PROCLAMATIONS

Asian Pacific American Heritage Month/AAPI Day Against Bullying and Hate (4:45 P.M)

1. ROLL CALL:

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

3. APPROVING CONSENT AGENDA * – items 3 through 32:

*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) CONTINENTAL 407 E 5TH ST Class C Liquor
(B) FAREWAY STORES #225 2716 BEAVER AVE Class E Liquor
(C) MIYABI 9 512 E GRAND AVE Class C Liquor
(D) PARKS AREA 710 CORNING AVE Class B Beer
(E) TWISTED VINE BREWERY 112 SE 4TH ST #100 Class B Beer
(F) WATROUS TOBACCO 4001 SW 9TH ST Class C Beer

RENEWAL APPLICATIONS

(G) APRILS SUNRISE TAP 4155 EASTON BLVD Class C Liquor
(H) ARCHER LOUNGE & GRILL 1930 SE 6TH ST Class C Liquor
(I) CARLS PLACE 1620 WOODLAND AVE Class C Liquor
(J) CHOCOLATERIE STAM 2814 INGERSOLL AVE Class C Native Wine
(K) COURT AVE BREWING 309 COURT AVE Class C Liquor
(L) DEEP END BAR 830 MCKINLEY AVE Class C Liquor
<table>
<thead>
<tr>
<th>ACS Code</th>
<th>Business Name</th>
<th>Address</th>
<th>Class</th>
</tr>
</thead>
<tbody>
<tr>
<td>(M)</td>
<td>DM CIVIC CENTER</td>
<td>221 WALNUT ST</td>
<td>Class C Liquor</td>
</tr>
<tr>
<td>(N)</td>
<td>E 25TH ST PUB &amp; GRUB</td>
<td>509 E 25TH ST</td>
<td>Class C Liquor</td>
</tr>
<tr>
<td>(O)</td>
<td>EASYGO</td>
<td>2723 GRAND AVE</td>
<td>Class E Liquor</td>
</tr>
<tr>
<td>(P)</td>
<td>GIT N GO STORE #31</td>
<td>2601 SW 9TH ST</td>
<td>Class C Beer</td>
</tr>
<tr>
<td>(Q)</td>
<td>JALAPENO PETES</td>
<td>3000 E GRAND AVE</td>
<td>Special Class C</td>
</tr>
<tr>
<td>(R)</td>
<td>JETHROS BBQ SOUTHSIDE</td>
<td>4337 PARK AVE</td>
<td>Class C Liquor</td>
</tr>
<tr>
<td>(S)</td>
<td>MERCYONE</td>
<td>1111 6TH AVE</td>
<td>Class C Liquor</td>
</tr>
<tr>
<td>(T)</td>
<td>MOTLEY SCHOOL</td>
<td>1903 BEAVER AVE</td>
<td>Class C Liquor</td>
</tr>
<tr>
<td>(U)</td>
<td>MULLETS</td>
<td>1300 SE 1ST ST</td>
<td>Class C Liquor</td>
</tr>
<tr>
<td>(V)</td>
<td>MY BROTHERS PLACE</td>
<td>2400 DEAN AVE</td>
<td>Class C Liquor</td>
</tr>
<tr>
<td>(W)</td>
<td>OLYMPIC FLAME</td>
<td>514 E GRAND AVE</td>
<td>Special Class C</td>
</tr>
<tr>
<td>(X)</td>
<td>PLAZA PUB</td>
<td>6202 DOUGLAS AVE</td>
<td>Class C Liquor</td>
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<tr>
<td>(Y)</td>
<td>QUIK TRIP #516</td>
<td>1000 E UNIVERSITY AVE</td>
<td>Class C Beer</td>
</tr>
<tr>
<td>(Z)</td>
<td>SHAGS</td>
<td>216 COURT AVE #201</td>
<td>Class C Liquor</td>
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<tr>
<td>(AA)</td>
<td>SPAGHETTI WORKS</td>
<td>310 COURT AVE</td>
<td>Class C Liquor</td>
</tr>
<tr>
<td>(BB)</td>
<td>ST KILDA BAKERY</td>
<td>300 SW 5TH ST #A150</td>
<td>Class C Liquor</td>
</tr>
<tr>
<td>(CC)</td>
<td>STATION ON INGERSOLL</td>
<td>3124 INGERSOLL AVE</td>
<td>Class C Liquor</td>
</tr>
</tbody>
</table>

