



*** DES MOINES CITY COUNCIL MEETING REPORT ***

The City Council took the following action on items listed in the attached meeting agenda summary. Copies of ordinances, resolutions and other Council action may be obtained from the City Clerk's Office (515) 283-4209. The six-digit number beginning with '18-' preceding each item on the agenda is a roll call number assigned by the City Clerk. Please refer to this number when requesting information or copies.

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

June 11, 2018
4:30 PM

I. CLOSED SESSION – 3:00 PM, Lower Level, Conference Room 1.

[18-0945](#)

- (A) Roll Call. **Present: Boesen, Coleman, Gatto, Gray, Mandelbaum and Westergaard. Absent: Mayor Cownie. Mayor Cownie entered the meeting during item B and participated by telephone.**

[18-0946](#)

- (B) Recess, and reconvene in closed session pursuant to Section 21.5, subsection 1, paragraph C, of the Iowa Code, to discuss 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. **Moved by Boesen to adopt. Motion carried upon roll call 7-0.**

[18-0947](#)

- (C) Closed Session.

[18-0948](#)

- (D) Terminate closed session and reconvene in open session. **Moved by Gatto to adopt. Motion Carried 7-0.**

[18-0949](#)

- (E) Motion to adjourn. **Moved by Gatto to adjourn at 4:20 PM. Motion Carried 7-0.**

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INVOCATION: Council Member Coleman

[18-0950](#)

1. **ROLL CALL: Present: Cownie, Boesen, Coleman, Gatto, Gray, Mandelbaum and Westergaard. Mayor Cownie participated in the meeting by telephone.**

[18-0951](#)

2. **APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: Moved by Gatto to adopt. Motion Carried 7-0.**

[18-0952](#)

3. **APPROVING CONSENT AGENDA * – items 3 through 51: Moved by Gatto to adopt the balance of the consent agenda. Motion Carried 7-0.**

***Note: These are routine items and will be enacted by one roll call vote without separate discussion unless someone, Council or public, requests an item be removed to be considered separately.**

LICENSES AND PERMITS

[18-0953](#)

4. **[Approving](#) Alcoholic Beverage License Applications for the following: Moved by Gatto to adopt. Motion Carried 7-0. Council Member Coleman votes No on items A, L, M and R.**

NEW APPLICATIONS

*(A)	EASYGO	2723 GRAND AVE	E Liquor
(B)	EL RANCHO ALEGRE	3308 INDIANOLA	C Liquor
(C)	PINOTS PALETTE	900 42ND ST	C Beer/Wine
(D)	WING STOP	3803 MERLE HAY RD	C Beer/Wine

RENEWAL APPLICATIONS

(E)	AKEBONO RESTAURANT	215 10TH ST	C Liquor
(F)	BIG ALS BBQ & CATERING	1810 ARMY POST RD	C Liquor
(G)	BLAZE PIZZA	300 W MLK JR PKWY	C Beer/Wine
(H)	CJS II	316 E 30TH ST	C Liquor
(I)	COURT AVENUE BREWING CO	309 COURT AVE	C Liquor
(J)	CREME CUPCAKE + DESSERT	543 28TH ST	C Liquor
(K)	FORTE BANQUET	615 3RD ST	C Liquor
*(L)	GIT N GO STORE #11	3940 E 29TH ST	C Beer
*(M)	GIT N GO STORE #31 *(1)	2601 SW 9TH ST	C Beer
(N)	KELLYS LITTLE NIPPER	1701 E GRAND AVE	C Liquor
(O)	LA FAVORITA	1700 E GRAND AVE	C Beer

(P)	NEW CHINA BUFFET & GRILL	1201 E ARMY POST	B Beer
(Q)	OLD WEST MEXICAN	4138 FLEUR DR	C Liquor
* (R)	QUICK STAR	2701 INGERSOLL	C Beer
(S)	QUIK TRIP #516	1000 E UNIVERSITY	C Beer
(T)	RIVER WALK HUB SPOT	215 WATER ST	C Liquor
(U)	TIPSY CROW TAVERN	102 3RD ST	C Liquor
(V)	TOBACCO OUTLET PLUS #519	727 SE 14TH ST	C Beer

OUTDOOR SERVICE APPLICATIONS

(W)	GRUMPY GOAT	1303 WALNUT ST	C Liquor
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Permanent.

