



**\*\*\* 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 50317**

**December 21, 2020**  
**4:15 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 December 9, 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 One Hundred Fourteen of the Governor's December 9, 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/89248657921?pwd=Z0VaRTArWnBIYXZlb1VMTVFEXMHovQT09>

Passcode: 058084

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

Webinar ID: 892 4865 7921

## PROCLAMATION

### IOWA HOMELESS MEMORIAL

- [20-2075](#) 1. ROLL CALL: **Present: Cownie, Boesen, Gatto, Gray, Mandelbaum, Voss and Westergaard.**
- [20-2076](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-2077](#) 3. APPROVING CONSENT AGENDA \* – items 3 through 44: **Moved by Boesen to adopt the balance of the Consent Agenda. Motion Carried 7-0.**

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

## LICENSES AND PERMITS

- [20-2078](#) 4. Approving Alcoholic Beverage License Applications for the following: **Moved by Boesen to adopt. Motion Carried 7-0.**

### NEW APPLICATION

(A) TOP IT OFF 100 INDIANA AVE C Liquor

### RENEWAL APPLICATIONS

(B)	801 STEAK & CHOP HOUSE	801 GRAND AVE	C Liquor
(C)	A DONG RESTAURANT	1511 HIGH ST	C Beer/Wine
(D)	AIR LANES	4200 FLEUR DR	C Liquor
(E)	CHRISTOPHERS DINING ROOM	2816 BEAVER AVE	C Liquor
(F)	DES MOINES CLUB	666 GRAND AVE	A Liquor
(G)	EASYGO	2723 GRAND AVE	C Beer
(H)	GIT N GO STORE #2	1307 ARMY POST RD	C Beer
(I)	GOLDEN LAND FOOD MARKET	2740 DOUGLAS AVE	C Beer
(J)	HULL AVENUE TAP	834 HULL AVE	C Liquor
(K)	HY VEE C-STORE #3	3215 SE 14TH ST	C Beer
(L)	KUM & GO #2722	2211 UNIVERSITY	C Beer
(M)	LA TAPATIA	1440 DES MOINES ST	C Beer
(N)	LOS LAURELES	1518 E GRAND AVE	C Liquor
(O)	MAINGATE BAR AND GRILL	2956 E GRAND AVE	C Liquor
(P)	NOW OR LATER RESTAURANT	3750 E UNIVERSITY	C Liquor
(Q)	PAESANOS PIZZERIA	2804 SW 9TH ST	C Beer/Wine
(R)	QUIK TRIP #544	3941 SE 14TH ST	E Liquor
(S)	SHOP N SAVE #2	1372 E 14TH ST	E Liquor
(T)	TANGERINE FOOD CO	900 KEOSAUQUA	C Liquor
(U)	TEMPLE THEATER	1011 LOCUST ST	C Liquor

(V) W-TAO SUSHI

400 WALNUT ST

C Liquor

- [20-2079](#) 5. [City Clerk](#) to issue Coin Operated Machine Licenses. **Moved by Boesen to adopt. Motion Carried 7-0.**

## **PUBLIC IMPROVEMENTS**

6. Ordering construction of the following:

- [20-2080](#) (A) [2021 Neighborhood](#) Sidewalk Program: Receiving of bids, (1-12-21), Setting date of hearing, (2-8-21). Engineer's estimate, \$965,000. ([Council Communication No. 20-541](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

- [20-2081](#) (B) [2021 Bridge](#) and Culvert Repair: Receiving of bids, (1-12-21), Setting date of hearing, (2-8-21). Engineer's estimate, \$280,000. ([Council Communication No. 20-540](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

- [20-2082](#) (C) [Ingersoll](#) Avenue 42<sup>nd</sup> Street to Polk Blvd. Reconstruction: Receiving of bids, (1-20-21), Setting date of hearing, (2-22-21). Engineer's estimate, \$3,620,000. ([Council Communication No. 20-546](#)) **Moved by Mandelbaum to adopt; refer to the City Manager's Office and staff to come back with 25 mph speed limit change upon completion of the project. Motion Carried 5-2. Nays; Cownie and Westergaard.**

- [20-2083](#) 7. [Submittal](#) of Federal Surface Transportation Block Grant (STBG) Fiscal Year 2025 applications to the Des Moines Metropolitan Planning Organization (MPO). ([Council Communication No. 20-551](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

