



**\*\*\* 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**

**December 16, 2019**

**4:30 PM**

**Farewell Reception 3:00 – 4:15 PM**

**Great Hall, City Hall**

**Council Member Chris Coleman, At-Large**

**PROCLAMATIONS – 4:15 PM**

**Homeless Persons' Memorial Day**

**Year of the Tree in Des Moines 2020**

**INVOCATION: Council Member Coleman**

[19-1970](#)

1. **ROLL CALL: Present: Cownie, Boesen, Coleman, Gatto, Gray, Mandelbaum and Westergaard.**

[19-1971](#)

- 1-I **Naming of Multi-Use Recreational Trail Bridge between Gray's Lake Park and Gray's Station Development the Chris and Marcie Coleman Bridge. **Moved by Gatto to adopt. Motion Carried 6-0. Council Member Coleman declares a conflict of interest and abstains from voting.****

[19-1972](#)

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

[19-1973](#)

- 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**

[19-1974](#)

- 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 4K, 4L, 4DD and 4EE.**

**NEW APPLICATIONS**

(A)	CLIMAXX	216 COURT AVE	C Liquor
<del>(B)</del>	<del>SCOTTISH RITE PARK</del>	<del>2909 WOODLAND</del>	<del>A Liquor</del>
(C)	SETIT ERITREAN RESTAURANT	508 INDIANOLA RD	C Liquor

**RENEWAL APPLICATIONS**

(D)	801 STEAK & CHOP HOUSE	801 GRAND AVE	C Liquor
(E)	A DONG RESTAURANT	1511 HIGH ST	C Beer/Wine
(F)	AIR LANES	4200 FLEUR DR	C Liquor
(G)	B & B SUPER MARKET	2001 SE 6TH ST	C Beer
(H)	BAILEYS PUB N GRUB	918 E EUCLID AVE	C Liquor
<del>(I)</del>	<del>CHRISTOPHERS DINING</del>	<del>2816 BEAVER AVE</del>	<del>C Liquor</del>
(J)	DES MOINES CLUB	666 GRAND AVE	A Liquor
*(K)	EASYGO	2723 GRAND AVE	C Beer
*(L)	GIT N GO STORE #2	1307 ARMY POST RD	C Beer
(M)	GOLDEN LAND FOOD MARKET	2740 DOUGLAS AVE	C Beer
(N)	HULL AVENUE TAP	834 HULL AVE	C Liquor
(O)	HY VEE C-STORE #3	3215 SE 14TH ST	C Beer
(P)	KUM & GO #2722	2211 UNIVERSITY	C Beer
(Q)	KUM & GO #2731	3104 UNIVERSITY	C Beer
(R)	LA TAPATIA	1440 DES MOINES ST	C Beer
(S)	LA TAPATIA III	4007 SE 13TH ST	C Beer
(T)	LICKETY LIQUOR	2501 HUBBELL AVE	E Liquor
(U)	LOS LAURELES	1518 E GRAND AVE	C Liquor
(V)	MAINGATE BAR AND GRILL	2956 E GRAND AVE	C Liquor
(W)	NOCE	1326 WALNUT ST	C Liquor
(X)	NOW OR LATER RESTAURANT	3750 E UNIVERSITY	C Liquor
(Y)	PAESANOS PIZZERIA	2804 SW 9TH ST	C Beer/Wine
(Z)	PANKA PERUVIAN	2708 INGERSOLL	C Liquor

(AA)	PEACE TREE BREWING CO	317 E COURT AVE	C Liquor
(BB)	PEGGY'S TAVERN	3020 FOREST AVE	C Liquor
(CC)	QUIK TRIP #544	3941 SE 14TH ST	E Liquor
*(DD)	SHOP N SAVE #2	1372 E 14TH ST	E Liquor
*(EE)	SUPER QUICK 2	1824 HUBBELL AVE	E Liquor
(FF)	TANGERINE FOOD CO	900 KEOSAUQUA	C Liquor
(GG)	TEMPLE THEATER	1011 LOCUST ST	C Liquor
(HH)	UNIVERSITY LIBRARY CAFE	3506 UNIVERSITY	C Liquor
(II)	WEST END WINES	22 9TH ST	C Liquor
(JJ)	W-TAO SUSHI	400 WALNUT ST	C Liquor

### SPECIAL EVENT APPLICATIONS

- (KK) YOUR PRIVATE BARTENDER 519 PARK ST Five (5) Day License  
Class C Liquor License for an event on January 5, 2020. Pending approval of Building Department.
- (LL) YOUR PRIVATE BARTENDER 504 E LOCUST ST Five (5) Day License  
Class C Liquor License for an event on January 10, 2020. Pending approval of Building, Electrical and Vice Departments.

