOR LICENSE FOR A WEDDING ON MAY 14, 2022.

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) **River** Oaks Drive Reconstruction from Muskogee Avenue to Lincoln Place Drive: Receiving of bids, (5-10-22) and Setting date of hearing, (5-23-22), Engineer’s estimate, $675,000.

     *(Council Communication No. 22-173)*

   (B) **E**. 3rd Street Reconstruction from E. Court Avenue to Iowa Interstate Railroad: Receiving of bids, (5-10-22) and Setting date of hearing, (5-23-22), Engineer’s estimate, $355,000.

     *(Council Communication No. 22-176)*

   (C) **City**-Wide Pump Station Telog Communication System Conversions: Receiving of bids, (5-10-22) and Setting date of hearing, (6-13-22), Engineer’s estimate, $1,450,000.

     *(Council Communication No. 22-175)*

8. **Approving** and authorizing the execution of Iowa Department of Transportation (IDOT) Agreement for E. 30th Street and E. University Avenue Intersection Improvements.

     *(Council Communication No. 22-172)*

9. **Approving** Supplemental Agreement No. 3 to the Professional Services Agreement with Stantec Consulting Services Inc. for additional design services for Des Moines Levee Alterations – Phase B, not to exceed $1,649,470.

     *(Council Communication No. 22-171)*
10. **Designation** of lowest responsive, responsible bidder as Peterson Contractors, Inc. (Cordell Peterson, President) and approval of contract and bond and permission to sublet on Des Moines Levee Alterations - Phase B, $12,686,390.85.

   **(Council Communication No. 22-170)**

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) 6th Avenue Streetscape - College Avenue to Hickman Road, Hawkeye Paving Corporation.

   (B) River Bend and King Irving Sewer Separation Phase 2A, Jasper Construction Services, Inc.

**SPECIAL ASSESSMENTS**

13. **Levying** assessments for costs of Nuisance Abatement-NAC Emergency Orders (Neighborhood Services), Schedule No. 2022-03.


**LAND/PROPERTY TRANSACTIONS**

15. **Approving** City Council initiation of vacation of alley right-of-way located south of and adjoining 2601 East Market Street.

16. Number not used.

17. **Approving** final plat and acceptance of subdivision bond for Elevate Townhomes Plat 1 in the vicinity of 711 and 713 Monona Avenue.

   **(Council Communication No. 22-180)**

**BOARDS/COMMISSIONS/NEIGHBORHOODS**

18. **Approving** expansion of Watrous Heights Neighborhood boundaries in accordance with the Neighborhood Recognition Policy.

   **(Council Communication No. 22-174)**
19. **Recommendation** from Council Member Westergaard to reappoint Renda Barbier-Synder to the Transportation Safety Committee, Seat 5, for a 3-year term commencing on December 31, 2021, expiring December 31, 2024.

**SETTING DATE OF HEARINGS**

20. **On** vacation and conveyance of City alley in the block bounded by East Shawnee Avenue on the north, East Madison Avenue on the south, Columbia Street on the west and Bowdoin Street on the east as part of the Hamilton Drain Storm Sewer Improvements Project, (5-9-22).

21. **On** conveyance of vacated City alley in the block bounded by East Aurora Avenue on the north, East Shawnee Avenue on the south, Cornell Street on the west and Columbia Street on the east as part of the Hamilton Drain Storm Sewer Improvements Project, (5-9-22).

22. **On** conveyance of a Permanent Easement for Building Encroachment in City property located south of and adjoining 2811 Ingersoll Avenue to Peachtree Properties, LC for $2,475, (5-9-22).

23. **On** conveyance of excess City-owned property locally known as 2123, 2127, 2207 and 2211 SW 23rd Street to Groben Wine LLC d/b/a Jasper Winery for $133,600, (5-9-22).

24. **On** request from KG Store 543, LLC (Aubrie Gould, Officer) for designation of the “Crescent Chevrolet Internally - Lit Acrylic Sign” at 555 17th Street as a local Landmark, (5-9-22).