- [20-2084](#) 8. [Approving](#) Supplemental Agreement No. 1 to the Professional Services Agreement (PSA) with Bolton & Menk, Inc. for additional professional services for 6<sup>th</sup> Avenue Streetscape – College Avenue to Hickman Road, for an amount not to exceed \$60,000. ([Council Communication No. 20-542](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

- [20-2085](#) 9. [Approving](#) Supplemental Agreement No. 2 to the Professional Services Agreement (PSA) with Kirkham, Michael & Associates, Inc. for additional professional services for Ingersoll Avenue Streetscape – 31st Street to Martin Luther King Jr. Parkway, not to exceed \$485,000. ([Council Communication No. 20-547](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

- [20-2086](#) 10. [Approving](#) Change Order No. 1 with Minturn, Inc. for additional work on Simon Estes Amphitheater Repairs, in the amount of \$146,434.09. ([Council Communication No. 20-549](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

- [20-2087](#) 11. [Approving](#) Change Order No. 4 with OMG Midwest, Inc d/b/a Des Moines Asphalt & Paving for additional work on Hubbell Avenue Rehabilitation from E. 18<sup>th</sup> Street to Easton Blvd, in the amount of \$60,547.30. ([Council Communication No. 20-545](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

12. Approving Private Construction Contracts between the following:

[20-2088](#) (A) [Jordison](#) Construction, Inc. and Connolly Lofts Associates, LP for Paving Improvements in 401 SE 6<sup>th</sup> Street. **Moved by Boesen to adopt. Motion Carried 7-0.**

[20-2089](#) (B) [Corell](#) Contractor, Inc. and Connolly Lofts Associates, LP for Storm Sewer Improvements in 401 SE 6<sup>th</sup> Street. **Moved by Boesen to adopt. Motion Carried 7-0.**

13. Approving completion and acceptance of private construction contract for the following:

[20-2090](#) (A) [Paving](#) Improvements at 220 SE 6<sup>th</sup> Street, between Sternquist Construction Inc. and 220 SE 6<sup>th</sup> Street Properties, LLC. **Moved by Boesen to adopt. Motion Carried 7-0.**

[20-2091](#) (B) [Storm](#) Sewer Improvements at Grover Woods Plat 1, between McAninch Corporation and HRC Grover Woods LLC. **Moved by Boesen to adopt. Motion Carried 7-0.**

[20-2092](#) (C) [Sanitary](#) Sewer Improvements at Grover Woods Plat 1, between McAninch Corporation and HRC Grover Woods LLC. **Moved by Boesen to adopt. Motion Carried 7-0.**

[20-2093](#) (D) [Storm](#) Sewer Improvements at 220 SE 6<sup>th</sup> Street, between The Underground Company, Ltd. and 220 SE 6<sup>th</sup> Street Properties, LLC. **Moved by Boesen to adopt. Motion Carried 7-0.**

[20-2094](#) 14. [Communication](#) from contractors requesting permission to sublet certain items on public improvement project. **Moved by Boesen to adopt. Motion Carried 7-0.**

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

[20-2095](#) (A) [2019](#) Residential Paving, Grimes Asphalt and Paving Corporation. **Moved by Boesen to adopt. Motion Carried 7-0.**

[20-2096](#) (B) [2018-2019](#) HMA Pavement Scarification and Resurfacing, Grimes Asphalt and Paving Corporation. **Moved by Boesen to adopt. Motion Carried 7-0.**

[20-2097](#) (C) [2019](#) HMA Residential Paving Program, Grimes Asphalt and Paving Corporation. **Moved by Boesen to adopt. Motion Carried 7-0.**

[20-2098](#) (D) [Hartford](#) Avenue Rehabilitation from S.E. 22<sup>nd</sup> Street to Cownie Soccer Complex, Wenthold Excavating LLC. **Moved by Boesen to adopt. Motion Carried 7-0.**

[20-2099](#) (E) [M.L. King Jr.](#) Parkway Rehabilitation from Hickman Road to Euclid Avenue, OMG Midwest, Inc. d/b/a Des Moines Asphalt and Paving. **Moved by Boesen to adopt. Motion Carried 7-0.**

- [20-2100](#) (F) [2020](#) ADA Sidewalk Ramp Program, Westward Properties, LLC. **Moved by Boesen to adopt. Motion Carried 7-0.**

#### **SPECIAL ASSESSMENTS**

- [20-2101](#) 16. [Levy](#) assessments for costs of Nuisance Abatement-NAC-Emergency Orders, (Community Development), Schedule No. 2020-10. **Moved by Boesen to adopt. Motion Carried 7-0.**

