



***** 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

May 23, 2022

5:00 P.M.

PROCLAMATIONS - 4:45 P.M

Asian Pacific American Heritage Month/AAPI Day Against Bullying and Hate

[22-0762](#)

1. ROLL CALL: **Present: Cownie, Boesen, Sheumaker, Mandelbaum, Voss and Westergaard. Absent: Gatto. Council Member Sheumaker participated in the meeting by phone.**

[22-0763](#)

2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

[22-0764](#)

3. APPROVING CONSENT AGENDA * – items 3 through 32: **Moved by Boesen to adopt the balance of the consent agenda. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

***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

22-0765

4. Approving Alcoholic Beverage License Applications for the following: **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

NEW APPLICATIONS

(A) CONTINENTAL	407 E 5TH ST	Class C Liquor
(B) FAREWAY STORES #225	2716 BEAVER AVE	Class E Liquor
(C) MIYABI 9	512 E GRAND AVE	Class C Liquor
(D) PARKS AREA	710 CORNING AVE	Class B Beer
(E) TWISTED VINE BREWERY	112 SE 4TH ST #100	Class B Beer
(F) WATROUS TOBACCO	4001 SW 9TH ST	Class C Beer

RENEWAL APPLICATIONS

(G) APRILS SUNRISE TAP	4155 EASTON BLVD	Class C Liquor
(H) ARCHER LOUNGE & GRILL	1930 SE 6TH ST	Class C Liquor
(I) CARLS PLACE	1620 WOODLAND AVE	Class C Liquor
(J) CHOCOLATERIE STAM	2814 INGERSOLL AVE	Class C Native Wine
(K) COURT AVE BREWING	309 COURT AVE	Class C Liquor
(L) DEEP END BAR	830 MCKINLEY AVE	Class C Liquor
(M) DM CIVIC CENTER	221 WALNUT ST	Class C Liquor
(N) E 25TH ST PUB & GRUB	509 E 25TH ST	Class C Liquor
(O) EASYGO	2723 GRAND AVE	Class E Liquor
* (P) GIT N GO STORE #31	2601 SW 9TH ST	Class C Beer
(Q) JALAPENO PETES	3000 E GRAND AVE	Special Class C
(R) JETHROS BBQ SOUTHSIDE	4337 PARK AVE	Class C Liquor
(S) MERCYONE	1111 6TH AVE	Class C Liquor
(T) MOTLEY SCHOOL	1903 BEAVER AVE	Class C Liquor
(U) MULLETS	1300 SE 1ST ST	Class C Liquor
(V) MY BROTHERS PLACE	2400 DEAN AVE	Class C Liquor
(W) OLYMPIC FLAME	514 E GRAND AVE	Special Class C
(X) PLAZA PUB	6202 DOUGLAS AVE	Class C Liquor
(Y) QUIK TRIP #516	1000 E UNIVERSITY AVE	Class C Beer
(Z) SHAGS	216 COURT AVE #201	Class C Liquor
(AA) SPAGHETTI WORKS	310 COURT AVE	Class C Liquor
(BB) ST KILDA BAKERY	300 SW 5TH ST #A150	Class C Liquor
(CC) STATION ON INGERSOLL	3124 INGERSOLL AVE	Class C Liquor

SPECIAL EVENT APPLICATIONS

(DD) APRES BAR CO 120 E 5TH ST 5 days
CLASS C LIQUOR LICENSE FOR ONE IOWA GALA ON JUNE 4, 2022.

(EE) CAPITAL CITY PRIDE 401 E 5TH ST (BEER TENT) 5 days
CLASS B BEER PERMIT FOR FESTIVAL ON JUNE 10 - 12, 2022.

(FF) DEPOT 3000 E GRAND AVE #069 5 days
CLASS B BEER PERMIT FOR EVENTS OCCURRING JUNE 6 - 10, 2022.

(GG) EXILE BREWING CO 313 WALNUT ST 5 days
CLASS B BEER LICENSE FOR DAM TO DSM ON JUNE 2 - 4, 2022.

(HH) IOWA ASIAN ALLIANCE 1203 LOCUST ST (BEER TENT) 5 days
CLASS C LIQUOR LICENSE FOR CELEBRASIAN ON MAY 27 - 28, 2022.