SPECIAL EVENT APPLICATIONS

(X) BUD TENT 3000 E GRAND AVE Five (5) Day License
 Class B Beer License for Goodguys Speedway Motors Heartland Nationals on June 29 – July 1, 2018.

(Y) BUZZARD BILLYS 615 3RD ST Five (5) Day License
 Class C Liquor License for Faith Hill and Tim McGraw concert on June 30, 2018. Pending approval of Building Department.

(Z) DES MOINES EMBASSY 100 LOCUST ST Five (5) Day License
 Class C Liquor License for an event on June 15, 2018.

(AA) GATEWAY MARKET 841 42ND ST Five (5) Day License
 Special Class C Liquor License (Beer/Wine) for Summer Sipper on June 21, 2018. Pending approval of Building Department.

(BB) IOWA TAPROOM 200 E 4TH ST Five (5) Day License
 Class B Beer License for Iowa Craft Brew Festival on June 16, 2018.

(CC) SALISBURY HOUSE 4025 TONAWANDA DR Five (5) Day License
 Special Class C Liquor License (Beer/Wine) for Shakespeare on the Lawn on June 13 – 17, 2018. Pending approval of Building Department.

(DD) WAT LAO BUDDHAVAS 1804 E PARK AVE Five (5) Day License
 Class B Beer License for festival on June 22 – 24, 2018.

WITHDRAWN

18-0954 5. ~~Consideration of renewal Class C Liquor License for Triple Double, 910 Hull Avenue. (Police and Zoning Departments recommend denial).~~

18-0955 6. City Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits. **Moved by Gatto to adopt. Motion Carried 6-1. Nays: Cownie.**

PUBLIC IMPROVEMENTS

7. Ordering construction of the following:

[18-0956](#) (A) [Cownie](#) Baseball Site Improvements: Receiving of bids, (6-26-18), Setting date of hearing, (7-9-18). Engineer's estimate, \$175,000. ([Council Communication No. 18-299](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[18-0957](#) (B) [SW](#) 9th Street Rehabilitation from Wall Avenue to Army Post Road: Receiving of bids, (6-26-18), Setting date of hearing, (7-9-18). Engineer's estimate, \$760,000. ([Council Communication No. 18-306](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[18-0958](#) (C) [9th](#) & Locust Parking Garage Skywalk Renovation: Receiving of bids, (6-26-18), Setting date of hearing, (7-9-18). Engineer's estimate, \$560,000. ([Council Communication No. 18-298](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[18-0959](#) (D) [Hubbell](#) Avenue Reconstruction from Euclid to East of E. 38th Street: Receiving of bids, (6-26-18), Setting date of hearing, (7-9-18). Engineer's estimate, \$10,000,000. ([Council Communication No. 18-300](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[18-0960](#) 8. [Approving](#) IDOT Supplemental Agreements for maintenance and repair of primary roads in municipalities and for emergency maintenance of State of Iowa owned traffic signals from July 1, 2018 to June 30, 2019. **Moved by Gatto to adopt. Motion Carried 7-0.**

9. Approving completion and acceptance of private construction contracts for the following:

[18-0961](#) (A) [Signal](#) Modification Improvements, 322 E. Court Avenue, between Beal Derkenne Construction LLC and 322 E. Court, LLC. **Moved by Gatto to adopt. Motion Carried 7-0.**

[18-0962](#) (B) [Signals](#) Improvements, IEC Hotel at 5th Avenue & Center Street and 5th Avenue & Park Street, between Baker Electric, Inc. and IEC Hotel Corporation. **Moved by Gatto to adopt. Motion Carried 7-0.**