[19-1975](#) 4-I [Consideration](#) of 5-day Class C Liquor License for Des Moines Embassy Club, 100 Locust Street, for a reception dinner on January 11, 2020. Pending approval of Building, Electrical, Fire, Police and Zoning Departments. **Moved by Gatto to adopt. Motion Carried 7-0.**

[19-1976](#) 5. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Gatto to adopt. Motion Carried 7-0.**

### PUBLIC IMPROVEMENTS

6. Ordering construction of the following:

[19-1977](#) (A) [Weeks](#) Middle School Park Improvement: Receiving of bids, (1-14-20), Setting date of hearing, (2-10-20). Engineer's estimate, \$917,369. ([Council Communication No. 19-552](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[19-1978](#) (B) [Bell](#) Avenue Reconstruction from South Union Street to SW 9<sup>th</sup> Street: Receiving of bids, (1-14-20), Setting date of hearing, (2-10-20). Engineer's estimate, \$1,580,730. ([Council Communication No. 19-542](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[19-1979](#) (C) [3226](#) University Avenue HVAC Replacement: Receiving of bids, (1-14-20), Setting date of hearing, (2-10-20). Engineer's estimate, \$420,000. ([Council Communication No. 19-540](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [19-1980](#) 7. [Approving](#) Professional Services Agreement with Kirkham Michael & Associates, Inc. for Hamilton Drain Storm Water Improvements, not to exceed \$1,300,000. ([Council Communication No. 19-545](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1981](#) 8. [Approving](#) Professional Services Agreement with Foth Infrastructure and Environment, LLC for Western Ingersoll Sewer Separation, not to exceed \$770,070. ([Council Communication No. 19-553](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1982](#) 9. [Approving](#) Supplemental Agreement No. 1 to the Professional Services Agreement with Snyder & Associates, Inc. for design and construction phase services for 47<sup>th</sup> Street and Holcomb Reconstruction, not to exceed \$42,500. ([Council Communication No. 19-541](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1983](#) 10. [Approving](#) Change Order No. 5 with Jasper Construction Services, Inc. for additional work on Court Avenue, SW 1<sup>st</sup> Street and Scott Avenue Bridge Rehabilitation, \$743,398.21. ([Council Communication No. 19-543](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- WITHDRAWN**
- [19-1984](#) 11. ~~[Approving](#) Private Construction Contract between Baker Electric, Inc. and 5<sup>th</sup> and Walnut Parking, LLC for Traffic Signal Improvements in 420 Walnut Street.~~
12. Approving completion and acceptance of Private Construction Contracts between the following:
- [19-1985](#) (A) [Corell](#) Contractor, Inc. and Kwik Trip, Inc. for Storm Sewer Improvements at 4101 Hubbell Avenue. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1986](#) (B) [TK](#) Concrete, Inc. and Des Moines Independent Community School District for Paving Improvements at 5301 Grand Avenue. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1987](#) (C) [Baker](#) Electric, Inc. and Drake University for Traffic Signal Improvements at 1310 25<sup>th</sup> Street. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1988](#) (D) [Fye](#) Excavating, Inc. and Jessen Lodging, Inc. for Storm Sewer Improvements at 1000 Walnut Street. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1989](#) (E) [Elder](#) Corporation and Rowat Lofts, LLC for Storm and Sanitary Sewer Improvements at 110 SE 7<sup>th</sup> Street. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1990](#) (F) [The](#) Underground Company, Ltd. and Elevate Development Company, LLC for Sanitary Sewer Improvements at 1920, 1924, 1928, 1932 and 1936 Merle Hay Road. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1991](#) (G) [The](#) Underground Company, Ltd. and Solid Ground, LLC for Sanitary Sewer Improvements at Parkside Estates. **Moved by Gatto to adopt. Motion Carried 7-0.**

