



**\*\*\* 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 '21-' 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 Parkway**  
**Des Moines, Iowa 50317**

**February 22, 2021**  
**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 February 5, 2021 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 Eight of the Governor's February 5, 2021 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.*

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.

<https://dmgov-org.zoom.us/j/87648803163?pwd=cFZJZ0RpbWhUeXRuMldrNytKVkcwQT09>

Passcode: 135935

Or join by phone:

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

Webinar ID: 876 4880 3163

[21-0243](#)

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

[21-0244](#)

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

[21-0245](#)

3. APPROVING CONSENT AGENDA \* – items 3 through 38: **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

[21-0246](#)

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 4D.**

#### NEW APPLICATIONS

(A)	BB & BISTRO/OTTS	4121 SE 14TH ST	C Liquor
(B)	CASH SAVER #34	4121 FLEUR DR	E Liquor

#### RENEWAL APPLICATIONS

(C)	ANNIES IRISH PUB	204 3RD ST	C Liquor
* (D)	BARATTAS - BLANK PARK ZOO	7401 SW 9TH ST	C Liquor
(E)	CENTRAL CITY LIQUOR	1460 2ND AVE	E Liquor
(F)	CURBIN CUISINE	2713 BEAVER AVE	C Beer/Wine
(G)	ERNIES BOONDOCK	440 E GRAND AVE	C Liquor
(H)	GATEWAY MARKET MLK	2002 WOODLAND	C Liquor
(I)	GIT N GO STORE #28	3274 E UNIVERSITY	C Beer
(J)	H & A MINI MART	5901 FLEUR DR	E Liquor
(K)	HAMPTON INN DM AIRPORT	5001 FLEUR DR	C Beer
(L)	HILTON DES MOINES	435 PARK ST	B Liquor
(M)	INGERSOLL LIQUOR	3500 INGERSOLL	E Liquor
(N)	SIMONS	5800 FRANKLIN AVE	C Liquor
(O)	TRUMANS	400 SE 6TH ST	C Liquor
(P)	WASABI CHI	5418 DOUGLAS AVE	C Liquor
(Q)	WEST END LOUNGE	2309 FOREST AVE	C Liquor
(R)	WISCO GRUB & PUB	3015 MERLE HAY RD	C Liquor
(S)	WOOLYS	504 E LOCUST ST	C Liquor

**SPECIAL EVENT APPLICATIONS**

- (T) YOUR PRIVATE BAR      519 PARK ST      Five (5) Day License  
Class C Liquor License for a wedding reception show on March 7, 2021.

- [21-0247](#)      5. [City Clerk](#) to issue Cigarette/Tobacco/Nicotine/Vapor Permits. **Moved by Gatto to adopt. Motion Carried 6-1. Nays: Cownie.**
- [21-0248](#)      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:

- [21-0249](#)      (A) [2021](#) Riverwalk Improvements – Balustrade Replacement: Receiving of bids, (3-9-21) and Setting date of hearing, (4-5-21). Engineer’s estimate, \$195,000. ([Council Communication No. 21-079](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [21-0250](#)      (B) [Western](#) Ingersoll Run Sewer Separation Phase 1: Receiving of bids, (3-9-21) and Setting date of hearing, (4-5-21). Engineer’s estimate, \$10,095,000. ([Council Communication No. 21-090](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [21-0251](#)      8. [Approving](#) Change Order No. 11 with J & K Contracting, LLC for additional work on Lower Oak and Highland Park Sewer Separation Phase 3, in the amount of \$123,571.04. ([Council Communication No. 21-080](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [21-0252](#)      9. [Application](#) to the Iowa Department of Natural Resources (IDNR) for a Water Resources Restoration Sponsored Project to fund implementation of Urban Storm Water Best Management Practices and Green Infrastructure. ([Council Communication No. 21-076](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [21-0253](#)      10. [Communications](#) from contractors requesting permission to sublet certain items on public improvement projects. **Moved by Gatto to adopt. Motion Carried 7-0.**

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

- [21-0254](#)      (A) [University](#) Avenue Rehabilitation from 56<sup>th</sup> to 48<sup>th</sup> Street, OMG Midwest, Inc d/b/a Des Moines Asphalt Paving. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [21-0255](#)      (B) [Agrimergent](#) Storm Sewer Phase 2, S.M. Hentges & Sons, Inc. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [21-0256](#)      (C) [16<sup>th</sup>](#) Street Brick Repair from Day Street to Ascension Street, Miner Hardscape, LLC. **Moved by Gatto to adopt. Motion Carried 7-0.**

