



***** 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 '22-' preceding each item on the agenda is a roll call number assigned by the City Clerk. Please refer to this number when requesting information or copies.

SUMMARY OF DES MOINES CITY COUNCIL MEETING

City Hall, City Council Chambers

400 Robert D Ray Drive

Des Moines, Iowa 50309

March 7, 2022

5:00 P.M.

The public is hereby notified that the City Council will not tolerate disruption of its business meetings. Persons wishing to attend this meeting are reminded of the following:

We welcome germane comments from the public at the appropriate time, but this is a Council business meeting, and the Council needs to conduct the people's business and Council has rules that are validly adopted under Iowa law and those rules will be followed.

Anyone engaging in disruptive conduct in the Council Chambers or Great Hall will result in those being disruptive being ordered to leave the building and being denied readmittance for the remainder of the day.

No person will be permitted to stand in the council chamber during council sessions between the audience seats and the councilmembers except the persons addressing the council **at the speakers' microphone** and **only** after being recognized by the Mayor.

All persons desiring to address the council may do so only when recognized by the Mayor, but the council reserves the right to limit the speaker's time and the order in which the speakers may address the council.

Under Section 2-70 of the City Code, it is illegal to interrupt any person who is addressing the council except by a council member, and it is illegal to disrupt the Council meeting.

EVERYONE in attendance has First Amendment rights and any disruptive conduct by one person or group impinges on the rights of others present, so disruptive conduct will not be tolerated.

PROCLAMATIONS (4:50 P.M.)

Kidney Disease Awareness Month

- [22-0286](#) 1. ROLL CALL: **Present: Cownie, Boesen, Gatto, Sheumaker, Mandelbaum, Voss and Westergaard.**
- [22-0287](#) I Recommendation that the Sister City Commission immediately suspend relationship with Stavropol Russia for the unprovoked invasion of Ukraine. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0288](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 7-0.**
- [22-0289](#) 3. APPROVING CONSENT AGENDA * – items 3 through 54: **Moved by Gatto to adopt the balance of the consent agenda. Second by Boesen. Motion Carried 7-0.**

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

LICENSES AND PERMITS

- [22-0290](#) 4. [Approving](#) Alcoholic Beverage License Applications for the following: **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

NEW APPLICATIONS

(A) ESCAPE CHAMBERS	338 SW 6TH ST	Class C Liquor
(B) STOP N SHOP	5000 SW 9TH ST	Class C Beer
(C) WILLOW ON GRAND	6011 GRAND AVE	Class C Liquor

RENEWAL APPLICATIONS

(D) 1717 BREWING COMPANY	322 E COURT AVE 101	Class B Beer
(E) BUZZARD BILLYS	615 3RD ST	Class C Liquor
(F) CASEYS #3915	3200 SW 9TH ST	Class C Beer
(G) CHUCKS	3608 6TH AVE	Class C Liquor
(H) DOLLAR STORE #13292	3102 MERLE HAY RD	Class C Beer
(I) DOLLAR STORE #313	2570 HUBBELL AVE	Class C Beer
(J) DOLLAR STORE #4554	1020 E ARMY POST RD	Class C Beer
(K) DOLLAR STORE #4991	3223 SE 14TH ST	Class C Beer
(L) DOLLAR STORE #6077	221 63RD ST	Class C Beer
(M) DOLLAR STORE #6725	1428 E OVID AVE	Class C Beer
(N) DOLLAR STORE #6735	2650 INGERSOLL AVE	Class C Beer
(O) EL POLLO CATRACHO	4100 SE 14TH ST	Class C Liquor
(P) FRANCIES	2100 WAKONDA VIEW	Class C Liquor
(Q) GOOD NEWS DARLING	717 LOCUST ST #102	Class C Liquor

- (R) GRANDVIEW GOLF 2401 E 29TH ST Class C Liquor
- (S) LA TAPATIA 2 3504 MERLE HAY RD Class C Beer
- (T) LACRUZ #3 3900 E 14TH ST Class C Beer
- (U) MALO RESTAURANT 900 MULBERRY ST Class C Liquor
- (V) MCCUENS PUB 2565 WEDGEWOOD RD Class C Liquor
- (W) STRANDED AT D & R 1922 HUBBELL AVE Class C Liquor

SPECIAL EVENT APPLICATIONS

- (X) DRAKE UNIVERSITY 2615 CARPENTER AVE 5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR AN EVENT ON MARCH 31 AND APRIL 1, 2022.
- (Y) FRIENDLY SONS 1205 LOCUST ST (BEER TENT) 5 days
CLASS C LIQUOR LICENSE FOR PARADE BLOCK PARTY ON MARCH 17, 2022.
- (Z) IOWA CRAFT BEER TEN 313 WALNUT ST 5 days
CLASS C LIQUOR LICENSE FOR HOPS & HOOPS ON MARCH 16 - 20, 2022.