- [20-2102](#) 17. [Levy](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2020-10. **Moved by Boesen to adopt. Motion Carried 7-0.**

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

- [20-2103](#) 18. [Conditionally](#) approving the final subdivision plat of Airport Industrial Park Plat 3, in the vicinity of 6200 Scout Trail. ([Council Communication No. 20-552](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

- [20-2104](#) 19. [Conditionally](#) approving the final subdivision plat of Three Lakes Estates Plat 7, in the vicinity of 2915 Brock View Drive. ([Council Communication No. 20-562](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

#### **BOARDS/COMMISSIONS/NEIGHBORHOODS**

- [20-2105](#) 20. [Approving](#) nominees for appointment to terms on the Urban Design Review Board's Skywalk Committee. **Moved by Boesen to adopt. Motion Carried 7-0.**

- [20-2106](#) 20I. [Receipt](#) of Des Moines Water Works budget for calendar year ending December 31, 2021. **Moved by Boesen to adopt. Motion Carried 7-0.**

#### **COMMUNICATIONS FROM PLANNING AND ZONING**

- [20-2107](#) 21. [Regarding](#) request from 814 Development/814 Acquisitions, LLC (Samantha Coponen, Officer) for vacation of segments of Mulberry Street, 12<sup>th</sup> Street, and the north/south alley right-of-way adjoining 204 12<sup>th</sup> Street. **Moved by Boesen to receive and file the communication from the Plan and Zoning Commission and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**

## SETTING DATE OF HEARINGS

- [20-2108](#) 22. On request from Antonio Dominguez and Gabriella Herrera (owners) to amend the PlanDSM future land use classification from Industrial to Low Density Residential and rezone 301 Southeast 28<sup>th</sup> Street from I1 Industrial District to N3c Neighborhood District to allow the existing Household Living use to be extended with addition of a new accessory 2-story detached garage use, (1-11-21). **Moved by Boesen to adopt. Motion Carried 7-0.**
- [20-2109](#) 23. On request from Angel Groff (owner) to amend the PlanDSM future land use classification from Low Density Residential to Community Mixed-Use and rezone property at 2200 Easton Boulevard from N3a Neighborhood District to MX3 Mixed Use District to allow the existing vacant commercial building and site to be reused for a Vehicle Maintenance/Repair, Minor use and a Vehicle Sales use, (1-11-21). **Moved by Boesen to adopt. Motion Carried 7-0.**
- [20-2110](#) 24. On request from Sitwell, LLC (Daniel Kelley, Officer) for review and approval of a PUD Final Development Plan “The Village at Gray’s Lake Lot 6”, on property located at 2688 Southwest 23<sup>rd</sup> Street, to allow reuse of the former classroom building for commercial office space, (1-11-21). **Moved by Boesen to adopt. Motion Carried 7-0.**
- [20-2111](#) 25. On vacation of a portion of alley right-of-way, Garver Street and Southeast 16<sup>th</sup> Street right-of-way located north of East Railroad Avenue, and conveyance of said vacated right-of-way and the intervening excess City property to MidAmerican Energy Company for \$135,500. (1-11-21). **Moved by Boesen to adopt. Motion Carried 7-0.**
- [20-2112](#) 26. On Second Amendment of the Concession Agreement for the Birdland Marina Concession with Less Than Trinity, LLC, d/b/a Captain Roy’s, (1-11-21). ([Council Communication No. 20-558](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**
- [20-2113](#) 27. On lease of a portion of vacated East Market Street between Southeast 14<sup>th</sup> Street and Southeast 18<sup>th</sup> Street to Des Moines Industrial, LLC for \$12,500. (1-11-21). **Moved by Boesen to adopt. Motion Carried 7-0.**
28. Number Not Used.

## APPROVING

- [20-2114](#) 29. Supplemental Emergency Solutions Grant (ESG-CV), second round, funding agreement with the U.S. Department of Housing and Urban Development (HUD) to prepare for, prevent, and respond to the coronavirus. ([Council Communication No. 20-554](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**
- [20-2115](#) 30. Supplemental Community Development Block Grant (CDBG-CV), second round, funding agreement with the Iowa Economic Development Authority (IEDA) to prepare for, prevent, and respond to coronavirus. ([Council Communication No. 20-555](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