[18-0963](#) (C) [Sanitary](#) Sewer Improvements, Waveland Park Townhomes Plat 1, between Halbrook Excavation, Inc. and Russell D. Parks. **Moved by Gatto to adopt. Motion Carried 7-0.**

[18-0964](#) (D) [Sanitary](#) Sewer Improvements, 212 E. 3rd Street, between Elder Corporation and H. Glass Partner, LLC. **Moved by Gatto to adopt. Motion Carried 7-0.**

[18-0965](#) 10. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects. **Moved by Gatto to adopt. Motion Carried 7-0.**

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

- [18-0966](#) (A) [1401](#) E. 12th Street Building Demolition, Earth Services and Abatement, Inc. d/b/a Iowa Demolition. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-0967](#) (B) [5th](#) & Keo Parking Garage Elevator Lobby HVAC, Air-Con Mechanical Corporation. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-0968](#) (C) [Riverwalk](#) Red Multi-Use Trail Bridge Rehabilitation, Cramer and Associates, Inc. **Moved by Gatto to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [18-0969](#) 12. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2018-06. **Moved by Gatto to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [18-0970](#) 13. [Conditionally](#) approving final subdivision plat of Carman Estates Plat 7, 2400 block of Easter Lake Drive. ([Council Communication No. 18-289](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-0971](#) 14. [Approving](#) City's consent to easement for building setback on the public alley, west of the Kirkwood Building, at 400 Walnut Street. ([Council Communication No. 18-293](#)) **Moved by Gatto to adopt. Motion Carried 6-0. Council Member Mandelbaum abstains from voting based on an appearance of a conflict of interest.**
- [18-0972](#) 15. [Rededicating](#) of E. Market Street between SE 5th Street and SE 6th Street for right-of-way purposes. **Moved by Gatto to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [18-0973](#) 16. [Recommendation](#) from Council Member Westergaard to reappoint Izaah Knox to the Des Moines Civil and Human Rights Commission, Seat 5, for a three-year term commencing April 1, 2018 to expire April 1, 2021. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-0974](#) 17. [Recommendation](#) from Council Member Westergaard to reappoint Tania Hunt to the Housing Appeals Board, Seat 5, for a three-year term commencing March 16, 2018 to expire March 16, 2021. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [18-0975](#) 18. [Recommendation](#) from Council Member Gray to reappoint Sherill Whisenand to the Sister Cities Commission, Seat 8, for a five-year term commencing April 28, 2018 to expire April 28, 2023. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-0976](#) 19. [Recommendation](#) from Council Member Gray to reappoint Tim Hielkema to the Urban Design Review Board, Seat 4, for a three-year term commencing June 30, 2017 to expire June 30, 2020. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-0977](#) 20. [Recommendation](#) from Council Member Gray to reappoint Judi Isaacson to the Citizen Odor Board, Seat 3, for a three-year term commencing April 1, 2018 to expire April 1, 2021. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-0978](#) 21. [Communication](#) from John TenPas advising of his resignation from the Access Advisory Board, Seat 6, effective immediately. **Moved by Gatto to receive, file and accept resignation with appreciation for his service. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [18-0979](#) 22. [Regarding](#) request from Hubbell Realty Company for approval of a Preliminary Plat amendment to “Woods on the River Plat 10” for property in the vicinity of Whispering Ridge Drive and River Ridge Road to allow the subdivision of existing platted out lots for a total of 44 single-family residential lots. **Moved by Gatto to receive and file. Motion Carried 7-0.**
