

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

July 17, 2023
5:00 PM

1. ROLL CALL:
- I. [Naming](#) of Closes Creek Watershed Improvement Program detention basin located at 41st Street and College Avenue the **Gloria and Lyle Hoffmann Basin**. Sponsor: Mayor Cownie.
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 60:

***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)	GRAZIANO BROTHERS	1601 SOUTH UNION ST	Class B Retail
(B)	JASPER WINERY	2400 GEORGE FLAGG PKWY	Class C Liquor

RENEWAL APPLICATIONS

(C)	AIRPORT HOLIDAY INN	6111 FLEUR DR	Class C Liquor
(D)	APPLEBEES	6301 SE 14TH ST	Class C Liquor
(E)	APPLEBEES	3900 MERLE HAY RD	Class C Liquor
(F)	BAR NICO	428 E LOCUST ST	Class C Liquor
(G)	BEAVERDALE VFW	4029 URBANDALE AVE	Class F Retail
(H)	BIG GROVE	555 17TH ST 300	Class C Liquor
(I)	BLANK GOLF COURSE	711 COUNTY LINE RD	Class C Liquor
(J)	BOWLERAMA	1313 E DIEHL AVE	Class C Liquor
(K)	BUFFALO WILD WINGS	4345 MERLE HAY RD	Class C Liquor

- (OO) IA STATE FAIR FAIRVIEW 3000 E GRAND AVE 14 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR IOWA STATE FAIR
ON AUGUST 10 - 20, 2023.
- (PP) IA STATE FAIR GRANDSTAND 3000 E GRAND AVE 14 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR IOWA STATE FAIR
ON AUGUST 10 - 20, 2023.
- (QQ) JOHNNYS HALL OF FAME 310 COURT AVE BEER TENT 5 days
CLASS C LIQUOR LICENSE FOR BIKES & BREWS ON JULY 26, 2023.
- (RR) JRS SOUTHPORK RANCH 3000 E GRAND AVE 14 days
CLASS C LIQUOR LICENSE FOR IOWA STATE FAIR ON AUGUST 10 - 20,
2023.
- (SS) NIKS TIPSY TRAILERS 6218 WILLOWMERE DR 5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR RAGBRAI ON
JULY 26, 2023.
- (TT) OLD WEST BARBEQUE 3000 E GRAND AVE 14 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR IOWA STATE FAIR
ON AUGUST 10 - 20, 2023.
- (UU) STEER N STEIN 3000 E GRAND AVE 14 days
CLASS C LIQUOR LICENSE FOR IOWA STATE FAIR ON AUGUST 10 - 20,
2023.
- (VV) STOCKMANS INN 3000 E GRAND AVE 14 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR IOWA STATE
FAIR ON AUGUST 10 - 20, 2023.
- (WW) SUSAN KNAPP 551 E 34TH ST 14 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR IOWA STATE FAIR
ON AUGUST 10 - 20, 2023.
- (XX) YOUR PRIVATE BAR 313 WALNUT ST 5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR SMOKE OUT
HUNGER ON JULY 30, 2023.
- (YY) YOUR PRIVATE BAR 519 PARK ST 5 days
CLASS C LIQUOR LICENSE FOR A WEDDING ON JULY 22, 2023.
- (ZZ) CONFLUENCE BREWING CO 1235 THOMAS BECK RD Class C Liquor
TEMPORARY FOR RAGRAI PARTY ON JULY 26, 2023.

- | | | |
|---|----------------|----------------|
| (AAA) FREMONT | 1030 E 9TH ST | Class C Liquor |
| TEMPORARY FOR RAGBRAI ON JULY 26, 2023. | | |
| (BBB) HY VEE MARKET CAFE #4 | 4605 FLEUR DR | Class C Liquor |
| TEMPORARY FOR RAGBRAI ON JULY 27, 2023. | | |
| (CCC) MULLETS | 1300 SE 1ST ST | Class C Liquor |
| TEMPORARY FOR RAGBRAI ON JULY 26, 2023. | | |
5. [Disapproval](#) of Class C Retail Liquor License for Tippy Crow, 102 3rd Street, continued from June 26, 2023 Council meeting.
 6. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits.