(II) IOWA CRAFT BREW 2251 GEORGE FLAGG PKWY 5 days
CLASS B BEER PERMIT FOR FESTIVAL ON JUNE 4, 2022.

(JJ) KOSMIC KINGDOM 4051 DEAN AVE 5 days
CLASS C LIQUOR LICENSE FOR FESTIVAL ON JUNE 2 - 4, 2022.

(KK) MULLETS 1300 SE 1ST ST 5 days
CLASS C LIQUOR LICENSE FOR VENDOR FAIR ON JUNE 11, 2022

(LL) PAR CATERERS 3915 FLEUR DR 5 days
CLASS C LIQUOR LICENSE FOR PRINCIPAL CHARITY CLASSIC ON JUNE 1 - 5, 2022

(MM) RENAISSANCE 401 5TH AVE 5 days
CLASS C LIQUOR LICENSE FOR BLOC PARTY FOR BLOCBUILDER ON JUNE 13 - 14, 2022.

(NN) SALISBURY HOUSE 4025 TONAWANDA DR 5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR GARDEN PARTY ON JUNE 5,
2022.

(OO) ST GEORGE GREEK 1110 35TH ST 5 days
CLASS C LIQUOR LICENSE FOR GREEK FOOD FAIR ON JUNE 3 - 5, 2022.

(PP) THIRSTY PIGS 2101 FLEUR DR 5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR IRONMAN ON JUNE 12, 2022.

(QQ) TRAVELING TAPSTER 120 E 5TH ST 5 days
CLASS C LIQUOR LICENSE FOR A RECEPTION ON JUNE 18, 2022.

(RR) VETERANS MEMORIAL 833 5TH AVE 5 days
CLASS C LIQUOR LICENSE FOR AN EVENT ON JUNE 12, 2022.

(SS) WHISKEY RIVER ANKENY 2035 E OVID AVE 5 days
CLASS C LIQUOR LICENSE FOR AN EVENT ON MAY 28, 2022.

(TT) WINEFEST DES MOINES 1716 LOCUST ST 5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR DOTDASH MEREDITH
SATURDAY SESSIONS JUNE 11, 2022.

(UU) WINEFEST DES MOINES 120 E 5TH ST 5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR TOASTING TUESDAY ON JUNE
14, 2022.

- [22-0766](#) 5. [City Clerk](#) to issue Cigarette/Tobacco/Nicotine/Vapor Permits. **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 5-1-1. Nays: Cownie. Absent: Gatto.**

PUBLIC IMPROVEMENTS

- [22-0767](#) 6. [Approving](#) Professional Services Agreement (PSA) with Bolton and Menk, Inc. for Neal Smith Trail Rehabilitation – Euclid Avenue to Saylor Creek Bridge, Construction Observation Services, for an amount not to exceed \$77,608. ([Council Communication No. 22-242](#)) **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

- [22-0768](#) 7. [Designation](#) of lowest responsive, responsible bidder as Synergy Contracting, LLC (Jesse Rognes, President); approval of contract and bond and permission to sublet on Western Ingersoll Run Sewer Separation Phase 3, \$6,686,000. ([Council Communication No. 22-251](#)) **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

- [22-0769](#) 8. [Approving](#) Professional Services Agreement (PSA) with I & S Group, Inc. for Western Ingersoll Run Sewer Separation Phase 3, for an amount not to exceed \$488,150. ([Council Communication No. 22-250](#)) **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

9. Approving Private Construction Contracts for the following:

- [22-0770](#) (A) [Elder](#) Corporation and Des Moines Independent Community School District for Storm Sewer Improvements in 2450 Forest Avenue. **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

- [22-0771](#) (B) [Concrete](#) Technologies, Inc. and TK Development, LLC for Paving Improvements in Southwoods Estates Plat 3. **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

- [22-0772](#) (C) [Reilly](#) Construction, Co., Inc. and ILEX Group, Inc for Sanitary Sewer Improvements in Northridge Business Park at 950 E. Broadway Avenue. **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

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

[22-0773](#)

