



**\*\*\* 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 '19-' 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**

September 9, 2019  
4:30 PM

**INVOCATION:** Council Member Westergaard

- [19-1362](#) 1. ROLL CALL: **Present: Cownie, Boesen, Coleman, Gatto, Gray, Mandelbaum and Westergaard.**
- [19-1363](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1364](#) 3. APPROVING CONSENT AGENDA \* – items 3 through 56: **Moved by Boesen 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

[19-1365](#)

4. [Approving](#) Alcoholic Beverage License Applications for the following: **Moved by Boesen to adopt all except items 4GG, 4HH and 4II. Motion Carried 7-0. Moved by Gray to adopt items 4GG, 4HH and 4II. Motion Carried 7-0.**

### NEW APPLICATIONS

|                |                                      |                              |                     |
|----------------|--------------------------------------|------------------------------|---------------------|
| <del>(A)</del> | <del>CLYDES FINE DINER</del>         | <del>111 E GRAND AVE</del>   | <del>C Liquor</del> |
| (B)            | FAIRFIELD INN & SUITES               | 207 CROCKER ST               | C Liquor            |
| (C)            | GAS LAMP                             | 1501 GRAND AVE               | C Liquor            |
| <del>(D)</del> | <del>GOAT BURGER JOINT</del>         | <del>300 W MLK JR PKWY</del> | <del>C Liquor</del> |
| <del>(E)</del> | <del>KATHMANDU BAR &amp; GRILL</del> | <del>4121 SE 14TH ST</del>   | <del>C Liquor</del> |
| (F)            | ONE STAR BAR                         | 209 4TH ST                   | C Liquor            |
| (G)            | XBK                                  | 1159 24TH ST                 | C Liquor            |

### RENEWAL APPLICATIONS

|      |                          |                   |             |
|------|--------------------------|-------------------|-------------|
| (H)  | 1908 DRAUGHT HOUSE       | 409 COURT AVE     | C Liquor    |
| (I)  | AMERICAN OUTLAWS         | 214 3RD ST        | C Liquor    |
| (J)  | ARUGULA AND RYE          | 5800 FLEUR DR     | C Liquor    |
| (K)  | CASEYS #2314             | 3527 INDIANOLA    | C Beer      |
| (L)  | CEVICHE                  | 223 E WALNUT ST   | C Liquor    |
| (M)  | CVS PHARMACY #10162      | 3151 SE 14TH ST   | E Liquor    |
| (N)  | DRAKE UNIVERSITY- LEVITT | 2507 UNIVERSITY   | C Beer/Wine |
| (O)  | GUCKENHEIMER - KEMIN     | 1900 SCOTT AVE    | C Liquor    |
| (P)  | HY VEE MARKET CAFE #3    | 3221 SE 14TH ST   | C Liquor    |
| (Q)  | INDIA STAR               | 5514 DOUGLAS AVE  | C Beer/Wine |
| (R)  | KUM & GO #120 *(1)       | 6304 SW 9TH ST    | C Beer      |
| (S)  | KUM & GO #536            | 1300 KEOSAUQUA    | C Beer      |
| (T)  | LA HACIENDA DOWNTOWN     | 525 E GRAND AVE   | C Liquor    |
| (U)  | MARS CAFE                | 2318 UNIVERSITY   | C Beer/Wine |
| (V)  | VIVA MEXICAN RESTAURANT  | 6101 GRAND AVE    | C Liquor    |
| (W)  | WALGREENS #359           | 2545 E EUCLID AVE | E Liquor    |
| (X)  | WALGREENS #4714          | 4555 FLEUR DR     | E Liquor    |
| (Y)  | WALGREENS #5362          | 1330 E UNIVERSITY | E Liquor    |
| (Z)  | WALGREENS #5721          | 3140 SE 14TH ST   | E Liquor    |
| (AA) | WALGREENS #5777          | 2930 E UNIVERSITY | E Liquor    |
| (BB) | WALGREENS #5852 *(1)     | 3030 UNIVERSITY   | E Liquor    |
| (CC) | WALGREENS #7452          | 4415 DOUGLAS AVE  | E Liquor    |
| (DD) | WALGREENS #7453          | 104 E EUCLID AVE  | E Liquor    |
| (EE) | WALGREENS #7833          | 3501 INGERSOLL    | E Liquor    |
| (FF) | WALGREENS #7968          | 6200 SE 14TH ST   | E Liquor    |

### OUTDOOR SERVICE APPLICATIONS

|       |                     |                 |          |
|-------|---------------------|-----------------|----------|
| *(GG) | CHRISTOPHERS DINING | 2816 BEAVER AVE | C Liquor |
|-------|---------------------|-----------------|----------|

Temporary in conjunction with Beaverdale Fall Festival on September 20 – 21, 2019.

