



***** 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 '20-' 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

January 13, 2020

4:30 PM

Reception 3:30-4:00 PM

Great Hall, 2nd Floor

**T.M. Franklin Cownie, Mayor
Linda Westergaard, Council Member Ward II
Joe Gatto, Council Member Ward IV
Carl Voss, Council Member At-Large**

Swearing in Ceremony 4:00 PM

INVOCATION: Council Member Gray

- [20-0001](#) 1. **ROLL CALL: Present: Cownie, Boesen, Gatto, Gray, Mandelbaum, Voss and Westergaard.**

I. Reappointment of the following:

- [20-0002](#) (A) City Manager. **Moved by Boesen to adopt. Motion Carried 7-0.**
- [20-0003](#) (B) City Attorney. **Moved by Boesen to adopt. Motion Carried 7-0.**
- [20-0004](#) (C) City Clerk. **Moved by Boesen to adopt. Motion Carried 7-0.**
- [20-0005](#) (D) Chief Deputy City Clerk and Deputy City Clerk. **Moved by Boesen to adopt. Motion Carried 7-0.**
- [20-0006](#) (E) Chief Deputy City Attorney, Deputy City Attorneys and Assistant Attorneys. **Moved by Boesen to adopt. Motion Carried 7-0.**

[20-0007](#) II. Recommendation of Mayor Cownie for appointment of Joe Gatto as Mayor Pro Tem for Calendar Year 2020. **Moved by Gray to adopt. Motion Carried 6-0. Council Member Gatto declares a conflict of interest and abstains from voting.**

[20-0008](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0009](#) 3. APPROVING CONSENT AGENDA * – items 3 through 55: **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

[20-0010](#) 4. Approving Alcoholic Beverage License Applications for the following: **Moved by Gatto to adopt. Motion Carried 7-0. * Council Member Gatto declares a conflict of interest and abstains from voting on item Z.**

NEW APPLICATIONS

| | | | |
|-----|---------------------|-----------------|-------------|
| (A) | CASEYS #2786 | 5150 E 14TH ST | E Liquor |
| (B) | SCENIC ROUTE BAKERY | 350 E LOCUST ST | C Beer/Wine |
| (C) | WING STOP | 521 E 14TH ST | C Beer/Wine |

RENEWAL APPLICATIONS

| | | | |
|-----|---------------------|-------------------|----------|
| (D) | 300 CRAFT & ROOFTOP | 300 W MLK JR PKWY | C Liquor |
| (E) | ALBA RESTAURANT | 519 DES MOINES ST | C Liquor |
| (F) | BEAVER TAP | 4050 URBANDALE | C Liquor |
| (G) | CASEYS #2322 | 4331 PARK AVE | C Beer |
| (H) | CASEYS #2641 | 2849 E EUCLID AVE | C Beer |
| (I) | CONEY ISLAND #2 | 3700 SW 9TH ST | B Beer |
| (J) | DISTRICT | 216 COURT AVE | C Liquor |
| (K) | FAREWAY STORE #183 | 4313 FLEUR DR | E Liquor |
| (L) | GIT N GO STORE #24 | 1142 42ND ST | C Beer |
| (M) | GIT N GO STORE #27 | 1240 KEOSAUQUA | C Beer |

| | | | |
|-----|---------------------------|-------------------|-------------|
| (N) | GIT N GO STORE #32 | 2911 DOUGLAS AVE | C Beer |
| (O) | GUSTO PIZZA CO | 1905 INGERSOLL | C Beer/Wine |
| (P) | HAIKU SUSHI | 1315 31ST ST | C Liquor |
| (Q) | HIGHLAND PARK POST NO 374 | 3712 2ND AVE | A Liquor |
| (R) | HOLIDAY INN EXPRESS | 333 SW 11TH ST | C Beer |
| (S) | HY VEE FOOD STORE #1 | 3330 MLK JR PKWY | E Liquor |
| (T) | JIFFY #924 *(1) | 3718 SW 9TH ST | C Beer |
| (U) | KUM & GO #573 | 5830 SE 14TH ST | E Liquor |
| (V) | LA CABANA MEXICAN | 1435 ARMY POST RD | C Liquor |
| (W) | MARIANAS | 1305 UNIVERSITY | B Beer |
| (X) | TARGET T2041 | 5901 DOUGLAS AVE | E Liquor |
| (Y) | WAVERLY | 2120 INGERSOLL | C Liquor |

SPECIAL EVENT APPLICATIONS

(Z) BARATTAS 519 PARK ST Five (5) Day License
 Class C Liquor License for an event on January 31, 2020.

