

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

**February 5, 2024  
5:00 PM**

**PRESENTATION – 4:45 PM**

Polk County and Prairie Meadows Check Presentation

**PROCLAMATION**

Black History Month

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA \* – items 3 through 36:

**\*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) CHELSIES COURTYARD	300 W MLK JR PKWY	Class C Liquor
(B) INDIA STAR	5514 DOUGLAS AVE	Special Class C
(C) VICKIES	2801 2ND AVE	Class C Liquor

**RENEWAL APPLICATIONS**

(D) BEAVER TAP	4050 URBANDALE AVE	Class C Liquor
(E) CAFE BARATTAS	600 E LOCUST ST	Class C Liquor
(F) CASEYS STORE #3518	1907 ARMY POST RD	Class E Liquor
(G) CASH SAVER #33	1320 E EUCLID AVE	Class E Liquor
(H) CHIPOTLE MEXICAN	3737 MERLE HAY RD	Class C Liquor

- |     |                     |                     |                 |
|-----|---------------------|---------------------|-----------------|
| (I) | GIT N GO STORE #23  | 2930 HICKMAN RD     | Class B Retail  |
| (J) | LACHELES FINE FOODS | 2716 INGERSOLL AVE  | Class C Liquor  |
| (K) | LACRUZ #3           | 3900 E 14TH ST #1   | Class B Retail  |
| (L) | MARIANAS            | 1305 UNIVERSITY AVE | Special Class C |
| (M) | SNAKE PIT LOUNGE    | 3100 MCKINLEY AVE   | Class F Retail  |
| (N) | TUPELO HONEY        | 665 GRAND AVE SUITE | Class C Liquor  |

**SPECIAL EVENT APPLICATIONS**

- (O) APRES BAR CO                      519 PARK ST                      5 days  
CLASS C LIQUOR LICENSE FOR A WEDDING ON FEBRUARY 24, 2024
- (P) BUZZARD BILLYS                      615 3RD ST                      5 days  
CLASS C LIQUOR LICENSE FOR STATE WRESTLING TOURNAMENT ON  
FEBRUARY 14 - 17, 2024
- (Q) SALISBURY HOUSE                      4025 TONAWANDA DR                      5 days  
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR GALENTINES  
HIGH TEA AT THE CASTLE ON FEBRUARY 17, 2024.
- (R) TANGERINE FOOD CO                      100 LOCUST ST                      5 days  
CLASS C LIQUOR LICENSE FOR MAD HATTER/FEVER EVENTS ON  
FEBRUARY 14 - 15, 2024.

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

**PUBLIC IMPROVEMENTS**

6. Ordering construction of the following:
- (A) [30<sup>th</sup>](#) Street Sidewalk from Urbandale Avenue to Euclid Avenue: Receiving of bids, (2-20-24) and Setting date of hearing, (3-18-24), Engineer’s estimate, \$250,000.  

[\(Council Communication No. 24-052\)](#)

(B) [Gray’s](#) Lake Parking Lot, Trail and Dock Improvements: Receiving of bids, (3-5-24) and Setting date of hearing, (4-1-24), Engineer’s estimate, \$1,900,000.  

[\(Council Communication No. 24-053\)](#)

7. [Authorization](#) to submit a Revitalize Iowa’s Sound Economy Program (RISE) Grant Application to the Iowa Department of Transportation (IDOT) for the Des Moines Airport Authority’s (Authority) Cowles Drive Reconstruction – Phase 4.  

[\(Council Communication No. 24-043\)](#)

8. [Approving](#) a Professional Services Agreement with Shive-Hattery, Inc. for SW 1st Street Bridge Park Improvement, not to exceed \$118,500.

[\(Council Communication No. 24-046\)](#)

9. [Approving](#) Supplemental Agreement No. 3 to Professional Services Agreement with SystemWorks, LLC for additional building commissioning services for the Animal Control Building, not to exceed \$12,503.

[\(Council Communication No. 24-045\)](#)

10. [Acceptance](#) of a proposal from MidAmerican Energy Company to remove existing utility poles and relocate overhead utilities underground for E. 4th Street Reconstruction from E. Market Street to E. Vine Street, estimated at \$48,139.71.

[\(Council Communication No. 24-051\)](#)

11. Accepting completed construction and approving final payment for the following:
  - (A) [SW](#) 11<sup>th</sup> Street from W. ML King Jr. Parkway to Dart Way Improvements, Jasper Construction Services, Inc.
  - (B) [North](#) Valley Drive and Grand Avenue Sidewalk and Railroad Crossing Improvements, TK Concrete, Inc.
  - (C) [2022](#) Neighborhood Sidewalk Program, Hawkeye Paving Corporation.