**SPECIAL EVENT APPLICATIONS**

<table>
<thead>
<tr>
<th>ACS Code</th>
<th>Business Name</th>
<th>Address</th>
<th>Class</th>
<th>Days</th>
</tr>
</thead>
<tbody>
<tr>
<td>(DD)</td>
<td>APRES BAR CO</td>
<td>120 E 5TH ST</td>
<td>Class C Liquor</td>
<td>5 days</td>
</tr>
<tr>
<td>(EE)</td>
<td>CAPITAL CITY PRIDE</td>
<td>401 E 5TH ST (BEER TENT)</td>
<td>Class B Beer</td>
<td>5 days</td>
</tr>
<tr>
<td>(FF)</td>
<td>DEPOT</td>
<td>3000 E GRAND AVE #069</td>
<td>Class B Beer</td>
<td>5 days</td>
</tr>
<tr>
<td>(GG)</td>
<td>EXILE BREWING CO</td>
<td>313 WALNUT ST</td>
<td>Class B Beer</td>
<td>5 days</td>
</tr>
<tr>
<td>(HH)</td>
<td>IOWA ASIAN ALLIANCE</td>
<td>1203 LOCUST ST (BEER TENT)</td>
<td>Class C Liquor</td>
<td>5 days</td>
</tr>
<tr>
<td>(II)</td>
<td>IOWA CRAFT BREW</td>
<td>2251 GEORGE FLAGG PKWY</td>
<td>Class B Beer</td>
<td>5 days</td>
</tr>
<tr>
<td>(JJ)</td>
<td>KOSMIC KINGDOM</td>
<td>4051 DEAN AVE</td>
<td>Class C Liquor</td>
<td>5 days</td>
</tr>
<tr>
<td>(KK)</td>
<td>MULLETS</td>
<td>1300 SE 1ST ST</td>
<td>Class C Liquor</td>
<td>5 days</td>
</tr>
<tr>
<td>(LL)</td>
<td>PAR CATERERS</td>
<td>3915 FLEUR DR</td>
<td>Class C Liquor</td>
<td>5 days</td>
</tr>
</tbody>
</table>

2
5. **City Clerk** to issue Cigarette/Tobacco/Nicotine/Vapor Permits.

**PUBLIC IMPROVEMENTS**

6. **Approving** Professional Services Agreement (PSA) with Bolton and Menk, Inc. for Neal Smith Trail Rehabilitation – Euclid Avenue to Saylor Creek Bridge, Construction Observation Services, for an amount not to exceed $77,608.

(Council Communication No. 22-242)
7. **Designation** of lowest responsive, responsible bidder as Synergy Contracting, LLC (Jesse Rognes, President); approval of contract and bond and permission to sublet on Western Ingersoll Run Sewer Separation Phase 3, $6,686,000.

    *(Council Communication No. 22-251)*

8. **Approving** Professional Services Agreement (PSA) with I & S Group, Inc. for Western Ingersoll Run Sewer Separation Phase 3, for an amount not to exceed $488,150.

    *(Council Communication No. 22-250)*

9. Approving Private Construction Contracts for the following:

    (A) **Elder** Corporation and Des Moines Independent Community School District for Storm Sewer Improvements in 2450 Forest Avenue.

    (B) **Concrete** Technologies, Inc. and TK Development, LLC for Paving Improvements in Southwoods Estates Plat 3.

    (C) **Reilly** Construction, Co., Inc. and ILEX Group, Inc for Sanitary Sewer Improvements in Northridge Business Park at 950 E. Broadway Avenue.

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

    (A) **Demolition** of DICO buildings at 200 SW 16th Street, Earth Services & Abatement, LLC dba Iowa Demolition.

