

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

**April 15, 2024**  
**5:00 PM**

**PROCLAMATIONS – 4:50 PM**

Fair Housing Month  
Arbor Day

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA \* – items 3 through 50:

**\*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)	DM RENAISSANCE FAIR	4051 DEAN AVE (EAST)	Class C Liquor
(B)	HOMETOUCH KITCHEN LLC	1552 E GRAND AVE #D	Class C Liquor
(C)	HUGOS	3206 UNIVERSITY AVE	Class C Liquor
(D)	PRIME SPOT	2355 E UNIVERSITY AVE	Class B Retail
(E)	SLEEPY HOLLOW	4051 DEAN AVE (WEST)	Special Class C
(F)	TABLE 128	220 SW 9TH ST	Class C Liquor

**RENEWAL APPLICATIONS**

(G)	14TH STREET TAVERN	3418 E 14TH ST	Class C Liquor
(H)	ALLORA	1459 GRAND AVE	Class C Liquor
(I)	ALPINE TAP ROOM	2720 INGERSOLL AVE	Class C Liquor
(J)	ARTISANAL FOOD CO	2801 FLEUR DR	Class C Liquor
(K)	BARATTAS RESTAURANT	2320 SOUTH UNION ST	Class C Liquor
(L)	BROKEN SPOKE BAR	3925 E 14TH ST	Class C Liquor

(M)	CAPITAL CITY MOOSE	2515 WEDGEWOOD RD	Class F Retail
(N)	CASEYS #3953	3121 FOREST AVE	Class E Liquor
(O)	CASEYS #4026	3401 INGERSOLL AVE	Class B Retail
(P)	DEEP SUPERMARKET	5900 SE 14TH ST #101	Class B Retail
(Q)	DES MOINES MARRIOTT	700 GRAND AVE	Class C Liquor
(R)	EMBASSY SUITES HOTEL	101 E LOCUST ST	Class C Liquor
(S)	GERRIS	232 E 30TH ST	Class C Liquor
(T)	GIT N GO STORE #5	2700 INDIANOLA AVE	Class B Retail
(U)	GREENWOOD LOUNGE	3707 INGERSOLL AVE	Class C Liquor
(V)	HELLO MARJORIE	717 LOCUST ST #A	Class C Liquor
(W)	JOHNNYS HALL OF FAME	302 COURT AVE	Class C Liquor
(X)	LA RANCHERITA	1106 ARMY POST RD	Class C Liquor
(Y)	MARIAS MEXICAN	5405 DOUGLAS AVE	Class C Liquor
(Z)	OASIS	1401 BUCHANAN ST	Class E Liquor
(AA)	OLIVE GARDEN	6157 SE 14TH ST	Class C Liquor
<del>(BB)</del>	<del>SCORNOVACCAS</del>	<del>1930 SE 14TH ST</del>	<del>Class C Liquor</del>
<del>(CC)</del>	<del>THAI FLAVOR</del>	<del>2301 INGERSOLL AVE</del>	<del>Class C Liquor</del>
(DD)	WICKED RABBIT	1101 ARMY POST RD	Class C Liquor
(EE)	WORLD LIQUOR & TOBACCO	3200 SE 14TH ST	Class E Liquor

**SPECIAL EVENT APPLICATIONS**

- (FF) APRES BAR CO 519 PARK ST 5 days  
CLASS C LIQUOR LICENSE FOR A WEDDING ON MAY 4, 2024.
- (GG) BLUE RIBBON BACON FESTIVAL 3000 E GRAND AVE 5 days  
CLASS C LIQUOR LICENSE FOR FESTIVAL ON MAY 4, 2024.
- ~~(HH) BUZZARD BILLYS 615 3RD ST 5 days  
CLASS C LIQUOR LICENSE FOR ZACK BRYAN CONCERTS ON APRIL 25-  
26, 2024.~~
- (II) IMPALA BALLROOM 2251 GEORGE FLAGG 5 days  
CLASS C LIQUOR LICENSE FOR CINCO DE MAYO ON MAY 5, 2024.
- (JJ) MARKET TO MARKET RELAY 252 E 3RD ST (TENT) 5 days  
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR POST PARTY ON  
MAY 11, 2024.
- (KK) TANGERINE FOOD COMPANY 100 LOCUST ST 5 days  
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR MAD HATTER  
EVENT ON MAY 10 - 11, 2024.
- (LL) THIRSTY PIGS LLC 1363 27TH ST 5 days  
CLASS C LIQUOR LICENSE FOR ALUMNI REUNION ON APRIL 26 - 27, 2024.

