

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

February 6, 2023
5:00 PM

PROCLAMATION – 4:45 PM

Black History Month

Transit Equity Week

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 42:

***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 Applications for the following:

NEW APPLICATIONS

(A) SMOKING GOAT PUB	3015 MERLE HAY RD	Class C Liquor
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RENEWAL APPLICATIONS

(B) CASH SAVER #33	1320 E EUCLID AVE	Class E Liquor
(C) DES MOINES YACHT	2617 INGERSOLL AVE	Class C Liquor
(D) GIT N GO STORE #23	2930 HICKMAN RD	Class B Retail
(E) LA TAPATIA 2	3504 MERLE HAY RD	Class B Retail
(F) LACHELES FINE FOODS	2716 INGERSOLL AVE	Class C Liquor
(G) LACRUZ #3	3900 E 14TH ST #1	Class B Retail
(H) MACCABEES DELI	1150 POLK BLVD	Class B Retail
(I) TUPELO HONEY CAFE	665 GRAND AVE	Class C Liquor

SPECIAL EVENT APPLICATIONS

- (J) GREAT CATERERS 519 PARK ST 5 days
CLASS C LIQUOR LICENSE FOR HOOVER/MEREDITH COMMUNITY
LEARNING FOUNDATION EVENT ON FEBRUARY 11, 2023.

 - (K) GREAT CATERERS 3000 E GRAND AVE 5 days
CLASS C LIQUOR LICENSE FOR IOWA SIMMENTAL ASSOCIATION EVENT
ON FEBRUARY 11, 2023.
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) [Tuttle](#) Street Construction from SW 12th Street to SW 14th Street: Receiving of bids, (2-21-23) and Setting date of hearing, (3-27-23), Engineer's estimate, \$1,700,000.

([Council Communication No. 23-061](#))

 - (B) [Guthrie](#) Avenue Trail from E. 21st Street to Hubbell Avenue: Receiving of bids, (2-21-23) and Setting date of hearing, (3-6-23), Engineer's estimate, \$1,350,000.

([Council Communication No. 23-060](#))

 - (C) [2023](#) Neighborhood Sidewalk Program Contract 1: Receiving of bids, (2-21-23) and Setting date of hearing, (3-6-23), Engineer's estimate, \$800,000.

([Council Communication No. 23-066](#))

 - (D) [4th](#) & Grand Parking Garage Skywalk Improvements: Receiving of bids, (3-7-23) and Setting date of hearing, (3-27-23), Engineer's estimate, \$216,500.

([Council Communication No. 23-063](#))
8. Number not used.
9. [Approving](#) exception to Request for Proposal process for good cause and approving Professional Services Agreement with HR Green, Inc., for Intelligent Transportation Systems (ITS) Master Plan Integration – Phase 4, not to exceed \$206,400.

([Council Communication No. 23-057](#))

10. [Approving](#) Change Order No. 3 with Peterson Contractors, Inc. for additional work on Des Moines Levee Alterations – Phase B, \$503,039.80.

[\(Council Communication No. 23-055\)](#)

11. [Approving](#) Change Order No. 1 with Iowa Signal, Inc. for additional work on 2023 Traffic Signal Replacement Contract 1, \$185,265.41.

[\(Council Communication No. 23-062\)](#)

12. Accepting completed construction and approving final payment for the following:
 - (A) [George](#) Flagg Parkway Resurfacing from Fleur Drive to SW 30th Street, InRoads, LLC.
 - (B) [Des](#) Moines River Levee Alterations Phase A, Corell Contractor, Inc.

SPECIAL ASSESSMENTS

13. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2023-02.

BOARDS/COMMISSIONS/NEIGHBORHOODS

14. [Approving](#) the removal of Idriss Abdullahi, Seat 3, and approving the appointment of Angelina Dang, Seat 3; Alontae Gross, Seat 12; and Hayat Yimer, Seat 13, to the Youth Advisory Board for a term expiring July 31, 2023.

COMMUNICATIONS FROM PLANNING AND ZONING

15. [Regarding](#) request from Hoyt, LLC (Ryan Wade, Officer) for vacation of alley right-of-way in the vicinity of 1601 High Street to allow trash enclosure gates to swing into the existing alleyway.