25. **On** the proposed Tenth Amendment to the Urban Renewal Plan for the Ingersoll-Grand Commercial Urban Renewal Area, (5-23-22).

   **(Council Communication No. 22-184)**

26. **On** the proposed Thirteenth Amendment to the Urban Renewal Plan for the SE AgriBusiness Urban Renewal Area, (5-23-22).

   **(Council Communication No. 22-185)**

27. **On** the proposed Eighteenth Amendment to the Urban Renewal Plan for the Central Place Industrial Park Redevelopment Program, (5-23-22).

   **(Council Communication No. 22-183)**

28. **On** the proposed Thirtieth Amendment to the Urban Renewal Plan for the Metro Center Urban Renewal Area, (5-23-22).

   **(Council Communication No. 22-177)**
LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS


30. Approving payment to Gary Wiegert for a workers’ compensation claim.

31. Approving payment to State Farm as subrogee for Maggie Beidler for a property damage claim.

CITY MANAGER COMMUNICATIONS

32. Submitting travel and training requests for T.M. Franklin Cownie and Josh Mandelbaum.

(Council Communication No. 22-191)

APPROVING

33. Round two of Neighborhood Commercial Revitalization (NCR) Program funding, and authorizing execution of agreements with NCR Program Round 2 Funding Recipients.

(Council Communication No. 22-190)

34. Preliminary terms of an Urban Renewal Development Agreement with Indigo Dawn, LLC (Chaden Halfhill, Manager) for the renovation of an existing historic building for the mixed-use project at 1601 6th Avenue (North Des Moines Hall).

(Council Communication No. 22-192)

35. Number not used.

36. Assignment of Development Agreement between 201, LLC and MCP Subsidiary #1, LLC for a project located at 201 East 2nd Street.

37. Assignment of Development Agreement between Ballyard Lofts and MCP Subsidiary #2, LLC for Ballyard Lofts located at 350 SW 2nd Street.

38. Parcel Development Agreement with Meridian at Gray’s Landing LLC and River Point West LLC for construction of a 174-unit multi-family housing project, located at the northeast corner of SW 11th Street and Murphy Street.

(Council Communication No. 22-187)
39. Memorandum of Understanding with Invest DSM, Inc. for provision of services for the City’s Block Challenge Grant program.

(Council Communication No. 22-181)

40. Receive and file communication from the Development Services Director regarding Eastgate Large Scale Development Plan for Grand View University.

41. Receive and file communication from the Development Services Director regarding Stadium District Large Scale Development Plan.

42. Parking license agreement with United States General Services Administration for parking in the 3rd & Court Parking Garage.

(Council Communication No. 22-169)

43. 2021 Certified Local Government (CLG) Annual Report and authorization for Mayor’s signature for submittal to the Iowa Department of Cultural Affairs.

44. Abatement of public nuisances as follows:

(A) 716 E. 18th Street.
(B) 2021 Lay Street.

45. Exception to the procurement ordinance request for proposals process for good cause, approving amendment to extend contract with Per Mar Security Services for on-site security services, and authorizing additional funding, not to exceed an additional $25,000.

(Council Communication No. 22-163)

46. Procurement of Onan Standby Generator Maintenance Services from Cummins, Inc, and approving use of State of Iowa Contract and agreement with Cummins, Inc, estimated annual cost $80,000.

(Council Communication No. 22-162)

47. Purchase of Cisco IE-4000 Network Hardware from Heartland Business Systems (Peter Helander, CEO) per State of Iowa (DAS) contract for use by the Information Technology Department, $208,807.80.

(Council Communication No. 22-186)
48. **Procurement** of Type 1 replacement Ambulance with one Stryker Power Load System for use by the Fire Department from Foster Coach Sales, Inc (Steve Foster, President) per Houston-Galveston Area Council (H-GAC) cooperative purchase contract and agreement, $355,433.