\*(HH) GOODSONS 2815 BEAVER AVE C Liquor  
Temporary in conjunction with Beaverdale Fall Festival on September 20 – 21, 2019.

\*(II) SAINTS PUB + PATIO 4041 URBANDALE C Liquor  
Temporary in conjunction with Beaverdale Fall Festival on September 20 – 21, 2019.

### SPECIAL EVENT APPLICATIONS

(JJ) CATER 2 U 3000 E GRAND AVE Five (5) Day License  
Class C Liquor License for a wedding reception on September 21, 2019.

(KK) DES MOINES ART CENTER 1459 GRAND AVE Five (5) Day License  
Class C Liquor License for a fundraiser on September 28, 2019. Pending approval of Building Department.

(LL) DES MOINES OKTOBERFEST 103 4TH ST Five (5) Day License  
Class C Liquor License for annual festival on September 27 – 28, 2019.

(MM) GRUMPY GOAT TAVERN 1303 WALNUT ST Five (5) Day License  
Class B Beer License for Wheels on Walnut on September 11, 2019.

(NN) IOWA CRAFT BEER TENT 313 WALNUT ST Five (5) Day License  
Class B Beer License for Touchdown Tailgate on September 14, 2019.

(OO) POLK COUNTY DEMOCRATS 2201 GEORGE FLAGG Five (5) Day License  
Class B Beer License for Polk County Steak Fry on September 21, 2019. Pending approval of Zoning Department.

(PP) SALISBURY HOUSE 4025 TONAWANDA Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for Home Ditty concert on September 15, 2019. Pending approval of Building Department.

(QQ) ST AUGUSTINS CHURCH 545 42ND ST Five (5) Day License  
Class C Liquor License for KC Smoker Poker Fundraiser on September 21, 2019.

(RR) THIRSTY PIGS 313 WALNUT ST Five (5) Day License  
Class B Beer License for IMT Des Moines Monument Mile on September 19, 2019.

(SS) WORLD FOOD & MUSIC 451 12TH ST Five (5) Day License  
Class C Liquor License for festival on September 20 – 22, 2019.

(TT) WORLD FOOD & MUSIC 1311 LOCUST ST Five (5) Day License  
Class C Liquor License for festival on September 20 – 22, 2019.

(UU) WORLD FOOD & MUSIC 1310 GRAND AVE Five (5) Day License  
Class C Liquor License for festival on September 20 – 22, 2019.

[19-1366](#)

5. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits. **Moved by Boesen to adopt. Motion Carried 6-1. Nays: Cownie.**

- [19-1367](#) 6. [City Clerk](#) to issue Coin Operated Machine Licenses. **Moved by Boesen to adopt. Motion Carried 7-0.**

## **PUBLIC IMPROVEMENTS**

- [19-1368](#) 7. [Ordering](#) construction of 519 Foster Drive Landslide Roadway Repair: Receiving of bids, (9-24-19), Setting date of hearing, (10-14-19). Engineer's estimate, \$1,287,000. ([Council Communication No. 19-396](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

- [19-1369](#) 8. [Approving](#) Professional Services Agreement with Felsburg, Holt & Ullevig Inc. for 18<sup>th</sup> Street Improvements from Ingersoll Avenue to Locust Street, not to exceed \$75,510. ([Council Communication No. 19-386](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

- [19-1370](#) 9. [Approving](#) Change Order No. 2 with J&K Contracting, LLC (Jeremy Feldmann, President) for additional work on Lower Oak and Highland Park Sewer Separation Phase 3, not to exceed \$183,412.64. ([Council Communication No. 19-397](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

- [19-1371](#) 10. [Approving](#) Private Construction Contract between Concrete Technologies, Inc. and Bloomfield Acres, LLC for Paving Improvements in Grandview Meadows (4300 block of Grandview Avenue). **Moved by Boesen to adopt. Motion Carried 7-0.**

