

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

August 22, 2022
5:00 PM

PROCLAMATIONS – 4:45PM

Future of Agriculture Day

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 35:

***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)	BOMB BAR	209 4TH ST	Class C Liquor
(B)	GUSTO PIZZA BAR	2301 INGERSOLL AVE #103	Class C Liquor

RENEWAL APPLICATIONS

(C)	1908 DRAUGHT HOUSE	409 COURT AVE	Class C Liquor
(D)	4H BUILDING	3000 E GRAND AVE	Class B Beer
(E)	5 DE MAYO MEXICAN	5118 SE 14TH ST	Class C Liquor
(F)	AIRPORT RAMADA	1810 ARMY POST RD	Class B Liquor
(G)	ALLEGED LEES	510 E GRAND AVE	Class C Liquor
(H)	BERNARDOS BURRITOS	215 4TH ST	Class C Liquor
(I)	CASEYS STORE #2784	4151 MERLE HAY RD	Class C Beer
(J)	CAVE DSM	1437 WALNUT ST	Special Class C
(K)	CHEAP SEATS	2301 HUBBELL AVE	Class C Liquor
(L)	CONFLUENCE BREWING	1235 THOMAS BECK RD	Class B Beer

(M)	CROATIAN FRATERNAL	6575 INDIANOLA AVE	Class C Liquor
(N)	CVS PHARMACY #10162	3151 SE 14TH ST	Class E Liquor
(O)	DOLLAR GENERAL #13488	3220 MLK JR PKWY	Class C Beer
(P)	DRAKE UNIVERSITY	2507 UNIVERSITY AVE	Special Class C
(Q)	DSM FOOD MART	2829 EASTON BLVD	Class C Beer
(R)	FRATERNAL ORDER	6567 BLOOMFIELD RD	Class A Liquor
(S)	GAMEDAY LANES	3800 MERLE HAY RD #505	Class C Liquor
(T)	GAS LAMP	1501 GRAND AVE	Class C Liquor
(U)	GRAND VIEW	2811 E 14TH ST	Class C Liquor
(V)	GUCKENHEIMER	1900 SCOTT AVE	Class C Liquor
(W)	HY VEE MARKET CAFE #2	2540 E EUCLID AVE	Class C Liquor
(X)	HY VEE MARKET CAFE #4	4605 FLEUR DR	Class C Liquor
(Y)	KUM & GO #536	1300 KEO WAY	Class C Beer
(Z)	LINNS SUPERMARKET	3805 6TH AVE	Class C Beer
(AA)	MARLE HAY LIQUOR	3408 MERLE HAY RD	Class E Liquor
(BB)	PAL JOEYS	6224 GRAND AVE	Class C Liquor
(CC)	SOUTHSIDE TOBACCO	2424 SW 9TH ST #1	Class E Liquor
(DD)	TEQUILAS LIQUOR STORE	1434 DES MOINES ST #5	Class E Liquor
(EE)	TOBACCO OUTLET	3409 SW 9TH ST	Class C Beer
(FF)	UP/DOWN	500 E LOCUST ST	Class C Liquor
(GG)	VICKIES	2801 2ND AVE	Class C Liquor
(HH)	WAVELAND COFFEE	4704 UNIVERSITY AVE	Class C Liquor

SPECIAL EVENT APPLICATIONS

- (II) BEAVERDALE FALL FESTIVAL 2805 BEAVER AVE 5 days
CLASS B BEER PERMIT FOR THE FESTIVAL ON SEPTEMBER 16 - 17, 2022.
- (JJ) CHRISTIANIS EVENTS 120 E 5TH ST 5 days
CLASS C LIQUOR LICENSE FOR AN EVENT ON SEPTEMBER 10, 2022.
- (KK) DES MOINES BEERGARDEN 2251 GEORGE FLAGG 14 days
SPECIAL CLASS C LIQUOR LICENSE (BBER/WINE) FOR A CONCESSION
STAND ON AUGUST 31 – SEPTEMBER 13, 2022.
- (LL) GREATER DM PARTNERSHIP 1205 LOCUST ST 5 days
CLASS C LIQUOR LICENSE FOR WORLD FOOD & MUSIC FESTIVAL ON
SEPTEMBER 16 - 18, 2022.
- (MM) GREATER DM PARTNERSHIP 1119 LOCUST ST 5 days
CLASS C LIQUOR LICENSE FOR WORLD FOOD & MUSIC FESTIVAL ON
SEPTEMBER 16 - 18, 2022.
- (NN) GREATER DM PARTNERSHIP 1330 GRAND AVE 5 days
CLASS C LIQUOR LICENSE FOR WORLD FOOD & MUSIC FESTIVAL ON
SEPTEMBER 16 - 18, 2022.