(A) [Demolition](#) of DICO buildings at 200 SW 16th Street, Earth Services & Abatement, LLC dba Iowa Demolition. **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

[22-0774](#)

(B) [2021](#) Sanitary and Storm Sewer Televising Program, Equix Integrity, Inc. **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

[22-0775](#)

11. [Approving](#) an agreement and covenant with Kading Properties, LLC regarding sewer service outside Des Moines city limits for property located at 5570 NE 23rd Avenue. **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

[22-0776](#)

12. [Recommendation](#) from Mayor Cownie to appoint Paula Noonan to the Plan and Zoning Commission, Seat 3, for a five-year term commencing on July 1, 2021, and expiring July 1, 2026. **Moved by Boesen to adopt. Second by Mandelbaum. Motion FAILED 1-5-1. Nays: Boesen, Voss, Mandelbaum, Sheumaker and Westergaard. Absent: Gatto.**

SETTING DATE OF HEARINGS

[22-0777](#)

13. [On](#) vacation of alley right-of-way located north of and adjoining 206 6th Avenue and approval of license agreement with ND 22 Fleming LLC and 206 6th Avenue, LLC, (6-13-22). **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

[22-0778](#)

14. [On](#) conveyance of excess City-owned property located on Garden Road and locally known as District/Tax Parcels 010/05190-000-000, 010/05191-000-000, 010/05192-000-000, 010/05193000-000 and 010/5194-000-000 to C-Build, LLC for \$133,560, (6-13-22). **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

[22-0779](#)

15. [On](#) request from Tiger Knight, LLC (Barry Nelson, Officer) for property at 1210 & 1220 Army Post Road to rezone the property from Limited “MX3” Mixed Use District to Limited “MX3” Mixed Use District with conditions to allow automotive upholstery and automotive detailing uses, (6-13-22). **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

[22-0780](#)

16. [On](#) request from Krause Properties, LC (Owner), represented by Charley W. Campbell (Officer), for property at 2500 Southeast 43rd Street, to amend Plan DSM: Creating our Tomorrow Plan to revise the future land use classification from Business Park to Industrial Use, and to rezone the property from EX Mixed Use District to I2 Industrial District to allow the use of the property as a truck parking facility, (6-13-22). **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

- [22-0781](#) 17. **On** request from Parks and Recreation for property at Principal Park in the vicinity of 1 Line Drive, to amend the PlanDSM: Creating Our Tomorrow Plan to revise the future land use classification from Parks and Open Space to Public/Semi-Public, and to rezone from F – Flood District and P2 – Public, Civic and Institutional District to P2 – Public, Civic and Institutional District, to allow interior renovations and additions to the existing facility, to allow interior renovations and additions to the existing facility, (6-13-22). **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**
- [22-0782](#) 18. **On** appeal by Knapp Homes, LLC (John Knapp, Owner) represented by Adam Cockerill (Officer) of denial of Type 2 Design Alternatives for a Site Plan (“Scooters”) for property located at 4402 Douglas Avenue, (6-13-22). **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**
- [22-0783](#) 19. **On** issuance of not to exceed \$22,000,000 Stormwater Management Utility Revenue Bonds, (6-27-22). **Moved by Boesen to adopt. Seconded by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

CITY MANAGER COMMUNICATIONS

- [22-0784](#) 19-I **Submitting** travel and training request for T.M. Franklin Cownie. ([Council Communication No. 22-255](#)) **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

APPROVING

WITHDRAWN

- [22-0785](#) 20. ~~Reprogramming of prior years’ unspent Community Development Block Grant (CDBG), and Emergency Solutions Grant (ESG) funding and approval of related grant agreements with the U.S. Department of Housing and Urban Development (HUD) for funding the City’s third year (2022) Action Plan of the 2020-2024 Consolidated Plan to the 2022 Consolidated Plan Program Year. (Council Communication No. 22-237)~~
- [22-0786](#) 21. **Second** Amendment to Urban Renewal Development Agreement for the property located at 3750 Grand Avenue, with 3750 Grand LLC and Minimum Assessment Agreement. ([Council Communication No. 22-254](#)) **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**
- [22-0787](#) 22. **Sustainable** workplace solutions services agreement with Baker Group for maintenance services for parking garages. ([Council Communication No. 22-243](#)) **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