(AA) VACI 3000 E GRAND AVE Five (5) Day License
 Class B Beer License for an event on February 1, 2020.

(BB) YOUR PRIVATE BARTENDER 504 E LOCUST ST Five (5) Day License
 Class C Liquor License for an event on February 1, 2020. Pending approval of Electrical Department.

[20-0011](#) 5. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits. **Moved by Gatto to adopt. Motion Carried 6-1. Nays: Cownie.**

[20-0012](#) 6. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Gatto to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

7. Ordering construction of the following:

[20-0013](#) (A) [2020](#) Traffic Signal Replacement Contract 2: Receiving of bids, (1-28-20), Setting date of hearing, (2-24-20). Engineer’s estimate, \$600,000. ([Council Communication No. 20-021](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0014](#) (B) [2020](#) HMA Resurfacing Program Contract 1: Receiving of bids, (1-28-20), Setting date of hearing, (2-24-20). Engineer’s estimate, \$1,900,000. ([Council Communication No. 20-020](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [20-0015](#) (C) [16th Street Brick Repair](#) from Day Street to Ascension Street: Receiving of bids, (1-28-20), Setting date of hearing, (2-24-20). Engineer's estimate, \$400,000. ([Council Communication No. 20-019](#)) **Moved by Voss to adopt; refer to the City Manager for review and recommendation on maintenance and repair of brick streets. Motion Carried 7-0.**
- [20-0016](#) (D) [Des Moines River Simon Estes Amphitheater Floodwall Improvements](#): Receiving of bids, (2-11-20), Setting date of hearing, (3-9-20). Engineer's estimate, \$400,000. ([Council Communication No. 20-013](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0017](#) (E) [Reno Dog Park Improvements](#): Receiving of bids, (1-28-20), Setting date of hearing, (2-24-20). Engineer's estimate, \$360,000. ([Council Communication No. 20-024](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0018](#) 8. [Approving](#) and authorizing the execution of the Iowa Department of Transportation (IDOT) Agreement for the 6th Avenue Streetscape Phase 2: College Avenue to University Avenue. ([Council Communication No. 20-023](#)) **Moved by Gray to adopt. Motion Carried 7-0.**
- [20-0019](#) 9. [Approving](#) and authorizing the execution of the Iowa Department of Natural Resources Agreement for the Carlisle Trail Connection Project. ([Council Communication No. 20-012](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0020](#) 10. [Approving](#) Professional Services Agreement with Veenstra & Kimm, Inc. for design services for the Western Ingersoll Sewer Separation Phase 2, not to exceed \$350,332. ([Council Communication No. 20-027](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0021](#) 11. [Approving](#) Professional Services Agreement with OPN Architects, Inc. for design and construction services for the Municipal Services Center – Phase 2, not to exceed \$1,381,000. ([Council Communication No. 20-014](#)) **Moved by Mandelbaum to adopt; City Manager to report back if this is being built above the base flood elevation. Motion Carried 7-0.**
12. Approving completion and acceptance of private construction contracts for the following:
- [20-0022](#) (A) [Storm Sewer Improvements](#), 400 SW 7th Street, between McAninch Corporation and SW7 Flats, LLC. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0023](#) (B) [Paving Improvements](#), Grandview Meadows, between Concrete Technologies, Inc. and Bloomfield Acres LLC. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0024](#) (C) [Sanitary Sewer Improvements](#), Grandview Meadows, between Little Kading Construction Company, Inc. and Bloomfield Acres LLC. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [20-0025](#) (D) [Storm](#) Sewer Improvements, Grandview Meadows, between Little Kading Construction Company, Inc. and Bloomfield Acres LLC. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0026](#) (E) [Storm](#) Sewer Improvements, 665 Grand Avenue, between Elder Corporation and Miesblock Commercial LLC. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0027](#) (F) [Sanitary](#) and Storm Sewer Improvements, 7600 Fleur Drive, between Detrick Excavating Inc. and MDBR Properties LLC. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0028](#) (G) [Storm](#) Sewer Improvements, 1501 Woodland Avenue, between Elder Corporation and Hoyt Sherman Place Foundation. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0029](#) (H) [Sanitary](#) Sewer Improvements, 212 E. 3rd Street, between Elder Corporation and H. Glass Partners, LLC. **Moved by Gatto to adopt. Motion Carried 7-0.**

