



***** 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
Municipal Service Center, MSC Board Room
1551 E. M.L. King Jr. Parkway
Des Moines, Iowa 50309

November 23, 2020
4:30 P.M.

Iowa Code Section 21.4 requires that each Council meeting shall be held at a place reasonably accessible to the public and at a time reasonably convenient to the public, unless for good cause such a place or time is impossible or impracticable. Given Mayor Cownie's March 17, 2020 Proclamation Amendment, as amended, prohibiting indoor gatherings of ten or more persons on public property and Section One of the Governor's November 10, 2020 Proclamation strongly encouraging vulnerable Iowans to limit participation in gatherings of any size and any purpose during the COVID19 outbreak and further given Section 111 of the Governor's November 10, 2020 Proclamation suspending the regulatory provisions of Iowa Code §§ 21.8, 26.12, and 414.12, or any other statute imposing a requirement to hold a public meeting or hearing, the City Council has determined that a meeting at a physical place is impossible or impracticable and all Council meetings for the time being will be conducted electronically with the public allowed to attend per the instructions on this agenda. Meeting minutes will continue to be provided per the City's normal course of business.

Mayor and Council Members will be participating by ZOOM meeting due to COVID-19.

Please click this URL to join.

<https://dmgov-org.zoom.us/j/82810302367?pwd=U3NsV3hja3VRWUNrOW92SHpzd01ZQT09>

Passcode: 140522

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or 877 853 5257 (Toll Free)

Webinar ID: 828 1030 2367

I. CLOSED SESSION – 3:45 PM

[20-1844](#)

(A) Roll Call. **Present: Cownie, Boesen, Gatto, Gray, Mandelbaum, Voss and Westergaard.**

[20-1845](#)

(B) Recess, and reconvene in closed session pursuant to Section 21.5, subsection 1, paragraph C, of the Iowa Code, to discuss necessary strategy with counsel in matters that are presently in litigation or where litigation is imminent, where its disclosure would be likely to prejudice or disadvantage the position of the City. **Moved by Boesen to adopt. Motion Carried upon roll call 7-0**

[20-1846](#)

(C) Closed Session.

[20-1847](#)

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

[20-1848](#)

(E) Motion to adjourn. **Moved by Gatto to adjourn at 4:01PM. Motion Carried 7-0.**

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[20-1849](#)

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

[20-1850](#)

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

[20-1851](#)

3. APPROVING CONSENT AGENDA * – items 3 through 49: **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

[20-1852](#)

4. Approving Alcoholic Beverage License Applications for the following: **Moved by Gatto to adopt. Motion Carried 7-0.**

NEW APPLICATIONS

- | | | | |
|-----|-------------------------|-----------------|----------|
| (A) | CLUB 525 | 525 E GRAND AVE | C Liquor |
| (B) | LA BAJA COSINA MEXICANA | 1938 SE 6TH ST | C Liquor |
| (C) | LOS PINOS MEXICAN | 3900 E 14TH ST | C Liquor |

RENEWAL APPLICATIONS

(D)	BIANCHIS HILLTOP	2820 HUBBELL AVE	C Liquor
(E)	C FRESH MARKET	801 UNIVERSITY	E Liquor
(F)	FLIX BREWHOUSE IOWA	3800 MERLE HAY RD	C Liquor
(G)	GAMEDAY KITCHEN	3800 MERLE HAY RD	C Liquor
(H)	HIGH LIFE LOUNGE	200 SW 2ND ST	C Liquor
(I)	JUNIPER MOON	2005 INGERSOLL	C Liquor
(J)	KUM & GO #208	3200 SE 14TH ST	E Liquor
(K)	KUM & GO #4110 *(1)	2110 GUTHRIE AVE	E Liquor
(L)	PARK AVENUE PUB	1101 PARK AVE	C Liquor
(M)	QUIK TRIP #541	2428 HUBBELL AVE	C Beer
(N)	ROYAL MILE	210 4TH ST	C Liquor
(O)	SKIPS	4000 FLEUR DR	C Liquor
(P)	SLEEPY HOLLOW SPORTS	4051 DEAN AVE	C Liquor
(Q)	SUDSUCKERS	1511 E ARMY POST	C Liquor
(R)	VARIED INDUSTRIES	3000 E GRAND AVE	B Beer
(S)	VIVA MEXICAN RESTAURANT	6101 GRAND AVE	C Liquor