- [19-1372](#) 11. [Approving](#) completion and acceptance of the signals improvements on 7<sup>th</sup> and 8<sup>th</sup> Streets between High and Park Streets set forth and constructed pursuant to said private construction contract between Baker Electric, Inc. and Principal Life Insurance Company. **Moved by Boesen to adopt. Motion Carried 7-0.**

- [19-1373](#) 12. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects. **Moved by Boesen to adopt. Motion Carried 7-0.**

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

- [19-1374](#) (A) [2018-2019 Expanded Street Resurfacing Program](#) – Contract 1, Grimes Asphalt and Paving Corporation. **Moved by Boesen to adopt. Motion Carried 7-0.**

- [19-1375](#) (B) [2018 Sewer Lining Program](#), Visu-Sewer, Inc. **Moved by Boesen to adopt. Motion Carried 7-0.**

- [19-1376](#) (C) [9<sup>th</sup>](#) and Locust Parking Garage Skywalk Renovation, Henkel Construction Company. **Moved by Boesen to adopt. Motion Carried 7-0.**

- [19-1377](#) (D) [63<sup>rd</sup>](#) Street and Creston Avenue Traffic Signals, Iowa Signal Inc. **Moved by Boesen to adopt. Motion Carried 7-0.**

[19-1378](#) (E) [Four](#) Mile Community Center Window Replacement, JPG Company, LLC. **Moved by Boesen to adopt. Motion Carried 7-0.**

[19-1379](#) (F) [Hubbell](#) Avenue and University Avenue Intersection Improvements, Hawkeye Paving Corporation. **Moved by Boesen to adopt. Motion Carried 7-0.**

#### SPECIAL ASSESSMENTS

[19-1380](#) 14. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2019-09. **Moved by Boesen to adopt. Motion Carried 7-0.**

[19-1381](#) 15. [Levying](#) assessments for costs of Public Works Sewer Repair Schedule No. 2019-02. **Moved by Boesen to adopt. Motion Carried 7-0.**

[19-1382](#) 16. [Deletion](#) of rental inspection assessment at 1425 17<sup>th</sup> Street. **Moved by Boesen to adopt. Motion Carried 7-0.**

[19-1383](#) 17. [Deletion](#) of NAC-Emergency Assessment at 1515 4<sup>th</sup> Street. **Moved by Boesen to adopt. Motion Carried 7-0.**

#### BOARDS/COMMISSIONS/NEIGHBORHOODS

[19-1384](#) 18. [Recertification](#) of Recognized Neighborhoods. ([Council Communication No. 19-385](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

[19-1385](#) 19. [Communication](#) from Dave Ferree advising of his resignation from the Transportation Safety Committee, Seat 4, effective immediately. **Moved by Boesen to receive, file and accept resignation with appreciation for his service. Motion Carried 7-0.**

[19-1386](#) 20. [Recommendation](#) from Council Member Gray to appoint Tom DeSio to the Transportation Safety Committee, Seat 4, for the three-year term commencing December 31, 2018 to December 31, 2021. **Moved by Gray to adopt. Motion Carried 7-0.**

[19-1387](#) 21. [Communication](#) from Aaron Todd advising of his resignation from the Historic Preservation Commission, Seat 12, effective immediately. **Moved by Boesen to receive, file and accept resignation with appreciation for his service. Motion Carried 7-0.**

- [19-1388](#) 22. [Recommendation](#) from Mayor Cownie to appoint Evan Herlocker to the Historic Preservation Commission, Seat 12, for the three-year term commencing February 3, 2018 to February 3, 2021. **Moved by Boesen to adopt. Motion Carried 7-0.**
- [19-1389](#) 23. [Resolution](#) switching the required qualifications for holding Seats 4 and 8 on the Urban Design Review Board. **Moved by Boesen to adopt. Motion Carried 7-0.**
- [19-1390](#) 24. [Communication](#) from Breanne Barnum advising of her resignation from the Urban Design Review Board, Seat 8, effective immediately. **Moved by Boesen to receive, file and accept resignation with appreciation for her service. Motion Carried 7-0.**
- [19-1391](#) 25. [Recommendation](#) from Council Member Gray to appoint Michelle Huggins to the Urban Design Review Board, Seat 8, for the three-year term commencing June 30, 2019 to June 30, 2022. **Moved by Boesen to adopt. Motion Carried 7-0.**
- [19-1392](#) 26. [Communication](#) from Kelli Todd advising of her resignation from the Sister Cities Commission, Seat 9, effective immediately. **Moved by Boesen to receive, file and accept resignation with appreciation for her service. Motion Carried 7-0.**
- [19-1393](#) 27. [Recommendation](#) from Council Member Westergaard to reappoint Steve Wallace to the Plan and Zoning Commission, Seat 10, for a five-year term commencing July 5, 2019 to expire July 5, 2024. **Moved by Boesen to adopt. Motion Carried 7-0.**

