

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

January 13, 2025
5:00 PM

PROCLAMATIONS – 4:50 PM

National Mentoring Month

Human Trafficking Prevention & Awareness Month

1. ROLL CALL:
- I. [Recommendation](#) of Mayor Connie Boesen for appointment of Council Member Mike Simonson as Mayor Pro Tem for Calendar Year 2025.
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 32:

***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) EUREST DINING SERVICES	750 PARK ST	Class C Liquor
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RENEWAL APPLICATIONS

(B) 300 CRAFT & ROOFTOP	300 W MLK JR PKWY	Class C Liquor
(C) ALBA RESTAURANT	519 DES MOINES ST	Class C Liquor
(D) CASEYS GENERAL STORE #2322	4331 PARK AVE	Class B Retail
(E) CASEYS GENERAL STORE #2641	2849 E EUCLID AVE	Class B Retail
(F) E 25TH ST PUB & GRUB	509 E 25TH ST	Class C Liquor
(G) FAREWAY STORES INC #183	4313 FLEUR DR	Class E Liquor

(H) FAST MART	1621 UNIVERSITY AVE	Class E Liquor
(I) FUZZYS TACO SHOP	300 W MLK JR PKWY	Class C Liquor
(J) GIT N GO STORE #24	1142 42ND ST	Class B Retail
(K) GIT N GO STORE #27	1240 KEOSAUQUA WAY	Class B Retail
(L) GIT N GO STORE #29	4900 URBAN DALE AVE	Class B Retail
(M) GIT N GO STORE #32	2911 DOUGLAS AVE	Class B Retail
(N) HOLIDAY INN EXPRESS	333 SW 11TH ST	Class B Retail
(O) HOMEGROWN CRESCENT	555 17TH ST #102	Class C Liquor
(P) HY VEE FOOD STORE #1	3330 MLK JR PKWY	Class E Liquor
(Q) JK AFRICAN STORE	2312 UNIVERSITY AVE	Class B Retail
(R) KUM & GO #573	5830 SE 14TH ST	Class E Liquor
(S) MAD MEATBALL PIZZERIA	210 SW 11TH ST	Class C Liquor
(T) MARVS MUSIC	506 E 6TH ST #200	Special Class C
(U) MLK LIQUOR LLC	3424 MLK JR PKWY	Class E Liquor
(V) MORTYS PLACE	2117 E UNIVERSITY AVE	Class C Liquor
(W) PRIMOS TEX MEX BAR & GRILL	1140 E ARMY POST RD	Class C Liquor
(X) SHOP N SAVE #2	1372 E 14TH ST	Class E Liquor
(Y) TARGET STORE T-2041	5901 DOUGLAS AVE	Class E Liquor
(Z) TRIPLE CROWN SPORTS BAR	1500 SE 1ST ST	Class C Liquor

SPECIAL EVENT APPLICATIONS

- (AA) APRES BAR CO 100 LOCUST ST Class C Liquor
CLASS C LIQUOR LICENSE FOR MAD HATTER EVENT ON JANUARY 25, 2025.
- (BB) APRES BAR CO 519 PARK ST Class C Liquor
CLASS C LIQUOR LICENSE FOR CANDLELIGHT CONCERT ON JANUARY 18, 2025.
- (CC) HY VEE 100 LOCUST ST Class C Liquor
CLASS C LIQUOR LICENSE FOR REPUBLICAN PARTY ON JANUARY 20, 2025.

5. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits.
6. [City](#) Clerk to issue Coin Operated Machine Licenses.

PUBLIC IMPROVEMENTS

7. Ordering construction of the following:

- (A) [Southeast](#) Connector from SE 30th Street to US 65: Receiving of bids, (1-22-25) and Setting date of hearing, (2-10-25), Engineer's estimate, \$60,700,000.

[\(Council Communication No. 25-015\)](#)

- (B) [SW](#) 9th Street Viaduct Rehabilitation: Receiving of bids, (1-22-25) and Setting date of hearing, (2-10-25), Engineer's estimate, \$2,171,365.

