

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

**February 20, 2023**  
**5:00 PM**

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA \* – items 3 through 44:

**\*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) CAFE BARATTAS	600 E LOCUST ST	Class C Liquor
(B) DISTRICT	212 4TH ST	Class C Liquor
(C) MISFITS SALOON AND GRILL	607 SE 30TH ST	Class C Liquor
(D) OAK PARK TEST KITCHEN	1011 LOCUST ST #101	Class C Liquor
(E) SODEXO LIVE!	1 LINE DR	Class C Liquor

**RENEWAL APPLICATIONS**

(F) ANNIES IRISH PUB	204 3RD ST	Class C Liquor
(G) BARATTAS RESTAURANT	7401 SW 9TH ST	Class C Liquor
(H) BB & BISTRO/OTTS	4121 SE 14TH ST #B	Class C Liquor
(I) CASH SAVER #34	4121 FLEUR DR	Class E Liquor
(J) CENTRAL CITY LIQUOR	1460 2ND AVE	Class E Liquor
(K) CURBIN CUISINE	2713 BEAVER AVE	Special Class C
(L) DISTRICT	216 COURT AVE #101	Class C Liquor
(M) EAST END LIQUOR	3804 HUBBELL AVE	Class E Liquor
(N) ERNIES BOONDOCK	440 E GRAND AVE #A	Class C Liquor
(O) GATEWAY MARKET MLK	2002 WOODLAND AVE	Class C Liquor



7. [Approving](#) and authorizing the application for a U.S. Department of Transportation (DOT) Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant for the Southeast Connector Project between SE 30<sup>th</sup> Street and US Highway 65.

[\(Council Communication No. 23-095\)](#)

8. [Approving](#) and authorizing the execution of the Iowa Department of Transportation (IDOT) Agreement for the SW 9th Street Viaduct Rehabilitation.

[\(Council Communication No. 23-078\)](#)

9. [Approving](#) Supplemental Agreement No. 1 to the Professional Services Agreement (PSA) with Bolton & Menk, Inc. for construction observation services for University Avenue Rehabilitation, 4908 University Avenue to 39th Street, not to exceed \$109,490.

[\(Council Communication No. 23-077\)](#)

10. [Approving](#) Supplemental Agreement No. 2 to the Professional Services Agreement (PSA) with Kirkham Michael & Associates, Inc. for professional services for Hamilton Drain Storm Water Improvements, not to exceed \$375,000.

[\(Council Communication No. 23-076\)](#)

11. [Approving](#) Change Order No. 1 with Van Maanen Electric, Inc. for additional work on Harriet Street Solar Field, in the amount of \$1,015,484.

[\(Council Communication No. 23-086\)](#)

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

- (A) [2021](#)-2022 HMA Pavement Scarification and Resurfacing, Grimes Asphalt and Paving Corporation.

- (B) [River](#) Oaks Drive Reconstruction from Muskogee Avenue to Lincoln Place Drive, Hawkeye Paving Corporation.

## LAND/PROPERTY TRANSACTIONS

13. [Approval](#) of final subdivision plat and acceptance of subdivision bond for West Edge Rowhomes Plat 1.

[\(Council Communication No. 23-098\)](#)

14. [Approving](#) eighty-five (85) tax abatement applications for the additional value added by improvements completed in 2022.

[\(Council Communication No. 23-099\)](#)

15. [Authorization](#) to proceed with acquisition of the necessary property interests for the 2025 Neighborhood Sidewalk Program.

[\(Council Communication No. 23-085\)](#)

16. [Authorization](#) to proceed with acquisition of the necessary property interests for the 2024 Neighborhood Sidewalk Program.

[\(Council Communication No. 23-084\)](#)

## **BOARDS/COMMISSIONS/NEIGHBORHOODS**

17. [Recommendation](#) from Council Member Mandelbaum to appoint Madison Dierks to the Urban Design Review Board, Seat 6, for a three-year term expiring June 30, 2024.
- 17-I [Recommendation](#) from Mayor T.M. Franklin Cownie to appoint Susan Bolte to the Civil Service Commission, Seat 2, for a four-year term expiring March 31, 2023, with an additional term commencing April 1, 2023, and expiring March 31, 2027.
18. [Recommendation](#) from Mayor T.M. Franklin Cownie to reappoint Scott Bents to the Transportation Safety Committee, Seat 1, for a three-year term expiring December 30, 2025.