## SPECIAL ASSESSMENTS

- [21-0257](#) 12. [Levying](#) assessments for costs of Nuisance Abatement-NAC-Emergency Assessment (Community Development), Schedule No. 2021-02. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-0258](#) 13. [Levying](#) assessments for costs of Public Works Sewer Repair Schedule No. 2021-01, 1127 23<sup>rd</sup> Street, and providing for the payment thereof. **Moved by Gatto to adopt. Motion Carried 7-0.**

## LAND/PROPERTY TRANSACTIONS

- [21-0259](#) 14. [Approving](#) tax abatement applications for the additional value added by improvements completed during 2020 (315 applications). ([Council Communication No. 21-074](#)) **Moved by Gatto to adopt, and to request that the Polk County Assessor apply the tax abatement to the valuation existing on January 1, 2021 and the property taxes payable beginning in FY2021/22. Motion Carried 7-0.**

## COMMUNICATIONS FROM PLANNING AND ZONING

- [21-0260](#) 15. [Regarding](#) City-initiated request for vacation of segments of right-of-way within the Market District. **Moved by Gatto to receive and file the attached communication from the Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**

## SETTING DATE OF HEARINGS

- [21-0261](#) 16. [On](#) the 2020 U.S. Department of Housing and Urban Development (HUD) Consolidated Annual Performance and Evaluation Report (CAPER), (3-22-21). **Moved by Gatto to adopt. Motion Carried 7-0.**

### WITHDRAWN

- [21-0262](#) 17. ~~[On an amendment to the 2019 Action Plan for the U.S. Department of Housing and Urban Development \(HUD\) 2015-2019 Consolidated Plan, \(3-8-21\).](#)~~

- [21-0263](#) 18. [On](#) city-initiated request for vacation a segment of East 38<sup>th</sup> Street right-of-way between Hubbell Avenue and East Douglas Avenue and conveyance to Git-N-Go Convenience Stores, Inc for \$69,440, (3-8-21). **Moved by Gatto to adopt. Motion Carried 7-0.**

- [21-0264](#) (A) [Receive](#) and file communication from Plan and Zoning Commission. **Moved by Gatto to receive and file the communication from the Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**

- [21-0265](#) 19. On request from Mundo Pequenito, LLC to vacate a segment of Southwest 1<sup>st</sup> Street right-of-way between Columbus Avenue and Indianola Road and conveyance to Mundo Pequenito, LLC for \$4,320, (3-8-21). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-0266](#) 20. To correct the vacation of a portion of Ashworth Park located north of and adjoining 514 Foster Drive, (3-8-21). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-0267](#) 21. To correct the vacation of a portion of Court Avenue right-of-way located south of and adjoining 319 Court Avenue, (3-8-21). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-0268](#) 22. On the proposed First Amendment to the Urban Renewal Plan for the Oak Park-Highland Park Urban Renewal Area, (4-5-21). ([Council Communication No. 21-087](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-0269](#) 23. On the proposed Second Amendment to the Urban Renewal Plan for the 38<sup>th</sup> and Grand Urban Renewal Area, (4-5-21). ([Council Communication No. 21-088](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-0270](#) 24. On the proposed Eighth Amendment to the Urban Renewal Plan for the Ingersoll-Grand Commercial Urban Renewal Area, (4-5-21). ([Council Communication No. 21-089](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-0271](#) 25. On the proposition to authorize a Master Equipment Lease Agreement in the principal amount of not-to-exceed \$275,000, for the purpose of acquiring certain items of equipment consisting of up to eleven (11) Nissan Leaf Electric Vehicles, (3-8-21). **Moved by Gatto to adopt. Motion Carried 7-0.**
26. Setting date of hearing on items regarding the budget, (3-8-21):
- [21-0272](#) (A) On amendment to the annual budget for current fiscal year ending June 30, 2021. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-0273](#) (B) On proposed budget for the fiscal year ending June 30, 2022. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-0274](#) 27. On consideration of the recommended Capital Improvement Program (CIP) for fiscal years 2021-22 through 2025-26, (3-8-21). **Moved by Gatto to adopt. Motion Carried 7-0.**

## LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [21-0275](#) 28. [Approving](#) payment to Mary Moore-Johnson. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-0276](#) 29. [Approving](#) payment for the property damage claim of Jordan and Darian Campbell. **Moved by Gatto to adopt. Motion Carried 7-0.**