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

- [19-1992](#) (A) [2019](#) ADA Downtown Sidewalk Ramp Program, Ti-Zack Concrete, Inc. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1993](#) (B) [Fallen](#) Officer Memorial, GTG Construction, LLC. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1994](#) (C) [2018](#) HMA Residential Paving Program, OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1995](#) (D) [James](#) W. Cownie Sports Park Signage Improvements, The Samuels Group, Inc. **Moved by Gatto to adopt. Motion Carried 7-0.**

#### **SPECIAL ASSESSMENTS**

- [19-1996](#) 14. [Levying](#) Assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2019-12. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1997](#) 15. [Levying](#) Assessments for costs of Public Works Sewer Repair, Schedule No. 2019-04. **Moved by Gatto to adopt. Motion Carried 7-0.**

#### **LAND/PROPERTY TRANSACTIONS**

- [19-1998](#) 16. [Accepting](#) Warranty Deed for E. Vine Street between E. 6<sup>th</sup> and E. 7<sup>th</sup> Street and rededicating for right-of-way purposes. **Moved by Gatto to adopt. Motion Carried 7-0.**

#### **BOARDS AND COMMISSIONS**

- [19-1999](#) 16-I [Approving](#) recommendation from Council Member Gray to appoint Jacob Serfling to the Building and Fire Code Board of Appeals, Seat 11, for the three-year term commencing April 1, 2017 to April 1, 2020. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [19-2000](#) 16-II [Approving](#) recommendation from Council Member Westergaard to appoint Lori Bowman to the Access Advisory Board, Seat 13, for a four-year term commencing June 15, 2019 to June 15, 2023. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-2001](#) 16-III [Approving](#) recommendation from Council Member Coleman to appoint Chase Holm to the Neighborhood Revitalization Board, Seat 6, for a three-year term commencing June 30, 2018 to June 30, 2021. **Moved by Gatto to adopt. Motion Carried 7-0.**

#### COMMUNICATIONS FROM PLANNING AND ZONING

- [19-2002](#) 17. [Regarding](#) City-initiated request to vacate alley right-of-way adjoining 100 E. 2<sup>nd</sup> Street to allow the Police Department to restrict public access. **Moved by Gatto 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.**
- [19-2003](#) 18. [Regarding](#) City-initiated request to vacate an irregular parcel of excess right-of-way from the E. M. L. King Jr. Parkway project in the vicinity of 1422 Scott Avenue adjoining SE 14<sup>th</sup> Street, to assemble with adjoining City owned property for redevelopment. **Moved by Gatto 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.**
- [19-2004](#) 19. [Regarding](#) request from Hubbell Realty Company (Eric Bohnenkamp, Officer) for approval of a Preliminary Plat “Grover Woods” in the vicinity of 4500 Hubbell Avenue, to allow subdivision of the property into 84 single-family development lots. **Moved by Gatto to receive and file. Motion Carried 7-0.**
- [19-2005](#) 20. [Regarding](#) request from Annett Holdings, Inc. (Jason Webb, Officer) for vacation of a segment of right-of-way, south of and adjoining the 6101 block of SW Leland Avenue, to allow it to be assembled with the applicant’s property to the south for future commercial development. **Moved by Gatto 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

- [19-2006](#) 21. [On](#) the proposition of the issuance of not to exceed \$32,000,000 General Obligation Refunding Bonds (Series 2020A) for refunding and refinancing certain current outstanding bonds (Essential Corporate Purpose), and providing for publication of notice of the hearing, (1-13-20). ([Council Communication No. 19-536](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-2007](#) 22. [On](#) request from 3750 Grand, LLC (Kate Miller, Officer) to rezone property located at 3750 Grand Avenue from “R-3” (Multiple-Family Residential) and “R1-80” (One-Family Residential) to “PUD” (Planned Unit Development) and to approve the “Thirty Seven Fifty on Grand” PUD Conceptual Plan, to allow for redevelopment of the existing vacant First Church of Christ, Scientist with demolition of a portion and addition of an 8-story, 42-unit residential condominium tower with two levels being indoor parking, with commercial uses on the first floor, (1-13-20). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-2008](#) 23. [On](#) request from Catholic Health Initiatives – Iowa Corporation d/b/a Mercy Medical Center (Sandra Swanson, Officer) for review and approval of a proposed 6<sup>th</sup> Amendment to the Mercy Medical Center PUD Conceptual Plan on property in the vicinity of 1111 6<sup>th</sup> Avenue, to allow revision to the campus sign plan, (1-13-20). **Moved by Gatto to adopt. Motion Carried 7-0.**

## LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [19-2009](#) 24. [Approving](#) payment to Shuttleworth & Ingersoll Law Firm. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-2010](#) 25. [Approving](#) payment to Ahlers & Cooney, P.C. Law Firm regarding 2019 bonds. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-2011](#) 26. [Approving](#) payment to 3121RF, LLC and K.R.U. LTD, d/b/a Feed Energy to resolve a condemnation dispute. **Moved by Gatto to adopt. Motion Carried 6-1. Nays: Gray.**

## CITY MANAGER COMMUNICATIONS

- [19-2012](#) 27. [Submitting](#) travel and training request for Josh Rhamy. **Moved by Gatto to adopt. Motion Carried 7-0.**

([Council Communication No. 19-524](#))

## APPROVING

- [19-2013](#) 28. [Approve](#) and execute amended HOME Investment Partnership Program (HOME) promissory note with Christ the King Housing Services for a project at 5602 SW 9<sup>th</sup> Street. ([Council Communication No. 19-531](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-2014](#) 29. [Loan](#) Agreement with Neighborhood Development Corporation (NDC) for acquisition of property at 3615 6th Avenue. ([Council Communication No. 19-557](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-2015](#) 30. [Second](#) Amended and Restated Parcel Development Agreement with Gray's Landing Office LLC and Redevelopment Plan for construction of an office building in Gray's Landing and acknowledging amount of parcel grant allocated to the project. ([Council Communication No. 19-537](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-2016](#) 31. [Final](#) terms of an Urban Renewal Development Agreement with Terrace Hill 1, LLC for the redevelopment of an 87-room hotel at 2525 Grand Avenue and redevelopment of the 2,100-square foot commercial building at 2515 Grand Avenue. ([Council Communication No. 19-546](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-2017](#) 32. [First](#) Amendment to Economic Development Assistance Contract with Iowa Economic Development Authority (IEDA) and Crossroads Cold Storage, LLC for the development of property at SE 43<sup>rd</sup> and Vandalia Road to revise the project completion date to September 30, 2020 and the maintenance period completion date to September 30, 2022. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-2018](#) 33. [Preliminary](#) Terms of an Urban Renewal Development Agreement with Bridge District Level, LLC for the new construction of a 5-story, 114-unit multi-family housing project in the 300 block of Maple Street. ([Council Communication No. 19-556](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-2019](#) 34. [Second](#) Amendment to Urban Renewal Development Agreement with Krause Group, LTD. f/k/a Krause Holdings, Inc. and Linden Street Investments, LLC, and Second Amendment to Economic Development Assistance Contract with Iowa Economic Development Authority (IEDA), for the redevelopment of property at 1459 Grand Avenue. ([Council Communication No. 19-534](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-2020](#) 35. [First](#) Amendment to Urban Renewal Development Agreement with JARCOR, LLC for the Argonne Apartment Building renovation project, 1723 Grand Avenue. ([Council Communication No. 19-533](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**