- [20-2116](#) 31. [Urban](#) Renewal Development Agreement with Spot 515, LLC (Randy Reichardt), and approving Conceptual Development Plan, for the renovation of the existing 12,100 square-foot commercial building located at 515 28<sup>th</sup> Street for Commercial Uses. ([Council Communication No. 20-565](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**
- [20-2117](#) 32. [Urban](#) Renewal Development Agreement with 217 E. Second LC (Jake Christensen), and approving Conceptual Development Plan, for the renovation of the existing 20,500 square-foot commercial building located at 217 East 2<sup>nd</sup> Street for Commercial and Office Uses. ([Council Communication No. 20-563](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**
- [20-2118](#) 33. [Urban](#) Renewal Development Agreement with 13<sup>th</sup> & Mulberry, LLC and 13<sup>th</sup> & Mulberry Multifamily, LLC (Josh Aberson, Bryon Schafersman and Tim Rypma), and Conceptual Development Plan, for the Historic Renovation of existing one-story commercial building at 213 13<sup>th</sup> Street and construction of five-story mixed-use building on adjacent lot Northwest of 13<sup>th</sup> and Mulberry. ([Council Communication No. 20-564](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**
- [20-2119](#) 34. [Second](#) Amendment to Urban Renewal Agreement for Sale of Land for Private Redevelopment with 101 East Grand Parking, LLC (Paul Hayes), for the multi-phased redevelopment of the block east of City Hall. ([Council Communication No. 20-557](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**
- [20-2120](#) 35. [First](#) Amendment to Urban Renewal Development Agreement with Des Moines Griffin Building, LLC (Tim Rypma ET AL), and consenting to assignment of said agreement to Freedom Financial Bank, for development of Griffin Building at 319 7<sup>th</sup> Street. ([Council Communication No. 20-566](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**
- [20-2121](#) 36. [Certificate](#) of completion to District at 6<sup>th</sup>, LLC for the construction of 4-story apartment building at 201 SE 6<sup>th</sup> Street and approving a minimum assessment agreement. **Moved by Boesen to adopt. Motion Carried 7-0.**
37. Number Not Used.
38. Agreements with Community Foundation of Greater Des Moines for the following: ([Council Communication No. 20-560](#))
- [20-2122](#) (A) [Fleur](#) Drive Medians Landscape Replacement Fund. **Moved by Boesen to adopt. Motion Carried 7-0.**
- [20-2123](#) (B) [Fleur](#) Drive Medians Landscape Replacement Fund Management. **Moved by Boesen to adopt. Motion Carried 7-0.**

- [20-2124](#) 39. [Communication](#) of fire escrow at 322 SE 33<sup>rd</sup> Street. **Moved by Boesen to receive and file and to direct the City Attorney to bring legal action within one hundred eighty (180) days of the notice dated November 23, 2020, if owner(s) has not demolished or renovated the structure. Motion Carried 7-0.**
- [20-2125](#) 40. [Abatement](#) of public nuisance at 4171 NE Broadway Avenue Lot 29. **Moved by Boesen to adopt. Motion Carried 7-0.**
41. Purchases from the following:
- [20-2126](#) (A) [Sutphen](#) Corporation (Thomas Sutphen, President) for two (2) fire engine apparatus per Houston Galveston Area Council (HGAC) Contract for use by the Fire Department, \$1,389,330. ([Council Communication No. 20-569](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**
- [20-2127](#) (B) [Knox](#) Company (Joni Trempala, President and CEO) for non-competitive procurement of forty-five (45) Knox KeySecure 6 Devices and Knox eKey Programmable Electronic Keys and associated mounting hardware for use by all Fire Department response vehicles, \$59,181.83. ([Council Communication No. 20-567](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**
- [20-2128](#) 42. [Civil](#) Service Entrance list for Zoning Enforcement Officer. **Moved by Boesen to receive and file. Motion Carried 7-0.**
- [20-2129](#) 43. [Authorizing](#) Finance Director to draw check [registers](#) for the weeks of December 21 and 28, 2020; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of December 21 and 28, 2020; to draw checks for biweekly payroll due December 31, 2020. **Moved by Boesen to adopt. Motion Carried 7-0.**

## ORDINANCES - SECOND CONSIDERATION

- [20-2130](#) 44. [Amending](#) Section 134-1.10 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of property located at 1210 and 1220 Army Post Road from RX1 Neighborhood Mix District to Limited MX3 Mixed Use District classification. **Moved by Boesen that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**
- [20-2131](#) (A) [Final](#) consideration of ordinance above (waiver requested by Barry J. Nelson, President), requires six votes. **Moved by Boesen 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, #15,955. Motion Carried 7-0.**



