

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

April 1, 2024
5:00 PM

Swearing in Ceremony 4:45 PM
Mike Simonson, At-Large

PROCLAMATIONS – 4:50 PM

John Pat Dorrian

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 39:

***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:

RENEWAL APPLICATIONS

(A) BIG DOG BILLIARDS	4510 E 14TH ST	Class C Liquor
(B) BLISS NAILS & BAR	208 4TH ST	Class C Liquor
(C) CHICAGO SPEAKEASY	1520 EUCLID AVE	Class C Liquor
(D) DES MOINES YACHT CLUB	2617 INGERSOLL AVE	Class C Liquor
(E) DJANGO BANQUET FACILITIES	1430 LOCUST ST	Class C Liquor
(F) DOLLAR GENERAL #21816	604 LOCUST ST #101	Class B Retail
(G) DOWNTOWN PANTRY	218 6TH AVE 101	Class E Liquor
(H) HARBINGER RESTAURANT	2724 INGERSOLL AVE	Class C Liquor
(I) JOHNNYS ITALIAN	6800 FLEUR DR	Class C Liquor
(J) LEFTYS LIVE MUSIC	2307 UNIVERSITY AVE	Class C Liquor
(K) NEW ORIENTAL FOOD STORE	515 E GRAND AVE	Class B Retail

(L) ROYAL FOOD & LIQUOR 1443 2ND AVE Class E Liquor

SPECIAL EVENT APPLICATIONS

(M) CHRIST THE KING 5711 SW 9TH ST 5 days
CLASS C LIQUOR LICENSE FOR 2024 PARISH AUCTION - PROM NIGHT ON
APRIL 13, 2024.

(N) TANGERINE FOOD COMPANY 100 LOCUST ST 5 days
CLASS C LIQUOR LICENSE FOR MAD HATTER EVENTS ON APRIL 12 - 13,
2024.

OUTDOOR SERVICE APPLICATION

~~(O) STRIKING SPARROW LOUNGE 1930 SE 6TH ST Class C Liquor
PERMANENT.~~

PUBLIC IMPROVEMENTS

5. Ordering construction of the following:

(A) [Thomas](#) Beck Road Improvements from Bancroft Street to Courtland Drive:
Receiving of bids, (4-16-24) and Setting date of hearing, (5-6-24), Engineer's
estimate, \$850,000.

[\(Council Communication No. 24-147\)](#)

(B) [Fleur](#) Drive Rehabilitation from McKinley Avenue to Army Post Road: Receiving of
bids, (4-16-24) and Setting date of hearing, (5-6-24), Engineer's estimate,
\$2,400,000.

[\(Council Communication No. 24-148\)](#)

6. [Approving](#) and authorizing the execution of Iowa Department of Transportation (IDOT)
Agreement for improvements along SE 14th Street (US 69) from the Des Moines River
Bridge north to the viaduct over MLK Parkway, including reconfiguration of the Maury
Street intersection to offset 'T' intersections.

[\(Council Communication No. 24-141\)](#)

7. [Approving](#) Supplemental Agreement No. 6 to the Professional Services Agreement (PSA)
with Kirkham Michael & Associates, Inc. for additional design services for Southeast
Connector – SE 30th Street to U.S. 65, not to exceed \$295,000.

[\(Council Communication No. 24-142\)](#)

8. [Approving](#) completion and acceptance of private construction contract between Concrete Technologies, Inc. and TK Development, LLC for paving improvements in Southwoods Estates Plat 3.
9. [Communication](#) from contractor requesting permission to sublet certain items on a public improvement project.
10. Accepting completed construction and approving final payment for the following:
 - (A) [2021](#) HMA Residential Paving Program Contract, Grimes Asphalt and Paving Corporation.
 - (B) [Cohen](#) Park Shelter and Sport Court Improvements, Lansink Construction, Inc.
 - (C) [SE](#) 6th Street Reconstruction from E. Hillside Avenue to E. Edison Avenue, Brothers Cleaning Corporation.

SPECIAL ASSESSMENTS

11. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2024-04.
12. [Authorizing](#) release of special assessments for 1411 17th Street acquired through the tax sale certificate process.

[\(Council Communication No. 24-135\)](#)

BOARDS/COMMISSIONS/NEIGHBORHOODS

13. [Communication](#) from Bob Mahaffey advising of his resignation from the Library Board of Trustees, Seat 5, effective immediately.
14. [Recommendation](#) from Mayor Boesen to appoint Kimberley Strobe-Boggus to the Library Board of Trustees, Seat 5, for a term expiring June 30, 2026.
15. [Recommendation](#) from Council Member Mandelbaum to reappoint Erin Bowers to the Building and Fire Code Board of Appeals, Seat 6, for a three-year term expiring April 1, 2027.
16. [Recommendation](#) from Council Member Gatto to reappoint Dave Dykstra to the Building and Fire Code Board of Appeals, Seat 7, for a three-year term expiring April 1, 2027.