SETTING DATE OF HEARINGS

16. [On](#) conveyance of an easement for a fiber optic line in a portion of Greenwood Park to Mediacom Communications Corporation for \$13,150, (2-20-23).
17. [On](#) request from LDS Enterprises, LLC (Larry D Sprague, Officer) to rezone 4415 Hubbell Avenue from “MX3” Mixed Use District to Limited “CX” Mixed Use District to allow use of the property for auto body painting, (2-20-23).
18. [On](#) request from Langworthy Enterprises XIII, LLC (Daniel E. Langworthy, Officer) to amend the PlanDSM Creating Our Tomorrow Plan to revise the future land use classification from Low-Medium Density Residential to High Density Residential, and to rezone 1327 13th Street from “N5” Neighborhood District to Limited “NX2” Mixed Use District, to allow use of the property for a multiple-household use with up to 6 dwelling units, (2-20-23).
19. [On](#) request from Twenty-Five Thirteen Woodland, LLC (Steve Wilke-Shapiro, Officer) to amend the PlanDSM Creating Our Tomorrow Plan to revise the future land use classification of 2513 Woodland Avenue from Low Density Residential to Neighborhood Mixed Use and to rezone the property from “N5” Neighborhood District to Limited “RX1” Mixed Use District to allow renovation of the existing building for an office use, (2-20-23).
20. [On](#) request from 4820 Ingersoll Propco, LLC (John Manfredy, Officer) to amend the PlanDSM Creating Our Tomorrow Comprehensive Plan to revise the future land use designation of 4820 Ingersoll Avenue from Medium Density Residential to High Density Residential to allow redevelopment of the property with a density greater than 17 dwelling units per acre, (2-20-23).
21. [On](#) establishing the total maximum property tax dollars certified for levy for fiscal year ending June 30, 2024, (2-20-23).
22. [On](#) the proposed Urban Renewal Plan for the Upper East Village Urban Renewal Area, (3-6-23).

[\(Council Communication No. 23-069\)](#)

23. [On](#) the proposed Urban Renewal Plan for the Airport Development Urban Renewal Area, (3-6-23).

[\(Council Communication No. 23-064\)](#)

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

24. [Approving](#) payment to Afton and William Ferguson for a property damage claim.
25. [Approving](#) payment to MidAmerican Energy for a property damage claim.
26. [Approving](#) payment to State Farm as subrogee of Rachel Perez for a property damage claim.

APPROVING

27. [Final](#) Terms of an Urban Renewal Development Agreement and Conceptual Development Plan with Hoyt, LLC for the construction of a 47-unit apartment building located at 610 16th Street.

[\(Council Communication No. 23-070\)](#)

- ~~28. Amendment to the Parcel Development Agreement and Supplemental Agreement with Blackacre Development, LLC, and River Point West, LLC, regarding the construction of a mixed-use development with an outdoor sports and entertainment venue along SW 14th Street, south of W. Martin Luther King Jr. Parkway.~~

~~(Council Communication No. 23-068)~~

29. [First](#) Amendment and Assignment of Urban Renewal Development Agreement with ND 22 Fleming, LLC and Assignment for Collateral.

[\(Council Communication No. 23-065\)](#)

30. [Purchase](#) of 1.74 acres of forested wetland mitigation credits from the C & W Hunter Mitigation Bank for the Des Moines Levee Alterations – Phase C, \$113,400.

[\(Council Communication No. 23-056\)](#)

31. [First](#) amendment to agreement to transfer and develop potential carbon and environmental credits with Trees Forever, Inc.

[\(Council Communication No. 23-071\)](#)

32. [Submitting](#) applications for the 2023 Homeland Security Grant Program on behalf of the statewide Weapons of Mass Destruction (WMD/SWAT) and the Explosive Ordnance Detection (EOD) teams with an additional application for the 2019 Homeland Security Reallocation grant on behalf of the WMD/SWAT statewide teams.