    (B) **2021** Sanitary and Storm Sewer Televising Program, Equix Integrity, Inc.

11. **Approving** an agreement and covenant with Kading Properties, LLC regarding sewer service outside Des Moines city limits for property located at 5570 NE 23rd Avenue.

**BOARDS/COMMISSIONS/NEIGHBORHOODS**

12. **Recommendation** from Mayor Cownie to appoint Paula Noonan to the Plan and Zoning Commission, Seat 3, for a five-year term commencing on July 1, 2021, and expiring July 1, 2026.
SETTING DATE OF HEARINGS


14. **On** conveyance of excess City-owned property located on Garden Road and locally known as District/Tax Parcels 010/05190-000-000, 010/05191-000-000, 010/05192-000-000, 010/05193000-000 and 010/5194-000-000 to C-Build, LLC for $133,560, (6-13-22).

15. **On** request from Tiger Knight, LLC (Barry Nelson, Officer) for property at 1210 & 1220 Army Post Road to rezone the property from Limited “MX3” Mixed Use District to Limited “MX3” Mixed Use District with conditions to allow automotive upholstery and automotive detailing uses, (6-13-22).

16. **On** request from Krause Properties, LC (Owner), represented by Charley W. Campbell (Officer), for property at 2500 Southeast 43rd Street, to amend Plan DSM: Creating our Tomorrow Plan to revise the future land use classification from Business Park to Industrial Use, and to rezone the property from EX Mixed Use District to I2 Industrial District to allow the use of the property as a truck parking facility, (6-13-22).

17. **On** request from Parks and Recreation for property at Principal Park in the vicinity of 1 Line Drive, to amend the PlanDSM: Creating Our Tomorrow Plan to revise the future land use classification from Parks and Open Space to Public/Semi-Public, and to rezone from F – Flood District and P2 – Public, Civic and Institutional District to P2 – Public, Civic and Institutional District, to allow interior renovations and additions to the existing facility, (6-13-22).

18. **On** appeal by Knapp Homes, LLC (John Knapp, Owner) represented by Adam Cockerill (Officer) of denial of Type 2 Design Alternatives for a Site Plan (“Scooters”) for property located at 4402 Douglas Avenue, (6-13-22).

19. **On** issuance of not to exceed $22,000,000 Stormwater Management Utility Revenue Bonds, (6-27-22).

CITY MANAGER COMMUNICATIONS

19-I **Submitting** travel and training request for T.M. Franklin Cownie.

(Council Communication No. 22-255)
APPROVING

20. Reprogramming of prior years’ unspent Community Development Block Grant (CDBG), and Emergency Solutions Grant (ESG) funding and approval of related grant agreements with the U.S. Department of Housing and Urban Development (HUD) for funding the City’s third year (2022) Action Plan of the 2020-2024 Consolidated Plan to the 2022 Consolidated Plan Program Year.

(Council Communication No. 22-237)

21. Second Amendment to Urban Renewal Development Agreement for the property located at 3750 Grand Avenue, with 3750 Grand LLC and Minimum Assessment Agreement.

(Council Communication No. 22-254)

22. Sustainable workplace solutions services agreement with Baker Group for maintenance services for parking garages.

(Council Communication No. 22-243)

23. Memorandum of Understanding with Coding it Forward (Civic Innovation Corps) for City Manager Office hosting of interns.

(Council Communication No. 22-252)

24. Receipt of communication from the Greater Des Moines Public Art Foundation regarding an upcoming project for art on DART bus shelters along Ingersoll Avenue.


(Council Communication No. 22-231)

26. Number Not used.

27. Accepting proposal of Matt Holeton Enterprises, LLC, dba Signal of Des Moines to provide armed security services and approving agreement for a term of three years, with an option to renew for one additional 3-year term.