## **COMMUNICATIONS FROM PLANNING AND ZONING**

19. [Regarding](#) requests from Hubbell Realty Company (Steve Moseley, Officer) to receive and file Large Scale Development Plan and Preliminary Plat “Woodmont” for property located in the vicinity of 4425 E. Douglas Avenue which would allow subdivision and development of approximately 171.2 acres with 489 one-household residential lots.

## **SETTING DATE OF HEARINGS**

20. [On](#) conveyance of City-owned property to Neighborhood Finance Corporation for redevelopment of housing, (3-6-23).
21. [On](#) conveyance of excess City property locally known as 85 Jefferson Avenue to LT Leon Associates, Inc, \$15,000, (3-6-23).

22. [On](#) conveyance of excess City property locally known as 1439 and 1445 Michigan Street to TD & MD, LLC, \$40,000, (3-6-23).
23. [On](#) land exchange agreement with Jerry’s Homes, Inc. for property located between E. Payton Avenue and E. Army Post Road for the Carlisle Trail Connection Project, (3-6-23).
24. [On](#) request from Urban Dreams (Izaah Knox, Officer) to amend the PlanDSM Creating Our Tomorrow Plan to revise the future land use classification from Industrial to Community Mixed Use, and to rezone 1615 2nd Avenue from “I1” Industrial District to “MX3” Mixed Use District to allow renovation and reuse of the existing building for “Office” and “Assembly” uses, (3-6-23).
25. [On](#) request from WC MRP Des Moines Center, LLC (Natin Paul, Officer) for review and approval of a first amendment to the Southdale PUD Conceptual Plan at 4900 SE 14th Street to allow expansion of a retail use (Home Depot) to include additional outdoor display and merchandising in the parking lot, (3-6-23).
26. [On](#) request from Hubbell Realty Company (Caleb Smith, Officer) for review and approval of a First Amendment to the Gray’s Station PUD Conceptual Plan for property located in the vicinity of 1300 Tuttle Street to update the realignment of SW 13<sup>th</sup> Street and to revise review requirements for future PUD Development site plans, (3-6-23).
27. [On](#) request from Hubbell Realty Company (Caleb Smith, Officer) for review and approval of PUD final development plan for “Grays Station Telus Condos” for property located in the vicinity of 1300 Tuttle Street to allow development of the property with the construction of two condo buildings containing 84 residential units, (3-6-23).
28. [On](#) request from Hubbell Realty Company (Caleb Smith, Officer) for review and approval of the PUD final development plan for “Gray’s Station Plat 5 Townhomes and Clubhouse” for property located in the vicinity of 1300 Tuttle Street to allow for construction of 65 townhomes and a clubhouse amenity building, (3-6-23).
29. [On](#) request from Gassmann Real Estate, LLC (Jason Gassmann, Officer) regarding an appeal of the denial of Type 2 Design Alternatives necessary for construction of a 10-foot tall, electrified security fence on property located at 2822 6th Avenue, (3-6-23).

## **CITY MANAGER COMMUNICATIONS**

30. [Submitting](#) travel and training request for T.M. Franklin Cownie.

[\(Council Communication No. 23-102\)](#)

## APPROVING

31. [Home](#) Investment Partnership Program (Home) Agreement with Community Housing Initiatives, Inc. for Evergreen Trail Rehabilitation, \$280,000.

[\(Council Communication No. 23-091\)](#)

32. [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.

[\(Council Communication No. 23-089\)](#)

33. [First](#) Amendment to an Economic Development Assistance Contract with the Iowa Economic Development Authority (IEDA), Helena Industries, LLC and City of Des Moines under the High Quality Jobs Program.

[\(Council Communication No. 23-101\)](#)

34. [Request](#) to Polk County for Tax Sale Certificates and Agreement with Home Opportunities Made Easy, Inc. for development and/or rehabilitation of housing.

[\(Council Communication No. 23-090\)](#)

35. [ARPA](#) funding agreement with Neighborhood Finance Corporation for the Energy Advantage Program.

[\(Council Communication No. 23-103\)](#)

36. [ARPA](#) funding agreement with Des Moines Public Schools for expanded preschool services for six additional classrooms, \$3,300,000.

[\(Council Communication No. 23-087\)](#)

37. [ARPA](#) funding agreement with Des Moines Public Schools (DMPS) for expanded preschool and associated wrap around care, \$600,000.