TRANSFER TO NEW LOCATION

- (AA) ELWELL FAMILY FOOD 3000 E GRAND AVE Class C Liquor
TEMPORARY TO THE CATTLE BARN FOR A SWINE SALE ON MARCH 10 – 12, 2022.
- (BB) ELWELL FAMILY FOOD 3000 E GRAND AVE Class C Liquor
TEMPORARY TO THE CATTLE BARN FOR A GOAT SHOW ON MARCH 17 – 19, 2022.

[22-0291](#) 5. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 6-1. Nays: Cownie.**

[22-0292](#) 6. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

7. Ordering construction of the following:

[22-0293](#) (A) [2022](#) Neighborhood Sidewalk Program: Receiving of bids, (3-22-22) and Setting date of hearing, (4-18-22), Engineer’s estimate, \$1,700,000. ([Council Communication No. 22-083](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

- [22-0294](#) (B) [2022](#) HMA Residential Paving Program Contract 1: Receiving of bids, (3-22-22) and Setting date of hearing, (4-18-22), Engineer's estimate, \$1,050,000. ([Council Communication No. 22-082](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0295](#) (C) [Brook](#) Run Park Improvements: Receiving of bids, (3-22-22) and Setting date of hearing, (4-18-22), Engineer's estimate, \$400,000. ([Council Communication No. 22-090](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0296](#) (D) [Greenhouse](#) Facility: Receiving of bids, (4-5-22) and Setting date of hearing, (5-9-22), Engineer's estimate, \$3,800,000. ([Council Communication No. 22-102](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0297](#) 8. [Approving](#) Professional Services Agreement (PSA) with Bolton & Menk, Inc. for Professional Services for the Merle Hay Road – Hickman Road to Aurora Avenue Corridor Study, not to exceed \$124,825. ([Council Communication No. 22-072](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0298](#) 9. [Approving](#) exception to Request for Proposals (RFP) process for good cause and approving Professional Services Agreement (PSA) with Veenstra and Kimm, Inc. for design services for Gray's Station Sanitary Trunk Sewer, not to exceed \$60,282. ([Council Communication No. 22-071](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0299](#) 10. [Approving](#) exception to Request for Proposal (RFP) process for good cause and approving Professional Services Agreement (PSA) with Kirkham Michael & Associates, Inc. for design services for Tuttle Street from S.W. 14th Street to S.W. 16th Street, not to exceed \$98,000. ([Council Communication No. 22-073](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0300](#) 11. [Approving](#) Supplemental Agreement No. 1 to the Professional Services Agreement (PSA) with Veenstra and Kimm, Inc. for additional Professional Services for Western Ingersoll Sewer Separation – Phase 2, not to exceed \$387,107. ([Council Communication No. 22-075](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0301](#) 12. [Approving](#) Supplemental Agreement No. 2 to the Professional Services Agreement (PSA) with Snyder & Associates, Inc. for additional design and construction Phase Services for Closes Creek Storm Sewer Improvements, Phase 2A, 2B, 3 and 11, not to exceed \$95,205. ([Council Communication No. 22-091](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0302](#) 13. [Approving](#) Supplemental Agreement No. 1 to the Professional Services Agreement (PSA) with McClure Engineering Co. d/b/a McClure Engineering Company, for additional Professional Services for McKinley Avenue Reconstruction, not to exceed \$201,200. ([Council Communication No. 22-074](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

14. Number Not Used.

[22-0303](#)

15. [Approving](#) Supplemental Agreement No. 5 to the Professional Services Agreement with Veenstra & Kimm, Inc. for additional design and construction phase services for River Bend and King Irving Sewer Separation, not to exceed \$49,500. ([Council Communication No. 22-103](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-0304](#)