[\(Council Communication No. 25-016\)](#)

- (C) [East](#) Army Post Road Trunk Sanitary Sewer from SE 14th Street to Three Lakes Estates: Receiving of bids, (1-28-25) and Setting date of hearing, (2-24-25), Engineer's estimate, \$4,500,000.

[\(Council Communication No. 25-017\)](#)

- (D) [2025](#) Sewer Lining Program: Receiving of bids, (1-28-25) and Setting date of hearing, (2-24-25), Engineer's estimate, \$4,500,000.

[\(Council Communication No. 25-018\)](#)

- (E) [Hamilton](#) Drain Storm Water Improvements Phase 4: Receiving of bids, (1-28-25) and Setting date of hearing, (2-24-25), Engineer's estimate, \$2,225,000.

[\(Council Communication No. 25-019\)](#)

- (F) [Porter](#) Avenue Improvements from SW 9th Street to South Union Street: Receiving of bids, (1-28-25) and Setting date of hearing, (2-24-25), Engineer's estimate, \$575,000.

[\(Council Communication No. 25-020\)](#)

- (G) [2025](#) Traffic Signal Replacement Contract 1: Receiving of bids, (1-28-25) and Setting date of hearing, (2-10-25), Engineer’s estimate, \$1,100,000.

[\(Council Communication No. 25-013\)](#)

- (1) [Authorization](#) to proceed with acquisition of the necessary property interests for the 2025 Traffic Signal Replacement Contract 1.

[\(Council Communication No. 25-014\)](#)

8. [Approving](#) Guaranteed Maximum Price (GMP) Amendment No. 2 with McGough Construction Co. LLC for Construction Manager at Risk (CMR) services for the City Facility Expansion Phase 1 Improvements, not to exceed \$17,889,445.75.

[\(Council Communication No. 25-006\)](#)

9. [Approving](#) Private Construction Contract between Reilly Construction Co. Inc. and Alley Landing Limited Partnership for sanitary sewer improvements in Alley Landing at 2715 Douglas Avenue.

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

(A) [SW](#) 9th Street Rehabilitation from Emma Avenue to Leach Avenue – TK Concrete, Inc.

(B) [Birdland](#) Pool Facility Reroofing – R3 Commercial Roofing, LLC.

(C) [Guthrie](#) Avenue Trail from E. 21st Street to Hubbell Avenue – TK Concrete, Inc.

SPECIAL ASSESSMENTS

11. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2025-01.

LAND/PROPERTY TRANSACTIONS

12. [Approval](#) of final subdivision plat and acceptance of subdivision bond for Woodbury Plat 2, located in the vicinity of E. 56th Street and Leyden Avenue.

[\(Council Communication No. 25-021\)](#)

13. [Releasing](#) subdivision bond for Elevate Townhomes Plat 2, located in the vicinity of 508 Indianola Road.

BOARDS/COMMISSIONS/NEIGHBORHOODS

14. [Recommendation](#) from Council Member Simonson to appoint Anna Hartzog to the Greater Des Moines Sister Cities Commission, Seat 4, for a five-year term expiring April 28, 2026.
15. [Communication](#) from Annie Giudicessi advising of her resignation from the Access Advisory Board, Seat 10, effective immediately.
16. [Communication](#) from Helen Eddy advising of her resignation from the Transportation Safety Committee, Seat 12a, effective January 17, 2025.
17. [Recommendation](#) from the Polk County Health Department to appoint Juliann Van Liew to the Transportation Safety Committee, Seat 12a, for a term expiring December 31, 2026.
- 17-I [Approving](#) the Primary and Alternate Members to be appointed and serve on the Metropolitan Planning Organization (MPO) for the 2025 calendar year. Sponsor: Mayor Boesen.