**ORDINANCES - FIRST CONSIDERATION**

- [20-2132](#) 45. Amending Chapter 30, Article VIII, Sections 30-331, 30-333, 30-338, 30-339 and adding Section 30-332B, relating to secondhand goods. **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [20-2133](#) (A) Final consideration of ordinance above (waiver requested by City Manager), 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, #15,956. Motion Carried 7-0.**
- [20-2134](#) 46. Amending Section 74-188, relating to special lighting on facilities. (Council Communication No. 20-559) **Moved by Gray that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [20-2135](#) (A) Final consideration of ordinance above (waiver requested by Parks and Recreation Director Page), 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, #15,957. Motion Carried 7-0.**
- [20-2136](#) 47. Amending Chapter 42-358 relating to notices for nuisances. (Council Communication No. 20-553) **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

**COMMUNICATIONS/REPORTS**

- [20-2137](#) 48. Requests to speak as following: **Moved by Gatto to receive and file; Negus Rudison-Imhotep and Holly Hallmann did not speak. Motion Carried 7-0.**
- (A) Negus Rudison-Imhotep
  - (B) Vanessa B. Moranchel
  - (C) Molly Arndt
  - (D) Amy Bettle
  - (E) Dana Raymond
  - (F) KT Menke
  - (G) Denver Foote
  - (H) Adam Callanan

- (I) James Grimm
- (J) Giovanni Bahena
- (K) Paden Sheumaker
- (L) Bridget Pedersen
- (M) Kelsey Tyrrell
- (N) Debra Howell
- (O) Brenda McDonald
- (P) Holly Hallmann
- (Q) Brad Wiesenmayer
- (R) Isabelle Brace
- (S) Jacob Grobe
- (T) Shari Hawk
- (U) Devon Severson
- (V) Alec Johnson
- (W) Matthew Peirce

**APPROVING**

[20-2138](#) 49. [Creating](#) the Des Moines Food Security Task Force. **Moved by Voss to adopt. Motion Carried 7-0.**

[20-2139](#) 49I [Acceptance](#) of donation of playground at Riverview Park from Variety– The Children’s Charity of Iowa and naming of playground “Variety Star Playground”. ([Council Communication No. 20-561](#)) **Moved by Westergaard to adopt. Motion Carried 7-0.**

**HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 50 THRU 58)**

[20-2140](#) 50. [On](#) approval of documents to correct the vacation of a portion of Court Avenue right-of-way located south of and adjoining 309 Court Avenue to allow for a sidewalk café lease. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**

[20-2141](#) (A) [First](#) consideration of ordinance above. **Moved by Mandelbaum that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[20-2142](#) (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, #[15,958](#). Motion Carried 7-0.**

- [20-2143](#) 51. **On** approval of documents to correct the vacation of a portion of Des Moines Street right-of-way located south of and adjoining 519 Des Moines Street to allow for a sidewalk café lease. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-2144](#) (A) **First** consideration of ordinance above. **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [20-2145](#) (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, #[15,959](#). Motion Carried 7-0.**
- [20-2146](#) 52. **On** request from Thirty Seven Fifty, LLC (Kate Miller, Officer) for approval of a PUD Final Development Plan “Thirty Seven Fifty on Grand”, on property located at 3750 Grand Avenue, to allow for redevelopment of the existing vacant First Church of Christ Science 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 permitted uses of business or professional offices, studio or instructional service, assembly, and library or cultural exhibit. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
53. Number Not Used.
- [20-2147](#) 54. **On** the proposed Twenty-Seventh Amendment to the Metro Center Urban Renewal Plan. ([Council Communication No. 20-556](#)) **Moved by Boesen to adopt. Motion Carried 6-0. \*Council Member Mandelbaum abstains from voting based on an appearance of a conflict of interest.**
- [20-2148](#) (A) **On** the authorization of a loan agreement and issuance of not to exceed \$47,000,000 General Obligation Urban Renewal Capital Loan Notes 2021B, (1-11-21). **Moved by Boesen to adopt. Motion Carried 6-0. \*Council Member Mandelbaum abstains from voting based on an appearance of a conflict of interest.**
55. 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 **(A, B, and C are hearings. They are to be considered and voted on separately):** ([Council Communication No. 20-568](#))
- [20-2149](#) (A) **On** the 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, (Continued from December 7, 2020). **Moved by Gatto to approve. Motion Carried 6-0. \*Mayor Cownie abstains from voting based on the appearance of a conflict of interest.**

[20-2150](#)