(MM) WINEFEST DES MOINES 111 E GRAND AVE #11 5 days  
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR FESTIVAL ON  
APRIL 27, 2024.

(NN) WINEFEST DES MOINES 50 FOREST AVE #101 5 days  
CLASS C LIQUOR LICENSE FOR UNEXPECTED CELLAR EVENT ON MAY  
10, 2024.

#### OUTDOOR SERVICE APPLICATIONS

(OO) LUCKY HORSE 2331 UNIVERSITY AVE Class C Liquor  
PERMANENT.

(PP) PEGGYS TAVERN 3020 FOREST AVE Class C Liquor  
TEMPORARY FOR DRAKE RELAYS ON APRIL 21 – 28, 2024.

4-I [Consideration](#) of 8-month Special Class C Liquor License (Beer/Wine) for Drake University Stadium, 2719 Forest Avenue. Pending approval of Building, Electrical, Fire and Zoning Departments. Sponsor: Mayor Boesen.

#### PUBLIC IMPROVEMENTS

5. Ordering construction of the following:

(A) [SW](#) 9th Street Rehabilitation from Emma Avenue to Leach Avenue: Receiving of bids, (5-7-24) and Setting date of hearing, (6-3-24), Engineer's estimate, \$640,000.

[\(Council Communication No. 24-165\)](#)

(B) [2024](#) HMA Rural Paving Program – LOSST: Receiving of bids, (5-7-24) and Setting date of hearing, (6-3-24), Engineer's estimate, \$474,000.

[\(Council Communication No. 24-166\)](#)

(C) [Brenton](#) Skating Plaza Building Repair: Receiving of bids, (5-7-24) and Setting date of hearing, (6-3-24), Engineer's estimate, \$675,000.

[\(Council Communication No. 24-167\)](#)

6. [Approving](#) Agreement with McGough Construction Co., LLC for Construction Manager at Risk services for the City Facility Expansion Phase 1 Improvements, with pre-construction services not to exceed \$71,120.

[\(Council Communication No. 24-163\)](#)

7. [Professional](#) Services Agreement with Kirkham Michael & Associates, Inc. for professional services for Douglas Avenue Improvements – Merle Hay Road to Martin Luther King Jr. Parkway, not to exceed \$606,860.

[\(Council Communication No. 24-162\)](#)

8. [Approving](#) Professional Services Agreement with Kirkham Michael & Associates, Inc. for professional services for 2024 Sewer Repair Contract 1, not to exceed \$113,000.

[\(Council Communication No. 24-161\)](#)

9. Approving Private Construction Contracts between the following:
  - (A) [Legacy](#) Excavation, LLC and Timbercrest Homes. LLC for sanitary and storm sewer improvement in Three Lakes Estates Plat 13.
  - (B) [Ryan](#) Companies US, Inc. and Kemin Industries, Inc. for sanitary sewer improvements in 2200 Maury Street.
  - (C) [Vanderpool](#) Construction, Inc. and Greater Des Moines Habitat for Humanity for paving, sanitary and storm sewer improvements in Carter Court.
10. Accepting completed construction and approving final payment for the following:
  - (A) [Demolition](#) of former Public Works Facility at 216 SE 5<sup>th</sup> Street and 108 SE 5<sup>th</sup> Street, Earth Services & Abatement, LLC d/b/a Iowa Demolition.
  - (B) [Animal](#) Control Facility Bid Package No. 13 – Fire Suppression, Midwest Automatic Fire Sprinkler Co.
  - (C) [4<sup>th</sup>](#) & Grand Parking Garage Skywalk Improvements, Bergstrom Construction, Inc.

## **SPECIAL ASSESSMENTS**

11. [Levying](#) assessments for costs of Public Works sewer repair at 1246 E. 13<sup>th</sup> Street, Schedule No. 2024-02.
12. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Neighborhood Services), Schedule No. 2024-04.
13. [Rescinding](#) of NAC – Emergency Assessment at 1925 E. Grand Avenue.

## LAND/PROPERTY TRANSACTIONS

14. [Releasing](#) subdivision bond for Grandview Meadows.
15. [Approval](#) of one tax abatement application for work completed in 2021.

[\(Council Communication No. 24-149\)](#)

## BOARDS/COMMISSIONS/NEIGHBORHOODS

16. [Recommendation](#) from Council Member Westergaard to appoint Tye Reiman to the Access Advisory Board, Seat 13, for a term expiring June 15, 2027.
17. [Recommendation](#) from Council Member Westergaard to appoint Taylor Sellers to the Urban Design Review Board, Seat 9, for a term expiring June 30, 2024.
18. [Recommendation](#) from Council Member Voss to reappoint James Sarcone III to the Housing Appeals Board, Seat 3, for a three-year term expiring March 16, 2027.
19. [Communication](#) from Blake Hanson advising of his resignation from Transportation Safety Committee, Seat 8, effective immediately.
20. [Communication](#) from Justin Gross advising of his resignation from Zoning Board of Adjustment, Seat 6, effective April 26, 2024.
21. [Amendment](#) to the procedural & administrative rules of the Urban Design Review Board.