#### COMMUNICATIONS FROM PLANNING AND ZONING

- [19-1394](#) 28. [Regarding](#) request from HRC NFS I, LLC (Ashley Aust, Officer) for vacation of a segment of air rights and subsurface rights in Tuttle Street and SW 12<sup>th</sup> Street adjoining property at 1170 and 1210 Tuttle Street to provide for encroachments of balconies and subsurface footings for the “Fusion East” and “Fusion West” multiple-family dwellings. **Moved by Boesen 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.**

#### SETTING DATE OF HEARINGS

- [19-1395](#) 29. [On](#) vacation of a portion of E. 5<sup>th</sup> Street right-of-way lying east of and adjoining 120 E. 5<sup>th</sup> Street and conveyance of a permanent easement for building encroachment to the Des Moines Heritage Trust (Timothy Waddell, President), \$1,730, (9-23-19). **Moved by Boesen to adopt. Motion Carried 7-0.**
- [19-1396](#) 30. [On](#) vacation of the east-west alley right-of-way lying north of and adjoining 901 Walnut Street and lease to Des Moines Independent Community School District to allow placement of access control gates, (9-23-19). **Moved by Boesen to adopt. Motion Carried 7-0.**

- [19-1397](#) 31. **On** City-initiated request to rezone 720, 727 and 730 E. 2<sup>nd</sup> Street, 827-861 E. 2<sup>nd</sup> Street, 205-221 Maple Street, 350 Maple Street, 101-284 E. Center Street, 832-848 E. 4<sup>th</sup> Street, 225 E. Center Street and 200 Des Moines Street from “D-R” (Downtown Riverfront) to “PUD” (Planned Unit Development) and approve Bridge District PUD Conceptual Plan to create a unified PUD Zoning District for the previously approved Velocity, Bridge District I, II and III projects including 121 existing and future row dwelling units within “The Banks”, 243 existing multiple-family dwelling units within the “Verve” and “Velocity” buildings, and 114 future multiple family dwelling units within the 5-story “Level” building, (9-23-19). **Moved by Boesen to adopt. Motion Carried 7-0.**
- [19-1398](#) 32. **On** City-initiated request to rezone property in the vicinity of 150 E. County Line Road to correct scrivener’s errors in the existing Ltd. “R1-60” (One-Family Low-Density Residential) by amending certain rezoning conditions and the Acceptance of Rezoning conditions, (9-23-19). **Moved by Boesen to adopt. Motion Carried 7-0.**
- [19-1399](#) 33. **On** request from J Larson Homes, LLC (John Larson, Officer) for a First Amendment to the “Three Lakes Estates Phase II” PUD Conceptual Plan for property in the vicinity of 3001 block of E. Army Post Road, to allow reconfiguration of the proposed public street layout for development of 80 lots for single-family semi-detached dwellings and 200 lots for single-family dwellings, (9-23-19). **Moved by Boesen to adopt. Motion Carried 7-0.**
- [19-1400](#) 34. **On** consideration of a license agreement with 1817 Euclid, LLC (Jeff Harclerode, Member) for access along a portion of excess City property located east of and adjoining 1817 Euclid Avenue, (9-23-19). **Moved by Boesen to adopt. Motion Carried 7-0.**
35. Number not used.
- [19-1401](#) 36. **On** lease agreement with Koch Brothers, Inc. (Richard Koch Jr., President) for the lease of 81 multi-function devices (printer, copier, scanner and facsimile) for use in City operations for a five-year period, not to exceed \$709,391.22, (9-23-19). **Moved by Boesen to adopt. Motion Carried 7-0.**

#### LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [19-1402](#) 37. **Approving** payment to Whitfield and Eddy Law for representation of Police Officer Kyle Thies. **Moved by Boesen to adopt. Motion Carried 7-0.**
- [19-1403](#) 38. **Approving** payment to Duncan, Green, Brown & Langeness Law Firm for representation of Police Officer Cody Grimes. **Moved by Boesen to adopt. Motion Carried 7-0.**
- [19-1404](#) 39. **Approving** payment to Ahlers & Cooney, PC regarding legal services. **Moved by Boesen to adopt. Motion Carried 7-0.**
- [19-1405](#) 40. **Approving** payment to Des Moines Transload Services regarding a civil lawsuit. **Moved by Boesen to adopt. Motion Carried 7-0.**



## APPROVING

- [19-1406](#) 41. [2019](#) U.S. Department of Housing and Urban Development (HUD) Continuum of Care Program Application. ([Council Communication No. 19-383](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [19-1407](#) 42. [Issuance](#) of partial Certificate of Completion to RE3, LLC (Tim Rypma, Member) for redevelopment of 440 E. Grand Avenue. **Moved by Boesen to adopt. Motion Carried 7-0.**
43. Items regarding the Gray's Landing Project:
- [19-1408](#) (A) [Approving](#) First Amendment to Contract for Loan Guarantee Assistance with the U.S. Department of Housing and Urban Development regarding the Section 108 Loan used. ([Council Communication No. 19-387](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**
- [19-1409](#) (B) [Ratifying](#) Third Amended and Restated Urban Renewal Development Agreement with River Point West LLC (George Sherman, President). ([Council Communication No. 19-388](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**
- WITHDRAWN
- [19-1410](#) 44. ~~[Forbearance](#) Agreement with Zen Restaurants, LLC (Michael R. Hutchinson, Member). ([Council Communication No. 19-389](#))~~
- [19-1411](#) 44-I [Economic](#) development grant to the Greater Des Moines Partnership to assist the proposed location and development of a downtown year-around farmers market. **Moved by Coleman to adopt; refer to the City Manager and City Attorney to make two amendments to the development agreement to accommodate a change in use of the building and to have the Mayor appoint one person to the board. Motion Carried 7-0.**
- [19-1412](#) 45. [Agreement](#) with Iowa Department of Transportation for Iowa's Volkswagen Settlement Environmental Mitigation Trust Program for reimbursement funds for City fleet vehicles and equipment replacements. ([Council Communication No. 19-394](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**
- [19-1413](#) 46. [Temporary](#) closing of E. 40<sup>th</sup> Street from the Gay Lea Wilson Trail to Osceola Avenue, Osceola Avenue from E. 40<sup>th</sup> to E. 41<sup>st</sup> Street and E. 41<sup>st</sup> Street from Indianapolis to Osceola Avenue to regular vehicular travel until December 31, 2019. ([Council Communication No. 19-398](#)) **Moved by Boesen to approve. Motion Carried 7-0.**



[19-1414](#)

47. [Donation](#) and Construction Agreement with Rebuilding Together Greater Des Moines, Inc. d/b/a Rebuilding Together regarding Ashby Park Playground, 3200 38<sup>th</sup> Street. ([Council Communication No. 19-380](#)) **Moved by Westergaard to adopt. Motion Carried 7-0.**

WITHDRAWN

[19-1415](#)

48. ~~[Blighted](#) Property Rehabilitation Program Agreement with Anchor Investment Group, LLC (Ross Crump, Head of Acquisitions) for new infill construction at 240 E. Livingston Avenue in the Columbus Park Special Investment District. ([Council Communication No. 19-384](#))~~

[19-1416](#)

49. [Renaming](#) the street, Sterling Trace to Sterling Trace Circle within Sterling Trace Plat 1. **Moved by Boesen to adopt. Motion Carried 7-0.**

[19-1417](#)

50. [Submittal](#) of Fiscal Year 2020 State of Iowa Certified Local Government Grant Application for support in the creation of an Owl's Head Historic District Book. ([Council Communication No. 19-391](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

[19-1418](#)

51. [Amendments](#) to the Civil & Human Rights Commission Rules and Regulations. ([Council Communication No. 19-379](#)) **Moved by Coleman to adopt; refer to the City Manager to keep the Council informed of any interdepartmental issues. Motion Carried 7-0.**

52. Purchases from the following:

[19-1419](#)

- (A) [Kiesler](#) Police Supply, Inc. (Doug Kiesler, CEO) for ammunition for use by the Police Department, \$169,120. (Twenty-two (22) potential bidders, one compliant bid received). **Moved by Mandelbaum to adopt; refer to the City Manager and City Attorney to develop a policy for future RFP's for vendors who provide ammunition, seeking information regarding any ATF violations and sales of high-capacity magazines. Motion Carried 7-0.**

