

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

August 19, 2024
5:00 PM

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 40:

***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) EL CHERO	1828 HUBBELL AVE	Class C Liquor
(B) EL PAISANO	901 E EUCLID AVE	Class C Liquor
(C) HAIKU	1315 31ST ST #D	Class C Liquor
(D) LAMP	418 E 5TH ST	Class C Liquor

RENEWAL APPLICATIONS

(E) AJS ON E. COURT	419 E COURT AVE	Class C Liquor
(F) ALLEGED LEES	510 E GRAND AVE	Class C Liquor
(G) AMERICAN OUTLAWS	214 3RD ST	Class C Liquor
(H) BERNARDOS BURRITOS	215 4TH ST	Class C Liquor
(I) BLUE SUSHI SAKE GRILL	316 COURT AVE	Class C Liquor
(J) CASEYS STORE #2784	4151 MERLE HAY RD	Class B Retail
(K) CHEAP SEATS	2301 HUBBELL AVE	Class C Liquor
(L) CLYDES FINE DINER	111 E GRAND AVE 111	Class C Liquor
(M) CONFLUENCE BREWING	1235 THOMAS BECK RD	Class C Liquor
(N) CROATIAN FRATERNAL	6575 INDIANOLA AVE	Class C Liquor
(O) DOLLAR STORE #13488	3220 MLK JR PKWY	Class B Retail

(P)	DRAKE UNIVERSITY	1310 25TH ST	Special Class C
(Q)	DRAKE UNIVERSITY	2601 FOREST AVE	Special Class C
(R)	DRAKE UNIVERSITY	2507 UNIVERSITY AVE	Special Class C
(S)	DZO	2611 INGERSOLL AVE	Class C Liquor
(T)	EITHER OR	6222 GRAND AVE	Class C Liquor
(U)	EL VALLE TIENDA	101 ARMY POST RD	Class B Retail
(V)	GAMEDAY LANES	3800 MERLE HAY RD	Class C Liquor
(W)	GIT N GO STORE #36	4164 EASTON BLVD	Class B Retail
(X)	GRAND VIEW UNIVERSITY	2811 E 14TH ST	Class C Liquor
(Y)	GUCKENHEIMER	1900 SCOTT AVE	Class C Liquor
(Z)	HAUNT	500 LOCUST ST	Class C Liquor
(AA)	HOMWOOD SUITES	7201 SW 22ND ST	Special Class C
(BB)	HY VEE MARKET CAFE #2	2540 E EUCLID AVE	Class C Liquor
(CC)	HY VEE MARKET CAFE #4	4605 FLEUR DR	Class C Liquor
(DD)	KUM & GO #0731	3104 UNIVERSITY AVE	Class E Liquor
(EE)	KUM & GO #120	6304 SW 9TH ST	Class B Retail
(FF)	KUM & GO #536	1300 KEOSAUQUA WAY	Class B Retail
(GG)	LINNS SUPERMARKET	3805 6TH AVE	Class B Retail
(HH)	MERLE HAY LIQUOR	3408 MERLE HAY RD	Class E Liquor
(II)	PAL JOEYS	6224 GRAND AVE	Class C Liquor
(JJ)	PINTS PUB N PATIO	319 COURT AVE	Class C Liquor
(KK)	SOUTHSIDE TOBACCO	2424 SW 9TH ST	Class E Liquor
(LL)	TA'CHIDO	409 COURT AVE	Class C Liquor
(MM)	TEQUILAS LIQUOR	1434 DES MOINES ST	Class E Liquor
(NN)	TOBACCO OUTLET #510	3409 SW 9TH ST	Class B Retail
(OO)	UP/DOWN	500 E LOCUST ST	Class C Liquor
(PP)	WAVELAND COFFEE	4704 UNIVERSITY AVE	Class C Liquor
(QQ)	XBK	1159 24TH ST	Class C Liquor

SPECIAL EVENT APPLICATIONS

- (RR) BEAVERDALE FALL FEST 2805 BEAVER AVE 5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR FESTIVAL ON
SEPTEMBER 20 -21, 2024.
- (SS) IOWA LATINO FESTIVAL 1330 GRAND AVE 5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR FESTIVAL ON
SEPTEMBER 21 - 22, 2024.
- (TT) KATHRYN FRIEDERICHS 3000 E GRAND AVE 5 days
CLASS C LIQUOR LICENSE FOR A WEDDING ON SEPTEMBER 21, 2024
- (UU) SAKARI SUSHI LOUNGE 2605 INGERSOLL AVE 5 days
CLASS C LIQUOR LICENSE FOR 15 YEAR ANNIVERSARY CELEBRATION
ON SEPTEMBER 1, 2024.

(VV) STAR BAR 2801 INGERSOLL AVE 5 days
SPECIAL CLASS C LIQUOR LICENSE FOR INGERSOLL LIVE ON AUGUST 24, 2024.

