

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

May 20, 2024
5:00 PM

I. CLOSED SESSION – 3:30 PM

- (A) Roll Call.
- (B) Recess, and reconvene in closed session pursuant to Section 21.5, subsection 1, paragraph C, of the Iowa Code, to discuss as necessary strategy with counsel in matters that are presently in litigation or where litigation is imminent, where its disclosure would be likely to prejudice or disadvantage the position of the City.
- (C) Closed Session.
- (D) Terminate closed session and reconvene in open session.
- (E) Motion to adjourn.

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PROCLAMATIONS – 4:50 PM

Bike Month

National Public Works Week

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:

NEW APPLICATION

- (A) STEER N STEIN 3000 E GRAND AVE Class C Liquor

RENEWAL APPLICATIONS

- (B) APRILS SUNRISE TAP 4155 EASTON BLVD Class C Liquor
(C) CARLS PLACE 1620 WOODLAND AVE Class C Liquor
(D) CHAIN & SPOKE 515 28TH ST #102 Special Class C
(E) DEEP END BAR 830 MCKINLEY AVE Class C Liquor
(F) DES MOINES CIVIC CENTER 221 WALNUT ST Class C Liquor
(G) DOLLAR GENERAL #24813 3261 E EUCLID AVE Class B Retail
(H) ELWELL FAMILY FOOD 3000 E GRAND AVE #052 Class C Liquor
(I) FAIRFIELD INN & SUITES 207 CROCKER ST Class C Liquor
(J) FAREWAY STORES INC #225 2716 BEAVER AVE Class E Liquor
(K) HOYT SHERMAN PLACE 1501 WOODLAND AVE Class C Liquor
(L) JALAPENO PETE'S CANTINA 3000 E GRAND AVE Special Class C
(M) JETHROS BBQ SOUTHSIDE 4337 PARK AVE Class C Liquor
(N) LUCCA 420 E LOCUST ST Class C Liquor
(O) MOTLEY SCHOOL TAVERN 1903 BEAVER AVE Class C Liquor
(P) PARKS AREA FOUNDATION 710 CORNING AVE Special Class C
(Q) PLAZA PUB 6202 DOUGLAS AVE Class C Liquor
(R) SCORNOVACCAS 1930 SE 14TH ST Class C Liquor
(S) ST KILDA BAKERY AND CAFE 300 SW 5TH ST #A150 Class C Liquor
(T) STATION ON INGERSOLL 3124 INGERSOLL AVE Class C Liquor

SPECIAL EVENT APPLICATIONS

- (U) CAPITAL CITY PRIDE 431 E LOCUST ST (BEER TENT) 5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR FESTIVAL ON
JUNE 7 - 9, 2024.
- (V) CAPITAL CITY PRIDE 510 E LOCUST ST 5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR FESTIVAL ON
JUNE 7 - 9, 2024.
- (W) CATHOLIC CHARITIES 601 GRAND AVE 5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR CENTENNIAL
TRIVIA NIGHT ON JUNE 6, 2024.
- (X) DEPOT 3000 E GRAND AVE 5 days
CLASS C LIQUOR LICENSE FOR THE WORLD PORK EXPO ON JUNE 5 - 6,
2024.