SETTING DATE OF HEARINGS

18. [On](#) conveyance of excess City property located west of 2720 Logan Avenue to Isidro Cuevas Garcia, \$1,100, (1-27-25).
19. [On](#) conveyance of vacated alley right-of-way located west of 805 SE 11th Street to YVL Properties LLC, \$50, (1-27-25).
20. [On](#) conveyance of excess City property located at 3770 and 3790 Hubbell Avenue to Casey O'Sheen Smith, \$2,000, (1-27-25).
21. [On](#) vacation of a portion of Mulberry Street right-of-way adjoining 204 12th Street and conveyance of a Permanent Easement for Building Encroachment to Cordoba Holdings DSM LLC, \$1,560, (1-27-25).
22. [On](#) vacation of air rights over a portion of Carpenter Avenue right-of-way adjoining 1900 Carpenter Avenue and conveyance of a Permanent Easement for Air Space Above City-owned Property to Polk County, (1-27-25).
23. [On](#) request from Faithful Moments, LLC (Adam Sieren, Officer) to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification for property located at 5702 Grand Avenue from Low Density Residential to Low-Medium Density Residential and to rezone from "N3c" Neighborhood District to "NX2" Neighborhood Mix District to allow the redevelopment of the property for rowhome buildings, (1-27-25).

24. [On](#) request from RTB Renovations, LLC (Rodrigo Cazares, Officer) to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification for property located at 2625 Cottage Grove Avenue from Low-Medium Density Residential to High Density Residential, and to rezone from “N5” Neighborhood District to Limited “N5-4” Neighborhood District to allow reuse of the existing structure for multiple-household residential use with up to four (4) dwelling units, (1-27-25).
25. [On](#) proposed connection fee ordinance for East Army Post Road and Indianola Avenue Trunk Sanitary Sewer System Benefited District, (2-10-25).

[\(Council Communication No. 25-001\)](#)

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

26. [Approving](#) payment to Krista Morton.
27. [Approving](#) payment to MidAmerican Energy.
28. [Approving](#) payment to Ted’s Body Shop on behalf of Liberty Ready Mix.

APPROVING

29. [Des](#) Moines Fire Department and the American National Red Cross Licensed Training Provider Agreement.
30. [Appointment](#) of Grant Hyland as an Assistant City Attorney 1 to fill a vacancy within the Infrastructure Division of the Legal Department effective January 27, 2025, subject to conditions of offer being met.
31. [Appointment](#) of Nathan R. Britton as an Assistant City Attorney 1 to fill a vacancy within the Litigation Division of the Legal Department no later than January 27, 2025, subject to conditions of offer being met.
32. [Authorizing](#) Finance Director to draw checks on registers for the weeks of January 13 and 20, 2025; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of January 13 and 20, 2025; to draw checks for biweekly payroll due on January 24, 2025.

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

ORDINANCES - SECOND CONSIDERATION

33. [On](#) vacation of the north/south alley right-of way lying west of and adjoining 2116 Searle Street.

HEARINGS (OPEN AT 5:00 PM) (ITEMS 34 THRU 42)

34. [On](#) request from Luis E. Ochoa (Owner) to rezone 617 Scott Avenue from “DXR” Downtown District to Limited “MX3” Mixed Use District to allow a “Vehicle Maintenance and Repair – Minor” use.

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

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

35. [On](#) request from Asokarama Arkakka Buddhist Society (U Thein Maung Zaw, Officer) for property located in the vicinity of 4211 E. 38th Street to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification of the property from Low Density Residential and Parks and Open Space to Public/Semi-Public, and to rezone the property from “N2a” Neighborhood District and “F” Flood District to Limited “P2” Public, Civic, and Institutional District, to allow use of the property for 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

36. [On](#) request from Steinbeck Properties, LLC (Usman Haq, Officer) to rezone property in the vicinity of 955 24th Street from “N5” Neighborhood District to Limited “N5-2” Neighborhood District to allow construction of a two-household residential dwelling (duplex).

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

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

37. [On](#) a land exchange agreement with Galinsky Family Real Estate, LLC and the Gary L. Galinsky Trust and Mindy Sue Galinsky Trust for property located at 3028 Maury Street and 3016 Maury Street for the SE Connector – SE 30th Street to U.S. Highway 65 Project.

[\(Council Communication No. 25-010\)](#)

38. On application to Iowa Economic Development Authority (IEDA) for Community Development Block Grant funds to prepare for, prevent and respond to coronavirus (CDBG-CV) funding.