## SETTING DATE OF HEARINGS

22. [On](#) conveyance of City-owned property at 1411 17<sup>th</sup> Street to Home Opportunities Made Easy, Inc. (HOME, Inc.) for redevelopment of housing, (5-6-24).
23. [On](#) conveyance of City-owned property located at 3500 Vandalia Road to Des Moines Area Regional Transit Authority, \$3,860,000, (5-6-24).
24. [On](#) a request from Pacific Star Communications, Inc. (Molly Winkler, Officer) regarding portions of two (2) parcels located in the vicinity of 3900 E. Broadway Avenue 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 from “N2a” Neighborhood District to Limited “MX3” Mixed Use District to allow use of the property for an “Industrial Service, Light” use, (5-6-24).

25. [On](#) a request from LG Enterprises, LLC (Christopher Pruisner, Officer) regarding property located in the vicinity of 3108 SW 9th Street to rezone the property from Limited “MX1” Mixed Use District to Limited “MX1” Mixed Use District, to remove the zoning condition that prohibits any sale or service of alcoholic liquor, wine, and/or beer on the property, (5-6-24).
26. [On](#) approval of a license agreement with Capital City Pride-Des Moines for use of a portion of right-of-way at E. Grand Avenue and E. 5<sup>th</sup> Street for a temporary art installation, (5-6-24).
27. [On](#) Fifth Amendment to Concession Agreement for the Birdland Marina Concessions with Less Than Trinity, LLC d/b/a Captain Roy’s, (5-6-24).

[\(Council Communication No. 24-157\)](#)

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

28. [Approving](#) payment in settlement to Jacob Sahr.

## **APPROVING**

29. [Request](#) to Polk County and approving development agreements of tax sale properties for development and/or rehabilitation of housing.

[\(Council Communication No. 24-160\)](#)

30. [Second](#) amendment to the agreement with Iowa State University of Science and Technology (ISU) for application of technology-based solutions to assess property conditions.

[\(Council Communication No. 24-151\)](#)

31. [Parking](#) License Agreement with Business Publications Corporation, Inc. to assist with the retention and expansion of its home office facilities and operations.

[\(Council Communication No. 24-150\)](#)

32. [Acknowledging](#) dissolution of joint City-Polk County Trails and Greenways Advisory Committee (TAG).

[\(Council Communication No. 24-156\)](#)

33. [Operation](#) and maintenance agreement between City of Des Moines and Des Moines Singletrack Association for mountain bike trail development, maintenance, and operations.

[\(Council Communication No. 24-155\)](#)

34. [Agreement](#) with Des Moines Association of Professional Firefighters, Local 4 and the City of Des Moines for period July 1, 2024 through June 30, 2027.

[\(Council Communication No. 24-154\)](#)

35. Abatement of public nuisances as follows:

- (A) [1330](#) 5<sup>th</sup> Avenue.
- (B) [1710](#) Forest Avenue.
- (C) [312](#) SE 25<sup>th</sup> Court.
- (D) [200](#) Euclid Avenue to continue indefinitely, continued from the February 19, 2024 meeting.

36. [Renewing](#) Highland Park Self-Supported Municipal Improvement District (SSMID) for an additional five years from July 1, 2024 to June 30, 2029.

37. [Receive](#) and file communication from the Highland Park SSMID Board regarding the levy for the Highland Park Self-Supported Municipal Improvement District (SSMID).

[\(Council Communication No. 24-153\)](#)

38. [Receive](#) and file communication from the Beavertdale SSMID Board regarding the levy for the Beavertdale Self-Supported Municipal Improvement District (SSMID).

[\(Council Communication No. 24-153\)](#)

39. [Receive](#) and file communication from the Roosevelt Cultural District SSMID Board regarding the levy for the Roosevelt Cultural District Self-Supported Municipal Improvement District (SSMID).

[\(Council Communication No. 24-153\)](#)

40. [Receive](#) and file communication from the Sherman Hill SSMID Board regarding the levy for the Sherman Hill Self-Supported Municipal Improvement District (SSMID).

[\(Council Communication No. 24-153\)](#)

41. [Budget](#) for the Downtown Self-Supported Municipal Improvement District for the fiscal year ending June 30, 2025.

