

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

March 4, 2024
5:00 PM

PROCLAMATION – 4:55 PM

Women’s History Month

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 APPLICATION

(A) PAVILION	3000 E GRAND AVE	Special Class C
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RENEWAL APPLICATIONS

(B) BELLHOP	440 E GRAND AVE	Class C Liquor
(C) BUZZARD BILLYS	615 3RD ST	Class C Liquor
(D) CASEYS #3915	3200 SW 9TH ST	Class B Retail
(E) CHUCKS	3608 6TH AVE	Class C Liquor
(F) DOLLAR GENERAL #13292	3102 MERLE HAY RD	Class B Retail
(G) DOLLAR GENERAL #313	2574 HUBBELL AVE	Class B Retail
(H) DOLLAR GENERAL #4554	1020 E ARMY POST RD	Class B Retail
(I) DOLLAR GENERAL #4991	3223 SE 14TH ST	Class B Retail
(J) DOLLAR GENERAL #6077	221 63RD ST	Class B Retail
(K) DOLLAR GENERAL #6725	1428 E OVID AVE	Class B Retail
(L) DOLLAR GENERAL #6735	2650 INGERSOLL AVE	Class B Retail

- (C) [Locust](#) Street Resurfacing from the Des Moines River to 9th Street: Receiving of bids, (3-19-24) and Setting date of hearing, (4-15-24), Engineer's estimate, \$700,000.

[\(Council Communication No. 24-096\)](#)

- (D) [SW](#) 56th Street Rehabilitation from Leland Avenue to Wolcott Circle: Receiving of bids, (3-19-24) and Setting date of hearing, (4-15-24), Engineer's estimate, \$585,000.

[\(Council Communication No. 24-098\)](#)

7. [Approving](#) a Professional Services Agreement with I&S Group, Inc. for 16th Street Area Reconstruction and Trail Connection, not to exceed \$207,670.

[\(Council Communication No. 24-099\)](#)

8. [Approving](#) Supplemental Agreement No. 3 to the Professional Services Agreement with Bolton & Menk, Inc. for additional professional services for University Avenue Rehabilitation, not to exceed \$320,386.

[\(Council Communication No. 24-092\)](#)

9. [Approving](#) and adopting the Iowa Statewide Urban Design and Specifications (SUDAS) Design Manual, 2024 Edition, SUDAS Standard Specifications, 2024 Edition, and the City of Des Moines General Supplemental Specifications to the SUDAS Standard Specifications, 2024 Edition, as the official design standards and standard specifications and supplemental specifications for the City of Des Moines.

[\(Council Communication No. 24-100\)](#)

10. [Approving](#) private construction contract between Lloyd Construction Company and 13th & Mulberry Multifamily, LLC for paving improvements in 1301 Mulberry Street.

11. [Approving](#) completion and acceptance of private construction contract between Woodruff Construction, Inc. and Des Moines Independent Community School District for paving improvements in 2450 Forest Avenue.

12. [Communication](#) from contractor requesting permission to sublet certain items on a public improvement project.

13. Accepting completed construction and approving final payment for the following:
 - (A) [Ingersoll](#) Avenue Streetscape from 28th Street to M.L. King Jr. Parkway (south side), Jasper Construction Services, Inc.
 - (B) [2023](#) Neighborhood Sidewalk Program Contract 1, TK Concrete, Inc.
 - (C) [2nd](#) Avenue Bridge over the Des Moines River Rehabilitation and 2nd Avenue Bridge over Birdland Drive Replacement, Jasper Construction Services, Inc.
 - (D) [Closes](#) Creek Storm Sewer Improvements Phase 2A and 2B, RW Excavating Solutions, LC.
 - (E) [Pappajohn](#) Sculpture Park Lighting Improvements, Modern Electrical Services, LLC.
 - (F) [2023](#) Midblock Pedestrian Signal Improvements, Jasper Construction Services, Inc.

SPECIAL ASSESSMENTS

14. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2024-03.
15. [Deletion](#) of rental inspection assessment at 2724 College Avenue.

LAND/PROPERTY TRANSACTIONS

16. [Dedicating](#) additional Fleur Drive right-of-way located south of Littell Avenue and east of and adjoining GeoParcel 7824-32-127-017.
17. [Approval](#) of final subdivision plat and acceptance of subdivision bond for Stanton Ridge, located in the vicinity of 2300 Stanton Avenue.