[20-1853](#)

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

PUBLIC IMPROVEMENTS

[20-1854](#)

6. [Approving](#) Professional Services Agreement with McClure Engineering Co. d/b/a McClure Engineering Company for Design Services for McKinley Avenue Reconstruction (South Union Street – SW 9th Street) Project, not to exceed \$331,970. ([Council Communication No. 20-521](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-1855](#)

7. [Approving](#) private construction contract between Absolute Solutions, Inc. and Mainframe Studios for paving improvements in 900 Keosauqua Way. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-1856](#)

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

[20-1857](#)

9. [Accepting](#) completed construction and approving final payment for Gray's Lake Earthen Berm Stabilization Project. **Moved by Gatto to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [20-1858](#) 10. [Levying](#) Assessments for costs of Public Works Sewer Repair Schedule No. 2020-03. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1859](#) 11. [Levying](#) assessments for costs of Nuisance Abatement-NAC-Emergency Assessment (Community Development), Schedule No. 2020-09. **Moved by Gatto to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [20-1860](#) 12. [Communication](#) from Chad Zimmerman advising of his resignation from the Transportation Safety Committee, Seat 5, effective immediately. **Moved by Gatto to receive, file, and accept resignation with appreciation for his service. Motion Carried 7-0.**
- 12I. Recommendation from Mayor Cownie for reappointments to the Water Works Board of Trustees as follows.
- [20-1861](#) (A) [Graham Gillette](#), Seat 4, for a term beginning April 1, 2020 and ending March 31, 2027. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1862](#) (B) [Joel Aschbrenner](#), Seat 5, for a term beginning April 1, 2021 and ending March 31, 2027. **Moved by Gatto to adopt. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [20-1863](#) 13. [Regarding](#) request from Mundo Pequenito, LLC for vacation of Southwest 1st Street right-of-way adjoining 1922 Southwest 1st Street. **Moved by Gatto to receive and file communication from the Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**
- [20-1864](#) 14. [Regarding](#) request from MidAmerican Energy for vacation of segments of Garver Street right-of-way, Southeast 16th Street right-of-way, and east/west alley right-of-way, in the vicinity of the 900 block of Southeast 15th Street for development of an electrical substation. **Moved by Gatto to receive and file communication from the Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [20-1865](#) 15. [On](#) request from LaVerne and Maxine Anderson (Owners) to rezone 1100 East Marion Street from “N3a” Neighborhood District to Limited “NX2” Neighborhood Mix District to allow the existing residential dwelling to continue to be used for a group living use, including requiring conditional use approval, (12-7-20). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1866](#) 16. [On](#) request from Tiger Knight, LLC (Owner) (Barry Nelson, Officer) to amend PlanDSM: Creating Our Tomorrow Future Land Use Designation and to rezone property located at 1210 and 1220 Army Post Road from “RX1” Neighborhood Mix District to Limited “MX3” Mixed Use District to allow use of existing commercial building for a greater variety of permitted mixed uses such as retention of lawncare business in operation on the Property, (12-7-20). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1867](#) 17. [On](#) request from Morgan Maurer (Owner) to amend PlanDSM: Creating Our Tomorrow Future Land Use Designation and to rezone 2104 East 21st Street from I1 Industrial District to “N3a” Neighborhood District to allow extension of the existing Household Living residential use with addition of a new accessory detached garage, replacing recently demolished detached garage that sustained storm damage with a larger accessory structure, (12-7-20). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1868](#) 18. [On](#) the vacation of a portion of 25th street and alley right-of-way located between Forest Avenue and Clark Street west of 24th Street and conveyance to Des Moines Independent Community School District, (12-7-20). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1869](#) 19. [On](#) vacation of a portion of Ashworth Park located north of and adjoining 514 Foster Drive and approval of land exchange agreement with David J. Steffes and Wendy S. Steffes, (12-7-20). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1870](#) 20. [On](#) issuance of not to exceed \$40,000,000 General Obligation Refunding Capital Loan Notes, Series 2021A, (12-7-20). ([Council Communication No. 20-520](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1871](#) 21. [On](#) proposition to authorize a short-term lease with U.S.S. Husmann, LLC for the rental of warehouse space for equipment storage at 301 SE 8th Street for the temporary use by the Public Works Department, (12-7-20). **Moved by Gatto to adopt. Motion Carried 7-0.**