- [18-0980](#) 23. [Regarding](#) request from Kenyon Hill Ridge, LLC (owner) represented by David Walters (officer) for a Preliminary Plat “Ruby Rose Ridge Residential Development” on property located at 5066 Northeast 23rd Avenue, a portion of which is in unincorporated Polk County within the two-mile distance for extraterritorial review, to allow development of 43 lots for single-family residential development, 50 lots for single-family semi-detached residential development, and a 5.6 acre lot for multiple-family residential development, subject to conditions. **Moved by Westergaard to adopt; refer to the City Manager and Community Development to work with the Developers on proper placement of the sidewalk prior to final approval of the Plat. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [18-0981](#) 24. [On](#) petition and proposal to take action for continuation of the Downtown Des Moines Self-Supported Municipal Improvement District (SSMID), (7-9-18). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-0982](#) (A) [Communication](#) from Plan and Zoning Commission. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-0983](#) 25. [On](#) vacation of a portion of 14th Street right-of-way located east of and adjoining 1400 Walnut Street, and conveyance to 14 Walnut, LLC for \$1,000, (6-25-18). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-0984](#) 26. [On](#) vacation and lease of a portion of the north-south alley adjacent to 1417 Walnut Street for a sidewalk café, (6-25-18). ([Council Communication No. 18-284](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-0985](#) 27. [On](#) vacation of a portion of E. Martin Luther King, Jr. Parkway and the north-south alley right-of-way adjoining 410 SE 6th Street, and conveyance of said vacated right-of-way and other excess City property adjoining 400 SE 6th Street to 400 SE 6th Street, LLC, \$102,136, (6-25-18). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-0986](#) 28. [On](#) conveyance of excess City property located south of and adjoining 1330 and 1420 Mulberry Street to Central Iowa Shelter Services for \$1,000, (6-25-18). **Moved by Gatto to adopt. Motion Carried 7-0.**
29. Number not used.
- [18-0987](#) 30. [On](#) approval of documents for conveyance of property interests purchased for the E. 42nd Street and Hubbell Avenue Intersection Improvements Project to the State of Iowa, for the benefit and use of the Iowa Department of Transportation (IDOT), (6-25-18). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-0988](#) 31. [On](#) Development Agreement with Des Moines Area Metropolitan Planning Organization (MPO) for the Des Moines Transloading Facility and authorizing contingent assignment and assumption of IDOT Railroad Revolving Loan and Grant Program Loan obligations. (6-25-18). ([Council Communication No. 18-307](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-0989](#) 32. [On](#) the designation of the Walker Playground Structure, currently known as Columbus Park Shelter, as a local landmark and on the issuance of a Certificate of Appropriateness for exterior alterations of the shelter, (6-25-18). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-0990](#) 33. [On](#) conveyance of vacated alley right-of-way located east of and adjoining 1223 Dixon