- [19-2021](#) 36. [Preliminary](#) terms of an Urban Renewal Development Agreement with Aust Real Estate, LLC for the historic renovation of the Ferrington Place building at 1201 Keosauqua Way for a commercial development. ([Council Communication No. 19-548](#)) **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
- [19-2022](#) 36-I [Approval](#) of advance of funds to the Metro Center Urban Renewal Project for the payment of reimbursement to the Fed Title-23 Land Sales account related to Connolly Lofts property acquisition. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-2023](#) 37. [First](#) Amendment to Municipal Parking Facilities Management Services Agreement with ABM Parking Services, Inc. ([Council Communication No. 19-535](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-2024](#) 38. [Acceptance](#) of 2019 Project Safe Neighborhood Grant award from the Office of Drug Control Policy. ([Council Communication No. 19-530](#)) **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
39. Items regarding Futsal Court at Birdland Sports Park: ([Council Communication No. 19-528](#))
- [19-2025](#) (A) [Amendment](#) to Donation and Construction Agreement with Kick It Forward. **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [19-2026](#) (B) [Acceptance](#) of Mini-Pitch System Futsal Court. **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [19-2027](#) 40. [Amendment](#) of Agreement with Astilbe Morning, LLC for property located at 1124 13<sup>th</sup> Street and 1311 Laurel Street to extend contract until December 30, 2020. ([Council Communication No. 19-532](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-2028](#) 41. [Intergovernmental](#) Transfer (IGT) of Public Funds Agreement with the Iowa Department of Human Services (IDHS). ([Council Communication No. 19-555](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-2029](#) 42. “[Franklin](#) Junior High School” PUD Development Plan for property at 4801 Franklin Avenue, We Can Build It, LC (Jeff Young, Officer). **Moved by Boesen to adopt. Motion Carried 7-0.**
- [19-2030](#) 43. [Communication](#) from Downtown Community Alliance, on behalf of the Iowa Caucus Consortium, requesting approval for up to 180 banners to be displayed on 90 poles on Locust Street, Grand Avenue, 8th Street, and 13th Street in downtown and Western Gateway Park, beginning January 2020. **Moved by Gatto to receive, file and approve. Motion Carried 7-0.**

44. Abatement of public nuisances at the following:

- [19-2031](#) (A) [646](#) 25<sup>th</sup> Street. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-2032](#) (B) [217](#) E. Payton Avenue. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-2033](#) (C) [1422](#) 22<sup>nd</sup> Street. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-2034](#) (D) [400](#) E. Creston Avenue. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-2035](#) (E) [805](#) Lally Street. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-2036](#) (F) [3307](#) Linworth Lane. **Moved by Gatto to adopt. Motion Carried 7-0.**

[19-2037](#) 45. [Release](#) of fire escrow for 923 Park Avenue. **Moved by Gatto to adopt. Motion Carried 7-0.**

[19-2038](#) 46. [Communication](#) of fire escrow for 1507 32<sup>nd</sup> Street. **Moved by Gatto to receive and file and to direct the City Attorney to bring legal action within one hundred eighty (180) days of certified mail notice dated October 29, 2019, if owner(s) has not demolished or renovated the structure. Motion Carried 7-0.**

[19-2039](#) 47. [Amendments](#) to the Schedule of Fees for fees imposed by Chapter 134, Zoning Code, and Chapter 135 Planning and Design Code. **Moved by Gatto to adopt. Motion Carried 7-0.**

48. Purchases from the following:

[19-2040](#) (A) [Electric](#) Pump (Tom Miller, CEO) as sole area-wide distributor for replacement propeller, shaft, mechanical seal, and miscellaneous components for damaged pump #2 at the MLK pump station located at 420 SW 14<sup>th</sup> Street for use by the Public Works Department, \$99,171.54. ([Council Communication No. 19-526](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[19-2041](#) (B) [Family](#) Tree Care (Rick Hanson, Owner) for City-wide hazardous tree removal services for use by the Public Works Department, \$74,530. (Six potential bidders, one received). ([Council Communication No. 19-538](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[19-2042](#) 49. [Civil](#) Service entrance list for Engineering Technician and promotional list for Senior Police Officer. **Moved by Gatto to receive and file. Motion Carried 7-0.**

[19-2043](#) 50. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of December 16, 23 and 30, 2019; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of December 16, 23 and 30, 2019; and to draw checks for biweekly payroll due December 20, 2019 and January 3, 2020. **Moved by Gatto to adopt. Motion Carried 7-0.**

**ORDINANCES - FINAL CONSIDERATION**

51. Items regarding amendments to Zoning Ordinance:

[19-2044](#) (A) Final consideration of amendments to Zoning Ordinance. **Moved by Coleman that this ordinance do now pass, #15,844. Motion Carried 7-0.**

[19-2045](#) (B) Final consideration of amendments to the Planning and Design Ordinance. **Moved by Coleman that this ordinance do now pass, #15,845. Motion Carried 7-0.**

[19-2046](#) (C) Final consideration of amendments to the Citywide Zoning Map. **Moved by Coleman that this ordinance do now pass, #15,846. Motion Carried 7-0.**