(Council Communication No. 22-233)

28. Declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified projects
29. Abatement of public nuisances as follows:

(A) 1917 Williams Street
(B) 1502 Milton Street
(C) 1209 Bundy Street
(D) 3445 SW 31st Street
(E) 1130 Garden Avenue
(F) 1431 8th Street
(G) 1331 13th Street

30. Purchases from the following:

(A) Truck Equipment, Inc. for service body upfitting and installation of a lift gate and other accessories on a 2021 Series Ram Chassis as requested by the Fleet Division, $55,902. (Three potential bidders, two received)

(B) Waste Management of Iowa for an annual contract with four additional one-year renewal options to furnish trash removal services for the SCRUB program as requested by the Public Works Department, estimated annual cost $75,000. (Five potential bidders, one received)

(C) Number Not Used.

(D) Utility Equipment Company for an annual contract with two additional one-year renewal options to furnish various Poly Vinyl Chloride (PVC) pipe materials for storm and sanitary sewer maintenance purposes as requested by the Public Works Department, estimated annual cost $100,000. (Three potential bidders, one received)

(Council Communication No. 22-249)

31. Authorizing Finance Director to draw checks on registers for the weeks of May 23, 30 and June 6, 2022; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of May 23, 30 and June 6, 2022; to draw checks for biweekly payroll due June 3, 2022.
ORDINANCES - SECOND CONSIDERATION

32. **By** amending Sections 42-246 and 42-258, relating to noise, sound equipment, sound amplifying equipment and construction equipment.

   (A) **Final** consideration of ordinance above (waiver requested by Scott Sanders, City Manager), requires six votes.

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

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 33 THRU 51)

33. **On** Fourth Amendment to lease of the Des Moines Botanical Center to the Greater Des Moines Botanical Garden.

   *(Council Communication No. 22-253)*

34. **On** the proposed 10th Amendment to the Urban Renewal Plan for the Ingersoll-Grand Urban Renewal area.

   *(Council Communication No. 22-245)*

35. **On** the proposed 13th Amendment to the Urban Renewal Plan for the SE AgriBusiness Urban Renewal Area.

   *(Council Communication No. 22-247)*

36. **On** the proposed 18th Amendment to the Urban Renewal Plan for the Central Place Industrial Park Redevelopment Urban Renewal Area.

   *(Council Communication No. 22-246)*

37. **On** the proposed 30th Amendment to the Urban Renewal Plan for the Metro Center Urban Renewal Area.

   *(Council Communication No. 22-244)*

38. **On** vacation of excess City right-of-way located south of and adjoining 1819 43rd Street and conveyance to Cynthia S. Dolmage and Dennis D. Dolmage for $150.

   (A) **First** consideration of ordinance above.
39. **On** vacation of street right-of-way located at the intersection of Cottage Grove Avenue, Kingman Boulevard and 25th Street and lease to Drake Neighborhood Association for $1,000.

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

40. **On** vacation of excess City right-of-way located north of and adjoining 4225 Northwest Drive and conveyance to Gabriel Concha and Mariya Velichkova Concha for $100.

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

41. Items related to Gray’s Lake Park, 2101 Fleur Drive.

   (A) **Hearing** on vacation of excess City right-of-way located in Gray’s Lake Park, 2101 Fleur Drive.

   (Council Communication No. 22-232)

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

   (C) **Final** consideration of ordinance above (waiver requested by Ben Page, Parks and Recreation Director), requires six votes.

   (D) **Approving** Naming and Dedication of Gray’s Lake Wetlands Project Area as Parkland.

42. **On** request from City of Des Moines Parks and Recreation Department for Cohen Park located in vicinity of 1000 Scott Avenue, to amend the PlanDSM: Creating Our Tomorrow Plan to revise the future land use classification from Downtown Mixed Use to Parks/Open Space, and to rezone property from DX2 Downtown District to P1 Public, Civic and Industrial District, to bring the existing park use into conformance and to allow park improvements.

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

   (B) **Final** consideration of ordinance above (waiver requested by Ben Page, Parks and Recreation Director), requires six votes.

43. **On** request from Elia, LLC and Easter Lake Estates, Inc. (Phil Watson, Officer) regarding property in the vicinity of 7221 Southeast 5th Street, to amend the PlanDSM Creating Our Tomorrow Comprehensive Plan to revise the future land use designation from Medium Density Residential to High Density Residential, which would allow future development of the property with a density greater than 17 dwelling units per acre.