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

- [20-0030](#) (A) [SW](#) 9th Street Rehabilitation from Wall Avenue to Army Post Road, Grimes Asphalt and Paving Corporation. **Moved by Gatto to adopt. Motion Carried 7-0.**
 - [20-0031](#) (B) [Gray](#) Street Concrete Culvert Rehabilitation, Proshot Concrete, Inc. **Moved by Gatto to adopt. Motion Carried 7-0.**
 - [20-0032](#) (C) [Storm](#) Drainage Category D Repair Contract 2, TK Concrete, Inc. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0033](#) 14. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects. **Moved by Gatto to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [20-0034](#) 15. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2020-01. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0035](#) 16. [Levying](#) assessments for costs of Public Works Sewer Repair Schedule No. 2020-01, 1933 10th Street. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0036](#) 17. [Levying](#) assessments for costs of Public Works Sewer Repair, Schedule No. 2020-02, 1410 6th Avenue. **Moved by Gatto to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [20-0037](#) 18. [Acceptance](#) of real estate documents from Ryan R. Andreini and Tami L. Andreini for voluntary acquisition of property at 206 E. Hillside Avenue for the Columbus Park Parking Lot Improvements Project. ([Council Communication No. 20-025](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0038](#) 19. [Approving](#) and authorizing execution of grant agreement and cost share obligation, approving Hazard Mitigation Grant Program (HMGP) Administrative Plan, and authorizing voluntary acquisition of property for the FEMA 2019 HMGP Buyout Project, Grant No. DR-4386. ([Council Communication No. 20-028](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [20-0039](#) 20. [Appointing](#) Linda Westergaard as the Public Official and Robert Mahaffey as the Senior Representative to the Aging Resources of Central Iowa Board of Directors. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0040](#) 21. [Recommendation](#) to appoint Connie Boesen as representative to the Riverwalk Development Authority. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0041](#) 22. [Recommendation](#) from Council Member Gatto to appoint Dave D. Dykstra to the Building and Fire Code Board of Appeals, Seat 7, for the term expiring April 1, 2021. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0042](#) 23. [Recommendation](#) from Mayor Cownie to appoint Alec Quijano to the Civil Service Commission, Seat 3, for the term expiring April 1, 2022. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0043](#) 24. [Recommendation](#) from Mayor Cownie to appoint Juan Carlos Cadenillas to the Des Moines Civil and Human Rights Commission, Seat 1, for the term expiring April 1, 2021. **Moved by Gatto to adopt. Motion Carried 7-0.**
25. Accepting resignations from the Transportation Safety Committee for the following:
- [20-0044](#) (A) [James](#) H. Windsor, III, Seat 3, effective immediately. **Moved by Gatto to receive, file and accept resignation with appreciation for his service. Motion Carried 7-0.**
- [20-0045](#) (B) [Carl](#) Voss, Seat 7, effective immediately. **Moved by Gatto to receive, file and accept resignation with appreciation for his service. Motion Carried 7-0.**

[20-0046](#) 26. [Communication](#) from David Courard-Hauri advising of his resignation from the Plan and Zoning Commission, Seat 2, effective immediately. **Moved by Gatto to receive, file and accept resignation with appreciation for his service. Motion Carried 7-0.**

[20-0047](#) 26-I [Recommendation](#) from Mayor Cownie to appoint the primary and alternate representatives to the Wastewater Reclamation Authority Management Agency from January 1, 2020 to December 31, 2020 term. **Moved by Gatto to adopt. Motion Carried 7-0.**

26-II Approving Appointments to the following:

[20-0048](#) A. [Appointing](#) Mayor T.M. Franklin Cownie to the Greater Des Moines Convention and Visitors Bureau Board of Directors, replacing Chris Coleman. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0049](#) B. [Appointing](#) Carl Voss to the Blank Park Zoo Foundation Board of Directors replacing Chris Coleman. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0050](#) C. [Reappointing](#) Connie Boesen to the Bravo Greater Des Moines Board of Directors. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0051](#) D. [Appointing](#) Josh Mandelbaum as Primary Member to the Neighborhood Finance Corporation (NFC) Board of Directors. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0052](#) E. [Appointing](#) Joe Gatto and Bill Gray as the Primary and Alternate Members to the Metro Waste Authority (MWA). **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0053](#) F. [Appointing](#) Carl Voss to the Invest DSM Board replacing Chris Coleman. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0054](#) G. [Appointing](#) Connie Boesen to the Metropolitan Advisory Council (MAC) replacing Chris Coleman. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0055](#) H. [Appointing](#) Josh Mandelbaum to the Greater Des Moines Partnership Board of Directors. **Moved by Gatto to adopt. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

[20-0056](#) 27. [Regarding](#) City-initiated request to vacate a segment of E. Market Street from E. 14th Street to E. 18th Street in the vicinity of 1605 E. Market 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 to refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**

- [20-0057](#) 28. **Regarding** City-initiated request to vacate a segment of E. 15th Street from E. M.L. King Jr. Parkway to E. Market Street in the vicinity of 200 SE 15th 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 to refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**
29. Items requested by Bridge District II, LLC (Kris Sadoris, Officer) for 220 Maple Street:
- [20-0058](#) (A) **Receive** and file communication from Plan and Zoning Commission regarding approval of the Preliminary Plat “Level” to allow Outlot C of Bridge District Plat 2 to be replatted as a development lot. **Moved by Gatto to receive and file. Motion Carried 7-0.**
- [20-0059](#) (B) **Approval** of a PUD Development Plan for “Level” to allow development of a 5-story, 121-unit multiple-family dwelling with 53 indoor parking spaces and 153 surface off-street parking spaces. **Moved by Gatto to adopt. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [20-0060](#) 30. **On** vacation of alley right-of-way north of and adjoining 100 E. 2nd Street, (1-27-20). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0061](#) 31. **On** vacation of excess E. Martin Luther King, Jr. Parkway right-of-way adjoining 1422 Scott Avenue for assemblage with City-owned property for future redevelopment, (1-27-20). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0062](#) 32. **On** conveyance of vacated alley right-of-way north of and adjoining 2714 Scott Avenue to William and Elizabeth Tornquist for assemblage with their residential parcel, \$25, (1-27-20). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0063](#) 33. **On** conveyance of excess City-owned property east of and adjoining 601 Kenyon Avenue to McKayla D. Sloan and Caleb Sloan for assemblage with their residential parcel, \$100, (1-27-20). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0064](#) 34. **On** conveyance of excess City-owned property at 2412, 2500, 2504, 2508 and 2512 George Flagg Parkway to Des Moines Water Works, (1-27-20). **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0065](#)

35. [On](#) City-initiated request to rezone 3200 and 3212 SW 9th Street and 930 Park Avenue from “C-1” (Neighborhood Retail Commercial) and “R1-60” (One-Family Low-Density Residential) to “PUD” (Planned Unit Development) and on request from Casey’s (Marni Beck, Officer) for approval of PUD Conceptual Plan to allow for redevelopment of the existing 21,664-square foot general food sales store with a 4,817-square foot gas station/convenience store to include sales of wine and beer and a pump island canopy with 14 fueling locations, (1-27-20). **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0066](#)

36. [On](#) exchange of real property with HRC NFS I, LLC for property located south of Martin Luther King, Jr. Parkway between SW 11th Street and SW 16th Street, (1-27-20). **Moved by Gatto to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

[20-0067](#)

37. [Approving](#) payment to Ahlers & Cooney, PC Law Firm regarding legal services. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0068](#)

38. [Approving](#) payment to James Miller. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0069](#)

39. [Communication](#) from Legal Department concerning settlements made by City Attorney, not exceeding \$5,000. **Moved by Gatto to receive, file and affirm settlements made by City Attorney. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

[20-0070](#)

40. [Submitting](#) travel and training request for T.M. Franklin Cownie. ([Council Communication No. 20-007](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

APPROVING

[20-0071](#)

41. [Corrected](#) First Amendment to Urban Renewal Development Agreement with Jarcor, LLC. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0072](#)