- (Y) JRS SOUTHPORK RANCH 3000 E GRAND AVE 5 days
CLASS C LIQUOR LICENSE FOR WORLD PORK EXPO ON JUNE 5 - 6, 2024.
- (Z) LUCKY WIFE WINE SLUSHIES 1200 LOCUST ST BEER TENT 5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR JUNETEENTH ON
JUNE 15, 2024.
- (AA) MUCKY DUCK PUB 4051 DEAN AVE 5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR TIMES OF FUTURE
PAST ON JUNE 8 - 9, 2024.
- (BB) PAR CATERERS 3915 FLEUR DR 5 days
CLASS C LIQUOR LICENSE FOR PRINCIPAL CHARITY CLASSIC ON MAY
29 - JUNE 2, 2024.
- (CC) SA PRESENTS 2251 GEORGE FLAGG PKWY 5 days
CLASS C LIQUOR LICENSE FOR ROBERT PLANT AND ALLISON KRAUSE
CONCENT ON JUNE 11 AND JON PARDI CONDERT ON JUNE 13, 2024.
- (DD) SALISBURY HOUSE 4025 TONAWANDA DR 5 days
CLASS C LIQUOR LICENSE FOR GARDEN PARTY ON JUNE 9, 2024.
- (EE) TANGERINE FOOD COMPANY 2251 GEORGE FLAGG PKWY 5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR BALLET DES
MOINES ON JUNE 9, 2024.
- (FF) YOUR PRIVATE BAR 313 WALNUT ST 5 days
CLASS C LIQUOR LICENSE FOR EMC DAM TO DSM ON MAY 30 - JUNE 1,
2024.

OUTDOOR SERVICE APPLICATION

- (GG) SHOP DSM, THE 901 CHERRY ST Class C Liquor
PERMANENT.

TRANSFER TO NEW LOCATION APPLICATION

- (HH) SPROCKETS PUB AND PATIO 1905 INGERSOLL AVE Class C Liquor
PERMANENT TO 2314 UNIVERSITY AVENUE.

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

PUBLIC IMPROVEMENTS

6. Ordering construction of the following:

- (A) [Twana](#) Drive Reconstruction from West of 48th Street to East of 50th Street: Receiving of bids, (6-4-24) and Setting date of hearing, (6-17-24), Engineer's estimate, \$160,000.

[\(Council Communication No. 24-211\)](#)

- (B) [Urbandale](#) Avenue Resurfacing from 34th Street to Beaver Avenue: Receiving of bids, (6-4-24) and Setting date of hearing, (6-17-24), Engineer's estimate, \$300,000.

[\(Council Communication No. 24-212\)](#)

- (C) [Gray's](#) Lake Marina Parking Lot Repairs: Receiving of bids, (6-4-24) and Setting date of hearing, (6-17-24), Engineer's estimate, \$350,000.

[\(Council Communication No. 24-210\)](#)

7. Items regarding the proposed Euclid Avenue 3-Lane Conversion (2nd Avenue to Des Moines River Bridge):

[\(Council Communication No. 24-215\)](#)

- (A) [Approving](#) the Concept Plan.
- (B) [Approving](#) a Professional Services Agreement (PSA) with McClure Engineering Co. d/b/a McClure Engineering Company, not to exceed \$180,700.

8. [Approving](#) and authorizing the execution of the Iowa Department of Transportation (IDOT) Agreement for the 41st Street and Beaver Avenue Intersection Improvements.

[\(Council Communication No. 24-213\)](#)

9. [Approving](#) and authorizing the execution of the Iowa Department of Transportation (IDOT) Agreement for the Intelligent Transportation Systems (ITS) Upgrade Phase 5.

[\(Council Communication No. 24-209\)](#)

10. [Approving](#) Supplemental Agreement No. 1 to the Professional Services Agreement (PSA) with OPN, Inc. d/b/a OPN Architects, Inc. for the City Facility Expansion Phase 1 Improvements project, not to exceed \$59,265.

[\(Council Communication No. 24-208\)](#)

11. [Approving](#) Supplemental Agreement No. 4 to the Professional Services Agreement (PSA) with SystemWorks, LLC for additional building commissioning services for the Animal Control Building, not to exceed \$5,240.

[\(Council Communication No. 24-214\)](#)

12. [Approving](#) Private Construction Contract between Third Day Plumbing LLC and Humberto Lechuga and Miguel Malagon for sanitary sewer improvements in 1400 block of E. 26th Street.
13. [Approving](#) completion and acceptance of private construction contract between Vanderpool Construction, Inc. and HDR Land Development, LLC for storm and sanitary sewer improvements in The Woods of Copper Creek Plat 6.
14. [Communication](#) from contractor requesting permission to sublet certain items on a public improvement project.
15. Accepting completed construction and approving final payment for the following:
 - (A) [Stone](#) Park Community Garden, Burkett Construction, LLC.
 - (B) [New](#) York Avenue from 44th Street to 45th Street Reconstruction, MPS Engineers, PC d/b/a Kingston Services, PC.