[\(Council Communication No. 23-067\)](#)

33. [Appointment](#) of Rachel Brown as Deputy City Clerk.
34. [Communication](#) from the Greater Des Moines Partnership on behalf of the Iowa State Fair, requesting approval of placement for up to 25 banners to be displayed on banner poles in downtown Des Moines beginning the first week of July 2023.
35. [Abatement](#) of public nuisance at 1807 York Street.
36. [Release](#) of Fire Escrow at 5601 Kingman Avenue.
37. [Procurement](#) from Diamond Vogel Paint of traffic paint per State of Iowa Department of Transportation contract for use by the Engineering Department, \$125,000.

[\(Council Communication No. 23-058\)](#)

38. [Procurement](#) from Gray Manufacturing Company, Inc. of twelve (12) Wireless Portable Lift Systems per Houston Galveston Area Council (HGAC) contract for use by the Fire Department, \$147,672.84.

[\(Council Communication No. 23-049\)](#)

39. [Purchase](#) from Bob Brown Chevrolet Inc. (Tim Manning, General Manager) of auto body repairs per State of Iowa Department of Administrative Services (DAS) contract for use by Fleet Services, estimated amount \$50,000.

[\(Council Communication No. 23-053\)](#)

40. [Additional](#) funds of \$200,000 for auto body repairs from Stew Hansen Dodge City (Dan Boettcher, General Manager) per State of Iowa Department of Administrative Services (DAS) contract for use by Fleet Services, estimated annual amount \$350,000.

[\(Council Communication No. 23-054\)](#)

41. [Purchase](#) from Housby Mack Inc. (Kelly Housby, CEO) for six (6) heavy truck chassis with one (1) chassis upfitted with a forestry aerial lift, \$1,080,621; from McNeilus Truck and Manufacturing (Brad Nelson, President) two (2) chassis upfitted with manual automated side loading solid waste collection bodies and two (2) chassis upfitted with front loading refuse bodies, \$742,652; and from Henderson Products Inc. (John Sievert, President) one (1) chassis upfitted with a dump body and snow plow equipment, \$144,778 per Sourcewell contracts for use by the Public Works Department, total cost \$1,968,051.

[\(Council Communication No. 23-052\)](#)

42. [Authorizing](#) Finance Director to draw checks on registers for the weeks of February 6 and February 13, 2023; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of February 6 and February 13, 2023; to draw checks for biweekly payroll due February 10, 2023.

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

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 43 THRU 45)

43. [On](#) request from the Greater Des Moines Partnership and City of Des Moines for review and recommendation to adopt the DowntownDSM: Future Forward Plan as an element of PlanDSM: Creating Our Tomorrow Comprehensive Plan, **continued from January 23, 2023 Council Meeting.**
44. [On](#) the proposition to authorize lease purchase agreements in the total principal amount not to exceed \$900,000 for the purpose of acquiring certain items of equipment consisting of up to fourteen vehicles.

[\(Council Communication No. 23-051\)](#)

45. [On](#) Fleur Drive Reconstruction, Phase 3 from Watrous Avenue to McKinley Avenue: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating the lowest responsive, responsible bidder as InRoads, LLC. (Joseph J. Manatt, CEO), \$7,322,217.50

[\(Council Communication No. 23-048\)](#)

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

END HEARINGS AT _____PM

ORDINANCES – SECOND CONSIDERATION

46. [Rezone](#) 810 E. Euclid Avenue from “N5” Residential District to Limited “MX3” Mixed Use District to allow the expansion of the parking lot to the east (Git-N-Go), **continued from January 23, 2023 Council Meeting.**
- (A) [Final](#) consideration of ordinance above (waiver requested by Dennis Flora, President Git-N-Go), requires six votes.

ORDINANCES – FIRST CONSIDERATION

47. [Amending](#) Chapter 114 of the Municipal Code regarding Traffic Regulation changes as follows:
- [\(Council Communication No. 23-050\)](#)
- (A) Code Correction – Update parking restriction on 16th Street and Linden Street due to prior street vacation.
- (B) Code Correction – Update parking restriction on Maury Street, Shaw Street and Vale Street due to prior street vacation.

COMMUNICATIONS/REPORTS

48. [Requests](#) to speak as follows:
- (A) Tanja Garrison
(B) Adam Callanan
(C) Kim Weeks
(D) Jolene Prescott
(E) Joann Muldoon
(F) Carolyn Uhlenhake Walker

MOTION TO ADJOURN.

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