

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

January 27, 2025
5:00 PM

I. CLOSED SESSION – 4:00 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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SPECIAL PRESENTATION – 4:45 PM

Grand View Football Team – NAIA National Champions

PROCLAMATION – 4:50 PM

Black History Month

1. ROLL CALL:

2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:

3. APPROVING CONSENT AGENDA * – items 3 through 44:

***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) CAFE MADELEINE	218 6TH AVE #102	Special Class C
(B) EL PIRATA	6050 SE 14TH ST	Class C Liquor
(C) LA PREMIUM MICHAOCANA	1434 DES MOINES ST	Special Class C

RENEWAL APPLICATIONS

(D) APOSTO	644 18TH ST	Class C Liquor
(E) CASEYS GENERAL STORE #2244	2150 E ARMY POST RD	Class B Retail
(F) CASH SAVER #33	1320 E EUCLID AVE	Class E Liquor
(G) CHELSIES COURTYARD DINER	300 W MLK JR PKWY	Class C Liquor
(H) FLYING MANGO	4345 HICKMAN RD	Class C Liquor
(I) GIT N GO STORE #18	6501 SE 14TH ST	Class B Retail
(J) HY VEE #6	420 COURT AVE	Class E Liquor
(K) HY VEE MARKET GRILLE #6	420 COURT AVE	Class C Liquor
(L) IOWA TAPROOM	215 E 3RD ST #100	Class C Liquor
(M) LA TAPATIA 2	3504 MERLE HAY RD	Class B Retail
(N) LACRUZ #3	3900 E 14TH ST #1	Class B Retail
(O) LIFT	222 4TH ST	Class C Liquor
(P) MAGGIES RUMBLE ROOM	1430 2ND AVE	Class C Liquor
(Q) MARIANAS	1305 UNIVERSITY AVE	Special Class C
(R) PALMERS DELI & MARKET	2843 INGERSOLL AVE	Class C Liquor
(S) PUEBLO VIEJO	3841 E 14TH ST	Class C Liquor
(T) QUINTONS BAR & GRILL	506 E GRAND AVE	Class C Liquor
(U) SNAKE PIT LOUNGE	3100 MCKINLEY AVE	Class F Retail
(V) TOBACCO OUTLET PLUS #521	3301 E EUCLID AVE	Class B Retail
(W) VARIED INDUSTRIES BUILDING	3000 E GRAND AVE #53	Special Class C
(X) VICKIES	2801 2ND AVE	Class C Liquor

SPECIAL EVENT APPLICATIONS

(Y) APRES BAR CO	519 PARK ST	5 days
CLASS C LIQUOR LICENSE FOR CANDLELIGHT CONCERT ON FEBRUARY 15, 2025.		
(Z) CAMPBELLS CONCESSIONS	3000 E GRAND AVE	14 days
CLASS C LIQUOR LICENSE FOR THE IOWA BEEF EXPO ON FEBRUARY 8 - 16, 2025.		

(AA) SALISBURY HOUSE 4025 TONAWANDA DR 5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR HIGH TEA AT THE
CASTLE ON FEBRUARY 15, 2025.

(BB) YOUR PRIVATE BAR 120 E 5TH ST 5 days
CLASS C LIQUOR LICENSE FOR NAVIGATE WELLBEING SOLUTIONS
EVENT ON FEBRUARY 5, 2025.

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

PUBLIC IMPROVEMENTS

8. Ordering construction of the following:
 - (A) [SE](#) 8th Street Force Main: Receiving of bids, (2-11-25) and Setting date of hearing, (3-10-25), Engineer's estimate, \$4,500,000.

[\(Council Communication No. 25-042\)](#)
 - (B) [E.](#) Euclid Avenue Sidewalk from East of E. 14th Street to Union Pacific Railroad: Receiving of bids, (2-11-25) and Setting date of hearing, (3-10-25), Engineer's estimate, \$275,000.

[\(Council Communication No. 25-043\)](#)
9. [Designation](#) of lowest responsive, responsible bidder as Minturn, Inc. (Clinton M. Rhoads, President) and approval of contract and bond on SW 1st Street Bridge Park Improvement, \$961,268.75.

[\(Council Communication No. 25-041\)](#)
10. [Acceptance](#) of a proposal from MidAmerican Energy Company to relocate existing overhead utilities crossing 6th Avenue to underground for 6th Avenue Improvements from School Street to University Avenue, estimated at \$61,485.51.

[\(Council Communication No. 25-040\)](#)
11. [Approving](#) Supplemental Agreement No. 2 to the Professional Services Agreement with Bolton & Menk, Inc. for Central Place Levee Trail Phase 1, not to exceed \$45,000.

[\(Council Communication No. 25-038\)](#)

12. [Approving](#) Supplemental Agreement No. 3 to the Professional Services Agreement with Kirkham Michael & Associates, Inc. for Hamilton Drain Storm Water Improvements, not to exceed \$98,500.