[\(Council Communication No. 23-088\)](#)

38. Abatement of public nuisance as follows:

- (A) [809](#) Knob Hill Drive.
- (B) [1021](#) SE 14<sup>th</sup> Street.
- (C) [712](#) Marion Street.
- (D) [1540](#) Des Moines Street.
- (E) [3319](#) SW 7<sup>th</sup> Street.
- (F) [1102](#) Army Post Road.

39. Communication of fire escrow at the following locations:

- (A) [696](#) 18<sup>th</sup> Street.
- (B) [1200](#) Lewis Avenue.

40. [Additional](#) funds of \$100,000 for the annual agreement with Central Iowa Ready Mix, Norwalk Ready Mix Concrete, Liberty Ready Mix and CTI Ready Mix to furnish Portland Cement Concrete for use by the Public Works Department, estimated annual amount \$600,000.

[\(Council Communication No. 23-073\)](#)

41. [Additional](#) funds of \$100,000 for the annual agreement with Stone Cross Lawn & Landscape LLC for sidewalk snow removal services to be used by the Public Works Department, estimated annual amount \$400,000.

[\(Council Communication No. 23-074\)](#)

42. [Additional](#) funds of \$250,000 for the annual agreement with Arbor Masters and Wright Outdoor Solutions for Emerald Ash Borer (EAB) Management Services for use by the Public Works Department, estimated annual amount \$962,221.67.

[\(Council Communication No. 23-072\)](#)

43. [Purchase](#) from Heartland Business Systems (Peter Helander, CEO) of Cisco IE4000 network hardware for intelligent transportations systems per State of Iowa and ValuePoint contracts for use by the Information Technology Department, \$396,113.60.

[\(Council Communication No. 23-075\)](#)

44. [Authorizing](#) Finance Director to draw checks on registers for the weeks of February 20 and February 27, 2023; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of February 20 and February 27, 2023; to draw checks for biweekly payroll due February 24, 2023.

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

**HEARINGS (OPEN AT 5:00 P.M.) (ITEM 45 THRU 54)**

45. [On](#) conveyance of an easement for a fiber optic line in a portion of Greenwood Park to Mediacom Communications Corporation for \$13,150.
  
46. [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.
  - (A) [First](#) consideration of ordinance above.
  - (B) [Final](#) consideration of ordinance above (waiver requested by the applicant), requires six votes.
  
47. [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.
  - (A) [First](#) consideration of ordinance above.
  - (B) [Final](#) consideration of ordinance above (waiver requested by the applicant), requires six votes.
  
48. [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.
  - (A) [First](#) consideration of ordinance above.
  - (B) [Final](#) consideration of ordinance above (waiver requested by the applicant), requires six votes.



49. [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.
50. [On](#) establishing the total maximum property tax dollars certified for levy for fiscal year ending June 30, 2024.

[\(Council Communication No. 23-097\)](#)

51. [On](#) SW 8<sup>th</sup> Street Viaduct Rehabilitation: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating the lowest responsive, responsible bidder as Jasper Construction Services, Inc. (Cliff Rhoads, President), \$872,375.

[\(Council Communication No. 23-079\)](#)

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

52. [On](#) Pennsylvania Avenue Rehabilitation from E. Washington to E. Jefferson: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating the lowest responsive, responsible bidder as MPS Engineers, PC d/b/a Kingston Services, PC (Umesh G. Shetye, President), \$304,213.75.

[\(Council Communication No. 23-080\)](#)

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

53. [On](#) E. 4<sup>th</sup> Street Reconstruction from East ML King Jr. Parkway to E. Market Street: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating the lowest responsive, responsible bidder as Absolute Concrete Construction, Inc. d/b/a Absolute Group (Sonny Hall, President), \$4,969,142.50.

[\(Council Communication No. 23-082\)](#)

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

54. [Reject](#) all bids on Western Gateway Water Features and close hearing on the plans, specifications, form of contract documents, and engineer's estimate.

([Council Communication No. 23-081](#))

\*\*\*END HEARINGS AT \_\_\_\_\_PM\*\*\*

## APPROVING II

55. [Donation](#) and Naming Agreements for Des Moines North Side Community Recreation Center, Approving Naming of Center and Portions of Center, and Authorizing City Manager to determine effective date of such naming.

([Council Communication No. 23-096](#))

## ORDINANCES FIRST CONSIDERATION

56. [Amending](#) Chapter 26 of the Municipal Code relating to building and building regulation.

([Council Communication No. 23-100](#))

## COMMUNICATIONS/REPORTS

57. [Requests](#) to speak as follows:

- (A) Luis G Arredondo
- (B) Adam Callanan

## MOTION TO ADJOURN.

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