## APPROVING

- [21-0277](#) 29I. [Preliminary](#) terms of an Urban Renewal Development Agreement with Hilltop Housing, LLC for the new construction of two (2) Multi-family Apartment Buildings, consisting of a 42-unit Family Apartment Building, and a 42-unit Senior Apartment Building located in the vicinity of 3600 Hubbell Avenue at the Hilltop Apartments site. ([Council Communication No. 21-082](#)) **Moved by Gatto to approve the preliminary terms of agreement as set forth in Council Communication No. 21-082, 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.**
- [21-0278](#) 30. [Urban](#) Renewal Development Agreement with Tree House Partners, LLC (Tim Rypma, Paul Cownie and Jeremy Cortright) for the historic renovation of three existing multi-residential apartment buildings located at 2315 Grand Avenue, within the Ingersoll Grand Commercial Urban Renewal Area. ([Council Communication No. 21-086](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-0279](#) 31. [Issuance](#) of Certificate of Completion to Jarcor, LLC, for converting the historic renovation of the Argonne Apartments Building at 1723 Grand Avenue for a Mixed-Use Residential and Commercial Development. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-0280](#) 32. [Iowa](#) Department of Natural Resources REAP Grant Agreement for MacRae Park Improvements Phase 3. ([Council Communication No. 21-075](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-0281](#) 33. [Submittal](#) of applications in the second funding cycle of Iowa's Volkswagen Settlement Environmental Mitigation Trust for Zero Emission Vehicle Supply Equipment in March 2021. ([Council Communication No. 21-091](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[21-0282](#)

34. [Request](#) from We Can Build It, LC to allow the Beaverdale Farmers Market and other special events in accordance with “Franklin Junior High School” PUD Conceptual Plan for property located at 4801 Franklin Avenue. ([Council Communication No. 21-083](#)) **Moved by Gray to adopt and approve Developer’s request to operate the outdoor special event, Beaverdale Farmers Market, as follows: a. The Beaverdale Farmers Market may occur only once per week, on Tuesdays, between the hours of 4:00 p.m. to 7:00 p.m. beginning June 1, 2021 until September 14, 2021. b. Developer and the owner/operator of the Beaverdale Farmers Market shall require vendors and attendees to comply with all federal Center for Disease Control recommendations and guidance related to prevention of spread of COVID-19, and/or any State or local requirements, recommendations, or guidance if applicable, including requirements of social distancing (maintaining six feet of separation between persons), and wearing of a face-covering or mask covering nose and mouth in all public places until and unless the restrictions are lifted by state and local authorities. c. Amplified speech or music is prohibited.**

35. Abatement of public nuisances at the following:

[21-0283](#)

(A) [1203](#) Forest Avenue. **Moved by Gatto to adopt. Motion Carried 7-0.**

[21-0284](#)

(B) [1006](#) E Lacona Avenue. **Moved by Gatto to adopt. Motion Carried 7-0.**

[21-0285](#)

(C) [1058](#) 56<sup>th</sup> Street. **Moved by Gatto to adopt. Motion Carried 7-0.**

[21-0286](#)

(D) [3315](#) SW 12<sup>th</sup> Place. **Moved by Gatto to adopt. Motion Carried 7-0.**

[21-0287](#)

(E) [1413](#) Pioneer Road. **Moved by Gatto to adopt. Motion Carried 7-0.**

[21-0288](#)

(F) [3114](#) 6<sup>th</sup> Avenue. **Moved by Gatto to adopt. Motion Carried 7-0.**

[21-0289](#)

(G) [1848](#) E Walnut Street. **Moved by Gatto to adopt. Motion Carried 7-0.**

[21-0290](#)

(H) [3216](#) E Euclid Avenue. **Moved by Gatto to adopt. Motion Carried 7-0.**

[21-0291](#)

(I) [4020](#) SE 14<sup>th</sup> Street. **Moved by Gatto to adopt. Motion Carried 7-0.**

[21-0292](#)

(J) [1544](#) Des Moines Street. **Moved by Gatto to adopt. Motion Carried 7-0.**

[21-0293](#)

(K) [1538](#) 29<sup>th</sup> Street. **Moved by Gatto to adopt. Motion Carried 7-0.**

[21-0294](#)

(L) [1813](#) 22<sup>nd</sup> Street. **Moved by Gatto to adopt. Motion Carried 7-0.**

36. Release of fire escrow at the following locations:

[21-0295](#)

(A) [2565](#) E. Euclid Avenue. **Moved by Gatto to adopt. Motion Carried 7-0.**

[21-0296](#)

(B) [1429](#) Martin Luther King Jr. Parkway. **Moved by Gatto to adopt. Motion Carried 7-0.**

[21-0297](#)