42. [Sponsorship](#) of an application for financial assistance to the Iowa Economic Development Authority (IEDA) under the High-Quality Jobs Program for Fidelity & Guaranty. ([Council Communication No. 20-018](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0073](#)

43. [First](#) Amendment to Urban Renewal Agreement with Nelson Development 1, LLC to purchase and develop City-owned property at 418 E. Grand Avenue in the Metro Center Urban Renewal Area. ([Council Communication No. 20-003](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [20-0074](#) 43-I [City](#)-initiated request to rezone property in the vicinity of 200 SE 15th Street, 350 SE 18th Street and 302 SE 18th Street. **Moved by Gatto to refer a request by Des Moines Industrial , LLC (developer/purchaser), represented by Paul Cownie (Officer), to rezone property required for the proposed multi-modal transloading facility located in the vicinity of 200 SE 15th Street, 350 SE 18th Street, and 302 SE 18th Street, as generally shown in the attached map, from DX2 Downtown District west of the Southeast 14th Street viaduct to I1 Industrial District, and from I1 and I1-V Industrial Districts east of the Southeast 14th Street viaduct to I2 Industrial District, to the Community Development Department and Plan and Zoning Commission for review and recommendation at an upcoming Commission meeting as a City-initiated rezoning request. Motion Carried 7-0.**
44. Grant and sponsorships for the following: ([Council Communication No. 20-016](#))
- [20-0075](#) (A) [\\$40,000](#) grant to Polk County for the implementation of a welcoming center for foreign born populations in the greater Des Moines area. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
- [20-0076](#) (B) [\\$50,000](#) to the Golf Charitable Foundation of Greater Des Moines for a sponsorship of the 2020, 2021 and 2022 Principal Charity Classic. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0077](#) (C) [\\$50,000](#) to Catch Des Moines for a sponsorship of the 2020, 2021 and 2022 Ironman hosted events. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0078](#) 45. [\\$20,000](#) funding to Polk Soil and Water Conservation District to support water quality monitoring in Fourmile Creek and Walnut Creek Watersheds. ([Council Communication No. 20-011](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0079](#) 46. [Receipt](#) of Des Moines Water Works budget for calendar year ending December 31, 2020. **Moved by Gatto to receive and file. Motion Carried 7-0.**
- [20-0080](#) 47. [Agreement](#) for the shared use and fees for golf badges at City of Des Moines Golf Courses, Jester Park Golf Course and Terrace Hills Golf Course with Polk County Conservation Board, City of Altoona, C Corporation and CS Corporation. ([Council Communication No. 20-002](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0081](#) 48. [Sale](#) of plaques for placement on the Chris and Marcie Coleman Multi-Use Recreational Trail Bridge to raise funds for Parks and Recreation Department Youth Sports Scholarship Program. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0082](#) 49. [Acceptance](#) of the 2019 Justice Assistance Innovation Grant (JAG) award through the Office of Drug Control Policy, \$37,500. ([Council Communication No. 20-005](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

50. Abatement of public nuisances at the following:

[20-0083](#) (A) [1727](#) Mondamin Avenue. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0084](#) (B) [2612](#) E. Elm Street. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0085](#) (C) [804](#) E. 26th Street. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0086](#) (D) [631](#) SE 27th Court. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0087](#) (E) [2815](#) 2nd Avenue. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0088](#) (F) [3236](#) N. Union Street. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0089](#) (G) [845](#) E. 24th Court. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0090](#) (H) [509](#) E. 16th Street. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0091](#) (I) [4115](#) 8th Place. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0092](#) (J) [2020](#) 10th Street. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0093](#) (K) [3109](#) Woodland Avenue. **Moved by Gatto to adopt. Motion Carried 7-0.**