Street to Raul Chavez and Maria G. Estrada, \$100, (6-25-18). **Moved by Gatto to adopt. Motion Carried 7-0.**

34. Number not used.

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

[18-0991](#) 35. [Approving](#) payment to Kenworthy Law, PC for matters related to construction disputes, \$10,642.89. **Moved by Gatto to adopt. Motion Carried 7-0.**

[18-0992](#) 36. [Approving](#) payment to Teresa Smith for a workers' compensation claim. **Moved by Gatto to adopt. Motion Carried 7-0.**

[18-0993](#) 37. [Authorizing](#) the Mayor to execute a Conflict and Waiver form. **Moved by Gatto to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

[18-0994](#) 37-I [Submitting](#) travel and training request for Joshua Barr. ([Council Communication No. 18-308](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

APPROVING

[18-0995](#) 38. [Reprogramming](#) and carryover of prior years' unspent Community Development Block Grant (CDBG) funding and other funds for the 2018 U.S. Department of Housing and Urban Development (HUD) Consolidated Plan Programs. ([Council Communication No. 18-287](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[18-0996](#) 39. [Amendment](#) to 2016 Emergency Solutions Grant (ESG) contract with Polk County Health Services. ([Council Communication No. 18-288](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[18-0997](#) 40. [2018](#) Emergency Solutions Grant (ESG) funding and reprogramming of previous years unspent funding. ([Council Communication No. 18-291](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[18-0998](#) 41. [Metropolitan](#) Planning Organization (MPO) Work Plan and Assessment for Fiscal Year 2019. ([Council Communication No. 18-290](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [18-0999](#) 42. [Memorandum](#) of Understanding (MOU) with Iowa State University for research and development of solutions to problems facing the community. ([Council Communication No. 18-281](#)) **Moved by Mandelbaum to continue to the June 25, 2018 Council meeting. Motion Carried 7-0.**
- [18-1000](#) 43. [Memorandum](#) of Understanding (MOU) extension with the Institute for Market Transformation and the Natural Resources Defense Council, Inc. for the City Energy Project and approving a new grant agreement. ([Council Communication No. 18-280](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1001](#) 44. [Memorandum](#) of Understanding (MOU) with the National Recreation and Park Association (NRPA) for acceptance of a \$30,000 Play Spaces grant award for Belle Turner Park Improvements. ([Council Communication No. 18-282](#)) **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [18-1002](#) 45. [Communication](#) from Downtown Community Alliance, on behalf of the Meredith Corporation, requesting approval for up to 14 banners to be displayed on 7 poles between 18th and 15th Street, in summer and autumn, 2018. **Moved by Gatto to receive, file and approve. Motion Carried 7-0.**
- [18-1003](#) 46. [Communication](#) from Downtown Community Alliance, on behalf of the Greater Des Moines Partnership, requesting approval for up to 40 banners to be displayed on 20 poles in Western Gateway Park and Locust Street Bridge. **Moved by Gatto to receive, file and approve. Motion Carried 7-0.**
- [18-1004](#) 47. [Proposal](#) and authority to enter into an agreement with EMC Risk Services, LLC (Bruce Kelley, CEO) to provide services related to the administration of workers' compensation claims for the period July 1, 2018 through June 30, 2021 with three one-year options to renew. ([Council Communication No. 18-279](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1005](#) 48. [Recommendation](#) to amend the contract for mowing and trimming services with Hyde Mowing & Snow Removal (Sharon Hyde, Owner) removing the South Region and awarding Beautiful Lawns by Longs (Brandon Long, Owner) for the South Region. ([Council Communication No. 18-283](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

49. Purchases from the following:

- [18-1006](#) (A) [Keltex](#) Inc. (Kelly Milligan, CEO) for Police vehicle emergency response equipment per State of Iowa Contract for use by the Police Department, \$89,299.29. ([Council Communication No. 18-277](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1007](#) (B) [Menards](#) for blanket purchase orders of miscellaneous building materials and supplies being purchased during fiscal year 2019 per State of Iowa Contract for use by the Public Works Department, estimated annual cost \$105,000. ([Council Communication No. 18-276](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [18-1008](#) (C) [Gradall](#) Industries, Inc. (Mike Hoverman, President) to supply and install sewer cleaning and maintenance equipment on an existing City truck chassis per National Joint Powers Alliance Contract for use by the Public Works Department, \$271,337. ([Council Communication No. 18-278](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1009](#) 50. [Civil](#) Service Entrance lists for Parks and Recreation Supervisor and WRF Operations Supervisor and promotional list for Fire Medic. **Moved by Gatto to receive and file. Motion Carried 7-0.**
- [18-1010](#) 51. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of June 11 and June 18, 2018; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of June 11 and June 18, 2018; and to draw checks for biweekly payroll due on June 22, 2018. **Moved by Gatto to adopt. Motion Carried 7-0.**

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

ORDINANCES - FIRST CONSIDERATION

- [18-1011](#) 52. [Amending](#) Chapter 114 of the Municipal Code regarding traffic regulation changes as follows: ([Council Communication No. 18-303](#)) **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- (A) Designation of parking spaces for City employees on vacated Elm Street and in the new parking lot south of the Police Station.
- (B) Removal of on-street parking on the south side of Osceola Avenue from E. 9th Street to E. 12th Street.
- (C) Designating E. Walnut Street from E. 14th Street to E. 18th Street as a snow route.
- (D) Extending No Parking restriction for northbound right-turn lane on 6th Avenue at School Street.
- (E) Code Change related to the rededication of E. Market Street as public right-of-way.