SETTING DATE OF HEARINGS

17. [On](#) conveyance of City-owned property at 1916 Washington Avenue to Greater Des Moines Habitat for Humanity for redevelopment of housing, (4-15-24).
18. [On](#) vacation of a section of the north-south alley right-of-way located in the block bounded by New York and Corning Avenue and 7th and 8th Streets near 2814 7th Street and conveyance to Cold Storage Rehab, LLC, (4-15-24).
19. [On](#) issuance of a Replacement Quit Claim Deed conveying vacated alley right-of-way located at 2814 7th Street to Cold Storage Rehab, LLC, (4-15-24).
20. [On](#) the proposition to authorize a lease agreement in the principal amount not to exceed \$75,000 for the purpose of renting a bucket truck for the Forestry Department, (4-15-24).
21. On items regarding the budget, (4-15-24):

[\(Council Communication No. 24-132\)](#)

- (A) [Adoption](#) of the Capital Improvement Program (CIP) for fiscal year (FY) 2024-25 through FY 2027-28.
- (B) [On](#) amendment to the annual budget for current fiscal year ending June 30, 2024.
- (C) [On](#) proposed budget for the fiscal year ending June 30, 2025.

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

22. [Approving](#) payment to Tim Guevara and his attorney for a personal injury claim.
23. [Approving](#) payment to Carlos Jiminez-Soriano for a Workers' Compensation Claim.

APPROVING

24. [Memorandum](#) of Understanding (MOU) with Invest DSM, Inc. whereby Invest DSM, Inc. serves as a fiscal agent for the City's Neighborhood Block Challenge Grant Program

[\(Council Communication No. 24-136\)](#)

25. [Invest](#) DSM's designation of two new Special Investment Districts for planning and revitalization work in Union Park and North of Grand/Woodland Heights.

[\(Council Communication No. 24-139\)](#)

26. [Final](#) terms of an Urban Renewal Development Agreement and Minimum Assessment Agreement with Kemin Industries, Inc. and Kemin Holdings, LC for the construction of a 340,500 square foot warehouse at 606 SE 23rd Street and approving conceptual development plan.

[\(Council Communication No. 24-138\)](#)

27. Number not used.

28. [Des](#) Moines Fire Department and Tri-City Fire and Safety Training (FAST) Center Tower Use Agreement.

[\(Council Communication No. 24-129\)](#)

29. [Facility](#) Use Agreement with World Triathlon Corporation d/b/a IRONMAN for use of Gray's Lake Park and the Meredith and Kruidenier Trails for the 2024 IRONMAN Triathlon.

[\(Council Communication No. 24-131\)](#)

30. [Agreement](#) with Bike World for Parks and Recreation Department bicycle rentals.

[\(Council Communication No. 24-130\)](#)

31. [Application](#) for the 2024 Project Safe Neighborhood Grant through the State Office of Drug Control Policy.

[\(Council Communication No. 24-133\)](#)

32. Number not used.

33. [Use](#) of various City Facilities as poll sites for the Polk County Primary Election on Tuesday, June 4, 2024.

34. [Agreement](#) for professional services for maintenance of the Engineering database and report generator applications with Nestingen Inc. d/b/a RelyDB and approving good cause exception to procurement ordinance.

[\(Council Communication No. 24-143\)](#)

35. [Agreement](#) with Lincoln Financial Group (Ellen G. Cooper, Chairman, President and Chief Executive Officer) for the provision of group and supplemental life insurance, long-term disability and supplemental health insurance benefits for eligible employees for the period July 1, 2024 through June 30, 2027 and authorizing the City Manager to approve a three-year renewal.

[\(Council Communication No. 24-128\)](#)

36. Abatement of public nuisances as follows:
- (A) [310](#) E. Mckinley Avenue.
 - (B) [2444](#) E. Walnut Street.
 - (C) [709](#) SE 15th Court.
37. [Authorizing](#) Finance Director to draw checks on registers for the weeks of April 1 and 8, 2024; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of April 1 and 8, 2024; to draw checks for biweekly payroll due April 5, 2024.