[19-1420](#)

- (B) [Stew](#) Hansen Dodge City (Dan Boettcher, General Manager) for one (1) mid-size SUV for use by the Parks & Recreation Department and one (1) 3/4 ton extended length cargo van for use by the Facilities Department, \$54,543; Dewey Ford (Dan Boettcher, General Manager) for two (2) one-ton pickup cabs and chassis for use by the Engineering Department, \$73,074; Stivers Ford (Scott Politte, General Manager) for two (2) 3/4 ton 4X4 pickup trucks for use by the Parks & Recreation Department, \$55,717; and Karl Chevrolet (Karl Moyer, Owner) for one (1) 3/4 ton cargo van for use by the Facilities Division, \$25,306.85. Total replacement cost \$208,640.85. ([Council Communication No. 19-395](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

[19-1421](#)

- (C) [Exemption](#) from procurement ordinance competitive bidding requirements for Honeywell First Responder Products (John Waldron, President & CEO) for the replacement of fire coats and pants for use by the Fire Department, \$191,000. ([Council Communication No. 19-382](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

- [19-1422](#) 53. [Exception](#) to the procurement ordinance for competitive bidding for good cause shown and approving the purchase of truck body equipment from Truck Equipment, Inc. (Terry Wieseler, President) including an aerial lift, service body, and accessories installed on a City-owned chassis for an additional sign maintenance truck for use by the Traffic and Transportation Division of the Engineering Department, \$101,907. ([Council Communication No. 19-392](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**
- [19-1423](#) 54. [Civil](#) Service Entrance Lists for Economic Development Coordinator, Housing Services Application Specialist and GIS Analyst and Promotional Lists for Senior Engineering Technician and Plant Field Worker. **Moved by Boesen to receive and file. Motion Carried 7-0.**
55. Fund transfer resolution of the City of Des Moines for the following:
- [19-1424](#) (A) [Fiscal](#) year 2019. **Moved by Boesen to adopt. Motion Carried 7-0.**
- [19-1425](#) (B) [Fiscal](#) year 2020. **Moved by Boesen to adopt. Motion Carried 7-0.**
- [19-1426](#) 56. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of September 9 and 16, 2019; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of September 9 and 16, 2019; and to draw checks for biweekly payroll due September 13, 2019. **Moved by Boesen to adopt. Motion Carried 7-0.**

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

**ORDINANCES - FIRST CONSIDERATION**

- [19-1427](#) 57. [Amending](#) Chapter 34 of the Municipal Code regarding municipal cemeteries. ([Council Communication No. 19-381](#)) **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [19-1428](#) (A) 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, #15,801. Motion Carried 7-0.**

**COUNCIL REQUESTS**

- [19-1429](#) 57-I [From](#) Council Member Joe Gatto to direct staff to draft an ordinance amendment regarding notification of street closures for special events. **Moved by Gatto to receive and file comments; refer to the City Manager and City Attorney to prepare an ordinance. Motion Carried 7-0.**

## COMMUNICATIONS/REPORTS

### WITHDRAWN

- [19-1430](#) 58. ~~[From](#) Spencer Burton, 3930 52<sup>nd</sup> Street, to speak regarding City fireworks laws.~~
- [19-1431](#) 59. [From](#) Joe Grandanette, 6215 Gordon Avenue, to speak regarding neighborhoods and businesses. **Moved by Coleman to receive and file comments. Motion Carried 7-0.**
- [19-1432](#) 60. [From](#) David Houston/Homes 4 My Peeps, P.O. Box 8206, to speak regarding City ordinance and Blitz on Blight. **Moved by Gatto to receive and file. Mr. Houston did not speak. Motion Carried 7-0.**
- [19-1433](#) 61. [From](#) Jamie Smith and Jen Peterson, to speak regarding the “Sump Pump Policy” for 47<sup>th</sup> and Holcomb. **Moved by Gray to receive and file. Smith and Peterson did not speak. Motion Carried 7-0.**
- [19-1434](#) 62. [From](#) Milton Sudbrock, 3021 Dean Avenue, to speak regarding flooding on Dean Avenue. **Moved by Gray to receive and file. Mr. Sudbrock did not speak. Motion Carried 7-0.**