SPECIAL ASSESSMENTS

16. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Neighborhood Services), Schedule No. 2024-05.
17. Number not used.

SETTING DATE OF HEARINGS

18. [On](#) vacation of Allen Street right-of-way lying southeast of 466 SE 2nd Street and approval of a Lease Agreement for a public parking lot with SingleSpeed Des Moines, Inc., \$1,000, (6-3-24).
19. [On](#) vacation of a portion of SE 6th Street right-of-way adjoining 2428 SE 6th Street and conveyance of a Permanent Easement for Building Encroachment to Jerry F. Miller and Barbara L. Miller in exchange for property rights granted to the City for the 2023 Neighborhood Sidewalk Program, (6-3-24).

20. [On](#) a request from Lawnwoods Property, LLC (Leland Hecker, Officer) to amend the PlanDSM Creating Our Tomorrow Comprehensive Plan to revise the future land use classification of 3004 30th Street from Low Density Residential to Neighborhood Mix Use and to rezone the property from “N3b” Neighborhood District to “RX1” Mixed Use District, (6-3-24).

21. [On](#) a request from Norma Tamay, Carlos Tamay, and James Tamay (Owners) to amend the PlanDSM Creating Our Tomorrow Comprehensive Plan to revise the future land use classification of two (2) parcels located in the vicinity of 1201 Euclid Avenue from Low-Medium Density Residential to Community Mixed Use and to rezone the property from “NX1” Neighborhood Mix District to Limited “MX1” Mixed Use District, to allow the use of an existing building as a convenience store (commercial) use, (6-3-24).

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

22. [Approving](#) payment to Robert Dolan for a workers' compensation claim.

23. [Approving](#) payment to Dad’s Outdoor Storage, LLC for settlement.

24. [Approving](#) payment to Jessica Bastian for settlement.

25. [Approving](#) payment to Cynthia Donahue for settlement.

26. [Approving](#) payment to Shannon Duffy for settlement.

27. [Approving](#) payment to Tracy Rhoads for settlement.

APPROVING

28. Workforce Housing Tax Credit (WHTC) benefit applications to be submitted to the Iowa Economic Development Authority (IDEA) for the following:

[\(Council Communication No. 24-222\)](#)

- (A) [HOA](#) Aston, LLC for a \$47,520,000 project constructing 186 housing units at 603 E. 6th Street.
 - (B) [Cold](#) Storage Rehab, LLC for a \$13,000,000 project constructing 48 units on a redevelopment site at 2814 7th Street.
 - (C) Number not used.
 - (D) [Sullivan](#) Holdings, LLC for a \$4,496,000 project constructing four (4) townhome units and 20 multi-family units at 3111 - 3121 Merle Hay Road.
 - (E) [Summit](#) Townhomes, LLC for an \$8,500,000 project constructing 35 townhome units at 16 Indianola Road.
 - (F) [Linc](#) IV Apartments, LLC for a \$27,600,000 project constructing 135 multi-family apartment units at 1270 Tuttle Street and 1275 Murphy Street.
 - (G) [Uptown](#) Investor TJU, LLC for a \$2,567,500 project constructing seven (7) second-story apartment units at 4104 University Avenue.
 - (H) [Sonar](#) at Highland Park, LLC for a \$26,000,000 project constructing 101 new apartment units at 604 Euclid Avenue.
29. [Preliminary](#) terms of an Urban Renewal Development Agreement with Ruan Redevelopment Partners, LLC for the conversion of an existing office building at 601 Locust Street to a 221-unit multi-family residential building, including commercial uses on the skywalk level.