[18-1012](#)

- (F) Final consideration of ordinance above, requires six votes. **Moved by Gatto that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#15,670](#). Motion Carried 7-0.**

[18-1013](#)

53. [Amending](#) Chapter 46 of the Municipal Code regarding sale of Consumer Fireworks and permits required. **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[18-1014](#)

- (A) [Final](#) consideration of ordinance above (waiver requested by Legal Department), requires six votes. **Moved by Gatto that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#15,671](#). Motion Carried 7-0.**

COUNCIL REQUESTS

- [18-1015](#) 54. [From](#) Council Member Josh Mandelbaum, to speak regarding the Plan and Zoning Commission. **Moved by Gatto to receive and file comments and document presented; refer to the City Manager to schedule a work session in July regarding gender balance and other items regarding Boards and Commissions. Motion Carried 7-0.**

APPROVING

55. Number not used.

- [18-1016](#) 56. [Accepting](#) Development Proposal from Nelson Development 1, LLC, to purchase and develop City-owned property at 418 E. Grand Avenue in the Metro Center Urban Renewal Area, and setting date of public hearing, (7-23-18). ([Council Communication No. 18-294](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [18-1017](#) (A) [Setting](#) date of public hearing to discuss entering into and the proposal to take action on entering into a parking lease agreement with Nelson Development 1, LLC for the use of parking ramp to be located at 418 E. Grand Avenue, (7-23-18). **Moved by Gatto to adopt. Motion Carried 7-0.**

- [18-1018](#) 57. [Review](#) of Zoning Board of Adjustment decision granting use variance to allow a tire repair shop located at 2200 Easton Boulevard, subject to conditions. ([Council Communication No. 18-285](#)) **Moved by Westergaard to receive and file the staff report and comments received, and to adopt alternative C. (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. Motion Carried 7-0.**

HEARINGS (OPEN AT 5:04 P.M.) (ITEMS 58 THRU 68)

58. Items regarding request from Summer Yee Song, for property at 4750 SW 31st Street:

[18-1019](#)

(A) [To](#) amend the existing PlanDSM: Creating Our Tomorrow Plan future land use designation from Business Park to Low Density Residential, to allow for rezoning to Limited “R1-80” (One-Family Residential) and development of a single-family dwelling. **Moved by Mandelbaum to adopt and approve the proposed amendment. Motion Carried 7-0.**

[18-1020](#)

(B) [Hearing](#) to rezone property from “M-3” (Limited Industrial) to Ltd. “R1-80” (One-Family Residential) **Moved by Mandelbaum to adopt. Motion Carried 7-0.**

[18-1021](#)

(C) [First](#) consideration of ordinance above. **Moved by Mandelbaum that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[18-1022](#)

(D) [Final](#) consideration of ordinance above (waiver requested by applicant), requires six votes. **Moved by Mandelbaum that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#15,672](#). Motion Carried 7-0.**

[18-1023](#)

59. [Dismissing](#) the hearing for approval of documents for vacation of portions of 5th Avenue and alley right-of-way and conveyance of a permanent easement for subsurface building encroachment on City-owned property and a permanent easement for air space above City-owned property to 5th and Walnut Parking LLC, \$38,630. ([Council Communication No. 18-297](#)) **Moved by Boesen to adopt. Motion Carried 6-0. Council Member Mandelbaum abstains from voting based on an appearance of a conflict of interest.**

[18-1024](#)

(A) [Setting](#) date of hearing on approval of documents for vacation of portions of 5th Avenue right-of-way and alley right-of-way all adjoining 422 Walnut Street and conveyance of a Permanent Easement for Subsurface Building Encroachment to 5th and Walnut Parking, LLC, for \$7,590, (6-25-18). **Moved by Boesen to adopt. Motion Carried 6-0. Council Member Mandelbaum abstains from voting based on an appearance of a conflict of interest.**

60. Items regarding request from Orton Development Company, LLC for property adjoining 215 SW 9th Street: ([Council Communication No. 18-301](#))

[18-1025](#)

(A) [Recommendation](#) from Plan and Zoning Commission regarding request for vacation of an irregular portion of the east/west alley, to allow the property to be assembled for redevelopment with a six-story multiple-family residential dwelling, subject to conditions. **Moved by Mandelbaum to receive and file the communication from the Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**