## **SPECIAL ASSESSMENTS**

12. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2024-02.

## **LAND/PROPERTY TRANSACTIONS**

- ~~13. [Releasing](#) PUD restoration bond for Brook Landing Plat 1.~~
14. [Partially](#) releasing subdivision bond for Brook Landing Plat 2.
15. [Releasing](#) subdivision bond for Elevate Townhomes Plat 1.
16. [Approving](#) 285 tax abatement applications for work completed in 2023.

[\(Council Communication No. 24-056\)](#)

## BOARDS/COMMISSIONS/NEIGHBORHOODS

- 16-I [Recommendation](#) from Council Member Mandelbaum to reappoint Breanne Sanchez to the Transportation Safety Committee, Seat 6, for a three-year term expiring December 31, 2026.
- 16-II [Recommendation](#) from Council Member Mandelbaum to appoint Larry James to the Building and Fire Board Code of Appeals, Seat 13, for a three-year term expiring April 1, 2026.
- 16-III [Recommendation](#) from Council Member Gatto to appoint Justin Burnham to the Urban Design Review Board, Seat 11, to fill a vacant seat for a term expiring June 30, 2025. Sponsor: Mayor Boesen.

## SETTING DATE OF HEARINGS

- 17. [On](#) vacation of a portion of the Masonic Temple Cemetery, located southwest and interior to the intersection of 48th Street and Franklin Avenue, and conveyance to ChildServe Habilitation Center, Inc. for the purchase price of \$600,000, (2-19-24).

[\(Council Communication No. 24-057\)](#)

- 18. [On](#) request from IA9 Des Moines, LLC (Bryan Slama, Officer) to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification from Low Density Residential within a Neighborhood Node to Business Park within a Neighborhood Node, and to rezone three (3) parcels located in the vicinity of 1475 Hart Avenue, from “N1a” Neighborhood District to Limited “EX” Mixed Use District to allow the development of self-storage and/or flex warehouse buildings, where no individual storage unit shall be less than 600 square feet in area, (2-19-24).
- 19. [On](#) a request from Juan’s Auto Repair, LLC (Juan Lopez, Officer) to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification from Business Park within a Regional Node to Community Mixed Use within a Regional Node, and to rezone 1660 E. Army Post Road from “EX” Mixed Use District to “CX” Mixed Use District, to allow construction of a new auto body repair shop, (2-19-24).
- 20. [On](#) a request from Elim Christian Fellowship of Des Moines (Michael K. Hurst, Officer) to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification from Public/Semi-Public to Downtown Mixed Use and to rezone 525 E. 9th Street property from “P2” Public, Civic, and Institutional District to “DXR” Downtown District, to allow renovation of an existing church building for a school and multiple-household residential use, (2-19-24).

21. [On](#) a request from City of Des Moines to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification from Business Park to Industrial and to rezone the property located in the vicinity of 3500 Vandalia Avenue from “EX” Mixed Use District to “I2” Industrial District to allow the development of a vehicle storage, maintenance, and operation facility for the Des Moines Area Regional Transit Authority (DART), (2-19-24).
22. [On](#) a request from Clayton Enterprises (George Michael Clayton, Officer) to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification from Low-Medium Density Residential to High Density Residential for 1726 Oakland Avenue to allow three (3) additional dwelling units within the existing building, which would cause the net density of the property to be greater than 17 dwelling units per acre, (2-19-24).
23. [On](#) approval of form and authorizing execution of a lease with 1901 Bell Ave, LLC for use of 4,200 square feet of warehouse space at 1901 Bell Avenue by the Police Department for storage of impounded vehicles, (2-19-24).

#### **LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS**

24. [Approving](#) payment to Stew Hansen’s Urbandale Collision Center and the Printer, Inc. for a property damage claim.

#### **APPROVING**

25. First Amendments to Urban Renewal Development Agreements with Hilltop Housing, LLC for construction of apartment buildings in the vicinity of 3600 Hubbell Avenue for the following:  

[\(Council Communication No. 24-055\)](#)

  - (A) [Hilltop](#) III Housing.
  - (B) [Hilltop](#) IV Senior Housing.
26. [Agreement](#) with Waukee Community School District regarding Aspiring Professional Experience (APEX) Student Volunteers for Parks and Recreation Projects.  

[\(Council Communication No. 24-039\)](#)
27. [2023](#) Certified Local Government (CLG) Annual Report and authorization for Mayor’s signature for submittal to the Iowa Department of Cultural Affairs.