- (B) **On** City-initiated request to rezone property located in the area west of Southeast 2<sup>nd</sup> Street in the Market District from DX2 Downtown District to Limited DXR Downtown District, (Continued from December 7, 2020). **Moved by Gatto to adopt. Motion Carried 6-0. \*Mayor Cownie abstains from voting based on the appearance of a conflict of interest.**

[20-2151](#)

- a. **First** consideration of ordinance above. **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 6-0. \*Mayor Cownie abstains from voting based on the appearance of a conflict of interest.**

[20-2152](#)

- b. **Final** consideration of ordinance above (waiver requested by Erin Olson-Douglas, Development Services Department Director), 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, #15,960. Motion Carried 6-0. \*Mayor Cownie abstains from voting based on the appearance of a conflict of interest.**

[20-2153](#)

- (C) **On** City-initiated request to rezone property located in the area east of Southeast 2<sup>nd</sup> Street in the Market District from DX2 Downtown District and/or P2 Public, Civic and Institutional District to Limited DX1 Downtown District, (Continued from December 7, 2020). **Moved by Gatto to adopt. Motion Carried 6-0. \*Mayor Cownie abstains from voting based on the appearance of a conflict of interest**

[20-2154](#)

- a. **First** consideration of ordinance above. **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 6-0. \*Mayor Cownie abstains from voting based on the appearance of a conflict of interest.**

[20-2155](#)

- b. **Final** consideration of ordinance above (waiver requested by Erin Olson-Douglas, Development Services Department Director), 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, #15,961. Motion Carried 6-0. \*Mayor Cownie abstains from voting based on the appearance of a conflict of interest**

- [20-2156](#) (D) **First** Consideration of an ordinance amending the Municipal Code of the City of Des Moines by amending Chapter 135-2.18.3, relating to design alternatives for height limitations in the Capitol Dominance Area. **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 6-0. \*Mayor Cownie abstains from voting based on the appearance of a conflict of interest**
- [20-2157](#) a. **Final** consideration of ordinance above (waiver requested by Erin Olson-Douglas, Development Services Department Director), 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, #15,962. Motion Carried 6-0. \*Mayor Cownie abstains from voting based on the appearance of a conflict of interest**
- [20-2158](#) (E) **Setting** the date of hearing on the competitive process for sale and redevelopment of the Market District in the Metro Center Urban Renewal Project Area, and receipt of redevelopment proposal from the developer, (1-25-21). **Moved by Gatto to adopt. Motion Carried 6-0. \*Mayor Cownie abstains from voting based on the appearance of a conflict of interest**
- [20-2159](#) 55I. **On** authorization of a short-term lease with U.S.S. Husmann, LLC for the rental of warehouse space for equipment storage at 301 SE 8<sup>th</sup> Street for the temporary use by the Public Works Department (Continued from December 7, 2020). ([Council Communication No. 20-548](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-2160](#) (A) **Approving** form and authorizing execution of a short-term lease with U.S.S. Husmann, LLC for the rental of warehouse space at 301 SE 8<sup>th</sup> Street for temporary use by the Public Works Department. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-2161](#) 56. **On** Intelligent Transportation System Phase 1: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Iowa Signal, Inc. (Wayne Lesley, President), \$497,211.86. ([Council Communication No. 20-550](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-2162](#) (A) **Approving** contract and bond and permission to sublet. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-2163](#) 57. **On** 2020 Gray's Lake Shoreline Repair: Resolution approving plans, specifications, form of documents, Engineer's estimate, receive and file bids, and designating lowest responsible bidder as RW Excavating Solutions, LLC (Dan Wilson, Managing Member), \$225,587.50 ([Council Communication No. 20-544](#)) **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
- [20-2164](#) (A) **Approving** contract and bond and permission to sublet. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**

[20-2165](#)

58. **On** Bell Avenue Reconstruction from S.W. 9<sup>th</sup> Street to S.W. 12<sup>th</sup> Street: Resolution approving plans, specifications, form of documents, Engineer's estimate, receive and file bids, and designating lowest responsible bidder as Grimes Asphalt and Paving Corporation (Timothy Mallicoat, President), \$451,347.26. ([Council Communication No. 20-543](#)) **Moved by Mandelbaum to approve; construction should occur during the summer months, not during the school year. Schedule a meeting with the Neighborhood Association to discuss speed platforms. Motion Carried 7-0.**

[20-2166](#)

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

\*\*\*\* END OF HEARINGS 5:43P.M. \*\*\*\*

[20-2167](#)

MOTION TO ADJOURN. **Moved by Cownie to adjourn at 6:28PM.**

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