37. [Authorizing](#) Finance Director to draw check registers for the weeks of February 22 and March 1, 2021; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of February 22 and March 1, 2021; to draw checks for biweekly payroll due February 26, 2021. **Moved by Gatto to adopt. Motion Carried 7-0.**

[21-0298](#) 37I. Issuance of \$34,760,000 General Obligation Refunding Capital Loan Notes, Series 2021A, and Levying a tax to pay said Notes; Approval of the Tax Exemption Certificate and Continuing Disclosure Certificate. **Moved by Gatto to adopt. Motion Carried 7-0.**

[21-0299](#) 37II Issuance of \$43,835,000 Taxable General Obligation Urban Renewal Capital Loan Notes, Series 2021B, and Levying a tax to pay said Notes; Approval of the Continuing Disclosure Certificate. **Moved by Gatto to adopt. Motion Carried 7-0.**

**ORDINANCES - SECOND CONSIDERATION**

[21-0300](#) 38. Amending Sections 26-904 and 26-905, relating to revised deadlines for submittal of energy and water use benchmarking reports and exemptions. **Moved by Gatto that this ordinance be considered and given second vote for passage. Motion Carried 5-2. Nays: Gatto and Westergaard.**

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

**ORDINANCES - FIRST CONSIDERATION**

[21-0301](#) 39. Amending Chapter 114 of the Municipal Code regarding Traffic Regulation changes as follows: (Council Communication No. 21-085) **Moved by Gray that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- (A) Code modifications related to the vacation of 25<sup>th</sup> Street between Clark Street and Forest Avenue.
- (B) Code modifications related to the Franklin Avenue Resurfacing from Beaver Avenue to Merle Hay Road Project.
- (C) Code modifications related to the Brook Landing Plat 2 Development.



## CITY MANAGER RECOMMENDATIONS

- [21-0302](#) 40. [Receive](#) and file report regarding expenditures for Goods and Services pursuant to City Manager's Declaration of Operating Emergency dated January 7, 2021 and ending on February 15, 2021. ([Council Communication No. 21-072](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

## COMMUNICATIONS/REPORTS

- [21-0303](#) 41. [Requests](#) to speak as follows: **Moved by Voss to receive and file. Denver Foote and Monika Owczarski did not speak. Motion Carried 7-0.**
- (A) Adam Callanan.
  - (B) Vanessa Moranchel.
  - (C) Shirley Evans.
  - (D) Bridget Pedersen.
  - (E) KT Menke.
  - (F) Chelsea Chism-Vargas.
  - (G) Denver Foote.
  - (H) Luiz Gomez.
  - (I) Brenda McDonald.
  - (J) Debra Howell.
  - (K) Monika Owczarski.
  - (L) Paden Sheumaker.
  - (M) Jacob Grobe.

## HEARINGS (OPEN AT 5:04 P.M.) (ITEMS 42 THRU 56)

- [21-0304](#) 42. [On](#) request from City of Des Moines (owner) to amend PlanDSM: Creating Our Tomorrow future land use designation in the vicinity of 1501 Harriet Street to be rezoned from 'I1' Industrial District to 'P2' Public, Civic & Institutional, to allow the property to be developed with public recreation area use. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-0305](#) (A) [First](#) consideration of ordinance above. **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [21-0306](#) (B) [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, [#15,977](#). Motion Carried 7-0.**

- [21-0307](#) 43. **On** request from HJT, Inc (Jack Houghton, Officer) to rezone property located at 2101 Dixon Street from 'I1' Industrial District to Limited 'I2' Industrial District, to allow property to be used additionally for the transfer of hazardous and flammable materials. **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [21-0308](#) (A) **First** consideration of ordinance above. **Moved by Westergaard that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [21-0309](#) (B) **Final** consideration of ordinance above (waiver requested by Jack Houghton, Officer), 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, [#15,978](#). Motion Carried 7-0.**
- [21-0310](#) 44. **On** request from JC AM Group, LLC (Owner) to amend PlanDSM: Creating Our Tomorrow future land use designation and to rezone property located at 1503 5<sup>th</sup> Avenue from 'N5' Neighborhood District to 'N5-2' Neighborhood to allow the property to be converted to a Two-Household use (duplex). **Moved by Gray to adopt. Motion Carried 7-0.**
- [21-0311](#) (A) **First** consideration of ordinance above. **Moved by Gray that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [21-0312](#) (B) **Final** consideration of ordinance above (waiver requested by John Cheng, Officer), 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, [#15,979](#). Motion Carried 7-0.**
- [21-0313](#) 45. **On** request from Porter Hardware, Inc. (Owner) to rezone property located at 4207 Hubbell Avenue from 'MX3' Mixed Use District to 'CX' Mixed Use District, to allow the property with an existing Retail Sales, General and Vehicle Sales and Rental Equipment Use to expand to Retail Sales, Large Format with additional Warehouse and Accessory Outdoor Storage use. **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [21-0314](#) (A) **First** consideration of ordinance above. **Moved by Westergaard that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [21-0315](#) (B) **Final** consideration of ordinance above (waiver requested by David Porter, Owner), 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, [#15,980](#). Motion Carried 7-0.**