[\(Council Communication No. 25-039\)](#)

13. Accepting completed construction and approving final payment for the following:
 - (A) [2023](#) HMA Resurfacing Program Contract 1 – Grimes Asphalt and Paving Corporation.
 - (B) [2023](#) HMA Resurfacing Program Contract 2 – InRoads, LLC.
 - (C) [2024](#) HMA Resurfacing Program Contract 2 – OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving.
 - (D) [E.](#) University Avenue Improvements from E. 14th Street to E. 17th Court - OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving.

SPECIAL ASSESSMENTS

14. [Levying](#) Assessments for costs of Nuisance Abatement-NAC Emergency Orders (Neighborhood Services), Schedule No. 2025-01.
15. Deletion of rental inspection assessments at the following:
 - (A) [4205](#) Park Avenue BLDG 18, 19 and 20.
 - (B) [3721](#) Washington Avenue.
 - (C) [1225](#) 16th Street.
16. [Deletion](#) of NAC – Emergency Assessment at 7301 SW 15th Street.

LAND/PROPERTY TRANSACTIONS

17. [Approving](#) 272 tax abatement applications for work completed in 2024.

[\(Council Communication No. 25-029\)](#)

BOARDS/COMMISSIONS/NEIGHBORHOODS

- 17-I [Communication](#) from Cynde Fanter advising of her resignation from the Parks and Recreation Board, Seat 1, effectively immediately. Sponsor: Mayor Boesen.
 - (A) [Recommendation](#) from Mayor Boesen to appoint Erin Lowe to Parks and Recreation Board, Seat 1, for a term expiring June 30, 2028. Sponsor: Mayor Boesen.

18. [Recommending](#) Linda Westergaard as Public Official and Don Corrigan as Community Representative to the Aging Resources of Central Iowa Board of Directors for calendar year 2025.
19. [Approving](#) the Primary and Alternate Members to be appointed and serve on the Des Moines Metropolitan Wastewater Reclamation Authority for calendar year 2025.
- 19-I [Authorize](#) and appoint Major David Ness and Superintendent of Technical Services Michele Bischof as the primary members of the Joint 911 Service Board with Bradley Button, Katie McGhee and Fire Marshal Jonathan Lund serving as alternate members.

SETTING DATE OF HEARINGS

20. [On](#) vacation of surface rights within a portion of 6th Avenue right-of-way adjoining 3612 and 3614 6th Avenue and conveyance of a Permanent Easement for Building Encroachment-Door Swing to 36 on 6th, LLC, \$34, (2-10-25).
21. [On](#) vacation of surface rights within portions of Indianola Avenue and E. Hillside Avenue right-of-way adjoining 1961 Indianola Avenue and conveyance of a Permanent Easement for Building Encroachment – Door Swing to Optima LifeServices, Inc., \$300, (2-10-25).
22. Number not used.
23. [On](#) request from Invest DSM, Inc. (Christopher Civitate, Officer) to amend the PlanDSM Creating Our Tomorrow Comprehensive Plan to revise the future land use classification from Low Density Residential within a Neighborhood Node to High Density Residential within a Neighborhood Node and to rezone property located in the vicinity of 3610 5th Avenue from “MX1” Mixed Use District to Limited “RX1” Mixed Use District to allow redevelopment of the property for a multiple-household building with up to twelve (12) dwelling units, (2-10-25).
24. [On](#) request from Big Deal Investments, LLC (Dylan Book, Officer) to rezone property located at 1424 Army Post Road from “RX1” Mixed Use District to Limited “MX3” Mixed Use District to allow reuse of the property for a “Vehicle Sales and Service – Vehicle Rental” use, (2-10-25).
25. [On](#) City initiated request to rename a segment of “Lake Ridge Avenue” to “Sweetwater Drive” located to the east of SE 30th Street between E. Army Post Road to the north and E. Pine Avenue to the south, (2-10-25).

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

26. [Approving](#) payment to Madison Henderson.
27. [Approving](#) payment to Nick and Lylea Critelli.

APPROVING

28. [Preliminary](#) award of \$400,000 of Home Investment Partnership Program (HOME) funds to Newbury Living for the construction of Newbury Commons at 401 SE 7th Street resulting in 49 affordable housing units.

[\(Council Communication No. 25-034\)](#)

29. [Preliminary](#) award of \$400,000 of Home Investment Partnership Program (HOME) funds to Market District Apartments, LP for the construction of Foundry Lofts at 509 SE 6th Street resulting in 46 affordable housing units.

[\(Council Communication No. 25-035\)](#)

30. [Preliminary](#) terms of an Urban Renewal Development Agreement with 509 SE 6TH, LLC for the construction of Foundry Lofts, a 46-unit apartment building located at 509 SE 6th Street.

[\(Council Communication No. 25-031\)](#)

31. [Preliminary](#) terms of an Urban Renewal Development Agreement with Goldfinch Apartments, LP for the construction of a three-story mixed-use redevelopment of 3404-3422 Ingersoll Avenue.

[\(Council Communication No. 25-033\)](#)

32. [Proposal](#) from Housing For All for the rehabilitation and redevelopment of 200 Euclid Avenue and authorization to negotiate the disposition and development agreement terms.

