

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

February 10, 2025
5:00 PM

SPECIAL PRESENTATION – 4:45 PM

Prairie Meadows/Polk County Check Presentation

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 37:

***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) FIVE STARZ RESTAURANT	1951 INDIANOLA AVE	Class C Liquor
(B) LA PREMIUM MICHAOCANA	1434 DES MOINES ST	Special Class C
(C) LACHELES FINE FOODS	3619 6TH AVE	Class C Liquor
(D) LACHELES FINE FOODS	2716 INGERSOLL AVE	Class C Liquor
(E) MERLE HAY LIQUOR & SMOKE	3408 MERLE HAY RD	Class E Liquor

RENEWAL APPLICATIONS

(F) CAFE BARATTAS	600 E LOCUST ST	Class C Liquor
(G) CASEYS STORE #3518	1907 ARMY POST RD	Class E Liquor
(H) CASH SAVER #34	4121 FLEUR DR	Class E Liquor
(I) DES MOINES BIERGARTEN	2251 GEORGE FLAGG	Special Class C
(J) DISTRICT	212 4TH ST	Class C Liquor
(K) EL TOREADO MEXICAN BAR	4521 FLEUR DR	Class C Liquor
(L) GIT N GO STORE #23	2930 HICKMAN RD	Class B Retail

- | | | |
|------------------------------|--------------------|-----------------|
| (M) INDIA STAR | 5514 DOUGLAS AVE | Special Class C |
| (N) LACHELES FINE FOODS | 2716 INGERSOLL AVE | Class C Liquor |
| (O) TUPELO HONEY HOSPITALITY | 665 GRAND AVE | Class C Liquor |

SPECIAL EVENT APPLICATIONS

- (P) APRES BAR CO 100 LOCUST ST 5 days
CLASS C LIQUOR LICENSE FOR CANDLELIGHT CONCERT ON FEBRUARY 22, 2025.
- (Q) SALISBURY HOUSE 4025 TONAWANDA DR 5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR LOVE LETTERS - READERS THEATRE ON FEBRUARY 22, 2025.

OUTDOOR SERVICE APPLICATION

- (R) CAPTAIN ROYS 1900 SAYLOR RD Class C Liquor
TEMPORARY FOR SHIVER ON THE RIVER ON FEBRUARY 15, 2025.

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

PUBLIC IMPROVEMENTS

8. Ordering construction of the following:
 - (A) [2025](#) Sidewalk and Pedestrian Ramp Replacement Program: Receiving of bids, (2-25-25) and Setting date of hearing, (3-10-25), Engineer's estimate, \$436,000.

([Council Communication No. 25-056](#))
 - (B) [E.](#) 33rd Street from University Avenue to Easton Boulevard Improvements: Receiving of bids, (2-25-25) and Setting date of hearing, (3-24-25), Engineer's estimate, \$825,000.

([Council Communication No. 25-057](#))
9. [Approving](#) Supplemental Agreement No. 3 to the Professional Services Agreement with Barr Engineering Company for professional services for George Flagg Parkway and Fleur Drive Floodgate Closure, not to exceed \$227,500.

([Council Communication No. 25-052](#))

10. [Approving](#) Private Construction Contract between McAninch Corporation and HOA Aston LLC for storm sewer improvements in 603 E. 6th Street.
11. Accepting completed construction and approving final payment for the following:
 - (A) [2022](#) Midblock Pedestrian Signal Improvements – Ti-Zack Concrete, Inc.
 - (B) [Easter](#) Lake Drive Sidewalk from Indianola Avenue to Easter Lake Park – TK Concrete, Inc.
 - (C) [Indianola](#) Avenue Reconstruction – E. Army Post Road to U.S. HWY 69 – Absolute Concrete Construction, Inc.

SPECIAL ASSESSMENTS

12. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2025-02.
13. Deletion of NAC – Emergency Assessments at the following:
 - (A) [3603](#) Valdez Drive.
 - (B) [2611](#) Park Place.
14. [Deletion](#) of rental inspection assessment at 4205 Park Avenue BLDG 21 and 22.

LAND/PROPERTY TRANSACTIONS

15. [Approval](#) of final subdivision plat for Matilda Plat 1 located in the vicinity of 1201 Center Street.