51. Approving purchases from the following:

[20-0094](#) (A) [Concrete](#) Repair for Structures (Greg Meinders, Owner) for an annual contract with four (4) additional one-year renewal options to furnish masonry block and brick wall repair services on an as needed basis for City owned buildings for use by the City Manager's Office Facilities Management Division, estimated annual cost \$100,000, with price increases complying with agreement. (Fourteen (14) potential bidders, one received). **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0095](#) (B) [Crow](#) Tow, Inc. (Randy Crow, President) for a 36-month contract with one (1) additional 36-month renewal option to furnish vehicle towing and impoundment services for use by the Police Department, estimated annual cost \$30,000. (Nine potential bidders, two received). ([Council Communication No. 20-004](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [20-0096](#) (C) [Beautiful](#) Lawns by Long's LLC (Brandon Long, Owner), A Cut Above Lawncare & Landscape, LLC (Brian Steinfeldt, Owner), Stamper Lawn Care (Cody Stamper, Owner), ADA Mowing (Joel Huggins, Owner) and Devig Services (Taylor Devig, Owner) for a two (2) year contract with three (3) additional one-year renewal options to furnish citywide mowing, trimming and litter removal services for use by the Parks and Recreation Department, estimated annual cost \$752,336. (Fifty-one (51) potential bidders, seven received). ([Council Communication No. 20-001](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0097](#) (D) [Ziegler](#) CAT Inc. (William Hoeft, President) for a compact track loader with cold planer per Sourcewell Cooperative Contract for use by the Fleet Services Division, \$106,395.10. ([Council Communication No. 20-008](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0098](#) (E) [LEEDS](#) (John S. Crouch, Owner) sole-source provider for a Firearms Comparison Microscope for use by the Police Department, Justice Assistance Innovation Grant (JAG) Grant funding \$77,140. ([Council Communication No. 20-006](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0099](#) (F) [ABM](#) Equipment & Supply (Ron Zimmer, President) for the replacement and installation of two (2) forestry chipper box bodies and one (1) additional forestry aerial lift with chipper box body per State of Minnesota Purchasing Contract for use by the Fleet Services Division, \$189,615. ([Council Communication No. 20-009](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0100](#) (G) [Foster](#) Coach Sales, Inc. (Steve Foster, President) for two (2) Type 1 replacement ambulances with two (2) Stryker Power Load Systems per Houston Galveston Area Council (HGAC) Contract for use by the Fire Department, \$599,500. ([Council Communication No. 20-010](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0101](#) 52. [Civil](#) Service Entrance lists for Enterprise Application Analyst, Human Rights Specialist, Senior Budget Analyst and Senior Construction Inspector. **Moved by Gatto to receive and file. Motion Carried 7-0.**
- [20-0102](#) 53. [Authorizing](#) Finance Director to draw checks on registers for the weeks of January 13 and 20, 2020; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of January 13 and 20, 2020; and to draw checks for biweekly payroll due January 17, 2020. **Moved by Gatto to adopt. Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

- [20-0103](#) 54. Amending Sections 114-1103 and 114-1105, relating to speed limits and parking and parking fines in municipality owned parks. **Moved by Gatto that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

- [20-0104](#) 55. Amending Chapter 42 of the Municipal Code regarding the noise ordinance. **Moved by Boesen that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

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

COUNCIL REQUESTS

WITHDRAWN

- [20-0105](#) 56. From ~~Council Members Gray and Mandelbaum to speak regarding billboards.~~

- [20-0106](#) 56-I From Council Members Gatto and Boesen to speak regarding Runoff Election. **Moved by Gatto to receive and file documents and comments; refer to the City Manager and Legal Department to schedule a work session on changing the City’s form of election. Motion Carried 7-0.**

APPROVING

- [20-0107](#) 57. Request from Coluzzi Construction, LLC (Mitch Coluzzi, Officer) for an appeal of the administrative and Plan and Zoning Commission denial of a Plat of Survey submitted for property in the 5600 block of SE 27th Street, currently described as Outlot Y in Prairie Hills Des Moines Plat No. 1. (Council Communication No. 20-017) **Moved by Gatto to DENY the proposed Plat of Survey for property in the 5600 block of Southeast 27th Street, currently described as Outlot Y in Prairie Hills Des Moines Plat No. 1, as requested by Coluzzi Construction, LLC, and to make the following findings of fact and objections regarding the proposed Plat of Survey:**
 - a. **In accordance with Iowa Code Section 354.1, the City Council is charged with balancing interests between the appellant and the public and with encouraging orderly community development, regulation, and control of the extension of public improvements, public services and utilities in reviewing proposed plats of survey.**
 - b. **Pursuant to Iowa Code Section 354.1, the Council finds that the Plat of Survey submitted by Coluzzi Construction, LLC is not consistent with (i) the City’s approved comprehensive plan or approved Preliminary Plat, (ii) the public need for development of the Property and street extensions as**

