

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

August 7, 2023
5:00 PM

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 46:

***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 Liquor License Applications for the following:

NEW APPLICATION

(A) 1833 SALOON	1833 HUBBELL AVE	Class C Liquor
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RENEWAL APPLICATIONS

(B) BEECHWOOD LOUNGE	416 E WALNUT ST	Class C Liquor
(C) BLACKBIRD HOSPITALITY	713 WALNUT ST 600	Class C Liquor
(D) BLUE SUSHI SAKE GRILL	316 COURT AVE	Class C Liquor
(E) BUDDYS CORRAL	418 E 5TH ST	Class C Liquor
(F) CAVE DSM	1437 WALNUT ST	Special Class C
(G) CHAMLING	200 ARMY POST RD 20	Class B Retail
(H) DRAKE UNIVERSITY	2615 CARPENTER AVE	Special Class C
(I) EAST SIDE EDDIES	3517 E 26TH ST	Class C Liquor
(J) EL PALOMINO	3116 E 14TH ST	Class B Retail
(K) GIT N GO STORE #26	2140 E PARK AVE	Class B Retail
(L) GIT N GO STORE #7	3000 MERLE HAY RD	Class B Retail
(M) HOMEWOOD SUITES	7201 SW 22ND ST	Special Class C
(N) HOTEL FORT DES MOINES	1000 WALNUT ST	Class C Liquor
(O) HY VEE FAST & FRESH #5	1113 E ARMY POST RD	Class E Liquor

- (JJ) IOWA STATE FAIR 3000 E GRAND AVE 5 days
CLASS C LIQUOR LICENSE FOR NIGHT AT THE MUSEUMS ON AUGUST
11, 2023.

- (KK) IOWA STATE FAIR 3000 E GRAND AVE 5 days
CLASS C LIQUOR LICENSE FOR FARMERS CHALLENGE ON AUGUST 18,
2023.

- (LL) NICOLE COGHLAN 120 E 5TH ST 5 days
CLASS C LIQUOR LICENSE FOR A WEDDING ON AUGUST 12, 2023.

- (MM) SA PRESENTS 2251 GEORGE FLAGG PKWY
5 days
CLASS C LIQUOR LICENSE FOR DOMINIC FIKE CONCERT ON AUGUST 21,
2023.

- (NN) STAR BAR 2843 INGERSOLL AVE (BEER TENT) 5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR INGERSOLL LIVE
ON AUGUST 26, 2023.

- 5. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits.

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

PUBLIC IMPROVEMENTS

- 7. [Approving](#) and authorizing an application for a U.S. Department of Transportation (DOT) Infrastructure for Rebuilding America (INFRA) Grant for the Southeast Connector Project between SE 30th Street and U.S. Highway 65.

([Council Communication No. 23-370](#))

- 8. [Approving](#) the Fiscal Year 2025 Traffic Safety Improvement Program (TSIP) Application to the Iowa Department of Transportation (IDOT) for the intersection of 6th Avenue and Day Street.

([Council Communication No. 23-365](#))

- 9. [Approving](#) the Fiscal Year 2025 Traffic Safety Improvement Program (TSIP) Application to the Iowa Department of Transportation (IDOT) for the 41st Street and Beaver Avenue Intersection Improvement Project.

([Council Communication No. 23-364](#))

10. [Approving](#) and authorizing the execution of the Iowa Department of Transportation (IDOT) Agreement for the Intelligent Transportation Systems Upgrade – Phase 4.

[\(Council Communication No. 23-367\)](#)

11. [Approving](#) and authorizing the execution of Iowa Department of Transportation (IDOT) Agreement number 1-22-STPU-041 for the Walnut Street Bridge Replacement over the Des Moines River, which rescinds IDOT Agreement number 1-21-STBG-SWAP-016.

[\(Council Communication No. 23-372\)](#)

12. [Approving](#) First Amendment to Agreement for Cooperative Public Service with Polk County for the NE Broadway Avenue Improvement Project from Iowa Highway 415 (NW 2nd Avenue) to US Highway 6 (Hubbell Avenue).

[\(Council Communication No. 23-366\)](#)

13. [Approving](#) Professional Services Agreement with M.A. Architecture, Inc. for professional services for the North Side Community Recreation Center project, not to exceed \$2,022,700.