[18-1026](#)

(B) [Hearing](#) on vacation of a portion of the east-west alley right-of-way lying south of and adjoining 215 SW 9th Street, and conveyance of said vacated alley and the excess City property located at 215 SW 9th Street to Orton Development Company, LLC, \$320,312. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**

[18-1027](#)

(C) [First](#) consideration of vacation ordinance above. **Moved by Mandelbaum that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[18-1028](#)

(D) Final consideration of ordinance above, requires six votes. **Moved by Mandelbaum that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#15,673](#). Motion Carried 7-0.**

[18-1029](#)

61. [On](#) issuance of not to exceed \$7,140,000 General Obligation Bonds of the City of Des Moines, for Essential Corporate Purposes. **Moved by Gatto to adopt. Motion Carried 7-0.**

[18-1030](#)

(A) [Authorization](#) for additional action. **Moved by Gatto to adopt. Motion Carried 7-0.**

[18-1031](#)

62. [On](#) authorization of a loan and disbursement agreement, and issuance of not to exceed \$23,500,000 Sewer Revenue Capital Loan Notes. **Moved by Boesen to adopt. Motion Carried 7-0.**

[18-1032](#)

(A) [Authorization](#) for additional action. **Moved by Boesen to adopt. Motion Carried 7-0.**

[18-1033](#)

63. [On](#) issuance of not to exceed \$71,700,000 Stormwater Management Utility Revenue Capital Loan Notes. **Moved by Boesen to adopt. Motion Carried 7-0.**

[18-1034](#)

(A) [Authorization](#) for additional action. **Moved by Boesen to adopt. Motion Carried 7-**

0.

- [18-1035](#) 64. **On** approval of documents for vacation of subsurface rights in a portion of E. Grand Avenue right-of-way and a portion of E. 2nd Street right-of-way all adjoining 111 E. Grand Avenue and conveyance of a permanent easement for subsurface building encroachments on City-owned property to 111 East Grand, LLC, \$12,345. ([Council Communication No. 18-296](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1036](#) (A) **First** consideration of ordinance above. **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [18-1037](#) (B) **Final** consideration of ordinance above (waiver requested by applicant), requires six votes. **Moved by Gatto that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #15,674. Motion Carried 7-0.**
- [18-1038](#) 65. **On** intent to acquire property for public improvement purposes and to authorize acquisition of the necessary property interests from various property owners for the Little Four Mile Trunk Sanitary Sewer Project. ([Council Communication No. 18-286](#)) **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [18-1039](#) 66. **On** SE 4th and Van Buren Storm Water Pump Station Improvements: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Cramer and Associates Inc. (Robert Cramer, President/CAO), \$6,878,381.50. ([Council Communication No. 18-305](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1040](#) (A) **Approving** contract and bond and permission to sublet. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1041](#) (B) **Approving** Supplemental Agreement No. 2 to the Professional Services Agreement with HR Green, Inc., not to exceed \$336,000. ([Council Communication No. 18-302](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[18-1042](#) 67. On Hubbell Avenue and University Avenue Intersection Improvements: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Hawkeye Paving Corporation (Anthony L. Perkins, President), \$170,665. ([Council Communication No. 18-295](#)) **Moved by Westergaard to adopt. Motion Carried 7-0.**

[18-1043](#) (A) Approving contract and bond, and permission to sublet. **Moved by Westergaard to adopt. Motion Carried 7-0.**

[18-1044](#) 68. On Tower Park and Sheridan Park Water Playgrounds: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Minturn, Inc. (Clinton M. Rhodes, President), \$562,988. ([Council Communication No. 18-304](#)) **Moved by Gray to adopt. Motion Carried 7-0.**

[18-1045](#) (A) Approving contract and bond and permission to sublet. **Moved by Gray to adopt. Motion Carried 7-0.**

****END HEARINGS AT 5:24 PM****

[18-1046](#) MOTION TO ADJOURN. **Moved by Coleman to adjourn at 5:56 PM. Motion Carried 7-0.**

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