(OO) STAR BAR 2843 INGERSOLL AVE 5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR INGERSOLL LIVE
ON AUGUST 27, 2022.

(PP) TAI VILLAGE 4200 MLK JR PKWY 5 days
CLASS B BEER PERMIT FOR ANNUAL EVENT ON SEPTEMBER 3 - 4, 2022.

(QQ) YOUR PRIVATE BAR 504 E LOCUST ST 5 days
CLASS C LIQUOR LICENSE FOR A WEDDING ON AUGUST 27, 2022.

OUTDOOR SERVICE APPLICATIONS

(RR) EXILE BREWING 1514 WALNUT ST
TEMPORARY FOR MUSIC FESTIVAL ON AUGUST 27, 2022.

(SS) GOODSONS 2815 BEAVER AVE (BEER TENT)
TEMPORARY FOR BEAVERDALE FALL FESTIVAL ON SEPTEMBER 16,
2022.

(TT) LUA BREWING 1525 HIGH ST
TEMPORARY FOR OKTOBERFEST ON SEPTEMBER 17, 2022.

(UU) RICOCHET 400 LOCUST ST #105
TEMPORARY FOR TOUCHDOWN TAILGATE ON SEPTEMBER 10, 2022.

5. [City](#) Clerk to issue Coin Operated Machine Licenses.

PUBLIC IMPROVEMENTS

6. [Approving](#) and authorizing the execution of the Iowa Department of Transportation (IDOT) Agreement for the Carlisle Trail Connection Project.

[\(Council Communication No. 22-381\)](#)

7. [Approving](#) and authorizing the execution of Iowa Department of Transportation (IDOT) Cooperative Agreement for E. 30th Street and E. University Avenue Intersection Improvements.

[\(Council Communication No. 22-387\)](#)

8. [Approving](#) Professional Services Agreement with Barr Engineering Company for professional services for George Flagg Parkway and Fleur Drive Floodgate Closure, not to exceed \$348,700.

[\(Council Communication No. 22-383\)](#)

9. [Approving](#) exception to the City’s Request for Proposal process for good cause and approving Professional Services Agreement with Foth Infrastructure and Environment, LLC for professional services for E. Army Post Road Trunk Sewer, not to exceed \$300,000.

[\(Council Communication No. 22-384\)](#)

10. [Approving](#) Supplemental Agreement No. 1 to the Professional Services Agreement with Foth Infrastructure and Environment, LLC for additional design and construction phase services for Fleur Drive Reconstruction, Phase 3 from Watrous Avenue to McKinley Avenue, not to exceed \$42,028.

[\(Council Communication No. 22-388\)](#)

11. Approving Private Construction Contracts for the following:

- (A) [Sternquist](#) Construction, Inc. and Hubbell Realty Company for Paving Improvements in Grover Woods Plat 3.
- (B) [Elder](#) Corporation and HOA Development LLC for Storm Sewer Improvements in 317 E. 6th Street.
- (C) [The](#) Underground Company, Ltd. and Pinnacle on Fleur, LLC for Sanitary Sewer Improvements in 2710 Fleur Drive.

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

SPECIAL ASSESSMENTS

13. [Deletion](#) of NAC – Emergency Assessment at 845 Shawnee Avenue.

LAND/PROPERTY TRANSACTIONS

14. [Acceptance](#) of real estate documents from the James R. Scavo 2013 Revocable Trust, Anna P. Scavo 2013 Revocable Trust, and Rose M. Scavo 2013 Revocable Trust for voluntary acquisition of property located in the vicinity of SE 5th Street and E. Titus Avenue for the relocation of Allen Park, and dedication of the property as parkland.

[\(Council Communication No. 22-382\)](#)

15. [Approving](#) City Council initiation of vacation of alley right-of-way located west of and adjoining 1830 Lincoln Avenue.