[\(Council Communication No. 23-371\)](#)

14. Approving Private Construction Contracts between the following:

- (A) [Pleva](#) Mechanical Inc. and Ryan Resorts LLC for Sanitary Sewer Improvements in 5100 Hubbell Avenue.

- (B) [Alliance](#) Construction Group, LLC and KEC Investments, LLC for Paving Improvements in Stanton Ridge Plat 1.

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

SPECIAL ASSESSMENTS

16. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Neighborhood Services), Schedule No. 2023-06.

17. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2023-07.

18. [Deletion](#) of NAC – Emergency Assessment at 1717 21ST Street.

LAND/PROPERTY TRANSACTIONS

19. [Approval](#) of final subdivision plat and acceptance of subdivision bond for Grover Woods Plat 3.

[\(Council Communication No. 23-359\)](#)

BOARDS/COMMISSIONS/NEIGHBORHOODS

- 19-I [Approving](#) appointments to the Youth Advisory Board for a term expiring July 31, 2024, as follows:

- (A) Bradlee Marais Gross
- (B) Natalia Andrea Guerra-Ceron
- (C) Hannah Caitlin Haves
- (D) Hlaw Meh
- (E) Trey Thomas Jackson
- (F) Akaiyah Lou Lee
- (G) Fardowsa Abdisamat Mohamed
- (H) Raegan Rachelle Park
- (I) Hayat Mubarark
- (J) Alontae Larrion Gross
- (K) Hadley Harvey

COMMUNICATIONS FROM PLANNING AND ZONING

20. [Regarding](#) a request from 36 ON 6th, LLC (Tim Bratvold, Officer) regarding the vacation of 26 square feet of surface right-of-way, and 542 square feet of air right-of-way, adjoining property at 3614 6th Avenue and 3612 6th Avenue to allow the encroachment of an existing building and canopy within the 6th Avenue right-of-way.
21. [Regarding](#) a request from 4820 Ingersoll Propco, LLC (John Manfredy, Officer) for review and approval of the Preliminary Plat “Waterbury Commons” on 0.89 acres of property in the vicinity of 4820 Ingersoll Avenue which would allow for sixteen (16) lots for rowhouse development (16 household units) and an outlet.

SETTING DATE OF HEARINGS

22. [On](#) conveyance of vacated alley right-of-way located north of and adjoining 810 Shaw Street to Antonio Ramos, \$50, (8-21-23).
23. [On](#) conveyance of City-owned property at 1603 Clark Street and 1700 13th Street to Woods Bibbin Company LLC for rehabilitation of housing, (8-21-23).

24. [On](#) conveyance of City-owned property at 1617 22nd Street to Home Opportunities Made Easy, Inc. for rehabilitation of housing, (8-21-23).
25. [On](#) a request from Sundry Church (Anthony J. Hodges, Officer) for property located at 4100 6th Avenue and 4112 6th Avenue to rezone the northern 50 feet of the property from “P2” Public, Civic and Institutional District and “N3b” Neighborhood District to Limited “N3b” Neighborhood District to allow the property to be subdivided and used for a one-household residential use, (8-21-23).
26. [On](#) appeal of Midwest Radio, Inc. (Rich Eychaner, Owner) on a denial of Type 2 Design Alternatives for a site plan on property located at 3839 Merle Hay Road, (8-21-23).
27. [On](#) appeal of Larry Keul on a denial of Type 2 Design Alternatives for a site plan on property located at 4424 SE 14th Street, (8-21-23).

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

28. [Approving](#) payment to Allison Andrews for an auto claim.

APPROVING

29. Number not used.
30. [Urban](#) renewal development agreement with 106 SW 7th Street, LLC for the phased historic renovation and conversion of the existing four (4)-story warehouse building at 106 SW 7th Street into commercial space.

[\(Council Communication No. 23-360\)](#)

31. [Preliminary](#) terms of the First amendment to the urban renewal development agreement with North Des Moines Town Hall, LP for the renovation of 1601 6th Avenue into a mixed-use residential and commercial development.

[\(Council Communication No. 23-357\)](#)

32. [Grant](#) agreement with 13th & Mulberry, LLC and 13th & Mulberry Multifamily, LLC for an affordable housing redevelopment project at 1301 Mulberry Street.

[\(Council Communication No. 23-355\)](#)

33. [Grant](#) agreement with Park Indy, LLC for a redevelopment project with affordable housing on the northwest corner of Indianola Avenue and E. Park Avenue.