22. Items regarding the Market District in the vicinity of Southeast 4th Street and East Market Street, generally from the Des Moines River on the west to Southeast 5th Street on the east, and from East Vine Street on the north to East Martin Luther King Jr. Parkway on the south:

[20-1872](#)

- (A) [Receive](#) and file communication from P&Z regarding City initiated vacation of Raccoon Street from Southeast 4th Street to Southeast 5th Street, and the north/south segment of alley between Southeast 4th Street to Southeast 5th Street from Raccoon Street to East Martin Luther King, Jr. Parkway. **Moved by Gatto to receive and file communication from the Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**

[20-1873](#)

- (B) [Receive](#) and file communication from P&Z regarding approval of a Preliminary Plat “The Market District” covering a 10-block area. **Moved by Gatto to receive and file. Motion Carried 7-0.**

[20-1874](#)

- (C) [Setting](#) date of hearing on addition of the Market District Large-Scale Development Plan as an amendment to the Market District of the East Village Master Plan Element of the PlanDSM: Creating Our Tomorrow Plan, (12-7-20). **Moved by Gatto to approve. Motion Carried 7-0.**

[20-1875](#)

- (D) [Setting](#) date of hearing regarding City initiated request to rezone property in the area west of Southeast 2nd Street from “DX2” Downtown District to Limited “DXR” Downtown District, (12-7-20). **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-1876](#)

- (E) [Setting](#) date of hearing regarding City-initiated request to rezone property in the area east of Southeast 2nd Street from “DX2” Downtown District and/or “P2” Public, Civic and Institutional District to Limited “DX1” Downtown District, (12-7-20). **Moved by Gatto to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

[20-1877](#)

23. [Payment](#) to State Farm on behalf of Peach Wise and Richard Agan for property damage claim. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-1878](#)

24. [Payment](#) to MidAmerican Energy for property damage claim. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-1879](#)

- 24I. [Payment](#) to Belin McCormick Law Firm. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-1880](#)

25. [Waiver](#) and consent to conflict of interest in joint representation by Ahlers & Cooney, P.C. of the cities of Des Moines and Urbandale for drafting a 28E Agreement for the establishment of a Joint Code Chapter 15J Reinvestment District. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-1881](#)

26. [Waiver](#) and consent to conflict interest in representation by Carney & Appleby, P.L.C. in a property acquisition matter with the City of Des Moines and Jason and Kati Medick. **Moved by Gatto to adopt. Motion Carried 7-0.**

APPROVING

27. Items regarding the expansion of the EP2 Production, Office and Warehouse facility located at 4240 Army Post Road: ([Council Communication No. 20-506](#))

[20-1882](#)

- (A) [First](#) Amendment to the Urban Renewal Development Agreement with Electro Management Corp. for a 60,000 square-foot warehouse addition to their existing production facility. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-1883](#)

- (B) [Application](#) to the Iowa Economic Development Authority (IEDA) for State of Iowa Business Financial Assistance for Electro Management Corp., and Electrical Power Products, Inc. for a business expansion project. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-1884](#)

28. [Preliminary](#) terms of an urban renewal development agreement with FW Rehab, LLC (Abbey Gilroy, Executive Director) for the renovation of 3610 6th Avenue into a mixed-use residential and commercial development. ([Council Communication No. 20-515](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-1885](#)

29. [Preliminary](#) terms of an Urban Renewal Development Agreement with Percy's Landing Senior, LP, for the renovation of the 18,904 square-foot vacant school building located at 1801 McKinley Avenue for purposes of converting to a 21-unit senior housing development. ([Council Communication No. 20-507](#)) **Moved by Gatto to approve the preliminary terms of agreement as set forth in the accompanying Council Communication, and to direct the City Manager or his designee to negotiate final terms of agreement for future consideration by the City Council. Motion Carried 7-0.**

30. Number Not Used.

[20-1886](#)