BOARDS/COMMISSIONS/NEIGHBORHOODS

16. [Approve](#) expansion of the McKinley School/Columbus Park Neighborhood boundaries in accordance with the Neighborhood Recognition Policy.

[\(Council Communication No. 22-376\)](#)

17. [Recommendation](#) from Mayor T.M. Franklin Cownie to appoint Timothy Hickman to the Library Board of Trustees, Seat 2, for the term ending on June 30, 2023.
18. [Recommendation](#) from Council Member Mandelbaum to appoint Shannon Henson to the Housing Appeals Board, Seat 6, for the term ending on March 16, 2023.

COMMUNICATIONS FROM PLANNING AND ZONING

19. [Regarding](#) request from Pinnacle on Fleur, LLC (Jenna Kimberley, Officer) for review and approval of a Preliminary Plat “Pinnacle on Fleur” on 2.79 acres of property in the vicinity of 2710 Fleur Drive, for development of 23 townhome lots.
20. [Regarding](#) request from David and Mindi Gascho (Owners) for review and approval of a Preliminary Plat “Broadway Meadows” on 5.08 acres of property in the vicinity of 4393 E. Broadway Avenue, for development of three (3) lots for one-household residential uses.

SETTING DATE OF HEARINGS

21. [On](#) vacation of a portion of Locust Street and 7th Street right-of-way adjoining 700 Locust Street and conveyance of a Permanent Easement for Building Encroachment to Lawmark, LP, \$1,200, (9-12-22).
22. [On](#) conveyance of an easement for an existing Gas and Regulator Station on City property located at 106 SE 1st Street to MidAmerican Energy Company, (9-12-22).
23. [On](#) conveyance of excess City property located in the block bounded by SE 23rd Street on the west, SE 24th Street on the east, Maury Street on the south and Dean’s Lake on the north to Kemin Holdings, LC, \$566,636, (9-12-22).
24. [On](#) request from Iowa Laborers' Education & Training Trust Fund (Edward Ely, Officer) for the following regarding property located at 4580 Hubbell Avenue, to receive and file the Large Scale Development Plan, to amend the PlanDSM Creating Our Tomorrow Plan to revise the future land use classification from Industrial to Community Mixed-Use, to amend the Baker “PUD” Conceptual Plan to remove approximately 6.9 acres to be rezoned to Limited “MX3” Mixed-Use District, and to rezone the property from Baker “PUD” District to “MX3” Mixed-Use District, to allow Assembly - Place of Worship and Assembly and Entertainment (Commercial) use, (9-12-22).

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

25. [Approving](#) payment to Conner Investments, LLC for a property damage claim.
26. [Approving](#) payment to Terry Dotts for a workers' compensation claim.

CITY MANAGER COMMUNICATIONS

27. [Submitting](#) travel and training requests for Carl Voss and Linda Westergaard.

[\(Council Communication No. 22-390\)](#)

APPROVING

28. [Amended](#) and Restated Urban Renewal Development Agreement with the District Developer, LLC to develop the master planned mixed-use redevelopment of 10 blocks of private and City-owned property in the vicinity of E. 4th and E. Market Streets.

[\(Council Communication No. 22-389\)](#)

29. [Intergovernmental](#) 28E Agreement with the Central Iowa Traffic Safety Task Force.

[\(Council Communication No. 22-385\)](#)

30. [Use](#) of various City facilities as poll sites for the General Election on Tuesday, November 8, 2022.
31. [Senior](#) Bond Issuance Certificate of Des Moines Metropolitan Wastewater Reclamation Authority Participating Community.
32. [Request](#) for outdoor special event (2nd Annual Beaverdale Car Show) in accordance with "Franklin Junior High School" PUD Conceptual Plan for property at 4801 Franklin Avenue.
33. [Communication](#) from the Greater Des Moines Partnership on behalf of the Downtown Neighborhood Association, requesting approval of placement for up to 40 banners to be displayed on banner poles in downtown Des Moines beginning the first week of September 2022.

34. Purchases from the following:

- (A) [Exception](#) to the procurement ordinance competitive bidding requirement for good cause and approving procurement of a portable, single-sided 17' X 10' LED movie screen and trailer and supplemental agreement with Insane Impact, LLC for use by the Parks and Recreation Department.