(WW) TAI VILLAGE 4200 MLK JR PKWY 5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR FESTIVAL ON AUGUST 30 - SEPTEMBER 2, 2024.

(XX) YOUR PRIVATE BAR 313 WALNUT ST 5 days
CLASS C LIQUOR LICENSE FOR TAILGATE TOUCHDOWN ON SEPTEMBER 7, 2024.

(YY) YOUR PRIVATE BAR 1415 WOODLAND AVE 5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR UNITY POINT HEALTH EVENT ON AUGUST 24, 2024.

OUTDOOR SERVICE APPLICATIONS

(ZZ) CHRISTOPHERS DINING 2816 BEAVER AVE Class C Liquor
TEMPORARY FOR BEAVERDALE FALL FESTIVAL ON SEPTEMBER 20 - 21, 2024.

(AAA) GOODSONS 2815 BEAVER AVE Class C Liquor
TEMPORARY FOR BEAVERDALE FALL FESTIVAL ON SEPTEMBER 20 - 21, 2024.

(BBB) SODEXO LIVE! 1 LINE DR Class C Liquor
TEMPORARY FOR BANANA BALL WORLD TOUR ON SEPTEMBER 6 - 8, 2024.

TRANSFER TO NEW LOCATION

(CCC) BERNARDOS BURRITOS 215 4TH ST Class C Liquor
PERMANENT TO 213 4TH STREET, #100,125.

4-I [Consideration](#) of new 12-month Class C Liquor License for Rita's Cantina at 401 SE 5th Street. Pending approval of Building, Electrical, Fire, Vice and Zoning Departments.

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

PUBLIC IMPROVEMENTS

6. [Ordering](#) construction of Birdland Pool Filter and Equipment Improvements: Receiving of bids, (9-10-24) and Setting date of hearing, (10-7-24), Engineer's estimate, \$785,000.

(Council Communications No. 24-333)

7. [Approving](#) Change Order No. 2 with Absolute Concrete Construction, Inc. d/b/a Absolute Group for additional work on E. 4th Street Reconstruction from E. Martin Luther King Jr. Parkway to E. Market Street, \$815,098.25.

[\(Council Communication No. 24-334\)](#)

8. [Approval](#) of contract and bond for construction of an improvement with an estimated cost of which is less than the Iowa Code competitive bid threshold, Birdland Pool Facility Reroofing, R3 Commercial Roofing, Inc. (Bradly Matthews, Owner), \$78,702.25.

[\(Council Communication No. 24-332\)](#)

9. [Approving](#) completion and acceptance of private construction contract between Seneca Companies and QuikTrip Corporation for paving, sanitary sewer and storm sewer improvements at 1930 Indianola Avenue.

10. Accepting completed construction and approving final payment for the following:

- (A) [Municipal](#) Service Center – Phase 2, Koester Construction Company, Inc.
- (B) [2021](#) HMA Residential Paving Program Contract 3 – LOSST, Grimes Asphalt and Paving Corporation.

SPECIAL ASSESSMENTS

11. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Neighborhood Services), Schedule No. 2024-08.
12. [Deletion](#) of rental inspection assessment at 608 46th Street.

LAND/PROPERTY TRANSACTIONS

13. [Approving](#) final subdivision plat and acceptance of subdivision bond for Elevate Townhomes Plat 2 in the vicinity of 508 Indianola Road.

[\(Council Communication No. 24-343\)](#)

BOARDS/COMMISSIONS/NEIGHBORHOODS

14. [Approving](#) expansion of the Easter Lake Area Neighborhood boundaries in accordance with the Neighborhood Recognition Policy.

[\(Council Communication No. 24-336\)](#)

15. [Recommendation](#) from Council Member Simonson to reappoint Nicholas Cerrato to the Building and Fire Code Board of Appeals, Seat 9, for a three-year term expiring April 1, 2027.
16. [Recommendation](#) from Council Member Gatto to reappoint Lisa Treptow to the Sister Cities Commission, Seat 15, for a five-year term expiring April 28, 2029.

SETTING DATE OF HEARINGS

17. [On](#) conveyance of excess City property at 1400 E. 17th Court to Polk County for \$1, (9-16-24).
18. [On](#) vacation of surface and subsurface rights within portions of Ingersoll Avenue right-of-way adjoining 2701 Ingersoll Avenue and conveyance of a Permanent Easement for Building Encroachment and a Permanent Easement for Subsurface Building Encroachment on City-owned Property to Star Lofts Condos for \$5,400, (9-16-24).
19. [On](#) request from Delaney Enterprises, LLC (Connor Delaney, Officer) to rezone 515 Euclid Avenue from “MX1” Mixed Use District to “MX2” Mixed Use District to allow an existing building to be used for an “Eating and Drinking Places – Bar” use, (9-16-24).
20. Number not used.