[\(Council Communication No. 24-089\)](#)

18. [Approval](#) of 25 tax abatement applications for work completed in 2023.

[\(Council Communication No. 24-088\)](#)

BOARDS/COMMISSIONS/NEIGHBORHOODS

19. [Communication](#) from Sonia Reyes advising of her resignation from the Des Moines Civil and Human Rights Commission, Seat 6, effective immediately.
- 19-I [Communication](#) from Steven Garrison advising of his resignation from the Urban Design Review Board, Seat 9, effective immediately.
- 19-II [Communication](#) from Breann Bye advising of her resignation from the Historic Preservation Commission, Seat 11, effective immediately.
20. [Recommendation](#) from Council Member Mandelbaum to appoint Kameron Middlebrooks to the Des Moines Civil and Human Rights Commission, Seat 6, for a three-year term expiring April 7, 2025.
- 20-I [Recommendation](#) from Council Member Voss to appoint Matt Hardin to the Transportation Safety Committee, Seat 3, for a three-year term expiring December 31, 2026.

COMMUNICATIONS FROM PLANNING AND ZONING

21. [Regarding](#) a request from Walnut Creek Community Church (Luke Hukee, Officer) for property located in the vicinity of 304 E. Walnut Street for vacation of the east/west alleyway bounded by E. Third Street to the west and vacation of the north/south alleyway bounded by E. Locust Street to the north and E. Walnut Street to the south to be assembled and used for a parking lot expansion.

SETTING DATE OF HEARINGS

22. [On](#) vacation of a segment of Ingersoll Avenue right-of-way adjoining 2103 Ingersoll Avenue and conveyance of an Easement for Bus Shelter Encroachment on City-owned property to Des Moines Area Regional Transit Authority, \$220, (3-18-24).
23. [On](#) vacation of a segment of Littell Avenue right-of-way located between Fleur Drive and Army Post Road, (3-18-24).
24. [On](#) approval of entering into a Waiver of Distance Separation Easement Agreement with and conveying a Waiver of Distance Separation Easement to the Des Moines Metropolitan Wastewater Reclamation Authority and acknowledgement by Des Moines Area Regional Transit Authority on property located at 3500 Vandalia Road, \$1, (3-18-24).
25. ~~[On](#) conveyance of City-owned property located at 3500 Vandalia Road to Des Moines Area Regional Transit Authority, \$3,859,000, (3-18-24).~~

26. [On](#) a request from Max Z. Steigleder and Tracy D. Steigleder (Owners) to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification from Business Park to Industrial and to rezone property in the vicinity 9500 Southridge Boulevard from “EX” Mixed Use District to “I2” Industrial District to allow the construction of a concrete manufacturing plant with outdoor storage, (3-18-24).
27. [On](#) a request from 3800-3804 Ingersoll, LLC and MGS, LLC (Kimberley R. Robertson, Officer) and (Michael Simpson, Officer) to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification from Low Density Residential to Community Mixed Use and to rezone the property located at 1205 E. 33rd Street and 3304 E. University Avenue from “N3b” Neighborhood District to Limited “CX” Mixed Use District to allow use of the property for warehousing and other commercial uses, (3-18-24).
28. [On](#) receipt of oral or written testimony from any resident or property owner of Des Moines on the proposed property tax amount for fiscal year 2025, (4-1-24, 7:30 AM).

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

29. [Approving](#) payment to Eric Brown for an auto claim.
30. [Approving](#) payment to Bradley Weston for an auto claim.
31. [Approving](#) payment to Jeffrey Kimberling for an auto claim.
32. [Approving](#) payment to Allstate Insurance on behalf of its insured Anna Noel for a property damage claim.
33. [Approving](#) payment to Albert Salazar for a Workers’ Compensation Claim.

APPROVING

34. [First](#) Amendment to the Urban Renewal Development Agreement with Lawmark, LP, for renovation of the Financial Center Building located at 606 Walnut Street converting Floors 1 through 15.

[\(Council Communication No. 24-101\)](#)

35. [An](#) updated policy regarding alterations on properties in Local Historic Districts that are eligible for an Administrative Certificate of Appropriateness (AACOA), in accordance with Chapter 58 of the Municipal Code.

[\(Council Communication No. 24-090\)](#)

36. [Grant](#) application to the FEMA Assistance to Firefighters Grant (AFG) program in the amount of \$591,286.30 to install diesel exhaust source capture systems at nine (9) fire stations.