16. [Approving](#) Change Order No. 1 with A1A Sandblasting (Iowa) for additional work on Ashworth Pool and Northwest Pool Painting Improvements, \$103,950. ([Council Communication No. 22-086](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-0305](#)

17. [Designation](#) of lowest responsive, responsible bidder as Jensen Builders LTD (Dale H. Jensen, President), Approval of contract and bond on Animal Control Facility Bid Package No. 1 – Structural Steel and Erection, \$699,700. ([Council Communication No. 22-085](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-0306](#)

18. [Acceptance](#) of proposal from MidAmerican Energy Company to install new LED streetlights for Indianola Avenue Reconstruction from E. Army Post Road to U.S. Highway 69, estimated cost \$84,680.80. ([Council Communication No. 22-104](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-0307](#)

19. [Acceptance](#) of a proposal from MidAmerican Energy Company to install new LED streetlights for Gray's Parkway Extension, estimated cost \$139,738.85. ([Council Communication No. 22-070](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

20. Number Not Used.

[22-0308](#)

21. [Approving](#) and adopting the Iowa Statewide Urban Design and Specifications (SUDAS) Design Manual, 2022 Edition, and the SUDAS Standard Specifications, 2022 Edition, as the official design standards and standard specifications and supplemental specifications for the City of Des Moines, Iowa. ([Council Communication No. 22-084](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

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

[22-0309](#)

(A) [2019](#) Sewer Lining Program, Insituform Technologies USA, LLC. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-0310](#)

(B) [Riverwalk](#) Improvements-Paver Replacement, Miner Hardscape, LLC. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-0311](#)

(C) [SW](#) 5th Street Railroad Crossing Improvements, Minturn Inc. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [22-0312](#) 23. [Approval](#) of 15 tax abatement applications for the additional value added by improvements completed during 2021. ([Council Communication No. 22-076](#)) **Moved by Gatto to adopt and approve the timely and the late filed applications for the total number of years in the applicable exemption schedule, with the schedule to commence with the taxes payable in FY2022/23. Second by Boesen. Motion Carried 7-0.**
- [22-0313](#) 24. [Acquisition](#) of the necessary property interests for the Fleur Drive Reconstruction, Phase 3 – Watrous Avenue to McKinley Avenue. ([Council Communication No. 22-087](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0314](#) 25. [Acquisition](#) of necessary property interests for the McKinley Avenue Reconstruction from South Union Street to SW 9th Street. ([Council Communication No. 22-089](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [22-0315](#) 26. [Approving](#) the Greater Des Moines Sister Cities Commission’s request to accept City of Ankeny’s appointment of Mr. Eric Baker to Seat 20, effective as of February 21, 2022, and the City of Windsor Height’s appointment of Ms. Ricki King to Seat 18, effective as of February 21, 2022. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0316](#) 27. [Communication](#) from Greg Wattier advising of his resignation from the Plan and Zoning Commission, Seat 6, effective immediately. **Moved by Gatto to receive, file and accept resignation with appreciation for his service. Second by Boesen. Motion Carried 7-0.**
- [22-0317](#) 28. [Recommendation](#) of Des Moines Schools Board of Directors to appoint Maria Alonzo-Diaz to the Park and Recreation Board, Seat 15, for a term expiring June 30, 2024. **Moved by Gatto to receive, file and approve. Second by Boesen. Motion Carried 7-0.**
- [22-0318](#) 28-I [Recommendation](#) from Council Member Voss to appoint Dan Drendel to the Plan and Zoning Commission, Seat 6, to fill a vacancy with term expiring July 1, 2025. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [22-0319](#) 29. [On](#) conveyance of excess City property locally known as 31 East Creston Avenue to Daniel Garcia for \$500, (3-21-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0320](#) 30. [On](#) vacation of portion of East County Line Road located north of and adjoining 2351 East County Line Road and approval of land exchange agreement with Iowa Power and Light Company N/K/A MidAmerican Energy Company, (3-21-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