*(Council Communication No. 22-193)*


50. **Authorizing** Finance Director to draw checks on registers for the weeks of April 18, 25 and May 2, 2022; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of April 18, 25 and May 2, 2022; to draw checks for biweekly payroll due April 22, 2022.

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

**HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 51 THRU 60)**

51. **On** request from John A. Getsy III (Owner) to rezone property located at 1022 Army Post Road from “RX1” Mixed-Use District to Limited “MX3” Mixed-Use District, to allow conversion of the existing building to a “Vehicle Maintenance/Repair, Minor” use.

(A) **First** consideration of ordinance above.

52. **On** request from PPDSM, LLC (Adam Sieren, Officer) to amend the PlanDSM Creating Our Tomorrow Plan to revise the future land use classification from Low Density Residential to Neighborhood Mixed Use, and to rezone the property located at 2404 Westover Boulevard from “N3b” Neighborhood District to “RX1” Mixed-Use District, to allow development of a 5-unit townhome. **Requires six affirmative votes for passage due to opposition.**

(A) **First** consideration of ordinance above.

(B) **Final** consideration of ordinance above (waiver requested by the applicant), requires six votes.
53. **On** request from Angel Groff (Owner) to amend the PlanDSM Creating Our Tomorrow Plan to revise the future land use classification from Low Density Residential to Industrial Use, and to rezone property located at 2200 Easton Boulevard from “N3a” Neighborhood District to “I1” Industrial District, to allow use of the property for “Vehicle Maintenance and Repair – Major” use. Plan and Zoning Commission recommends denial. (Choose alternative A or B)

(A) **DENY**.

OR

(B) **APPROVE**, continue the hearing to May 9, 2022 and direct the City Manager and Legal Department to prepare the necessary legislation, requires six affirmative votes.


(Council Communication No. 22-182)

55. **On** Operational Agreement with Childtime Childcare, Inc. for the operation and maintenance of the childcare facility located in the intermodal transportation facility located at 610 Center Street.

(Council Communication No. 22-164)

56. **On** amendments to Zoning Ordinance, Des Moines Municipal Code Section 134-3.9.2 relating to Accessory Housing Units (AHUs) and permitted zoning districts and regulations.

(A) **First** consideration of ordinance above and Table 135-2.22.1.

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

57. **On** 2022 HMA Residential Paving Program Contract 1: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating lowest responsive, responsible bidder as Grimes Asphalt and Paving Corporation (Timothy Mallicoat, President), $1,054,288.50.

(Council Communication No. 22-167)

(A) **Approval** of contract and bond and permission to sublet.
58. **On** 2022 Neighborhood Sidewalk Program: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating lowest responsive, responsible bidder as Hawkeye Paving Corporation (Anthony L. Perkins, President), $1,930,668.

   (Council Communication No. 22-166)

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

59. **On** Brook Run Park Improvements: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating lowest responsive, responsible bidder as Caliber Concrete, LLC (Jason Martin, Owner), $411,897.50.

   (Council Communication No. 22-168)

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

60. **On** Police Station Exterior Masonry Repair: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating lowest responsive, responsible bidder as TNT Tuckpointing and Building Restoration, LLC (Joshua L. Smyser, Member), $244,000.

   (Council Communication No. 22-165)

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

   **END HEARINGS AT ______________PM**

**ORDINANCES - FIRST CONSIDERATION**

61. **Amending** Section 42-258 relating to sound amplifying equipment in Waterworks Park – Lauridsen Amphitheater.

   (Council Communication No. 22-189)
COMMUNICATIONS/REPORTS

62. Requests to speak as follows:

(A) Adam Callanan
(B) Natalie Harwood
(C) Tara Kramer
(D) Bridget Pedersen
(E) Amy Luebbert
(F) Taylor Webber
(G) Jolene Prescott
(H) Jean O’Donnell
(I) Veola Perry
(J) Chris Robinson
(K) RJ Miller

MOTION TO ADJOURN.

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