31. [Amendment](#) to the Iowa Economic Development Authority (IEDA) contract related to the financial assistance for Accordia Life & Annuity Company (aka Global Atlantic) under the IEDA High Quality Jobs (HQJ) program. ([Council Communication No. 20-502](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-1887](#)

32. [Issuance](#) of Certificate of Completion to Des Moines Griffin Building, LLC (Tim Rypma ET AL) for development of Griffin Building at 319 7th Street. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [20-1888](#) 33. [Request](#) by Des Moines Griffin Building, LLC, for City support for its application to Polk County to retroactively apply its application for tax abatement for construction of the residential portion of the mixed-use project in the Griffin Building at 319 7th Street. ([Council Communication No. 20-511](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
34. Number Not Used.
- [20-1889](#) 35. [Amended](#) and restated minimum assessment agreement with Kemin Industries, Inc. and Kemin Holdings, L.C. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1890](#) 36. [Issuance](#) of certificate of completion to Macerich Southridge Mall LLC, Southridge Adjacent, LLC and Southridge Apartments Partners, LP for multi-household residential phase of the Southridge Redevelopment Project in the Southside Economic Development District Urban Renewal Area. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1891](#) 37. [Appointment](#) of Jen Schulte as an Assistant City Manager effective November 16, 2020. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1892](#) 38. [Revising](#) the Proposed Twenty-Seventh Amendment to the Metro Center Urban Renewal Plan to incorporate potential alternative financial assistance for a redevelopment project and authorizing notice of public hearing. **Moved by Gatto to adopt. Council Member Mandelbaum declares an appearance of a conflict of interest and abstains from voting. Motion Carried 6-0.**
- [20-1893](#) 39. [Rescinding](#) prior action and approval of the Sidewalk Assessment Policy and the Policy to Evaluate Removal of Existing Sidewalks Policy within City right-of-way. ([Council Communication No. 20-513](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1894](#) 40. [Neighborhood](#) Commercial Revitalization (NCR) Program and Program Policy. ([Council Communication No. 20-514](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1895](#) 41. [Amendment](#) to the agreement with Tyler Public Safety Solutions (Tyler Technologies, Inc.) to clarify billing terms and processes. ([Council Communication No. 20-505](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1896](#) 42. [Amendment](#) for extension of contract with the Active Network, Inc. for online registration, reservation and payment services for the Parks and Recreation Department. ([Council Communication No. 20-509](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

43. Abatement of public nuisances at the following:

- [20-1897](#) (A) [1369](#) E. 12th Street. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1898](#) (B) [4102](#) Hull Avenue. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1899](#) (C) [1812](#) Easton Boulevard. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1900](#) (D) [1836](#) Mondamin Avenue. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1901](#) (E) [6024](#) Ronwood Drive. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1902](#) (F) [2009](#) E. 40th Court. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1903](#) (G) [3123](#) 4th Street. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1904](#) (H) [3825](#) Cambridge Street. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1905](#) (I) [1108](#) Guthrie Avenue. **Moved by Gatto to adopt. Motion Carried 7-0.**

44. Receipt of communication of fire escrow for the following:

- [20-1906](#) (A) [2945](#) Mahaska Avenue. **Moved by Gatto to receive and file and direct the City Attorney to bring legal action within one hundred eighty (180) days of notice received via mail on September 29, 2020, if owner(s) has not demolished or renovated the structure. Motion Carried 7-0.**
- [20-1907](#) (B) [718](#) 38th Street. **Moved by Gatto to receive and file and direct the City Attorney to bring legal action within one hundred eighty (180) days of notice received via mail on November 3, 2020, if owner(s) has not demolished or renovated the structure. Motion Carried 7-0.**
- [20-1908](#) (C) [1464](#) E. 21st Street. **Moved by Gatto to receive and file and direct the City Attorney to bring legal action within one hundred eighty (180) days of notice received via mail on November 10, 2020, if owner(s) has not demolished or renovated the structure. Motion Carried 7-0.**
- [20-1909](#) (D) [1520](#) Royer Street. **Moved by Gatto to receive and file and direct the City Attorney to bring legal action within one hundred eighty (180) days of notice received via mail on September 29, 2020, if owner(s) has not demolished or renovated the structure. Motion Carried 7-0.**