APPROVING

21. ~~[Commitment](#) of \$400,000 in Home Investment Partnership Program (HOME) funds for construction of Alley Landing at 2701 Douglas Avenue resulting in 40 affordable housing rental units.~~
22. [Support](#) for application to the Iowa Economic Development Authority 2024 Disaster Recovery Grant submitted by Hubbell Homes, LC for the Grover Woods Single Family Housing Project at E. 44th Street and Hubbell Avenue.
23. [Issuance](#) of Certificate of Completion to Hoyt, LLC for High Street Lofts located at 610 16th Street.

24. [Submittal](#) of Fiscal Year 2025 State of Iowa Certified Local Government (CLG) grant application to assist with consulting services for the development of a work program and public engagement strategy for conducting a City-wide historic survey.

[\(Council Communication No. 24-350\)](#)

25. [Fee-For-Service](#) Work Order agreement with Conservation Corps Minnesota & Iowa for conservation work within the City's various park properties.

[\(Council Communication No. 24-345\)](#)

26. Items regarding the Evelyn K. Davis Basketball Court Mural Project at 1400 Forest Avenue:

[\(Council Communication No. 24-349\)](#)

- (A) [Receive](#) and file communication from Greater Des Moines Public Art Foundation (GDMPAF).
- (B) [Approving](#) the G24 Public Art Grant Agreement with Bravo Greater Des Moines for \$40,000 of grant funding.
- (C) [Approval](#) of agreement with the Des Moines Parks and Recreation Foundation and Jill Wells for the design and maintenance.
- (D) [Approving](#) execution of an agreement with Des Moines Parks and Recreation Foundation and Project Backboard for mural installation services.

27. [Receive](#) and file communication and approve second amendment to the agreement with the Greater Des Moines Public Art Foundation for the installation and maintenance of the Miffy Fountain Sculpture in Western Gateway Park.

[\(Council Communication No. 24-348\)](#)

28. [Fiscal](#) Year 2024 annual Federal Equitable Sharing Agreement and Certification Report to the U.S. Department of Justice.

[\(Council Communication No. 24-340\)](#)

29. [Authorizing](#) submittal of sites as part of a regional joint application from the Federal Highway Administration's Charging and Fueling Infrastructure Discretionary Grant Program and providing matching funds.

[\(Council Communication No. 24-352\)](#)

30. [Annual](#) agreement with MB Lawn Care, LLC (Mirnes Becirovic, President) for landscaping services related to streetscape maintenance for use by the Public Works Department, \$108,000.
31. [Purchase](#) from Corrective Asphalt Materials, LLC (Anthony J. Witte, President) of asphalt rejuvenation services for use by the Public Works Department, \$101,084. (Five (5) potential bidders, one (1) bid received).

[\(Council Communication No. 24-327\)](#)

32. [Purchase](#) from Smith Fertilizer and Grain Co. (Max Smith, President) and EnviroTech (John Marshall, General Manager) for joint purchase along with the City of West Des Moines, Waukee, Windsor Heights and Johnston representing the Central Iowa Deicing Group (CIDG) of deicing chemicals for use by the Public Works Department, \$249,000. (Three (3) potential bidders, three (3) bids received).

[\(Council Communication No. 24-326\)](#)

33. [Purchase](#) from Tymco Inc. Equipment (Kenneth J. Young, President/CEO) of one (1) regenerative air replacement street sweeper per Sourcewell Contract for use by the Public Works Department, \$393,939.

[\(Council Communication No. 24-341\)](#)

34. [Purchase](#) of computer and accessory equipment from CDW Government, LLC (Christine A. Leahy, President and CEO) per State of Iowa, Omnia and City of Des Moines Short Form Agreements for use by the Information Technology Department, not to exceed \$250,000.

[\(Council Communication No. 24-328\)](#)

35. [Purchase](#) of Cisco SmartNet Maintenance and Support Services from Heartland Business Systems (Peter Helander, President) per State of Iowa and Naspo ValuePoint Agreements for use by the Information Technology Department, \$291,834.81.

[\(Council Communication No. 24-330\)](#)

36. [Additional](#) funds of \$108,460.28 to the current Cisco DNA Center Enterprise License Agreement from Heartland Business Systems pursuant to the current Cisco Enterprise Agreement and State of Iowa Contract.

[\(Council Communication No. 24-329\)](#)

37. [Authorizing](#) Finance Director to draw checks on registers for the weeks of August 19 and 26 and September 2 and 9, 2024; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of August 19 and 26 and September 2 and 9, 2024; to draw checks for biweekly payroll due on August 23 and September 6, 2024.