- [21-0316](#) 46. On request from JOPPA, LLC (Owner) to amend the PlanDSM: Creating Our Tomorrow Plan future land use designation from Low Density Residential to Low-Medium Residential and rezone property in the vicinity of 1010 13<sup>th</sup> Street from ‘N5’ Neighborhood District to ‘N5-2’ Neighborhood District, to allow the property to be developed with a Two-Household Living use (duplex). **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
- [21-0317](#) (A) First consideration of ordinance above. **Moved by Mandelbaum that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [21-0318](#) (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, #15,981. Motion Carried 7-0.**
- [21-0319](#) 47. On request from Jerry’s Homes, Inc. for approval of a 2<sup>nd</sup> Amendment to the Pearl Lake PUD Conceptual Plan, on property located at 3009 East Payton Avenue and in the vicinity of the 3001 block of East Payton Avenue, to allow revision to the street layout, change the property on the East Army Post Road frontage to large-lot One Household lots from previously approved Townhomes, and reduce the minimum lot sizes for specified lots to have a minimum 70-foot width and minimum 9,600-square foot area. Additional property is owned by Janet Bainter and City of Des Moines. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-0320](#) 48. On request from Catholic Health Initiatives – Iowa Corporation d/b/a Mercy Medical Center Des Moines (Owner) for approval of a proposed 7<sup>th</sup> Amendment to Mercy Medical Center PUD Conceptual Plan on property located in the vicinity of 1111 6<sup>th</sup> Avenue, to allow construction of a canopy on the building known as 411 Laurel Street and revision of the campus sign plan. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
- [21-0321](#) 49. Continuing hearing on request from Wesley Retirement Services, Inc. for approval of an amendment to the Wesley Acres PUD Conceptual Plan on property located at 3520 Grand Avenue and 401 37<sup>th</sup> Street. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**

- [21-0322](#) 50. **On** proposed amendments to Zoning Ordinance by amending Sections 134-6.5.2, 134-6.6.2 and 134-7.2.3 relating to expansion or extension of legal non-conforming residential uses within one-household and two-household residential structures by addition thereto, and the construction of detached private garages and outbuildings on lots containing such residential structures. ([Council Communication No. 21-077](#)) **Moved by Westergaard to adopt; refer to the City Manager to review zoning and how we have impacted our neighborhoods. Motion Carried 7-0.**
- [21-0323](#) (A) **First** consideration of ordinance above. **Moved by Westergaard that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [21-0324](#) (B) Final consideration of ordinance above, 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, [#15,982](#). Motion Carried 7-0.**
51. Number Not Used.
52. Number Not Used.
53. Number Not Used.
- [21-0325](#) 54. **On** Fleur Drive Reconstruction, Southbound lanes, from George Flagg Parkway to Watrous Avenue: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids and designating lowest responsible bidder as InRoads, LLC (Joseph Manatt, President), \$6,460,390.51. ([Council Communication No. 21-081](#)) **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
- [21-0326](#) (A) **Approving** contract and bond and permission to sublet. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**

[21-0327](#) 55. [On](#) Ingersoll Avenue 42<sup>nd</sup> Street to Polk Boulevard Reconstruction: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids and designating lowest responsible bidder as Corell Contractor, Inc. (Grant S. Corell, President), \$2,999,857.11. ([Council Communication No. 21-084](#)) **Moved by Mandelbaum to adopt. Motion Carried 7-0.**

[21-0328](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**

[21-0329](#) 56. [2021](#) City-Wide Mid-Block Crossing: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids and designating lowest responsible bidder as Iowa Signal, Inc. (Wayne Lesley, President), \$129,243.75. ([Council Communication No. 21-078](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

[21-0330](#) (A) [Approving](#) contract and bond. **Moved by Boesen to adopt. Motion Carried 7-0.**

\*\*\*\* END OF HEARINGS 6:14 P.M. \*\*\*\*

[21-0331](#) MOTION TO ADJOURN. **Moved by Cownie to adjourn at 6:29 PM. Motion Carried 7-0.**

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