- [22-0788](#) 23. [Memorandum](#) of Understanding with Coding it Forward (Civic Innovation Corps) for City Manager Office hosting of interns. ([Council Communication No. 22-252](#)) **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**
- [22-0789](#) 24. [Receipt](#) of communication from the Greater Des Moines Public Art Foundation regarding an upcoming project for art on DART bus shelters along Ingersoll Avenue. **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**
- [22-0790](#) 25. [Application](#) for 2022 Body-Worn Camera Policy and Implementation Program to Support Law Enforcement Agencies Grant. ([Council Communication No. 22-231](#)) **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**
26. Number Not used.
- [22-0791](#) 27. [Accepting](#) proposal of Matt Holeyton Enterprises, LLC, dba Signal of Des Moines to provide armed security services and approving agreement for a term of three years, with an option to renew for one additional 3-year term. ([Council Communication No. 22-233](#)) **Moved by Boesen to adopt. Seconded by Mandelbaum. Motion Carried 5-1-1. Nays: Sheumaker. Absent: Gatto.**
- [22-0792](#) 28. [Declaring](#) an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified projects. **Moved by Boesen to adopt. Seconded by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**
29. Abatement of public nuisances as follows:
- [22-0793](#) (A) [1917](#) Williams Street. **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**
- [22-0794](#) (B) [1502](#) Milton Street. **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**
- [22-0795](#) (C) [1209](#) Bundy Street. **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**
- [22-0796](#) (D) [3445](#) SW 31st Street. **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**
- [22-0797](#) (E) [1130](#) Garden Avenue. **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**
- [22-0798](#) (F) [1431](#) 8th Street. **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**
- [22-0799](#) (G) [1331](#) 13th Street. **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

30. Purchases from the following:

[22-0800](#)

(A) [Truck](#) Equipment, Inc. for service body upfitting and installation of a lift gate and other accessories on a 2021 Series Ram Chassis as requested by the Fleet Division, \$55,902. (Three potential bidders, two received) **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

[22-0801](#)

(B) [Waste](#) Management of Iowa for an annual contract with four additional one-year renewal options to furnish trash removal services for the SCRUB program as requested by the Public Works Department, estimated annual cost \$75,000. (Five potential bidders, one received) ([Council Communication No. 22-249](#)) **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

(C) Number Not Used.

[22-0802](#)

(D) [Utility](#) Equipment Company for an annual contract with two additional one-year renewal options to furnish various Poly Vinyl Chloride (PVC) pipe materials for storm and sanitary sewer maintenance purposes as requested by the Public Works Department, estimated annual cost \$100,000. (Three potential bidders, one received) **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

[22-0803](#)

31. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of May 23, 30 and June 6, 2022; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of May 23, 30 and June 6, 2022; to draw checks for biweekly payroll due June 3, 2022. **Moved by Boesen to adopt. Seconded by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

ORDINANCES - SECOND CONSIDERATION

[22-0804](#)

32. [By](#) amending Sections 42-246 and 42-258, relating to noise, sound equipment, sound amplifying equipment and construction equipment. **Moved by Mandelbaum that this ordinance be considered and given second vote for passage with these amendments: 1. Sound meter be changed to sound level meter in code. 2. Add this sentence to the end of the paragraph – The promoter or event coordinator shall provide the adjacent residents or their designated representative the sound level meter readings within three business days after the readings are requested. Second by Boesen. Motion Carried 6-1. Absent: Gatto.**

[22-0805](#)

(A) [Final](#) consideration of ordinance above (waiver requested by Scott Sanders, City 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, #16,127.** Seconded by Boesen. Motion Carried 6-1. Absent: Gatto.