44. **On** City-initiated request to approve amending the PlanDSM: Creating Our Tomorrow Plan, Approving the Southwest Infrastructure and Planning Study as an element of the City’s Transportation Master Plan, MoveDSM.
45. **On** 2022 Riverwalk Improvements - Balustrade Replacement: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating lowest responsible bidder as Minturn, Inc. (Clinton M. Rhoads, President), $187,880.

   (Council Communication No. 22-236)

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

46. **On** City-Wide Pavement Marking Program: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating lowest responsible bidder as Quality Striping, Inc. (Jamie Jirak, President), $266,180.

   (Council Communication No. 22-240)

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

47. **On** 2022-2023 HMA Pavement Scarification and Resurfacing: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating lowest responsible bidder as OMG Midwest, Inc. dba Des Moines Asphalt & Paving (Kevin Bragg, President), $186,158.

   (Council Communication No. 22-238)

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

48. **On** 2022 Sidewalk Replacement Program: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating lowest responsible bidder as Pillar Inc. (Matt Klucas, CEO), $239,900.

   (Council Communication No. 22-239)

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

49. **On** River Oaks Drive Reconstruction from Muskogee Avenue to Lincoln Place Drive: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating lowest responsible bidder as Hawkeye Paving Corporation (Anthony L. Perkins, President), $629,493.

   (Council Communication No. 22-234)

   (A) **Approval** of contract and bond and permission to sublet.
50. **On** E. 3rd Street Reconstruction from E. Court Avenue to Iowa Interstate Railroad: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating lowest responsible bidder as Minturn, Inc. (Clinton M. Rhoads, President), $372,060.

   (Council Communication No. 22-248)

   (A) **Approval** of contract and bond.

51. **Dismissing** hearing on approval of plans, specifications, form of contract and engineer’s estimate on the City-Wide Skywalk Joint Seal replacements, due to no bids being received.

   (Council Communication No. 22-241)

   **** END OF HEARINGS _____________ P.M. ****

**ORDINANCES - FINAL CONSIDERATION**

52. **An** ordinance for extending and amending the franchise heretofore granted to Midwest Gas Company, predecessor in interest to MidAmerican Energy Company, and granting until MidAmerican Energy Company, its successors and assigns, the right, franchise and privilege for a period of thirteen (13) years from and after the effective date hereof, to acquire, construct, operate and maintain in the City of Des Moines, Iowa, the necessary facilities for the production, distribution, transmission and sale of gas for public and private use; and to use and occupy the public streets, highways, avenues, alleys, bridges and public places for such purposes; providing for the imposition and collection of a franchise fee.

53. **An** ordinance for extending and amending the franchise heretofore granted to Iowa Power and Light Company, predecessor in interest to MidAmerican Energy Company, and granting unto MidAmerican Energy Company, its successors and assigns, the right, franchise and privilege for a period of thirteen (13) years from and after the effective date, to acquire, construct, operate and maintain in the City of Des Moines, Iowa, the necessary facilities for the production, distribution, transmission and sale of electric energy for public and private use; and to use and occupy the public streets, highways, avenues, alleys, bridges and public places for such purposes; providing for the imposition and collection of a franchise fee.
APPROVING

ORDINANCES - FIRST CONSIDERATION
55. Number Not Used.
56. Number Not Used.
57. Amending the Municipal Code Section 118 relating to the volume charge for sewer services rate to be applied to residential and nonresidential properties (Sanitary Utility rate increase).

(Council Communication No. 22-230)

(A) Final consideration of ordinance above (waiver requested by Nicholas Schaul, Finance Director), requires six votes.

COMMUNICATIONS/REPORTS
58. Requests to speak as follows:

(A) Bridget Pedersen
(B) James Grimm
(C) Natalie Harwood
(D) Marla Fowler
(E) RJ Miller
(F) Adam Callanan
(G) Taylor Webber
(H) Jolene Prescott
(I) Julie Earles

MOTION TO ADJOURN.

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All-America City