PUBLIC IMPROVEMENTS

7. [Approving](#) ratification of Iowa Department of Transportation (IDOT) State Recreational Trails (SRT) Grant Application for \$500,000 for the Central Place Levee Phase I Multiuse Recreational Trail Project.

([Council Communication No. 23-337](#))
8. [Approving](#) and authorizing the execution of agreement with Iowa Department of Natural Resources for the Federal Land and Water Conservation Fund program for SW 1st Street Bridge Improvements project.

([Council Communication No. 23-333](#))
9. [Approving](#) Professional Services Agreement with AECOM Technical Services, Inc. (Travis Boone, President) for the 6th Avenue Trail and Sidewalk Improvements (I-235 to University Avenue), not to exceed \$135,500.

([Council Communication No. 23-345](#))
10. [Approving](#) Professional Services Agreement with Short-Elliott-Hendrickson, Inc. (David E. Ott, President) for the 2026 Neighborhood Sidewalk Program, not to exceed \$193,400.

([Council Communication No. 23-344](#))

11. [Approving](#) exception to Request for Proposal process for good cause and approving Professional Services Agreement with SystemWorks LLC (Andrew Bennett, Principal) for commissioning services for the Des Moines Fire Station No. 4 Replacement project, not to exceed \$105,000.

[\(Council Communication No. 23-328\)](#)

12. [Approval](#) of contract and bond for construction of an improvement with an estimated cost which is less than the Iowa Code competitive bid threshold, Teachout Pool Painting Improvements, Superior Painting & Epoxy Coating, LLC (Anthony Negrete Jr, Manager), \$103,750.

[\(Council Communication No. 23-340\)](#)

13. Approving Private Construction Contracts between the following:
 - (A) [Alliance](#) Construction Group, LLC and HRC NFS I, LLC for Paving Improvements in Gray's Station Plat 5.
 - (B) [McAninch](#) Corporation and HRC NFS I, LLC for Sanitary Sewer Improvements in Gray's Station Plat 5.
 - (C) [McAninch](#) Corporation and HRC NFS I, LLC for Storm Sewer Improvements in Gray's Station Plat 5.
14. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects.

15. Accepting completed construction and approving final payment for the following:
 - (A) [2022](#) Riverwalk Improvements - Balustrade Replacement, Minturn, Inc.
 - (B) [City](#) Facility FY 2021-2022 Parking Lot Improvements, Concrete Technologies, Inc.
 - (C) [Riverview](#) Stage Electrical Improvements, Central Iowa Mechanical Company.

SPECIAL ASSESSMENTS

16. [Resolution](#) authorizing release of special assessments for certain properties acquired through the tax sale certificate process.

([Council Communication No. 23-331](#))

LAND/PROPERTY TRANSACTIONS

17. [Accepting](#) transfer of ownership and control of Des Moines Masonic Cemetery from Cemetery Board of Directors and dedication of the property located at 1550 48th Street as Cemetery.

([Council Communication No. 23-335](#))

18. [Approving](#) 55 tax abatement applications for work completed in 2023.

([Council Communication No. 23-342](#))

BOARDS/COMMISSIONS/NEIGHBORHOODS

19. [Recommendation](#) from Mayor T.M. Franklin Cownie to reappoint Christine Lauridsen Sand to the Airport Authority Board, Seat 3, for a term expiring June 30, 2025.
20. [Recommendation](#) from Council Member Boesen to reappoint Brooke Avila to the Parks and Recreation Board, Seat 4, for a four-year term expiring June 30, 2027.
21. [Recommendation](#) from Council Member Boesen to reappoint Meg Schneider to the Transportation and Safety Committee, Seat 2, for a three-year term expiring December 31, 2023.
22. [Recommendation](#) from Council Member Boesen to reappoint Marlys Jones to the Zoning Board of Adjustment, Seat 2, for a five-year term expiring April 1, 2028.
23. [Recommendation](#) from Council Member Gatto to reappoint James Bollard to the Parks and Recreation Board, Seat 13, for a four-year term expiring June 30, 2027.
24. [Recommendation](#) from Council Member Gatto to reappoint Emily Webb to the Plan and Zoning Commission, Seat 15, for a five-year term expiring July 1, 2028.