### APPROVING

- [19-1435](#) 63. [Appointment](#) of Megan Norberg as an Assistant City Attorney to fill a vacancy due to a resignation within the Litigation Division of the Legal Department. **Moved by Boesen to adopt. Motion Carried 7-0.**
- [19-1436](#) 64. [Initial](#) Operating Contract with Invest DSM, Inc. ([Council Communication No. 19-399](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1437](#) 65. [28E](#) Agreement with the Des Moines Independent Community School District to provide fueling, maintenance and repair services for school district vehicles and equipment. ([Council Communication No. 19-393](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

**HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 66 THRU 70)**

66. On appeal by Mitch Coluzzi from the conditional grant of an application for a Certificate of Appropriateness, denying a request to demolish a building located at 1308 9<sup>th</sup> Street, in the River Bend Historic Neighborhood District: ([Council Communication No. 19-390](#))

WITHDRAWN

[19-1438](#)

- (A) [Remand](#) the decision.

[19-1439](#)

- (B) [Affirm](#) the decision. **Moved by Gray to adopt. Motion Carried 7-0.**

[19-1440](#)

67. [On](#) conveyance of an underground electric easement in City property located at 5550 SE 19<sup>th</sup> Street (Ewing Park) to MidAmerican Energy Company. **Moved by Gatto to adopt. Motion Carried 7-0.**

[19-1441](#)

68. [On](#) a request from Christensen Properties 1, LLC (Jake Christensen, Officer) to rezone the property located at 610 16<sup>th</sup> Street and 1613 and 1619 High Street from “C-2” (General Retail and Highway-Oriented Commercial) to “NPC” (Neighborhood Pedestrian Commercial) to allow development of six (6) single-family dwellings. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**

[19-1442](#)

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

[19-1443](#)

- (B) [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, #15,802. Motion Carried 7-0.**

[19-1444](#)

69. [On](#) request from Hubbell Realty Company (Joe Pietruszinski, Officer) to amend the Baker PUD Conceptual Plan for the 4500 Block of Hubbell Avenue. **Moved by Westergaard to continue to September 11, 2019 at 12:30 PM and to receive and file comments and documents. Motion Carried 7-0.**

- [19-1445](#) 70. **On** proposed Zoning Ordinance, Planning and Design Ordinance, Citywide Zoning Map Amendment, and revisions to the Des Moines Municipal Code reflecting adoption thereof, and approving temporary moratorium on rezoning applications. ([Council Communication No. 19-400](#)) **Moved by Gatto to adopt; refer to the City Manager to work on these additional amendments for consideration before the end of the year: 1. New Zoning District, to more closely match existing R1-80 and R1-90 districts. 2. Establish criteria for Type 1 Design Alternatives. 3. Short term rental regulations. 4. Expand areas where Accessory Household units are allowed. 5. Quality of allowed vinyl siding. 6. Vinyl requirements for 3-12 unit Multi-Family buildings. Motion Carried 7-0.  
[PlanDSM website](#)      [Proposed Chapters 134 & 135 \(Click under Reports & Plans\)](#)**
- [19-1446](#) (A) **Request** for City-initiated amendment to the existing PlanDSM: Creating Our Tomorrow Plan future land use designation related to adoption of Citywide Zoning Map Amendment, for 23 locations identified in the Council resolution. **Moved by Gatto to adopt and approve the proposed amendments, subject to passage of the ordinance approving the Citywide Zoning Map amendments. Motion Carried 7-0.**
- [19-1447](#) (B) **First** consideration of ordinance amending Municipal Code to repeal existing Chapter 134 and replace with new Chapter 134 - Zoning Ordinance. **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [19-1448](#) (C) **First** consideration of ordinance amending Municipal Code by adding new Chapter 135 – Planning and Design Ordinance. **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [19-1449](#) (D) **First** consideration of ordinance repealing Official Zoning Map of the City of Des Moines and adopting a new Official [Zoning Map](#). **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [19-1450](#) (E) **First** consideration of ordinance amending various sections of the Municipal Code as necessitated by adoption of the proposed Zoning Ordinance and Planning and Design Ordinance. **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [19-1451](#) (F) **Requests** to speak and communications. **Moved by Gatto to receive and file. Motion Carried 7-0.**

\*\*\* END OF HEARINGS AT 9:33 PM \*\*\*

[19-1452](#) MOTION TO ADJOURN. **Moved by Gatto to adjourn at 9:37 PM. Motion Carried 7-0.**