[\(Council Communication No. 22-377\)](#)

- (B) [Mail](#) Services, LLC (Shayne Huston, CEO/President) for mail processing services for fiscal years 2023, 2024 and 2025 per State of Iowa Master Agreement for use by the Finance Department, estimated annual cost \$190,000.

[\(Council Communication No. 22-378\)](#)

- (C) [Keltek](#) Inc. (Kelly Milligan, President) for mounting hardware for in-vehicle computers per State of Iowa Master Agreement for use by the Police Department, \$90,866.10.

[\(Council Communication No. 22-386\)](#)

- (D) [Bound](#) Tree Medical, LLC (Brian Laduke, President) for medical and pharmaceutical supplies per Iowa Emergency Medical Services Association (IEMSA) contract and agreement for use by the Fire Department, estimated annual cost not to exceed \$325,000.

[\(Council Communication No. 22-379\)](#)

35. [Authorizing](#) Finance Director to draw checks on registers for the weeks of August 22, 29 and September 5, 2022; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of August 22, 29 and September 5, 2022; to draw checks for biweekly payroll due August 26 and September 9, 2022.

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

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 36 THRU 42)

36. [On](#) vacation of a segment of SE 3rd Street and E. Market Street right-of-way and to correct the vacation of portions of street and alley right-of-way, all located north of E. Martin Luther King, Jr. Parkway and west of SE 6th Street as part of the Market District Redevelopment Project.

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

37. [On](#) vacation of north-south alley right-of-way located east of and adjoining 413 Euclid Avenue and conveyance to Euclid Foresight, LLC, \$800.
- (A) [First](#) consideration of ordinance above.
38. [On](#) conveyance of excess City-owned property located west of and adjoining 1626 Dixon Street to Liberty Holdings, Inc, \$25,875.
39. [On](#) request from Roll-Offs of Des Moines, Inc. (Anthony & Gregory S. Holt, Owners) to correct rezoning of property in the vicinity of 20 E. 18th Street, from “I2” Industrial District to Limited “I2” Industrial District, to allow a Junk or Salvage Yard Use.
- (A) [First](#) consideration of ordinance above.
- (B) [Final](#) consideration of ordinance above (waiver requested by Anthony Holt), requires six votes.
40. [On](#) request from Drake Neighborhood Association (Lori Calhoun, Officer) to amend PlanDSM Creating Our Tomorrow Plan to revise the future land use classification from Medium Density Residential to Park/Open Space, and to rezone the property located in the vicinity of 2400 block of Cottage Grove Avenue to “P1” Public, Civic, and Institutional District, to allow development of the open space with a garden, swing, and neighborhood entrance sign.
- (A) [First](#) consideration of ordinance above.
- (B) [Final](#) consideration of ordinance above (waiver requested by applicant), requires six votes.
41. [On](#) request from Mercy Hospital Medical Center (Diane Cummings, Officer) for review and approval of an 8th amendment to the Mercy Hospital Center PUD Conceptual Plan located at 1111 6th Avenue, to allow modifications to the western parking ramp area.
42. [On](#) 2022 HMA Resurfacing Program Contract 1: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating the lowest responsive, responsible bidder as OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving (Kevin Bragg, President), \$1,489,296.25

([Council Communication No. 22-380](#))

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

END HEARINGS AT _____PM

APPROVING II

43. [Expenditures](#) of ARPA Funds.

ORDINANCES FIRST CONSIDERATION

44. [Amending](#) Chapter 114, Article XVI, Division 9 by repealing and reenacting parts relating to traffic and vehicle regulations.
- (A) [Final](#) consideration of ordinance above (waiver requested by the Engineering Department), requires six votes.

COMMUNICATIONS/REPORTS

45. [Requests](#) to speak as follows:
- (A) RJ Miller
 - ~~(B) Jocelyn Hernandez~~
 - ~~(C) Hibo Jama~~
 - (D) Lori Ann Young
 - (E) Carrie Gosnell
 - ~~(F) Jolene Prescott~~
 - (G) Sam Davis
 - (H) Veola Perry
 - (I) Lal Muani
 - (J) Del Marion

MOTION TO ADJOURN.

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