COMMUNICATIONS FROM PLANNING AND ZONING

25. [Regarding](#) request from Shattered Holdings, LLC (Jackie Johansen, Officer) for vacation of 284 lineal feet of the east/west alleyway adjoining the property at 204 SW 2nd Street and bounded by SW 2nd Street to the east and SW 3rd Street to the west, to allow the vacated area to be assembled with the adjoining property for a mixed-use development.
26. [Regarding](#) a request from Merge, LLC (Brent Dahlstrom, Officer) for vacation of 180 lineal feet of the north/south alleyway in the vicinity of 1227 25th Street, bounded by Carpenter Avenue to the north, 24th Street to the east, and 25th Street to the west to allow the vacated area to be assembled with the adjoining property for a mixed-use development.

SETTING DATE OF HEARINGS

27. [On](#) conveyance of excess City property locally known as 4030 53rd Street to Barry Pottinger for side yard purposes, \$500, (8-7-23).
28. [On](#) conveyance of 29 Hartford Avenue to Q Enterprises LLC for rehabilitation of housing, \$30,000, (8-7-23).
29. [On](#) a request from S&S Homebuilders, LLC (Nick Stephenson, Officer) to rezone the property located at 3605 E. 56th Street from “N1a” Neighborhood District to “N2b-2” Neighborhood District to subdivide and allow development of the property into three (3) lots with two household units per lot, (8-7-23).
30. [On](#) a request from Neighborhood Development Corp (Abbey Gilroy, Officer) for property located in the vicinity of 3103 Forest Avenue to amend PlanDSM Creating Our Tomorrow Plan to revise the future land use classification from Neighborhood Mixed Use within a Neighborhood Node to Community Mixed Use within a Neighborhood Node, and to rezone the property from “MX1” Mixed Use District to “RX1” Mixed Use District to allow the development of the property for two (2) multiple-household apartment buildings, (8-7-23).
31. [On](#) a request from Euclid Foresight, LLC (Brandon Foldes, Officer) for property located at 3619 5th Avenue to amend PlanDSM Creating Our Tomorrow Plan to revise the future land use classification from Low Density Residential within a Neighborhood Node to Neighborhood Mixed Use within a Neighborhood Node and to rezone the property from “N5” Neighborhood District to Limited “MX1” Mixed Use District to allow use of the property as a surface parking lot accessory to the property to the south, (8-7-23).

32. [On](#) the issuance of not to exceed \$41,000,000 General Obligation Bonds for essential corporate purposes, (8-7-23).

[\(Council Communication No. 23-354\)](#)

33. [On](#) the issuance of not to exceed \$28,000,000 General Obligation Urban Renewal Bonds for essential corporate urban renewal purposes, (8-7-23).

[\(Council Communication No. 23-354\)](#)

34. [On](#) the issuance of not to exceed \$1,000,000 General Obligation Bonds for general corporate purposes, GCP-1, (8-7-23).

[\(Council Communication No. 23-354\)](#)

35. [On](#) the issuance of not to exceed \$1,000,000 General Obligation Bonds for general corporate purposes, GCP-2, (8-7-23).

[\(Council Communication No. 23-354\)](#)

36. [On](#) the issuance of not to exceed \$700,000 General Obligation Bonds for general corporate purposes, GCP-3, (8-7-23).

[\(Council Communication No. 23-354\)](#)

37. [On](#) the issuance of not to exceed \$900,000 General Obligation Bonds for general corporate purposes, GCP-4, (8-7-23).

[\(Council Communication No. 23-354\)](#)

38. [On](#) the issuance of not to exceed \$900,000 General Obligation Bonds for general corporate purposes, GCP-5, (8-7-23).

[\(Council Communication No. 23-354\)](#)

39. [On](#) the issuance of not to exceed \$1,000,000 General Obligation Bonds for general corporate purposes, GCP-6, (8-7-23).

[\(Council Communication No. 23-354\)](#)

40. [On](#) the issuance of not to exceed \$1,000,000 General Obligation Bonds or Capital Loan Notes for general corporate purposes, (8-7-23).