[\(Council Communication No. 23-361\)](#)

34. [Issuance](#) of Certificate of Completion for Bridge District Level Phase 1 Metro Center Urban Renewal Project in the 300 block of Maple Street.

35. [Issuance](#) of Certificate of Completion for OneSpeed DSM, LLC Metro Center Urban Renewal Project at 303 Scott Avenue.

36. [Approval](#) of Judgment Lien and Special Assessments Release Policy and Program.

[\(Council Communication No. 23-375\)](#)

37. [Second](#) Amendment to Purchase and Sale Contract with Nationwide Mutual Insurance Company dated September 12, 2022.

[\(Council Communication No. 23-379\)](#)

38. [Demolition](#) of 3125 Kingman Boulevard and 715 E. Edison Avenue and waiver of assessment of costs.

[\(Council Communication No. 23-378\)](#)

- 38-I [Appointment](#) of Jim M. Hoff as an Assistant City Manager.

39. [Receipt](#) of financial reports from Des Moines Water Works.

40. [Abatement](#) of public nuisance at 704 Boston Avenue.

41. Release of fire escrow at the following locations:

- (A) [4](#) E. Broad Street.

- (B) [1019](#) West Street.

42. [Additional](#) funds of \$100,000 for the annual agreement with Van Maanen Electric Inc. (Nathan Van Maanen, President) to furnish on-call traffic signal repair and maintenance to be used by the Engineering Department, total estimated annual amount \$120,000.

[\(Council Communication No. 23-363\)](#)

- 43. [Purchase](#) from Heartland Business Systems (Peter Helander, CEO) of Cisco Catalyst 9300 and 9400 network hardware per State of Iowa Contract for use by the Information Technology Department, \$177,347.38.

[\(Council Communication No. 23-374\)](#)

- 44. [Exception](#) to the procurement ordinance request for procurement requirement for good cause and authorizing agreement with EMS Bruel & Kjaer Inc. d/b/a Envirosuite Inc. (Jason Cooper, Chief Executive Officer) for an environmental intelligence solution for use by Neighborhood Services Department, \$110,000.

[\(Council Communication No. 23-377\)](#)

- 45. [Change](#) Order #3 with Cale America, Inc. d/b/a Flowbird Group for the purchase of additional multi-space meter (MSM) pay stations and system upgrade for expansion of the on-street parking system, additional cost \$70,550.

[\(Council Communication No. 23-368\)](#)

- 46. [Authorizing](#) Finance Director to draw checks on registers for the weeks of August 7 and 14, 2023; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of August 7 and 14, 2023; to draw checks for biweekly payroll due August 11, 2023.

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

HEARINGS (OPEN AT 5:00 PM) (ITEMS 47 THRU 65)

- 47. [Dismissing](#) hearing for vacation of segments of Ingersoll Avenue right-of-way and conveyance of easements for bus shelter encroachment on City-owned property to Des Moines Area Regional Transit Authority, \$1,320, continued from June 26, 2023 Council Meeting.
- 48. [On](#) conveyance of excess City property locally known as 4030 53rd Street to Barry Pottinger for side yard purposes, \$500.
- 49. [On](#) conveyance of 29 Hartford Avenue to Q Enterprises LLC for rehabilitation of housing, \$30,000.

[\(Council Communication No. 23-376\)](#)

50. [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.
- (A) [First](#) consideration of ordinance above.
 - (B) [Final](#) consideration of ordinance above (waiver requested by applicant), requires six votes.
51. [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.
- (A) [First](#) consideration of ordinance above
 - (B) [Final](#) consideration of ordinance above (waiver requested by applicant), requires six votes.
52. [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.
- (A) [First](#) consideration of ordinance above.
 - (B) [Final](#) consideration of ordinance above (waiver requested by applicant), requires six votes.
53. [On](#) proposed First Amendment to the Urban Renewal Plan for the East Army Post Road Urban Renewal Area.
- [\(Council Communication No. 23-358\)](#)
54. [On](#) the issuance of not to exceed \$1,000,000 General Obligation Bonds for general corporate purposes, GCP-1.
- [\(Council Communication No. 23-373\)](#)
- (A) [Authorization](#) for additional action.