- [20-1910](#) 45. [Purchase](#) of three remote operated robot systems from Safeware Inc. (Edward A. Simons, President) for the Statewide Explosive Ordnance Detection Teams using funds from 2020 Homeland Security Grant Program award, \$943,235. ([Council Communication No. 20-504](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [20-1911](#) 46. [Purchase](#) of two (2) replacement large SUV public safety vehicles from Karl Chevrolet (Carl Moyer, Owner) per State of Iowa contract for use by the Fire Department \$85,183.40. ([Council Communication No. 20-501](#)) **Moved by Mandelbaum to adopt; refer to the City Manager to look at the fleet and figure out the transition process. Motion Carried 7-0.**

47. Purchases from the following:

[20-1912](#)

(A) [Arbor](#) Masters Tree Service (Heather Dirksen, President) for hazardous tree and debris removal and disposal services in City parks related to the derecho storm on August 10, 2020 as requested by the Public Works Department, \$973,000. (Eight potential bidders, two received) ([Council Communication No. 20-499](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-1913](#)

(B) [Grimes](#) Asphalt and Paving Corporation (Mike Yonker, General Manager) for renewal of contract for 500 tons of cold mix asphalt for use by the Street Maintenance Division as requested by the Public Works Department, \$80,500. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-1914](#)

(C) [Stone](#) Cross Lawn & Landscape LLC (Brad Puckett, Owner) for an annual contract with four additional one-year renewal options to furnish sidewalk snow removal services at various City properties as requested by the Public Works Department, \$300,000 maximum. **Moved by Gatto to adopt. Motion Carried 7-0.**

[20-1915](#)

48. [Promotional](#) list for Heavy Equipment Operator. **Moved by Gatto to receive and file. Motion Carried 7-0.**

[20-1916](#)

49. [Authorizing](#) Finance Director to draw checks [registers](#) for the weeks of November 23 and 30, 2020; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of November 23 and 30, 2020; to draw checks for biweekly payroll due December 4, 2020. **Moved by Gatto to adopt. Motion Carried 7-0.**

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

ORDINANCES - FIRST CONSIDERATION

[20-1917](#)

50. [Amending](#) Chapter 114 of the Municipal Code regarding Traffic Regulation Changes as follows: ([Council Communication No. 20-522](#)) **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

(A) Code changes related to the 2020 HMA Resurfacing Program Contract 2—Cherry Street from 5th Avenue to 12th Street.

(B) Proposed Code change to extend parking restriction spacing at 6th Avenue and Mulberry Street.

[20-1918](#)

(C) 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, #[15,943](#). Motion Carried 7-0.**

[20-1919](#)

51. [Amending](#) Chapter 26 of the Municipal Code relating to the Electrical Code. ([Council Communication No. 20-503](#)) **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[20-1920](#)

- (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, #[15,944](#). Motion Carried 7-0.**

APPROVING

52. Items regarding Annual Urban Renewal Report (AURR) and Tax Increment Finance (TIF) Certification: ([Council Communication No. 20-512](#))

[20-1921](#)

- (A) [Advance](#) of funds to the Metro Center Urban Renewal Project for planning, oversight and administration, \$800,000. **Moved by Westergaard to adopt. Motion Carried 7-0.**

[20-1922](#)

- (B) [Recommendation](#) from the City Manager regarding TIF needs for FY 2021-2022 and certification of TIF indebtedness. **Moved by Westergaard to adopt the recommendations contained in Council Communication No. 20-512 for tax increment financing (TIF) needs for each urban renewal area and to direct the City Manager or his designee to notify the County Auditor of the City of Des Moines' need for a total of \$40,741,721 of tax increment financing revenue for FY 2021-2022 and to make the necessary timely certifications of the amount of loans, advances, indebtedness or bonds including interest negotiated on such loans, advances, indebtedness or bonds which qualify for payment from TIF for each urban renewal area in accordance with Iowa Code Sections 403.19 and if there are subsequent reductions in tax increment valuations prior to certification, the City Manager or his designee is authorized to decrease the TIF needs requirement as to be in compliance with the Council's TIF policy; refer to the City Manager to work with the Economic Development Department to get some type of development going in the Accent Neighborhood and other Ward II areas. Motion Carried 7-0.**

[20-1923](#)