[\(Council Communication No. 24-085\)](#)

37. [Agreement](#) between the Des Moines Fire Department (DMFD) and Des Moines Area Community College (DMACC) for the provision of clinical/field experience to DMACC Emergency Medical Services (EMS) students.

[\(Council Communication No. 24-086\)](#)

38. [Application](#) for the 2025 State of Iowa, Byrne Justice Assistance Grant (JAG) program issued by the State of Iowa Department of Public Safety, Office of Drug Control Policy.

[\(Council Communication No. 24-083\)](#)

39. [Approval](#) of agreement with Des Moines Police Bargaining Unit Association for the period July 1, 2024 through June 30, 2027.

[\(Council Communication No. 24-084\)](#)

40. [Extension](#) of agreement with Genuine Parts Company d/b/a NAPA Auto Parts and authorizing annual expenditures of \$4,100,000, including FY2023/2024 for integrated supply services for the repair and servicing of fleet vehicles.

[\(Council Communication No. 24-087\)](#)

41. [Purchase](#) from Elder Corporation (J. Elder II, President) of asphalt and concrete crushing services for use by the Public Works Department, \$123,800. (Three hundred three (303) potential bidders, six (6) received).

42. Number not used.

43. [Authorizing](#) Finance Director to draw checks on registers for the weeks of March 4 and 11, 2024; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of March 4 and 11, 2024; to draw checks for biweekly payroll due March 8, 2024.

ORDINANCES - SECOND CONSIDERATION

- 44. [On](#) vacation of a portion of the Masonic Temple Cemetery, located southwest and interior to the intersection of 48th Street and Franklin Avenue.

[\(Council Communication No. 24-091\)](#)

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

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 45 THRU 53)

- 45. [On](#) vacation of air, surface and subsurface rights within portions of alley, University Avenue and 22nd Street right-of-way adjoining 2211 University Avenue and conveyance of a Permanent Easement for Air Space Above City-Owned Property, a Permanent Easement for Subsurface Building Encroachment on City-Owned Property, and a Permanent Easement for Building Encroachment to Neighborhood Development Corporation, \$2,710.

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

- 46. [On](#) conveyance of City-owned property located at 3312 8th Street to City of Des Moines Municipal Housing Agency.

- 47. [Dismiss](#) hearing on conveyance of City-owned property located at 3500 Vandalia Road to Des Moines Area Regional Transit Authority, \$3,910,000.

- 48. [Dismiss](#) hearing on entering into a Waiver of Distance Separation Easement Agreement with and conveying a Waiver of Distance Separation Easement to the Des Moines Metropolitan Wastewater Reclamation Authority and acknowledgement by Des Moines Regional Transit Authority on property located at 3500 Vandalia Road, \$1.

- 49. [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, **continued from February 19, 2024 council meeting.**

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

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

50. On a request 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 the property located at 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, **continued from February 19, 2024 council meeting.**
- (A) First consideration of ordinance above.
- (B) Final consideration of ordinance above (waiver requested by the applicant), requires six votes.
51. On a request from ABC Partners, LP and Army Post Development, LC (Richard Margulies, Officer) for approval of a 3rd amendment to the Airport Business Park Phase II PUD Conceptual Plan for multiple parcels located in the vicinity of 3701 Gannett Avenue to allow the use of metal siding, cladding, and roofing materials.
52. On 56th Street from Grand Avenue to south of Robertson Drive: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating the lowest responsive, responsible bidder as Grimes Asphalt and Paving Corporation (Timothy Mallicoat, President), \$308,182.10.

(Council Communication No. 24-093)

- (A) Approval of contract and bond.
53. On SE 22nd Street Traffic Calming Improvements: 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), \$290,196.39.

(Council Communication No. 24-094)

- (A) Approval of contract and bond.

END HEARINGS AT _____PM

FIRST CONSIDERATION

54. Amending Chapter 114 of the Municipal Code relating to snow routes.
- (A) Final consideration of ordinance above (waiver requested by Jonathan Gano, Public Works Director), requires six votes.

COMMUNICATIONS/REPORTS

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

- (A) Aaron Stacy Roberts
- (B) Dr. Susan Andrews
- (C) Felicia Hilton
- (D) Garland Armstrong
- (E) Abby Bankes
- (F) Chris Biagini
- (G) Don Burgmaier
- (H) Adam Callanan
- (I) Ruth Thompson
- (J) Jonathon Von Arb

MOTION TO ADJOURN.

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