[\(Council Communication No. 23-354\)](#)

41. [On](#) the issuance of not to exceed \$5,000,000 General Obligation Urban Renewal Bonds or Capital Loan Notes for urban renewal purposes, (8-7-23).

[\(Council Communication No. 23-354\)](#)

42. [On](#) the proposition of entering into a loan agreement and the issuance of not to exceed \$50,000,000 General Obligation Capital Loan Notes (General Fund) to evidence the obligations of the City thereunder, (8-7-23).

[\(Council Communication No. 23-354\)](#)

LEGAL DEPARTMENT – CLAIMS, SETTLEMENTS AND BILLINGS

- 42-1 [Approving](#) payment to Dale Roshek and Stephi Tran for a property damage and personal injury claim.

CITY MANAGER COMMUNICATIONS

43. [Submitting](#) travel and training request for Kelly Simmons.

[\(Council Communication No. 23-352\)](#)

APPROVING

44. [\\$1,000,000](#) Community Development Block Grant (CDBG) Agreement with BTB Investments 2, LLC for the rehabilitation of 1 duplex and 39 scattered site single unit rental properties.

[\(Council Communication No. 23-351\)](#)

45. [Third](#) Amendment to the Urban Renewal Development Agreement with Bridge District Level, LLC, Bridge District II Townhomes, LLC and Bridge District II, LLC for the new construction of a 5-story, 114-unit multi-family housing project and a 25-unit rowhome project located in the 300 block of Maple Street.

[\(Council Communication No. 23-347\)](#)

46. [Receive](#) and file report regarding Status of Neighborhood Revitalization Efforts prepared by czbLLC.

[\(Council Communication No. 23-350\)](#)

47. [Subordination](#) agreement with Fortress Bank on behalf of Neighborhood Development Corporation.

48. [Resolution](#) approving the Des Moines Metropolitan Planning Organization (MPO) Fiscal Year (FY) 2024 Unified Planning Work Program and Budget and authorizing payment of FY 2024 Assessment, \$212,031.

[\(Council Communication No. 23-325\)](#)

49. [Agreement](#) for emergency medical services, first aid services, and fire suppression services with Iowa State Fair Authority.

[\(Council Communication No. 23-326\)](#)

50. [Amended](#) parking meter rate and time zone I.

51. [Annual](#) insurance renewal for July 1, 2023 (fiscal year 2023/24) for property, casualty, and other City operations.

[\(Council Communication No. 23-329\)](#)

52. [Receive](#) and file Quarterly Treasurer's Report as of June 30, 2023.

53. Abatement of public nuisances as follows:

- (A) [2410](#) 37th Street.
- (B) [120](#) E. Titus Avenue.
- (C) [2431](#) SE 18th Court.

54. [Release](#) of fire escrow at 1464 E. 21st Street.

55. [Purchase](#) of up to 50 vehicles for use in various City Departments for Fiscal Year 2024 utilizing various State of Iowa Department of Administrative Services (DAS) and other approved procurement contracts.

[\(Council Communication No. 23-338\)](#)

56. [Purchase](#) of high-strength grout from AP/M Permaform (Bill Shook, President) sole area-wide provider to be used for manhole rehabilitation during Fiscal Year 2024 by the Public Works Department, \$150,000.

[\(Council Communication No. 23-341\)](#)

57. [Purchase](#) from Eagle Sign Co. (John E. Nagle, President) of Primary Parks Signage Phase 10 for use by the Parks and Recreation Department, \$114,868.93. (79 potential bidders, one (1) bid received).

([Council Communication No. 23-334](#))

58. [Purchase](#) from Road Machinery and Supplies Company (Michael M. Sill II, CEO) for one (1) compact motor grader per Sourcewell Contract for use by the Public Works Department, \$255,569.30.

([Council Communication No. 23-339](#))

59. [Purchase](#) from Stew Hansen Dodge City (Dan Boettcher, General Manager) of auto body repair services for use by various City Departments for Fiscal Year 2024 per State of Iowa (DAS) purchasing contract, estimated annual amount \$350,0000.

([Council Communication No. 23-330](#))

60. [Authorizing](#) Finance Director to draw checks on registers for the weeks of July 17, 24 and 31, 2023; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of July 17, 24 and 31, 2023; to draw checks for biweekly payroll due July 28, 2023.