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

**ORDINANCES - FIRST CONSIDERATION**

[19-2047](#) 52. Amending Sections 114-1103 and 114-1105 of the Municipal Code, relating to speed limits and parking and parking fines in municipality owned parks. (Council Communication No. 19-525) **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[19-2048](#) 53. Amending Chapter 42 of the Municipal Code regarding the noise ordinance. (Council Communication No. 19-527) **Moved by Mandelbaum that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

WITHDRAWN

[19-2049](#) (A) ~~Final consideration of ordinance above (waiver requested by the Community Development Director), requires six votes.~~

54. Items related to Boards and Commissions: ([Council Communication No. 19-558](#))

[19-2050](#)

- (A) [Amending](#) Chapter 2 of the Municipal Code eliminating the Des Moines Music Commission. **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[19-2051](#)

- (1) 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, [#15,847](#). Motion Carried 7-0.**

[19-2052](#)

- (B) [Amending](#) Section 2-1046 of the Municipal Code, relating to boards, commissions, committees and agencies relating to appointment of members and qualifications. **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[19-2053](#)

- (1) 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, [#15,848](#). Refer to the City Manager to hold a work session to review boards and commissions and professional requirements of board members. Motion Carried 7-0.**

[19-2054](#)

- (C) [Amending](#) Section 42-304 and 42-305 of the Municipal Code by removing Citizen Odor Board and by striking references to the Citizen Odor Board. **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[19-2055](#)

- (1) 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, [#15,849](#). Refer to the City Manager and Legal to make sure best practices are being used by odor producing companies. Motion Carried 7-0.**

[19-2056](#)

55. [Amending](#) Chapter 74 of the Municipal Code regarding changes to golf fees and the addition of Terrace Hills Golf Course, now owned by the City of Altoona, to the golf courses eligible for use by annual badge holders. ([Council Communication No. 19-529](#)) **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[19-2057](#)

- (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, [#15,850](#). Motion Carried 7-0.**

## COUNCIL REQUESTS

[19-2058](#)

55-I [From](#) Council Member Coleman a request to speak on a variety of items. **Moved by Gatto to receive and file documents and comments. Motion Carried 7-0.**

- (A) Legislative and regulatory modernization of the State's Liquor License program and rules. **Moved by Coleman to receive and file documents and refer to Council to take up at legislative meetings. Motion Carried 7-0.**
- (B) The City and its regional partners, including the MPO, initiate a BIKE LICENSE or PERMIT.
- (C) Region's Homeless Coordinating Council.
- (D) With Council Members Boesen and Gray to speak to ways to create citizen input into the infrastructure priorities with the LOSST funds. **Moved by Coleman to receive and file comments and refer to City Manager for review and recommendation in February 2020. Motion Carried 7-0.**
- (E) Proposal to bring back the Boards and Commissions Dinner and Thank you event. This event ceased to exist 8-10 years ago. Our best city volunteers deserve to be recognized.
- (F) Final Report (written) on current status and projects from Council Member Coleman's assignments to Boards in the city and region; including CVB (Catch Des Moines), Blank Park Zoo, City Personnel Committee, Operation Downtown, Riverfront Development Authority, Invest DSM, Water Trails LLC, and Downtown Soccer Stadium/Parade Grounds.
- (G) Comments and recommendation regarding safety and security of City Employees inside City Hall and throughout the city.

## APPROVING

[19-2059](#)

56. [Appointment](#) of Nickolas Schaul as Interim Finance Director and confirmation as Interim City Treasurer. **Moved by Gatto to adopt. Motion Carried 7-0.**

[19-2060](#)

57. [Revising](#) the PlanDSM: Creating Our Tomorrow Future Land Use Map designation for property in the vicinity of 4560 Hubbell Avenue from Medium-Density Residential to Industrial to allow for development of 7.12 acres of agricultural land designated for residential development to be developed with a building for a training center and equipment and outdoor training site. **Moved by Westergaard to adopt and approve the proposed amendment. Motion Carried 7-0.**

58. Number Not Used.

[19-2061](#)

59. [Receive](#) and file proposal from JSC Properties, LLC to redevelop the City-owned properties located within the Market District, and directing staff to negotiate details of a redevelopment proposal. ([Council Communication No. 19-554](#)) **Moved by Gatto to adopt. Motion Carried 6-0. Mayor Cownie abstains from voting based on an appearance of a conflict of interest.**