- [22-0321](#) 31. **On** request from Mark Lile and Karen Lile to amend the PlanDSM: Creating Our Tomorrow future land use designation for property located at 1100 Army Post Road from Community Mixed Use to Industrial to allow rezoning from RX1 - Mixed Use District to I1 – Industrial District to allow for outdoor storage, (3-21-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0322](#) 32. **On** request from Wendy Steffes and Dave Steffes to amend PlanDSM: Creating Our Tomorrow future land use designation for property located at 514 Foster Drive from Parks and Open Space to Low Density Residential and to allow rezoning from P2 – Public, Civic and Institutional District to N1a – Neighborhood District to allow combining with adjacent property for construction of a cabana, (3-21-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0323](#) 33. **On** City-initiated request to amend the existing PlanDSM: Creating Our Tomorrow comprehensive future land use plan to adopt the South of Gray’s Lake Master Plan as an element, (3-21-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0324](#) 34. **On** the Fifth Amendment to Real Estate Lease and Asset Transfer Agreement to exclude excess property adjoining Fleur Drive between Highview Drive and McKinley Avenue, and to include property located west of and adjoining Southwest 46th Street, north of McKinley Avenue, (3-21-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0325](#) 35. **On** lease agreement with Des Moines Historical Society for a portion of vacated parkland located south of University Avenue at the northeast corner of Waveland Golf Course, (3-21-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0326](#) (A) **On** request from Shive-Hattery for a Certificate of Appropriateness for the proposed renovation of the Waveland Trolley Loop at 49th and University, located in the 4900 Block of University Avenue, (3-21-22). Sponsor: Council Member Voss. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0327](#) 36. **On** consideration of the recommended Capital Improvement Program (CIP) for fiscal years 2022-23 through 2025-26, (3-21-22). ([Council Communication No. 22-100](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
37. Setting date of hearing on items regarding the budget, (3-21-22): ([Council Communication No. 22-100](#))
- [22-0328](#) (A) **On** amendment to the annual budget for current fiscal year ending June 30, 2022. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0329](#) (B) **On** proposed budget for the fiscal year ending June 30, 2023. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [22-0330](#) 38. [Approving](#) payment to Mary Moore-Johnson for a property damage claim. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0331](#) 39. [Approving](#) payment to Miriam Setaro for a personal injury claim. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0332](#) 40. [Approving](#) payment to Juan Sarceno for a workers' compensation claim. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0333](#) 41. [Approving](#) payment to Kayte Bohrn for a personal injury claim. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

APPROVING

- [22-0334](#) 42. [Reallocation](#) of unspent 2020 Emergency Solutions Grant (ESG) funding from the U.S. Department of Housing and Urban Development (HUD). ([Council Communication No. 22-081](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0335](#) 43. [First](#) Amendment to Urban Renewal Development Agreement with Bronson Partners, LLC for the property located at 1417 Walnut Street. ([Council Communication No. 22-080](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0336](#) 44. [First](#) Amendment to Urban Renewal Development Agreement with Terrace Hill I, LLC for the properties located at 2515 and 2525 Grand Avenue. ([Council Communication No. 22-079](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0337](#) 45. [Final](#) terms for an Urban Renewal Development Agreement with Merge, LLC for the southeast corner of 25th Street and Carpenter Avenue, across from Drake University. ([Council Communication No. 22-105](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0338](#) 46. [Urban](#) Renewal Development Agreement with NMDP Holdings, LLC (Adam Petersen, President) for the expansion of an Industrial Precast Production Plant at 3312 East Granger Avenue. ([Council Communication No. 22-106](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0339](#) 47. [Sponsorship](#) of an application for financial assistance to the Iowa Economic Development Authority (IEDA) under the High-Quality Jobs (HQP) Program for Spraytec Fertilizers, LLC. ([Council Communication No. 22-078](#)) **Moved by Mandelbaum to refer to the City Manager to bring back this item at such time they come back with a location in the Ag Industrial Park. Second by Boesen. Motion Carried 7-0.**