[\(Council Communication No. 25-059\)](#)

BOARDS/COMMISSIONS/NEIGHBORHOODS

16. [Approving](#) appointments of Primary and Alternate Members to the Metro Waste Authority (MWA) for Calendar Year 2025.
17. [Receive](#) and file communication from Scott Bents advising of his resignation from the Transportation Safety Committee, Seat 1, effective immediately.
18. [Receive](#) and file communication from Joseph Nolte advising of his resignation from the Greater Des Moines Sister Cities Commission, Seat 14, effective immediately.

SETTING DATE OF HEARINGS

19. [On](#) vacation of air rights within a portion of 41st Street right-of-way adjoining 4109 University Avenue and conveyance of a Permanent Easement for Air Space Above City-owned Property to Uptown Partners Corp. for \$2,041, (2-24-25).
20. [On](#) approval of a lease agreement with Riley Drive Entertainment XIII, Inc. d/b/a Tonic Bar Des Moines for a portion of the vacated north/south alley right-of-way adjoining 201 Court Avenue for use as a sidewalk café, (2-24-25).

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

21. [Approving](#) payment to Jacob Dodson for a workers' compensation claim.
22. [Approving](#) payment to Anthony Morrison for a workers' compensation claim.
23. [Approving](#) payment to Andrey Rodygin for a property damage claim.

APPROVING

24. [Preliminary](#) award of \$1,000,000 of HOME Investment Partnership Program, as authorized under the American Rescue Plan (HOME-ARP) to Starts Right Here for the construction of STAY at 525 E. 9th Street.

[\(Council Communication No. 25-051\)](#)

25. [Preliminary](#) terms of an Urban Renewal Development Agreement with Newbury Management Company and Newbury Commons Associates, LP for the construction of Newbury Commons, a 49-unit apartment building located at 401 SE 7th Street.

[\(Council Communication No. 25-061\)](#)

26. Second Amendments to Urban Renewal Development Agreements with Hilltop Housing, LLC allowing for an extension of time for completion of improvements in the vicinity of 3600 Hubbell Avenue for the following:

[\(Council Communication No. 25-060\)](#)

- (A) [Hilltop](#) III Housing.
- (B) [Hilltop](#) IV Housing.

27. [Issuance](#) of Certificate of Completion for Bridge District Level Phase 2 Metro Center Urban Renewal Project located in the 300 block of Maple Street.

28. [Submitting](#) applications for funding through the 2025 Homeland Security Grant Program in support of the statewide Weapons of Mass Destruction (WMD)/SWAT Task Force, the statewide Explosive Ordnance Detection (EOD) Task Force, and the Securing of Crowded Places project.

[\(Council Communication No. 25-049\)](#)

29. [Communication](#) from the Greater Des Moines Partnership on behalf of the Iowa State University's Ivy College of Business requesting approval of placement for up to 25 banners to be displayed on banner poles in downtown Des Moines beginning March 1, 2025.

30. Abatement of public nuisances as follows:

(A) [2153](#) Capitol Avenue.

(B) [2202](#) SE 7th Street.

31. [Purchase](#) of police emergency vehicle equipment per the State of Iowa Contracts and NASPO ValuePoint Agreement from Whelen through its authorized distributor Keltek Inc. a division of Rayser Holdings Inc. (Michelle Jensen, President and CEO), \$219,452.27.

[\(Council Communication No. 25-048\)](#)

32. [Purchase](#) of cardio and weight equipment for Des Moines North Side Community Recreation Center from Precor Inc. d/b/a Push Pedal Pull (Martin Bruder, President) per Sourcewell Contract and authorizing negotiation and execution of Supplemental Agreement with Precor Inc., \$112,144.

[\(Council Communication No. 25-044\)](#)

33. [Authorizing](#) renewable agreements for mowing, trimming and litter removal services from various lawn care providers to be used by the Parks and Recreation Department, total estimated annual amount \$1,179,046. (Eighteen (18) potential bidders, four (4) received).

[\(Council Communication No. 25-047\)](#)

34. [Purchase](#) from MHC Kenworth Waco (Steve Ellington, Vice President Texas Region and Zach Coulter, MHC Kenworth-Waco Branch Manager) of one (1) replacement Kenworth chassis with a 22-ton boom crane per Sourcewell Contract for use by the Public Works Department, \$348,461.62.