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

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 33 THRU 51)

[22-0806](#)

33. [On](#) Fourth Amendment to lease of the Des Moines Botanical Center to the Greater Des Moines Botanical Garden. ([Council Communication No. 22-253](#)) **Moved by Westergaard to adopt. Second by Boesen. Motion Carried 6-1. Absent: Gatto.**

[22-0807](#)

34. [On](#) the proposed 10th Amendment to the Urban Renewal Plan for the Ingersoll-Grand Urban Renewal area. ([Council Communication No. 22-245](#)) **Moved by Mandelbaum to adopt. Second by Boesen. Motion Carried 6-1. Absent: Gatto.**

[22-0808](#)

35. [On](#) the proposed 13th Amendment to the Urban Renewal Plan for the SE AgriBusiness Urban Renewal Area. ([Council Communication No. 22-247](#)) **Moved by Boesen to adopt. Second by Voss. Motion Carried 6-1. Absent: Gatto.**

[22-0809](#)

36. [On](#) the proposed 18th Amendment to the Urban Renewal Plan for the Central Place Industrial Park Redevelopment Urban Renewal Area. ([Council Communication No. 22-246](#)) **Moved by Sheumaker to adopt. Second by Boesen. Motion Carried 6-1. Absent: Gatto.**

[22-0810](#)

37. [On](#) the proposed 30th Amendment to the Urban Renewal Plan for the Metro Center Urban Renewal Area. ([Council Communication No. 22-244](#)) **Moved by Mandelbaum to adopt. Seconded by Voss. Motion Carried 6-1. Absent: Gatto.**

[22-0811](#)

38. [On](#) vacation of excess City right-of-way located south of and adjoining 1819 43rd Street and conveyance to Cynthia S. Dolmage and Dennis D. Dolmage for \$150. **Moved by Boesen to adopt. Second by Sheumaker. Motion Carried 6-1. Absent: Gatto.**

[22-0812](#)

(A) [First](#) consideration of ordinance above. **Moved by Boesen that this ordinance be considered and given first vote for passage. Seconded by Sheumaker. Motion Carried 6-1. Absent: Gatto.**

[22-0813](#)

(B) Final consideration of ordinance above, 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, #16,128.** Seconded by Sheumaker. Motion Carried 6-1. Absent: Gatto.

- [22-0814](#) 39. **On** vacation of street right-of-way located at the intersection of Cottage Grove Avenue, Kingman Boulevard and 25th Street and lease to Drake Neighborhood Association for \$1,000. **Moved by Mandelbaum to adopt. Second by Sheumaker. Motion Carried 6-1. Absent: Gatto.**
- [22-0815](#) (A) **First** consideration of ordinance above. **Moved by Mandelbaum that this ordinance be considered and given first vote for passage. Seconded by Sheumaker. Motion Carried 6-1. Absent: Gatto.**
- [22-0816](#) (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, [#16,129](#). Motion Carried 6-1. Absent: Gatto.**
- [22-0817](#) 40. **On** vacation of excess City right-of-way located north of and adjoining 4225 Northwest Drive and conveyance to Gabriel Concha and Mariya Velichkova Concha for \$100. **Moved by Sheumaker to adopt. Second by Boesen. Motion Carried 6-1. Absent: Gatto.**
- [22-0818](#) (A) **First** consideration of ordinance above. **Moved by Sheumaker that this ordinance be considered and given first vote for passage. Seconded by Boesen. Motion Carried 6-1. Absent: Gatto.**
- [22-0819](#) (B) Final consideration of ordinance above, requires six votes. **Moved by Sheumaker 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, [#16,130](#). Seconded by Boesen. Motion Carried 6-1. Absent: Gatto.**
41. Items related to Gray's Lake Park, 2101 Fleur Drive.
- [22-0820](#) (A) **Hearing** on vacation of excess City right-of-way located in Gray's Lake Park, 2101 Fleur Drive. ([Council Communication No. 22-232](#)) **Moved by Mandelbaum to adopt. Second by Boesen. Motion Carried 6-1. Absent: Gatto.**
- [22-0821](#) (B) **First** consideration of ordinance above. **Moved by Mandelbaum that this ordinance be considered and given first vote for passage. Second by Boesen. Motion Carried 6-1. Absent: Gatto.**
- [22-0822](#) (C) **Final** consideration of ordinance above (waiver requested by Ben Page, Parks and Recreation Director), 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, [#16,131](#). Seconded by Boesen. Motion Carried 6-1. Absent: Gatto.