[\(Council Communication No. 24-153\)](#)

42. [Budget](#) for the Ingersoll-Grand Self-Supported Municipal Improvement District for the fiscal year ending June 30, 2025.

[\(Council Communication No. 24-153\)](#)

43. [Budget](#) for the SW 9<sup>th</sup> Corridor Self-Supported Municipal Improvement District for the fiscal year ending June 30, 2025.

[\(Council Communication No. 24-153\)](#)

44. [Center](#) Street Park and Ride Facility annual budget to Des Moines Regional Transit Authority (DART) and authorization of budget expenditures.

[\(Council Communication No. 24-153\)](#)

45. [Fund](#) transfer resolution of the City of Des Moines (FY 2024).

[\(Council Communication No. 24-153\)](#)

46. [Fund](#) transfer resolution of the City of Des Moines (FY 2025).

[\(Council Communication No. 24-153\)](#)

47. [Official](#) Intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified projects.

[\(Council Communication No. 24-153\)](#)

48. [Receive](#) and file Quarterly Treasurer's Report as of March 31, 2024.

49. [Authorizing](#) Finance Director to draw checks on registers for the weeks of April 15, 22 and 29, 2024; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of April 15, 22 and 29, 2024; to draw checks for biweekly payroll due April 19 and May 3, 2024.



**ORDINANCES - FINAL CONSIDERATION**

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

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

**HEARINGS (OPEN AT 5:00 PM) (ITEMS 51 THRU 61)**

- 51. 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 7<sup>th</sup> and 8<sup>th</sup> Streets near 2814 7<sup>th</sup> Street and conveyance to Cold Storage Rehab, LLC.
  - (A) First consideration of ordinance above.
- 52. On issuance of a Replacement Quit Claim Deed conveying vacated alley right-of-way located at 2814 7<sup>th</sup> Street to Cold Storage Rehab, LLC.
- 53. Dismissing hearing on conveyance of City-owned property at 1916 Washington Avenue to Greater Des Moines Habitat for Humanity for redevelopment of housing.

~~(Council Communication No. 24-159)~~

54. [On](#) consideration of the recommended Capital Improvement Program (CIP) for fiscal years 2024-25 through 2027-28.

[\(Council Communication No. 24-153\)](#)

55. [On](#) amendment to the annual budget for current fiscal year ending June 30, 2024.

[\(Council Communication No. 24-153\)](#)

56. [On](#) proposed budget for the fiscal year ending June 30, 2025.

[\(Council Communication No. 24-153\)](#)

57. [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, **and to continue to the May 6, 2024 Council meeting.**

58. [On](#) 2024 Hot Mix Asphalt (HMA) Residential Paving 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 InRoads, LLC (Joseph J. Manatt, CEO), \$695,711.

[\(Council Communication No. 24-169\)](#)

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

59. [On](#) 2024 Sidewalk and Pedestrian Ramp Replacement Program: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating the lowest responsive, responsible bidder as TK Concrete, Inc. (Tony J. Ver Meer, President), \$505,150.

[\(Council Communication No. 24-171\)](#)

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

60. [On](#) Locust Street Resurfacing from the Des Moines River to 9th Street: 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 (Jeffrey Rasmussen, President), \$475,583.

[\(Council Communication No. 24-168\)](#)

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

61. On SW 56th Street Rehabilitation from Leland Avenue to Wolcott Circle: 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), \$411,711.

[\(Council Communication No. 24-170\)](#)

- (A) Approval of contract and bond.

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

## ORDINANCES FIRST CONSIDERATION

62. Amending Chapter 114 of the Municipal Code regarding Traffic Regulation Changes as follows:

[\(Council Communication No. 24-164\)](#)

- (A) Parking Restriction – E. Lacona Avenue between SE 6th Street and SE 14th Street.  
(B) Parking Restriction – Lawnwoods Drive between Aurora Avenue and the dead-end north of Aurora Avenue.

63. Amending Chapter 118 of the Municipal Code relating to the Equivalent Residential Unit (ERU) rate to be applied to residential and non-residential properties (Stormwater Utility rate increases).

[\(Council Communication No. 24-152\)](#)

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

64. Amending Chapter 3 of the Municipal Code relating to administrative appeals and income setoff procedures.

## COMMUNICATIONS/REPORTS

65. Requests to speak as follows:

- (A) Raymond Jackson  
(B) Raquel Kentner  
(C) Carolyn Uhlenhake Walker  
(D) Kelly Borgmann  
(E) Lora Fraracci  
(F) Adam Callanan

MOTION TO ADJOURN.

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