[\(Council Communication No. 24-220\)](#)

30. [First](#) Amendment to the Parcel Development with Meridian at Gray's Landing, LLC and River Point West, LLC.

[\(Council Communication No. 24-221\)](#)

31. [Third](#) Amendment to Amended and Restated Urban Renewal Development Agreement with The District Developer, LLC.

[\(Council Communication No. 24-223\)](#)

32. [Grant](#) agreement with the Des Moines Airport Authority for support of the new terminal project, \$10,000,000.

[\(Council Communication No. 24-216\)](#)

33. [Memorandum](#) of Understanding and Business Associate Agreement with United Way of the Midlands for non-emergency transportation services.

34. [Water](#) Quality Initiative Urban Conservation Demonstration Projects Cost-Share Grant Contract with Iowa Department of Agriculture and Land Stewardship in the amount of \$100,000 for the Soil Quality Restoration Batch and Build Program.

[\(Council Communication No. 24-219\)](#)

35. [Rental](#) of Craftco Wide Crack Sealer and purchase of sealant from Logan Contractor Supply (sole area-wide provider) (Bruce Logan, President) \$46,452 rental, \$107,100 material, total \$153,552.

[\(Council Communication No. 24-217\)](#)

36. [Purchase](#) of Solid Waste collection carts from Toter, Inc. (Chad Coquette, Executive Director/CEO) at a total estimated cost of \$700,000 per Sourcewell contract.

[\(Council Communication No. 24-218\)](#)

37. Abatement of public nuisances as follows:

- (A) [2705](#) E. Railroad Avenue.
- (B) [1232](#) Dixon Street.
- (C) [801](#) SE 7th Street.
- (D) [401](#) E. Gray Street.

38. [Communication](#) of fire escrow at 1458 E. 18th Street.

39. [Authorizing](#) Finance Director to draw checks on registers for the weeks of May 20 and 27, 2024; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of May 20 and 27, 2024; to draw checks for biweekly payroll due May 31, 2024.

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

HEARINGS (OPEN AT 5:00 PM) (ITEMS 40 THRU 44)

40. On vacation of the north-south alley adjoining 811 Roosevelt Avenue and conveyance to Central Iowa Hospital Corporation for \$3800.
- (A) First consideration of ordinance above.
- (B) Final consideration of ordinance above (waiver requested by the applicant), requires six votes.
41. On conveyance of a Permanent Easement for Sanitary Sewer Facilities and Quitclaim of Interest in Existing Sanitary Sewer Facilities in City Property located east of SE 15th Street and north of E. Railroad Avenue for the WRA New Main Outfall, Phase 17, Segments 3 and 4 Project, to Des Moines Metropolitan Wastewater Reclamation Authority.
42. On conveyance of a Permanent Easement for Sanitary Sewer Facilities and Quitclaim of Interest in Existing Sanitary Sewer Facilities in City Property located in Birdland Park for the WRA Eastside Interceptor, Phase 27, Segments 6 and 7 Project, to Des Moines Metropolitan Wastewater Reclamation Authority.
43. On a request from GT Portfolio IA, LLC (Thomas Kuhn, Officer) for the following regarding property located at 1427 5th Avenue to amend the PlanDSM Creating Our Tomorrow Comprehensive Plan to revise the future land use classification of the property from Low Density Residential within a Community Node to High Density Residential within a Community Node and rezone property from “N5” Neighborhood District to Limited “NX2” Neighborhood Mix District, to allow re-use of an existing building for up to seven (7) residential dwelling units.
- (A) First consideration of ordinance above.
- (B) Final consideration of ordinance above (waiver requested by the applicant), requires six votes.
44. On assessment of \$500 penalty to Super Quick, 303 SE 30th Street, for violation of Iowa alcoholic beverage laws.

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

COMMUNICATIONS/REPORTS

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

- (A) Matt Sahag
- (B) Lu Ryan Hallmeyer
- (C) Tasida Barfoot
- (D) Jacob Grobe
- (E) Aya Salem

MOTION TO ADJOURN.

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