[19-2062](#)

60. [Parcel](#) Development Agreement with Blackacre Development, LLC (A wholly owned subsidiary of Krause Group Real Estate) and River Point West LLC, regarding the construction of a mixed-use development with an outdoor sports and entertainment venue along SW 14<sup>th</sup> Street, south of Martin Luther King Jr. Parkway. ([Council Communication No. 19-547](#)) **Moved by Mandelbaum to adopt. Motion Carried 7-0.**

#### HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 61 THRU 70)

[19-2063](#)

61. [On](#) issuance of a replacement Quit Claim Deed conveying a portion of vacated Bryant Street right-of-way to Benny Genovese and Diane Marie Renzo. **Moved by Mandelbaum to adopt. Motion Carried 6-0. Council Member Gatto abstains from voting based on an appearance of a conflict of interest.**

[19-2064](#)

62. [On](#) conveyance of vacated alley right-of-way west of and adjoining 3844 6<sup>th</sup> Avenue to Daniel R. Burkle, \$25. **Moved by Westergaard to adopt. Motion Carried 7-0.**

[19-2065](#)

63. [On](#) Second Amendment to Service Agreement and Lease with Metro Waste Authority for operation of a program for the collection and processing of yard waste materials to correct a scrivener's error. ([Council Communication No. 19-539](#)) **Moved by Mandelbaum to adopt. Motion Carried 7-0.**

[19-2066](#)

64. [On](#) conveyance of excess City property south of and adjoining 1530 E. McKinley Avenue to Galinsky Family Real Estate, LLC and Alviv Properties, LLC, \$2,960. **Moved by Gatto to adopt. Motion Carried 7-0.**

[19-2067](#)

65. [On](#) conveyance of City-owned property at 200 SE 15<sup>th</sup> Street to Des Moines Industrial, LLC for development of a multi-modal transloading facility within the SE AgriBusiness Urban Renewal Area, \$1,434,000. **Moved by Gatto to adopt. Motion Carried 6-0. Mayor Cownie abstains from voting based on an appearance of a conflict of interest.**

66. Items regarding Des Moines Transloading facility:

[19-2068](#)

- (A) [Approving](#) 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 (RRLGP) Obligations. **Moved by Gatto to adopt. Motion Carried 6-0. Mayor Cownie abstains from voting based on an appearance of a conflict of interest.**

[19-2069](#)

- (B) [Authorization](#) for additional action. **Moved by Gatto to adopt. Motion Carried 6-0. Mayor Cownie abstains from voting based on an appearance of a conflict of interest.**

[19-2070](#)

67. [On](#) SE 9<sup>th</sup> Street Storm Water Pump Station and Improvements: Resolution approving plans, specifications, form of contract documents, and Engineer's estimate and designating lowest responsible bidder as Woodruff Construction, LLC (Donald A. Woodruff, President), \$8,186,736.62. ([Council Communication No. 19-550](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[19-2071](#)

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

[19-2072](#)

68. [On](#) Des Moines Fire Station No. 11: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Rochon Corporation of Iowa, Inc. (Russell Carew, President), \$6,129,000. ([Council Communication No. 19-544](#)) **Moved by Westergaard to adopt. Motion Carried 7-0.**

[19-2073](#)

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

[19-2074](#)

69. [On](#) River Bend and King Irving Sewer Separation Phase 2B: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Corell Contractor, Inc. (Grant S. Corell, President), \$2,706,122.15. ([Council Communication No. 19-549](#)) **Moved by Gray to adopt. Motion Carried 7-0.**

[19-2075](#)

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



[19-2076](#) 70. On Waveland Clubhouse Reroofing and Window Repair: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Bergstrom Construction, Inc. (Tom Gorgas, President), \$131,400. ([Council Communication No. 19-551](#)) **Moved by Mandelbaum to adopt. Motion Carried 7-0.**

[19-2077](#) (A) Approving contract and bond and permission to sublet. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**

\*\*\* END OF HEARINGS AT 5:19 PM \*\*\*

[19-2078](#) MOTION TO ADJOURN. **Moved by Gatto to adjourn at 5:19 PM. Motion Carried 7-0.**

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