- (C) [Urban](#) Renewal Reports for Urban Renewal Plans and Areas within the City of Des Moines. **Moved by Westergaard to adopt. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

53. Requests to speak as follows:

[20-1924](#)

- (A) [Carolyn Uhlenhake Walker](#) regarding Clean Energy Resolution. **Ms. Uhlenhake Walker did not speak. No action was taken.**

- [20-1925](#) (B) [Jennifer Leatherby](#) regarding Mental Health resources. **Statements were made. No action was taken.**
- [20-1926](#) (C) [Shea Malloy](#) regarding Injustice in Des Moines. **Statements were made. No action was taken.**
- [20-1927](#) (D) [Luis Gomez](#) regarding Des Moines City Council. **Statements were made. No action was taken.**
- [20-1928](#) (E) [Ava Elaine Auen-Ryan](#) regarding Injustices in Des Moines. **Ms. Auen-Ryan did not speak. No action was taken.**
- [20-1929](#) (F) [Kate Broderick](#) regarding Injustice in Des Moines. **Statements were made. No action was taken.**
- [20-1930](#) (G) [Adam Callanan](#) regarding Injustice in Des Moines. **Statements were made. No action was taken.**
- [20-1931](#) (H) [Bridget Pedersen](#) regarding Injustice in Des Moines. **Ms. Pedersen did not speak. No action was taken.**
- [20-1932](#) (I) [Steve Walter](#) regarding opposition to decriminalizing marijuana and the future of Des Moines. **Statements were made. No action was taken.**
- [20-1933](#) (J) [Alejandro Murguia-Ortiz](#) regarding crime and violence reduction in Des Moines. **Statements were made. No action was taken.**
- [20-1934](#) (K) [Harvey Harrison](#) regarding Marijuana Task Force Report. **Statements were made. No action was taken.**
- [20-1935](#) (L) [Jane Alderman](#) regarding Marijuana Task Force. **Statements were made. No action was taken.**
- [20-1936](#) (M) [Laural Clinton](#) regarding Marijuana Task Force. **Statements were made. No action was taken.**
- [20-1937](#) (N) [Janice Hawkins](#) regarding Marijuana Task Force recommendations **Statements were made. No action was taken.**
- [20-1938](#) (O) [Denver Foote](#) regarding Community Input. **Ms. Foote did not speak. No action was taken.**
- [20-1939](#) (P) [Emily Gibson](#) regarding Covid precautions. **Statements were made. No action was taken.**
- [20-1940](#) (Q) [Lori A. Young](#) regarding Marijuana Task Force. **Statements were made. No action was taken.**
- [20-1941](#) (R) [Veola Perry](#) regarding work of the Marijuana Task Force. **Statements were made. No action was taken.**
- [20-1942](#) (S) [Indira Sheumaker](#) regarding Des Moines City Council's inaction. **Statements were made. No action was taken.**
- [20-1943](#) (T) [Vanessa Moranchel](#) regarding Mayor and City Council's behavior during City Council meetings. **Ms. Moranchel did not speak. No action was taken.**
- [20-1944](#) (U) [Luke Bascom](#) regarding COVID-19 spread in Des Moines. **Statements were made. No action was taken.**
- [20-1945](#) (V) [Leah Plath](#) regarding City Council action in regards to COVID-19. **Ms. Plath did not speak. No action was taken.**
- [20-1946](#) (W) [Harleigh Boldridge](#) regarding COVID-19 policies in Des Moines. **Statements were made. No action was taken.**
- [20-1947](#) (X) [Nick Manna](#) regarding police accountability. **Mr. Manna did not speak. No action was taken.**

- [20-1948](#) (Y) [Nayelli Moranchel](#) regarding COVID in schools. **Statements were made. No action was taken.**
- [20-1949](#) (Z) [Daniel Pepper](#) regarding City Council. **Mr. Pepper did not speak. No action was taken.**
- [20-1950](#) (AA) [Amanda Johnson](#) regarding mask mandate. **Statements were made. No action was taken.**
- [20-1951](#) (BB) [Danley Ross](#) regarding mask mandate. **Danley Ross did not speak. No action was taken.**
- [20-1952](#) (CC) [Paden Sheumaker](#) regarding what the City Council should be doing. **Statements were made. No action was taken.**
- [20-1953](#) (DD) [KT Menke](#) regarding silencing of constituents and city council behavior. **Statements were made. No action was taken.**
- [20-1954](#) (EE) [Carter White](#) regarding COVID-19. **Mr. Carter did not speak. No action was taken.**
- [20-1955](#) (FF) [Giovanni Bahena](#) regarding City’s COVID response. **Statements were made. No action was taken.**
- [20-1956](#) (GG) [Sara Feldman](#) regarding community input. **Statements were made. No action was taken.**