55. On the issuance of not to exceed \$1,000,000 General Obligation Bonds for general corporate purposes, GCP-2

[\(Council Communication No. 23-373\)](#)

- (A) [Authorization](#) for additional action.

56. On the issuance of not to exceed \$700,000 General Obligation Bonds for general corporate purposes, GCP-3.

[\(Council Communication No. 23-373\)](#)

- (A) [Authorization](#) for additional action.

57. On the issuance of not to exceed \$900,000 General Obligation Bonds for general corporate purposes, GCP-4.

[\(Council Communication No. 23-373\)](#)

- (A) [Authorization](#) for additional action.

58. On the issuance of not to exceed \$900,000 General Obligation Bonds for general corporate purposes, GCP-5.

[\(Council Communication No. 23-373\)](#)

- (A) [Authorization](#) for additional action.

59. On the issuance of not to exceed \$1,000,000 General Obligation Bonds for general corporate purposes, GCP-6.

[\(Council Communication No. 23-373\)](#)

- (A) [Authorization](#) for additional action.

60. On the issuance of not to exceed \$1,000,000 General Obligation Bonds or Capital Loan Notes for general corporate purposes.

[\(Council Communication No. 23-373\)](#)

- (A) [Authorization](#) for additional action.

61. On the issuance of not to exceed \$41,000,000 General Obligation Bonds for essential corporate purposes.

[\(Council Communication No. 23-373\)](#)

- (A) Authorization for additional action.

62. On the issuance of not to exceed \$28,000,000 General Obligation Urban Renewal Bonds for urban renewal purposes.

[\(Council Communication No. 23-373\)](#)

- (A) Authorization for additional action.

63. On the issuance of not to exceed \$5,000,000 General Obligation Urban Renewal Bonds or Capital Loan Notes for urban renewal purposes.

[\(Council Communication No. 23-373\)](#)

- (A) Authorization for additional action.

64. 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.

[\(Council Communication No. 23-373\)](#)

65. On the proposition of the issuance of not to exceed \$22,000,000 Stormwater Management Utility Revenue Bonds.

[\(Council Communication No. 23-373\)](#)

- (A) Authorization for additional action.

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

INFORMAL HEARING

66. On authorization to proceed with acquisition of the necessary property interests for the 63rd Street Trail from SW McKinley Avenue to Raccoon River Project.

[\(Council Communication No. 23-369\)](#)

ORDINANCES FIRST CONSIDERATION

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

[\(Council Communication No. 23-362\)](#)

- (B) Code Correction – update parking restrictions to match field conditions on E. 17th Street between Dean Avenue and Guthrie Avenue.
- (C) Code Correction – update code to correct a spelling error on E. 44th Street between Hubbell Avenue and Honey Bee Ridge.
- (D) Code Correction – update parking restrictions to match field conditions on State Street between E. 23rd Street and E. 33rd Street.
- (E) Code Correction – update parking restrictions to match field conditions on E. Walnut Street between E. 18th Street and E. 30th Street.
- (F) Code Correction – update parking restrictions to match field conditions on E. Watrous Avenue from South Union Street to the east city limits.
- (G) Corner Clearance Parking Restrictions:
 - (1) E. 28th Street and Easton Boulevard.
 - (2) E. Douglas Avenue and Lay Street.

68. [Designating](#) the Oak Park-Highland Park TIF District No. 5.

- (A) [Final](#) consideration of ordinance above (waiver requested by Cody Christensen, Development Services Director), requires six votes.
- (B) [Urban](#) renewal development agreement with 36 ON 6th, LLC for the renovation of 3614 6th Avenue into a mixed-use residential and commercial development in the Oak Park-Highland Park Urban Renewal Area.

[\(Council Communication No. 23-356\)](#)

69. [Amending](#) Section 134-6.5.2, Section 134-3.8.1 and Table 134-3.1-1 and Table 134-3.9-1, relating to consumer fireworks sales; alcoholic liquor, wine, beer sales; and utility and public service infrastructure repair or modification.

- (A) [Final](#) consideration of ordinance above (waiver requested by Chris Johansen, Neighborhood Services Director), requires six votes.

COMMUNICATIONS/REPORTS

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

- (A) Anna Campos
- (B) Adam Callanan
- (C) Jolene Prescott
- (D) Susan Hook
- (E) Carolyn Uhlenhake Walker
- (F) David Hellstern

MOTION TO ADJOURN.

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