

DES MOINES 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 C 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 |

(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.
14. [Deletion](#) of NAC – Emergency Assessment at 446 E. Diehl Avenue.

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

29. [Approving](#) payment to Michael J. Housman for a workers' compensation claim.
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](#))

49. [Receive](#) and file Quarterly Treasurer’s Report as of March 31, 2022.
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.

54. On approval of the U.S. Department of Housing and Urban Development (HUD) Home Investment Partnerships Program – American Rescue Plan Allocation Plan (HOME-ARP).

(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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