(Council Communication No. 25-002)

39. On 2025 Citywide 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), \$113,354.35.

(Council Communication No. 25-007)

(A) Approval of contract and bond.

40. On E. 4th Street Improvements from North of E. Market Street to E. Court Avenue: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating the lowest responsive, responsible bidder as Corell Contractor, Inc. (Grant S. Correll, President), \$1,523,837.50.

(Council Communication No. 25-008)

(A) Approval of contract and bond.

41. On Euclid Avenue Improvements from Des Moines River to York Street: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating the lowest responsive, responsible bidder as OMG Midwest, Inc. dba Des Moines Asphalt & Paving (Kevin Bragg, President), \$3,883,806.45.

(Council Communication No. 25-009)

(A) Approval of contract and bond.

42. On SW 1st Street Bridge Park Improvement: Resolution approving plans, specifications, form of contract documents, engineer's estimate, and receive and file bids.

(Council Communication No. 25-011)

*****END HEARINGS AT _____ PM*****

APPROVING II

43. [Review](#) of Zoning Board of Adjustment decision conditionally granting a Variance to a separation distance required to allow use of the property at 3614 6th Avenue for a “Bar” use within 150 feet of a “Place of Worship” use. (**Choose one alternative below**).

[\(Council Communication No. 25-022\)](#)

- (A) The City Council remands the Decision and Order to the Zoning Board of Adjustment for further study. The effective date of the Board’s decision will be deferred for 30 days from the date of this remand.
- (B) The City Council takes no action to review the Decision and Order. The decision of the Board will become final on February 3, 2025.
- (C) The City Council declines to remand the decision to the Zoning Board of Adjustment. The decision of the Board becomes final on this date.

ORDINANCES FIRST CONSIDERATION

44. [Amending](#) Chapter 114 of the Municipal Code regarding Traffic Regulation Changes as follows:

[\(Council Communication No. 25-005\)](#)

- (A) Parking Correction Modification – Center Street between 31st Street and 30th Street
- (B) Corner Clearance Parking Restrictions:
 - (1) SW 2nd Street and Dunham Avenue
 - (2) SW 5th Street and Emma Avenue
 - (3) SE 8th Street and E. Bell Avenue
 - (4) SE 8th Street and Emma Avenue
 - (5) 14th Street and Enos Avenue
 - (6) Brattleboro Avenue and 28th Street
 - (7) College Avenue and 61st Street
 - (8) Douglas Avenue and E 42nd Street
 - (9) Rollins Avenue and E 40th Street
 - (10) Timber Lane & Williams Street

45. [Amending](#) Section 114-1 of the Municipal Code to correct or update certain definitions.

[\(Council Communication No. 25-004\)](#)

46. [Amending](#) Chapter 114 of the Municipal Code to establish public parking rates for the 1200 Mulberry City parking garage and to change the upper limit of the City's prepaid special event parking rate.

[\(Council Communication No. 25-012\)](#)

47. [Amending](#) the Municipal Code Section 114-358(a) relating to an increase in the distance of parking restrictions and crosswalks.

[\(Council Communication No. 25-003\)](#)

48. [Amending](#) Chapter 134 and 135 of the Municipal Code relating to electronic and multi-vision displays, zoning variances and Type 1 design alternatives.

COMMUNICATIONS/REPORTS

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

- (A) Monika Owezarski
- (B) Carolyn Uhlenhake Walker
- (C) Katie Rock
- (D) Sheila Knoploh-Odole
- (E) Michael Farley
- (F) Kerri Johannsen
- (G) Carter Yerkes
- (H) Lora Fraracci
- (I) Garland Armstrong
- (J) Jamie Nicolino
- (K) Katie Das
- (L) Deborah J Neustadt
- (M) David Tam
- (N) Mike Tramontina
- (O) Anna Snyder
- (P) Giada Morresi
- (Q) Laurie Jones
- (R) Holly Hanson
- (S) Cameron LaPage
- (T) Adam Callanan

MOTION TO ADJOURN.

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