- shown in the Preliminary Plat, or (iii) orderly community development and extension of public improvements, services, utilities, and right-of-way in the area as shown in the Preliminary Plat and when viewing the Property in the context of the adjoining developed subdivisions and parcels, all of which considerations outweigh the interest of the owner/developer of the Property in developing one single-family residence thereon.
- c. **Des Moines Municipal Code Chapter 106 provides for an amendment to the previously approved Preliminary Plat for the Property, rather than a Plat of Survey, to be submitted by Coluzzi Construction, LLC to obtain the City's consideration of the proposed one single-family residence on the Property in lieu of the single-family subdivision and street extensions as required by said Preliminary Plat.**
 - d. **The Plat of Survey submitted by Coluzzi Construction, LLC is not consistent with Municipal Code Section 106-3, which states the City's policy "to ensure orderly and planned development in conformance with the comprehensive plan" and that "[t]he existing and proposed improvements shall conform to and be property related to the proposals shown in the comprehensive plan...."**
 - e. **The Plat of Survey submitted by Coluzzi Construction, LLC is not consistent with the following purposes stated in the City's subdivision ordinance (Municipal Code Chapter 106): (i) to "protect and provide for the public health, safety, and general welfare of the city"; (ii) to "guide the future growth and development of the city, in accordance with the comprehensive plan"; (iii) to "guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation, and other public requirements and facilities"; (iv) to "provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic in and adjacent to proposed development..., and provide for the proper location and width of streets and building lines"; and (iv) to "provide for the extent and manner in which streets shall be graded and improved and the extent to which water, sewer and other utility services shall be provided to protect the public health and general welfare."**
 - f. **Following public hearing, the City Plan and Zoning Commission voted 9-0 to recommend denial of the Plat of Survey submitted by Coluzzi Construction, LLC on the basis of nonconformity with the provision of appropriate block design and lot design with all necessary public improvements in place as shown in the previously approved Preliminary Plat, and in order for Coluzzi Construction, LLC to submit an amendment to said Preliminary Plat.**
- Motion Carried 7-0.**

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 58 THRU 63)

- [20-0108](#) 58. [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. The building would have first floor commercial uses. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
- [20-0109](#) (A) [First](#) consideration of ordinance above. **Moved by Mandelbaum that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [20-0110](#) (B) [Final](#) consideration of ordinance above (waiver requested by Kate Miller, Project Manager), 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, #15,851. Motion Carried 7-0.**
- [20-0111](#) 59. [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). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0112](#) (A) [Authorization](#) for additional action. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0113](#) 60. [On](#) request from Catholic Health Initiatives – Iowa Corporation d/b/a Mercy Medical Center (Sandra Swanson, Officer) for review and approval of a proposed 6th Amendment to the Mercy Medical Center PUD Conceptual Plan on property in the vicinity of 1111 6th Avenue, to allow revision to the campus sign plan. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
- [20-0114](#) 61. [On](#) E. 30th Street Bridge Rehabilitation Over UPRR: 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), \$8,168,859.12. ([Council Communication No. 20-015](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-0115](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0116](#) 62. **On** 42nd Street Reconstruction from Grand Avenue to Pleasant Street: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Grimes Asphalt and Paving Corporation (Kurt Rasmussen, President), \$616,036.38. ([Council Communication No. 20-022](#)) **Moved by Mandelbaum to adopt. Motion Carried 7-0.**

[20-0117](#) (A) **Approving** contract and bond and permission to sublet. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**

[20-0118](#) 63. **On** Market District Sanitary Sewer and Force Main: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as MPS Engineers, PC d/b/a Kingston Services, PC (Umesh G. Shetye, President), \$3,396,233.50. ([Council Communication No. 20-026](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-0119](#) (A) **Approving** contract and bond and permission to sublet. **Moved by Gatto to adopt. Motion Carried 7-0.**

*** END OF HEARINGS AT 5:43 PM ***

[20-0120](#) MOTION TO ADJOURN. **Moved by Gatto to adjourn at 5:46 PM. Motion Carried 7-0.**

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