- [22-0340](#) 48. [Issuance](#) of a Certificate of Completion for the Mixed-Use project by East Village Tower Partners, LLC at 600 E. 5th Street. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0341](#) 49. [Contract](#) with Kendig Keast Collaborative, Inc. to provide consulting services for development of a Citywide Historic Preservation Plan and authorizing the City Manager to execute agreement. ([Council Communication No. 22-077](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 6-1. Nays: Westergaard.**
- [22-0342](#) 50. [Non-exclusive](#), limited intellectual property license for trail logos to Des Moines Park and Recreation Foundation and authorizing Parks and Recreation Director to execute renewal and addendums to license. ([Council Communication No. 22-095](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0343](#) 51. [Donation](#), Construction and Naming Agreement with Kick It Forward regarding Mini-Pitch Futsal Court Systems at Chesterfield Park, Evergreen Park, Stone Park, Tower Park, and naming such Futsal Courts “Kick It Forward Mini-Pitch System”. ([Council Communication No. 22-096](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
52. Purchases from the following:
- [22-0344](#) (A) [Elliot](#) Equipment Company (Gene Elliot, President) for a replacement vehicle for use in the Department of Public Works per Sourcewell contract, \$83,455. ([Council Communication No. 22-097](#)) **Moved by Sheumaker to adopt. Second by Gatto. Motion Carried 7-0.**
- [22-0345](#) (B) [LDV](#) Custom Specialty Vehicles (Kurt Petrie, President) for a replacement vehicle for use in Public Safety per HGAC Buy contract, \$209,153. ([Council Communication No. 22-098](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 6-1. Nays: Sheumaker.**
- [22-0346](#) (C) [Stivers](#) Ford (Scott Politte, General Manager) for eleven (11) replacement vehicles for use in Public Safety per State of Iowa DAS contracts, \$356,758.50. ([Council Communication No. 22-099](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 6-1. Nays: Sheumaker.**
- [22-0347](#) (D) [Keltek](#) Inc. a division of Rayser Holdings, Inc. (Michelle Jensen, President & CEO) for emergency vehicle equipment per State of Iowa DAS contracts, \$113,879.61. ([Council Communication No. 22-094](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 6-1. Nays: Sheumaker.**

53. Abatement of public nuisances as follows:

- [22-0348](#) (A) [4116](#) East 28th Street. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0349](#) (B) [2424](#) Capitol Avenue. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0350](#) (C) [2951](#) E. Walnut Street. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0351](#) (D) [2317](#) Des Moines Street. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0352](#) (E) [1301](#) 14th Street. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0353](#) (F) [3125](#) Kingman Blvd. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0354](#) (G) [1619](#) 6th Avenue. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0355](#) (H) [1909](#) Mondamin Avenue. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-0356](#) 54. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of March 7 and 14, 2022; to draw [checks](#) for the bills of the Des Moines Municipal Housing Agency for the weeks of March 7 and 14, 2022; to draw checks for biweekly payroll due March 11, 2022. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

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

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 55 THRU 62)

- [22-0357](#) 55. [To](#) correct the vacation of portions of Southeast 4th Street right-of-way located between vacated East Elm Street and East Martin Luther King, Jr. Parkway for the Market District Redevelopment Project. **Moved by Mandelbaum to adopt. Second by Gatto. Motion Carried 7-0.**
- [22-0358](#) (A) [First](#) consideration of ordinance above. **Moved by Mandelbaum that this ordinance be considered and given first vote for passage. Second by Gatto. Motion Carried 7-0.**
- [22-0359](#) (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, [#16,107](#). Second by Gatto. Motion Carried 7-0.**

56. Items regarding WRA Birdland Pump Station Replacement Project: ([Council Communication No. 22-101](#))

[22-0360](#)

(A) [Continued](#) hearing for vacation a portion of Birdland Park and conveyance to Des Moines Metropolitan Wastewater Reclamation Authority (WRA) for the WRA Birdland Pump Station Replacement Project. (Continued from February 21, 2022 Council Meeting). **Moved by Westergaard to adopt. Second by Boesen. Motion Carried 7-0.**

[22-0361](#)

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

[22-0362](#)

(C) [Final](#) consideration of ordinance above (waiver requested by James Beck, PE, Wastewater Engineering Manager), 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, [#16,108](#). Second by Boesen. Motion Carried 7-0.**

[22-0363](#)

(D) [Resolution](#) dedicating a portion of Saylor Road right-of-way adjoining Birdland Park, north of E. Jefferson Avenue. **Moved by Westergaard to adopt. Second by Boesen. Motion Carried 7-0.**

[22-0364](#)

(E) [Approving](#) Agreement with Des Moines Metropolitan Wastewater Reclamation Authority for the Birdland Pump Station Replacement, including granting Temporary Right of Entries for access and construction. **Moved by Westergaard to adopt. Second by Boesen. Motion Carried 7-0.**