[\(Council Communication No. 25-036\)](#)

33. [Second](#) Amendment to the Urban Renewal Development Agreement with Lawmark, LP for the renovation of the Financial Center building located at 606 and 666 Walnut Street.

[\(Council Communication No. 25-030\)](#)

34. Number not used.

35. [Amendment](#) to Excess Insurance Agreement with Westport Insurance Corporation.
36. [Communication](#) from the Greater Des Moines Partnership on behalf of the Iowa Department for the Blind, requesting approval of placement for up to 16 banners to be displayed on banner poles in downtown Des Moines beginning April 1, 2025.
37. [Collective](#) bargaining agreement with American Federation of State County and Municipal Employees (AFSCME), Council 61 and its Affiliated Local 3673 for the period July 1, 2025 through June 30, 2030.

[\(Council Communication No. 25-028\)](#)

38. Abatement of public nuisances as follows:
 - (A) [2006](#) E. Grand Avenue.
 - (B) [1801](#) Franklin Avenue.
39. [Extension](#) of an existing agreement for Public Safety Voice Radio Communications System with Motorola Solutions, Inc. (Norbeto Colon, Vice President), not to exceed \$2,211,125 for a 7-year period.

[\(Council Communication No. 25-025\)](#)

40. [Purchase](#) from Safeware Inc. (Edward A. Simons, President) of four (4) portable x-ray systems per State of Iowa Cooperative and Omnia Agreements for use by the Police Department, \$254,458.24.

[\(Council Communication No. 25-027\)](#)

41. [Purchase](#) from Neenah Enterprise Incorporated of manhole and intake castings to repair damaged sewer infrastructure, not to exceed \$102,100.

[\(Council Communication No. 25-024\)](#)

42. [Purchase](#) from Beautiful Lawns by Longs LLC (Brandon Long, Owner) of lawn mowing services for use by the Public Works Department, annual estimated amount \$150,000. (Four (4) compliant bids received).
43. [Receive](#) and file Quarterly Treasurer's Report as of December 31, 2024.

44. [Authorizing](#) Finance Director to draw checks on registers for the weeks of January 27 and February 3, 2025; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of January 27 and February 3, 2025; to draw checks for biweekly payroll due on February 7, 2025.

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

HEARINGS (OPEN AT 5:00 PM) (ITEMS 45 THRU 51)

45. [On](#) conveyance of excess City property located west of 2720 Logan Avenue to Isidro Cuevas Garcia \$1,100.
46. [On](#) conveyance of vacated alley right-of-way located west of 805 SE 11th Street to YVL Properties LLC, \$50.
47. [On](#) conveyance of excess City property located at 3770 and 3790 Hubbell Avenue to Casey O’Sheen Smith, \$2,000.
48. [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.
 - (A) [First](#) consideration of ordinance above.
 - (B) [Final](#) consideration of ordinance above (waiver requested by Shannon Lerda, Manager Cordoba Holdings DSM LLC), requires six votes.
49. [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.
 - (A) [First](#) consideration of ordinance above.
50. [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.
 - (A) [First](#) consideration of ordinance above.
 - (B) [Final](#) consideration of ordinance above (waiver requested by applicant), requires six votes.

51. 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 (**Choose one alternative below**):

(A) Deny.

OR

(B) Continue the public hearing until February 10, 2025 and direct the City Manager and Legal Department to prepare the necessary legislation to approve the requested rezoning. (**Approval requires six votes due to Plan and Zoning Commission recommending denial and due to opposition of greater than 20% of relevant property owners**)

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

ORDINANCES FIRST CONSIDERATION

52. Amending Chapter 135 of the Municipal Code relating to public hearing site plans and the review of Plan and Zoning Commission decisions.

53. Amending Chapter 42 of the Municipal Code relating to stormwater runoff control and grading operations.

(Council Communication No. 25-023)

(A) Final consideration of ordinance above (waiver requested by Steve Naber, City Engineer and Jonathan Gano, Public Works Director), requires six votes.

54. Amending Chapter 42 of the Municipal Code relating to stormwater management standards for development and redevelopment for grading permits, site plans and plat approvals.

(A) Final consideration of ordinance above (waiver requested by Steve Naber, City Engineer and Jonathan Gano, Public Works Director), requires six votes.

55. Amending Chapter 18 of the Municipal Code relating to interfering with animals.

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

COMMUNICATIONS/REPORTS

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

- (A) Douglas Lewis
- (B) David Murrin Von Ebers
- (C) Andrew James
- (D) John Waters
- (E) Susan Houts
- (F) Bill Haakinson
- (G) John McManus
- (H) Holly Craiger
- (I) Amy MacKrell
- (J) Laurie Wolf
- (K) Heather Cole
- (L) Sarah Green
- (M) Cody Smith
- (N) Jim Synder
- (O) Allie Raines
- (P) William Ludwig
- (Q) Patricia Prijatel
- (R) Bradley Gezel
- (S) Adam Callanan
- (T) Sydney Dvorak

MOTION TO ADJOURN.

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