27-I [Submittal](#) of applications for the 2024 Homeland Security Grant Program on behalf of the statewide Weapons of Mass Destruction (WMD/SWAT) and the Explosive Ordnance Detection (EOD) task force teams.

[\(Council Communication No. 24-041\)](#)

28. [Second](#) amendment to Software Hosting Service Agreement with PowerDMS Inc. (David DiGiacomo, CEO).

[\(Council Communication No. 24-038\)](#)

29. [Amendment](#) to the Tyler Technologies Evergov Permitting and Licensing (EPL) Agreement, \$51,048.

[\(Council Communication No. 24-042\)](#)

30. [Assignment](#) of lease agreement for office equipment from Koch Brothers, Inc. to E.O. Johnson Company, Inc.

31. Abatement of public nuisances as follows:

(A) [618](#) Bancroft Street.

(B) [1824](#) Dean Avenue.

32. [Purchase](#) from Ennis Flint Inc. of traffic paint per Iowa Department of Transportation (IDOT) contract for use by the Traffic & Transportation Department, \$125,000.

[\(Council Communication No. 24-044\)](#)

33. [Authorizing](#) Finance Director to draw checks on registers for the weeks of February 5 and 12, 2024; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of February 5 and 12, 2024; to draw checks for biweekly payroll due February 9, 2024.

## **ORDINANCES - FINAL CONSIDERATION**

34. [On](#) vacation of an L-shaped alley right-of-way located in the block bounded by Kirkwood Avenue to the north, Lacona Avenue to the south and Courtland Drive to the east.

35. [On](#) vacation of approximately 180 feet of the north-south alley right-of-way extending south from Carpenter Avenue between 24<sup>th</sup> Street and 25<sup>th</sup> Street.

**ORDINANCES - SECOND CONSIDERATION**

- 36. [Amending](#) Chapter 114, Division 2 of the Municipal Code regarding the duties and member composition of the Transportation Safety Committee, as amended.

[\(Council Communication No. 24-047\)](#)

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

**HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 37 THRU 40)**

- 37. [On](#) conveyance of vacated alley right-of-way located south of and adjoining 1321 E. Oak Park Avenue to Bradley Murray and Danielle Broome, \$25.
- 38. [On](#) 2024 Neighborhood Sidewalk 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 Caliber Concrete, LLC (Jason Martin, Owner), \$1,789,424.17.

[\(Council Communication No. 24-050\)](#)

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

- 39. [On](#) Ingersoll Avenue Improvements from 28th Street to 31st Street: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating the lowest responsive, responsible bidder as Corell Contractor, Inc. (Grant S. Corell, President), \$3,327,667.15.

[\(Council Communication No. 24-049\)](#)

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

- 40. [On](#) University Avenue - 39th Street to 48th Street Improvements: 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.), \$4,373,041.85.

[\(Council Communication No. 24-048\)](#)

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

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

## ORDINANCES FIRST CONSIDERATION

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

[\(Council Communication No. 24-054\)](#)

- (A) Parking Restriction – E. 18th Street, Kinsey Avenue, Stewart Street.
- (B) Parking Restriction – SW 9th Street between Bell Avenue and Loomis Avenue.
- (C) Code Correction – Stewart Street between E. Washington and Hull Avenue.
- (D) Code Correction – SW 56th Street between Park Avenue and Watrous Avenue.
- (E) Code Correction – Cleveland Avenue at E. 9th Street.
- (F) Corner Clearance Parking Restrictions:
  - (1) 55th Street and Madison Avenue.
  - (2) Fleming Avenue and 30th Street.
  - (3) Mansfield Drive and Hull Avenue.
  - (4) Wright Street and East Euclid Avenue.

42. [Amending](#) Chapter 42 of the Municipal Code relating to noise control.

43. Items regarding addressing:

- (A) [Approval](#) of City of Des Moines Street Naming and Addressing Policy.

[\(Council Communication No. 24-040\)](#)

- (B) [First](#) consideration of ordinance amending Chapter 102 relating to the numbering of buildings.
- (1) [Final](#) consideration of ordinance above (waiver requested by Chris Johansen, Neighborhood Services Director), requires six votes.



## COMMUNICATIONS/REPORTS

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

- (A) Jacey Van Roekel
- (B) Monika Owczarski
- (C) Luis Gomez
- (D) Allan Rosedale
- (E) Chris Biagini
- (F) Jennifer Erwin
- (G) Nell Bennett
- (H) Denver Foote
- (I) Cassandra Monroe
- (J) Michaelyn Mankel
- (K) Abby Bankes
- (L) Jacob Grobe

MOTION TO ADJOURN.

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