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 54 THRU 69)

- [20-1957](#) 54. **On** request from Highland Park Apartments, LLC (Tim Bratvold, Officer) to amend the PlanDSM Creating Our Tomorrow Plan future land use designation from Low Medium Density Residential within a Neighborhood Node to High Density Residential within a Neighborhood Node and to rezone property at 622 Euclid Avenue from “NX1” Neighborhood Mix District to “NX2” Neighborhood Mix District to allow the existing multiple-household dwelling to be used for 10 household living units. **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [20-1958](#) (A) **First** consideration of ordinance above. **Moved by Westergaard that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [20-1959](#) (B) **Final** consideration of ordinance above (waiver requested by Alan VanGundy, Simonson & Associates Architects, LLC), requires six votes. **Moved by Westergaard 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, #[15,945](#). Motion Carried 7-0.**

[20-1960](#)

55. [On](#) request from Fareway Stores, Inc. (Koby Pritchard, Officer) to rezone property at 2716 Beaver Avenue from “MX1” Mixed Use District to “MX3” Mixed Use District to allow redevelopment of the property with a 7,759-square foot Retail Sales, Limited use with the ability to request a Conditional Use for a business that sells alcoholic liquor. **Moved by Gray to adopt. Motion Carried 7-0.**

[20-1961](#)

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

[20-1962](#)

- (B) [Final](#) consideration of ordinance above (waiver requested by Garrett S. Piklapp, Executive Vice President), requires six votes. **Moved by Gray 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, #15,946. Motion Carried 7-0.**

[20-1963](#)

56. [On](#) requests from Drake University (Owner) for the amendment of the PlanDSM: Creating Our Tomorrow Future Land use designation from Neighborhood Mixed Use and Low Density Residential to Public/Semi-Public; Review and Approval of Amendment to the Drake University Recreation PUD Conceptual Plan to remove approximately 2.84 acres to be rezoned to “P2” Public, Institutional and Civic District; and rezone property from “PUD” Planned Unit Development District, “RX1” Mixed Use District and “N5” Neighborhood District to “P2” Public, Civic and Institutional District, to allow for development of 4,000 seat multi-purpose stadium to be jointly operated for the Des Moines Public Schools use for athletic competition all for property in the vicinity of 2421 Forest Avenue. **Moved by Voss to adopt. Motion Carried 5-2. Nays: Gatto and Westergaard.**

[20-1964](#)

- (A) [First](#) consideration of ordinance above. **Moved by Voss that this ordinance be considered and given first vote for passage. Motion Carried 5-2. Nays: Gatto and Westergaard.**

WITHDRAWN

[20-1965](#)

- ~~(B) [Final](#) consideration of ordinance above (waiver requested by Michelle D. Morgan Huggins, Drake University Planning and Design Manager), requires six votes.~~

[20-1966](#)

57. [Dismissing](#) hearing on request from Quik Trip Corporation (Jessica Glava, Officer) to rezone property at 1421 Ingersoll Avenue from “MX2” Mixed Use District to “MX3” Mixed Use District to allow the existing 4,008-square foot fuel station with 10 fueling locations the ability to request a Conditional Use for a business that sells alcoholic liquor. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**