[22-0365](#)

57. [On](#) conveyance of excess City-owned property located in the Fourmile Creek Floodplain to Polk County for the use and benefit of the Polk County Conservation Board for the Lower Fourmile Creek Greenway Project. **Moved by Westergaard to adopt. Second by Boesen. Motion Carried 7-0.**

- [22-0366](#) 58. **On** request from 205 Land Investments, LLC to rezone property located at 1106 Army Post Road from RX1 Mixed Used District to MX1 Mixed Used District to address the subject property’s current legal non-conforming use status as a Restaurant use with alcohol sales located within the 75 feet of the required separation distance from a parcel containing a Place of Worship use. **Moved by Mandelbaum to adopt. Second by Gatto. Motion Carried 7-0.**
- [22-0367](#) (A) **First** consideration of ordinance above. **Moved by Mandelbaum that this ordinance be considered and given first vote for passage. Second by Gatto. Motion Carried 7-0.**
- [22-0368](#) (B) **Final** consideration of ordinance above (waiver requested by Anthony Celsi, Manager), requires six votes. **Moved by Mandelbaum that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #16,109. Second by Gatto. Motion Carried 7-0.**
- [22-0369](#) 59. **On** intent to commence a public improvement project to construct Watrous Avenue from SW 56th Street to SW 61st Street Project and to authorize acquisition of the necessary property interests. ([Council Communication No. 22-088](#)) **Moved by Mandelbaum to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0370](#) 60. **On** request from ABC Partners, LP for approval of a proposed 2nd Amendment to the Airport Business Park Phase II PUD Conceptual Plan on property located at 7404 SW 37th Street in order to reconfigure lots within the PUD, reduce the requirement of a 10-foot bicycle path along Southwest 37th Street and Gannett Avenue to a 5-foot sidewalk, and add the Fabrication and Production, Intensive use of fertilizer product assembly to the allowed uses within the Property. (Continued from February 21, 2022 Council Meeting). **Moved by Mandelbaum to DENY. Second by Sheumaker. Motion Carried 6-1. Nays: Westergaard.**
- [22-0371](#) 61. **On** request from Eastgate Plaza, LLC for approval of a proposed 7th amendment to the Eastgate Plaza PUD Conceptual Plan on property located in the vicinity of 1534 East Euclid Avenue to allow a 1.28-acre interior portion of the Property to be developed with a 7,145 square-foot medical office building. **Moved by Westergaard to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-0372](#) 62. **On** Des Moines Levee Alterations – Phase C to reject all bids on Des Moines Levee Alterations – Phase C and to close the hearing on the plans, specifications, form of contract documents and Engineer’s estimate. ([Council Communication No. 22-092](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

**** END OF HEARINGS AT 5:59 P.M. ****

ORDINANCES - FIRST CONSIDERATION

[22-0373](#)

63. [Amending](#) Chapter 114 of the Municipal Code regarding Traffic Regulation changes as follows: ([Council Communication No. 22-068](#)) **Moved by Westergaard that this ordinance be considered and given first vote for passage. Second by Boesen. Motion Carried 7-0.**

(A) Code modification to modify parking restrictions on East Douglas Avenue from E 42nd Street to NE 56th Street due to the East Douglas Avenue Reconstruction Project.

WITHDRAWN

[22-0374](#)

64. [Amending](#) Chapter 114-1 and 114-632, relating to trailers and trailers on public streets.

WITHDRAWN

[22-0375](#)

- (A) ~~[Final](#) consideration of ordinance above (waiver requested by City Manager), requires six votes.~~

COMMUNICATIONS/REPORTS

[22-0376](#)

65. [Requests](#) to speak as follows: **Moved by Gatto to receive and file. Second by Mandelbaum. Motion Carried 7-0.**

- (A) Natalie Harwood
- (B) Adam Callanan
- (C) Carrie Gosnell
- (D) James Grimm
- (E) Al Steinsaw
- (F) Taylor Webber
- (G) Harvey Harrison
- (H) Carol Maher
- (I) Jolene Prescott

[22-0377](#)

MOTION TO ADJOURN. **Moved by Gatto to adjourn at 6:26 PM. Second by Voss. Motion Carried 7-0.**