ORDINANCES - SECOND CONSIDERATION

38. [Amending](#) Chapter 114 of the Municipal Code regarding Traffic Regulation Changes as follows:
- (A) Parking Modifications – E. Park Avenue from SE 21st Street to SE 22nd Street.
 - (B) Parking Modifications – Scott Avenue from SE 10th Street to SE 11th Street.
 - (C) Parking Modifications related to Stanton Ridge Plat 1 Development:
 - (1) SW 23rd Street from Stanton Avenue to Emma Avenue.
 - (2) SW 29th Street from Stanton Avenue to Emma Avenue.
 - (3) Emma Avenue from SW 23rd Street to SW 29th Street.
 - (D) Parking Restriction – SW 9th Street between Bell Avenue and Loomis Avenue.
 - (E) Parking Restriction – Scott Avenue between SE 18th Street and the cul-de-sac to the west.
 - (F) Code Correction – Corning Avenue between 6th Avenue and East Dead End.
 - (G) Alley Loading Restriction – East/West Alley between E. Grand Avenue, E. Locust Street, E. 4th Street and E. 5th Street.
 - (H) Parking Modification –South side of Locust Street between 4th Street and 5th Avenue.
 - (I) Parking Modification – South side of Grand Avenue between 2nd Avenue and 3rd Street.
 - (J) Corner Clearance Parking Restrictions:
 - (1) 37th Street and Kingman Boulevard.
 - (2) Oaklyn Drive and Lower Beaver Road.

39. Amending Chapter 42 of the Municipal Code relating to the enforcement of nuisance vegetation management, as amended.

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

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

HEARINGS (OPEN AT 5:00 PM) (ITEMS 40 THRU 48)

40. On conveyance of vacated alley right-of-way located south of and adjoining 1319 E. Oak Park Avenue to Jessica Norris, \$25.

41. Dismissing hearing on a request from Stamoreno, LLP (Anthonius M. Stam, Officer) for property located at 2505 E. 40th Street to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification from Low Density Residential to Low-Medium Density Residential and to rezone the property from “N3a” Neighborhood District to “N3a-2” Neighborhood District, to allow the development of the property for two-household (duplex) units.

42. On a request from Ecosource, LLC (Darren Fife, Officer) to rezone property located in the vicinity of 1001 Raccoon Street from “DXR” Downtown District to Limited “EX” Mixed Use District, to allow the expansion of an existing industrial service, warehousing, and office use with conditions.

(A) First consideration of ordinance above.

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

43. On a request from Hurd Ingersoll, LLC (Richard Hurd, Officer) for multiple parcels located in the vicinity of 3121 Ingersoll Avenue and 3111 Ingersoll Avenue to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification from Neighborhood Mixed Use and Low Density Residential within a Community Node to Community Mixed Use within a Community Node, and to rezone the northwest portion of the site from “RX1” Mixed Use District to “MX2” Mixed Use District and to rezone the northernmost parcel from “N5” Neighborhood District to “RX1” Mixed Use District, to allow development of a mixed-use (commercial and residential) building, a multiple-household building, and rowhome buildings.

(A) First consideration of ordinance above.

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

44. [On](#) a request from Wat Lao Buddhavath of Iowa (Phetsamone Dary, Officer) to rezone property located in the vicinity of 1806 E. Park Avenue, approximately the northernmost 50 feet of the two (2) parcels, from “N3a” Neighborhood District to Limited “P2” Public, Civic, and Institutional District to allow construction of an open-air accessory building for meditation and other uses associated with an “Assembly, Place of Worship” use.

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

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

45. [On](#) the proposition of the issuance of not to exceed \$250,000 Stormwater Management Utility Revenue Capital Loan Notes (subordinate).

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

46. [On](#) Border Street Rehabilitation from 80th Avenue to 85th Avenue: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating the lowest responsive, responsible bidder as InRoads, LLC (Joseph J. Manatt, CEO), \$248,848.

[\(Council Communication No. 24-144\)](#)

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

47. [On](#) Levee Trail Reconstruction from North Valley Drive to 63rd Street: 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), \$340,976.40.

[\(Council Communication No. 24-145\)](#)

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

48. [Reject](#) all bids on Gray's Lake Parking Lot, Trail, and Dock Improvements and close hearing on the plans, specifications, form of contract documents, and engineer's estimate.

[\(Council Communication No. 24-146\)](#)

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

ORDINANCES FIRST CONSIDERATION

49. [Amending](#) Chapter 114 of the Municipal Code relating to traffic and vehicle regulations:

[\(Council Communication No. 24-140\)](#)

(A) Parking modifications – Ingersoll Avenue from 31st Street to Crescent Drive.

50. [Amending](#) Chapter 2 of the Municipal Code regarding employee residency requirement.

(A) Final consideration of ordinance above (waiver requested by Scott Sanders, City Manager), requires six votes.

COMMUNICATIONS/REPORTS

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

- (A) Lemuel King Jr.
- (B) David Joiner
- (C) Alejandro Orozco
- (D) Scott Rudicil
- (E) Jolene Prescott

52. CLOSED SESSION:

- (A) Roll Call.
- (B) [Recess](#), and reconvene in closed session pursuant to Section 21.5, subsection 1, paragraph i of the Iowa Code, to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.
- (C) Closed Session.
- (D) Terminate closed session and reconvene in open session.

(E) Motion to adjourn.

MOTION TO ADJOURN.

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