- [20-1967](#) 58. **To** correct the conditions of a Limited “11” zoning approved pursuant to Ordinance No. 15,930 on October 5, 2020 regarding property located at 2025 East Grand Avenue. The original zoning request was submitted by Lil Brother Construction, LLC (purchaser), (Jean Jones, Officer). The subject property was owned by Cypress Properties, LLC. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1968](#) (A) **First** consideration of ordinance above. **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [20-1969](#) (B) 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, #15,948. Motion Carried 7-0.**
- [20-1970](#) 59. **On** vacation of the east/west alley right-of-way located north of and adjoining 809 Virginia Avenue, and for vacation of the north/south alley right-of-way located west of and adjoining 809 Virginia Avenue, and conveyance to Diana Ancell, \$200. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
- [20-1971](#) (A) **First** consideration of ordinance above. **Moved by Mandelbaum that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [20-1972](#) (B) Final consideration of ordinance above, requires six votes. **Moved by Mandelbaum that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #15,949. Motion Carried 7-0.**
- [20-1973](#) 60. **On** request from Des Moines Cold Storage (Owner)(C.J. Morton, Officer) for review and approval of an amendment to the to the previously approved PUD Final Development Plan for the “Phase IA of Des Moines Cold Storage” for property located at 3805 Vandalia Road, to allow 62,680 square-foot addition to the existing refrigerated warehouse building, with waiver of the previously approved installation of public sidewalk along the Vandalia Road frontage. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1974](#) 61. **On** request from Blank Park Zoo Foundation, Inc. (Anne Shimerdla, Officer) for the 3rd Amendment to the Blank Park Zoo PUD Conceptual Plan to allow for addition of a new restroom and concession building with plaza within Area “A”; and the PUD Final Development Plan for “GoGo Plaza” to allow development of a 1,504-square foot concession and restroom building and surrounding plaza area at 7401 Southwest 9th Street. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1975](#) 62. **On** conveyance of City-owned property located at 919 E. 9th Street to Home Inc. (Home Opportunities Made Easy, Inc.) for redevelopment of housing. **Moved by Boesen to adopt. Motion Carried 7-0.**

- [20-1976](#) 63. On the proposition to authorize and enter into a lease agreement in the principal amount not-to-exceed \$130,000, for the purpose of acquiring certain items of equipment for winter snow removal consisting of three motor graders and one bulldozer. ([Council Communication No. 20-500](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1977](#) 64. On amendment to the 2019 Action Plan for the U.S. Department of Housing and Urban Development (HUD) 2015-2019 Consolidated Plan. **Moved by Boesen to adopt. Motion Carried 7-0.**
- [20-1978](#) 65. On amendment to Donation and Concession Agreement for Riverview Park Concession with Parks Area Foundation. ([Council Communication No. 20-508](#)) **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [20-1979](#) 66. On 2021 Traffic Signal Replacement Contract 1: Approving plans, specifications, form of contract documents, and Engineer's estimate, receive and file bids and designating lowest responsive, responsible bidder as Iowa Signal, Inc. (Wayne Lesley, President), \$471,423.67. ([Council Communication No. 20-516](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1980](#) (A) Approval of contract and bond and permission to sublet. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1981](#) 67. On Center Street Park and Ride Lighting Improvements: approving plans, specifications, form of contract documents, and Engineer's estimate, receive and file bids and designating lowest responsive, responsible bidder as ABC Electrical Services, LLC (LeRoy Clair, President), \$689,420.84. ([Council Communication No. 20-517](#)) **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
- [20-1982](#) (A) Approval of contract and bond and permission to sublet. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
- [20-1983](#) 68. On Drake Park Shelter Renovation: approving plans, specifications, form of contract documents and Engineer's estimate, receive and file bids and designating lowest responsive, responsible bidder as GTG Construction, LLC (Tracy D. Grasso, Owner/Managing Partner), \$733,000.00. ([Council Communication No. 20-518](#)) **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
- [20-1984](#) (A) Approval of contract and bond and permission to sublet. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**

[20-1985](#)

69. **On** Hamilton Drain Storm Water Improvements, Phase 1: approving plans, specifications, form of contract documents and Engineer’s estimate, receive and file bids and designating lowest responsive, responsible bidder as S.M. Hentges & Sons, Inc. (Steven M. Hentges, President), \$2,160,616.00. ([Council Communication No. 20-519](#)) **Moved by Westergaard to adopt. Motion Carried 7-0.**

[20-1986](#)

- (A) **Approval** of contract and bond and permission to sublet. **Moved by Westergaard to adopt. Motion Carried 7-0.**

*** END OF HEARINGS 6:57P.M. ***

[20-1987](#)

MOTION TO ADJOURN. **Moved by Cownie to adjourn at 7:26PM. Motion Carried 7-0.**

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