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

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 61 THRU 70)

61. [On](#) vacation of parkland located east of Illinois Street, south of University Avenue, and north of Interstate 235 and conveyance to Polk County for shared use parking lot in the vicinity of the Lauridsen Skate Park.

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

(B) [Final](#) consideration of ordinance above (waiver requested by Parks and Recreation Department), requires six votes.

62. [On](#) vacation of a segment of 7th Street right-of-way adjoining 201 7th Street and approval of a lease agreement with the Street Collective for the placement of B-Cycle Program bicycle kiosks on vacated City right-of-way.

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

63. On conveyance of 1012 SE 10th Street to Neighborhood Finance Corporation (NFC) for redevelopment of housing.

(Council Communication No. 23-332)

64. On conveyance of a vacated portion of SW 4th Street right-of-way located between Porter Avenue and Diehl Avenue to Jess Johnson, \$450.

65. On conveyance of a portion of excess City property located east of and adjoining 1700 Scott Avenue to C & C Realty, LLC, \$25,640.

66. On request from Timelis Restorations (Carl Weideraenders, Officer) and Hawkeye Land Company (Rick Stickle, Officer) to rezone four (4) parcels located in the vicinity of 2142 E. Market Street from “I1” Industrial District to Limited “I2” Industrial District, to allow the use of the property for a staging area for concrete recycling and storage yard.

(A) First consideration of ordinance above.

(B) Final consideration of ordinance above (waiver requested by applicant), requires six votes.

67. On consideration of a License Agreement with Des Moines Art Center for installation, maintenance and display of artwork on the mechanical building within Evelyn K. Davis Park.

(Council Communication No. 23-336)

68. On petition and proposal to take action for expansion and continuation of the Downtown Des Moines Self-Supported Municipal Improvement District (SSMID) from July 1, 2024 through June 30, 2034.

(Council Communication No. 23-346)

69. On voluntary annexation of property located north of and adjoining 4845 Merle Hay Road.

70. On Ingersoll Avenue Pavement Markings – Martin Luther King Jr. Parkway to 15th Street: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating the lowest responsive, responsible bidder as Quality Striping, Inc. (Jamie Jirak, President), \$187,798.

(Council Communication No. 23-343)

(A) Approval of contract and bond.

*****END HEARINGS AT _____PM*****

COUNCIL REQUEST

71. [From](#) the City Council's Personnel Subcommittee (Cownie, Boesen and Voss) to consider receipt and approval of the City Council Personnel Committee's annual review and compensation review for the Council's direct reports.

ORDINANCES FIRST CONSIDERATION

72. [Amending](#) Section 2-201 and 2-726, relating to the City Manager's authority for executing agreements necessary and required to facilitate the construction of public improvements and to identify certain professional services to be administered by the Engineering Department and increasing the dollar value of contracts for such services that are administratively approved.

[\(Council Communication No. 23-349\)](#)

- (A) [Final](#) consideration of ordinance above (waiver requested by the Engineering Department), requires six votes.

73. [Amending](#) Chapter 114 of the Municipal Code regarding Traffic Regulation Changes as follows:

[\(Council Communication No. 23-327\)](#)

- (A) Parking Modification – E 2nd Street from East Court Avenue to Vine Street.
(B) Parking Modification – 2nd Avenue between Locust Street and Grand Avenue.

- 73-I [Amending](#) Section 118-149 relating to the volume charge for sanitary sewer services.

- (A) [Final](#) consideration of ordinance above (waiver requested by Nickolas Schaul, Finance Director), requires six votes.

- 73-II [Amending](#) Section 118-275(d) relating to the ERU rate for stormwater sewer services.

- (A) [Final](#) consideration of ordinance above (waiver requested by Nickolas Schaul, Finance Director), requires six votes.

COMMUNICATIONS/REPORTS

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

- (A) Marcus Coenen
- (B) Adam Callanan
- (C) Moraima Moritz
- (D) Veola Perry
- (E) John Noble
- (F) Jolene Prescott
- (G) Lori Ann Young
- (H) Laural Clinton
- (I) Bridget Botkin
- (J) Harvey Harrison

MOTION TO ADJOURN.

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