ORDINANCES - SECOND CONSIDERATION

38. [Amending](#) Chapter 114 of the Municipal Code regarding Traffic Regulation Changes as follows:
 - (A) Parking Modification – Accessible parking space on 33rd Street between College Avenue and Mondamin Avenue.
 - (B) Code Correction – E. Broadway Avenue from the west city limits to the east city limits.
39. Number not used.
40. Number not used.

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

HEARINGS (OPEN AT 5:00 PM) (ITEMS 41 THRU 53)

41. [On](#) a request from JSG Properties, LLC (Gary Jones, Officer) to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification of the property from Business Park to Industrial and to rezone 3001 McKinley Avenue from “EX” Mixed Use District to Limited “I1” Industrial District to allow the expansion of an existing industrial and warehousing use with zoning regulations.
 - (A) [First](#) consideration of ordinance above.
 - (B) [Final](#) consideration of ordinance above (waiver requested by the applicant), requires six votes.
42. [On](#) a request from Lillian C. Riccelli (Owner) to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification from Low Density Residential to Neighborhood Mixed Use and to rezone two (2) parcels located at 3803 Indianola Avenue and 3805 Indianola Avenue from “N3a” Neighborhood District to “MX1” Mixed Use District to allow a mixed-use (commercial and residential) redevelopment of the site.
 - (A) [First](#) consideration of ordinance above.
 - (B) [Final](#) consideration of ordinance above (waiver requested by the applicant), requires six votes.

43. On assessment of \$1,500 penalty and thirty (30) day suspension to Super Quick, 303 SE 30th Street for violation of Iowa Alcoholic Beverage Laws, (8-19-24).

44. On the issuance of not to exceed \$34,000,000 General Obligation Bonds for essential corporate purposes.

[\(Council Communication No. 24-342\)](#)

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

45. On the issuance of not to exceed \$20,100,000 General Obligation Urban Renewal Bonds for essential corporate urban renewal purposes.

[\(Council Communication No. 24-342\)](#)

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

46. On the issuance of not to exceed \$1,300,000 General Obligation Bonds for general corporate purposes, GCP-1.

[\(Council Communication No. 24-342\)](#)

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

47. On the issuance of not to exceed \$1,300,000 General Obligation Bonds for general corporate purposes, GCP-2.

[\(Council Communication No. 24-342\)](#)

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

48. On the issuance of not to exceed \$1,300,000 General Obligation Bonds for general corporate purposes, GCP-3.

[\(Council Communication No. 24-342\)](#)

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

49. On the issuance of not to exceed \$1,300,000 General Obligation Bonds for general corporate purposes, GCP-4.

[\(Council Communication No. 24-342\)](#)

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

50. On the issuance of not to exceed \$1,300,000 General Obligation Bonds for general corporate purposes, GCP-5.

[\(Council Communication No. 24-342\)](#)

- (A) Authorization for additional action.

51. On the issuance of not to exceed \$1,300,000 General Obligation Bonds for general corporate purposes, GCP-6.

[\(Council Communication No. 24-342\)](#)

- (A) Authorization for additional action.

52. On the issuance of not to exceed \$1,300,000 General Obligation Bonds for general corporate purposes, GCP-7.

[\(Council Communication No. 24-342\)](#)

- (A) Authorization for additional action.

53. On the issuance of not to exceed \$1,300,000 General Obligation Bonds for general corporate purposes, GCP-8.

[\(Council Communication No. 24-342\)](#)

- (A) Authorization for additional action.

END HEARINGS AT _____PM

ORDINANCES FIRST CONSIDERATION

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

[\(Council Communication No. 24-331\)](#)

- (A) Parking Modifications Related to Downtown Peak Hour Restriction:
- (1) 7th Street – High Street to Watson Powell Jr. Way.
 - (2) 10th Street – Walnut Street to Pleasant Street.
 - (3) 17th Street – Grand Avenue to Ingersoll Avenue.
 - (4) Center Street – 6th Avenue to 7th Street.
 - (5) High Street – 6th Avenue to 14th Street.
- (B) Parking Modification – 9th Street from Walnut Street to Locust Street.

COMMUNICATIONS/REPORTS

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

- (A) Luiz Gomez
- (B) Michaelyn Mankel
- (C) Elizabeth Leas
- (D) Terry Vorbrich
- (E) Rebecca Carter
- (F) John Noble
- (G) Ryan Arnold
- (H) Lloyd Couchman
- (I) Nathaniel Tessin Wolfe
- (J) Wesley Moore
- (K) Lindsey Ritland
- (L) Samuel Grinstead-Hessburg
- (M) Jean Hessburg
- (N) Giada Morresi
- (O) Monika Owczarski
- (P) Jamie Nicolino
- (Q) Jean O'Donnell
- (R) Veola Perry
- (S) JB Conlin
- (T) Joe Dolack

MOTION TO ADJOURN.

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