[\(Council Communication No. 25-046\)](#)

35. [Purchase](#) from Patriot Critical Power, LLC (Markus Pitts, Owner) of generator maintenance services for use by the City Manager's Office, total annual estimated amount \$150,000. (Three (3) compliant bids received).

- 36. [Purchase](#) from Ziegler Caterpillar (Chris Culbertson, Branch Operations Manager) of one (1) replacement compact track loader per Sourcewell Contract for use by the Public Works Department, \$109,713.18.

([Council Communication No. 25-045](#))

- 37. [Authorizing](#) Finance Director to draw checks on registers for the weeks of February 10 and 17, 2025; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of February 10 and 17, 2025; to draw checks for biweekly payroll due on February 21, 2025.

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

HEARINGS (OPEN AT 5:00 PM) (ITEMS 38 THRU 47)

- 38. [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.

- (A) [First](#) consideration of ordinance above.
- (B) [Final](#) consideration of ordinance above (waiver requested by Tim Bratvold, Manager), requires six votes.

- 39. [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 Optimae LifeServices, Inc., \$300.

- (A) [First](#) consideration of ordinance above.
- (B) [Final](#) consideration of ordinance above (waiver requested by William Dodds, Chair of the Board of Director), requires six votes.

- 40. [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.

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

41. [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.

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

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

42. [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.

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

43. [On](#) proposed connection fee ordinance for East Army Post Road and Indianola Avenue Trunk Sanitary Sewer System Benefited District.

[\(Council Communication No. 25-062\)](#)

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

44. [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 Limited “NX2” Neighborhood Mix District to allow the redevelopment of the property for rowhome buildings. **(Continued from January 27th meeting) (Approval requires six votes due to Plan and Zoning Commission recommending denial and due to opposition of greater than 20% of relevant property owners).**

[\(Council Communication No. 25-050\)](#)

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

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

45. On 2025 Traffic Signal Replacement 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 Van Maanen Electric, Inc. (Nathan Van Maanen, President), \$719,946.70.

(Council Communication No. 25-055)

(A) Approval of contract and bond.

46. On Southeast Connector from SE 30th Street to US 65: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating the lowest responsive, responsible bidder as C.J. Moyna & Sons, LLC (John P. Moyna, President) and Progressive Structures, LLC (Travis Augustyn, President), A Joint Venture, \$58,999,314.12.

(Council Communication No. 25-053)

(A) Approval of contract and bond.

47. On SW 9th Street Viaduct Rehabilitation: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating the lowest responsive, responsible bidder as Jasper Construction Services, Inc. (Cliff Rhoads, President), \$2,065,841.95.

(Council Communication No. 25-054)

(A) Approval of contract and bond.

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

APPROVING II

48. [Review](#) of Zoning Board of Adjustment decision conditionally granting a Use Variance for an “Office: Business or Professional” use within an “F” Flood District on property at 414 61st Street. (**Choose one alternative below**):

[\(Council Communication No. 25-058\)](#)

- (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.

OR

- (B) The City Council takes no action to review the Decision and Order. The decision of the Board will become final on February 27, 2025.

OR

- (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

49. [Amending](#) Section 114-485.12 of the Municipal Code relating to the City’s impound and preservation fee.

- (A) [Final](#) consideration of ordinance above (waiver requested by Police Chief Michael McTaggart), requires six votes.

- (B) [Amending](#) the schedule of fees by repealing the Impound & Preservation Fee for vehicles impounded by the City.

COMMUNICATIONS/REPORTS

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

- (A) Nicholas King
- (B) Jenny King
- (C) Kellie Midgorden
- (D) Laurie Wolf
- (E) Karla Damken
- (F) Andy Roberts
- (G) Felicia Hilton
- (H) Giada Morresi
- (I) Abby Bankes

MOTION TO ADJOURN.

The City of Des Moines is pleased to provide accommodations to disabled individuals or groups and encourages participation in City government. To better serve you, please notify us at least three business days in advance when possible at 515-283-4209, should special accommodations be required. Assistive Listening Devices are available for meetings in the City Council Chambers.

View City Council agendas online at DSM.city



All-America City
1949 1976 1981 2003 2010 2017