[22-0823](#)

(D) [Approving](#) Naming and Dedication of Gray's Lake Wetlands Project Area as Parkland. Moved by Mandelbaum to adopt. Seconded by Boesen. Motion Carried 6-1. Absent: Gatto.

[22-0824](#)

42. [On](#) request from City of Des Moines Parks and Recreation Department for Cohen Park located in vicinity of 1000 Scott Avenue, to amend the PlanDSM: Creating Our Tomorrow Plan to revise the future land use classification from Downtown Mixed Use to Parks/Open Space, and to rezone property from DX2 Downtown District to P1 Public, Civic and Industrial District, to bring the existing park use into conformance and to allow park improvements. Moved by Voss to adopt. Second by Boesen. Motion Carried 6-1. Absent: Gatto.

[22-0825](#)

(A) [First](#) consideration of ordinance above. Moved by Voss that this ordinance be considered and given first vote for passage. Seconded by Boesen. Motion Carried 6-1. Absent: Gatto.

[22-0826](#)

(B) [Final](#) consideration of ordinance above (waiver requested by Ben Page, Parks and Recreation Director), requires six votes. Moved by Voss 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, [#16,132](#). Seconded by Boesen. Motion Carried 6-1. Absent: Gatto.

[22-0827](#)

43. [On](#) request from Elia, LLC and Easter Lake Estates, Inc. (Phil Watson, Officer) regarding property in the vicinity of 7221 Southeast 5th Street, to amend the PlanDSM Creating Our Tomorrow Comprehensive Plan to revise the future land use designation from Medium Density Residential to High Density Residential, which would allow future development of the property with a density greater than 17 dwelling units per acre. Moved by Voss to adopt. Second by Boesen. Motion Carried 6-1. Absent: Gatto.

[22-0828](#)

44. [On](#) City-initiated request to approve amending the PlanDSM: Creating Our Tomorrow Plan, Approving the Southwest Infrastructure and Planning Study as an element of the City's Transportation Master Plan, MoveDSM. Moved by Mandelbaum and Second by Boesen to adopt. Motion Carried 6-1. Absent: Gatto.

[22-0829](#)

45. [On](#) 2022 Riverwalk Improvements - Balustrade Replacement: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and

designating lowest responsible bidder as Minturn, Inc. (Clinton M. Rhoads, President), \$187,880. ([Council Communication No. 22-236](#)) **Moved by Mandelbaum to adopt. Second by Boesen. Motion Carried 6-1. Absent: Gatto.**

[22-0830](#) (A) [Approval](#) of contract and bond and permission to sublet. **Moved by Mandelbaum to adopt. Second by Boesen. Motion Carried 6-1. Absent: Gatto.**

[22-0831](#) 46. [On](#) City-Wide Pavement Marking Program: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating lowest responsible bidder as Quality Striping, Inc. (Jamie Jirak, President), \$266,180. ([Council Communication No. 22-240](#)) **Moved by Voss to adopt. Second by Boesen. Motion Carried 6-1. Absent: Gatto.**

[22-0832](#) (A) [Approval](#) of contact and bond and permission to sublet. **Moved by Voss to adopt. Second by Boesen. Motion Carried 6-1. Absent: Gatto.**

[22-0833](#) 47. [On](#) 2022-2023 HMA Pavement Scarification and Resurfacing: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating lowest responsible bidder as OMG Midwest, Inc. dba Des Moines Asphalt & Paving (Kevin Bragg, President), \$186,158. ([Council Communication No. 22-238](#)) **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

[22-0834](#) (A) [Approval](#) of contact and bond and permission to sublet. **Moved by Boesen to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

[22-0835](#) 48. [On](#) 2022 Sidewalk Replacement Program: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating lowest responsible bidder as Pillar Inc. (Matt Klucas, CEO), \$239,900. ([Council Communication No. 22-239](#)) **Moved by Mandelbaum to adopt. Second by Boesen. Motion Carried 6-1. Absent: Gatto.**

[22-0836](#) (A) [Approval](#) of contract and bond and permission to sublet. **Moved by Mandelbaum to adopt. Second by Boesen. Motion Carried 6-1. Absent: Gatto.**

[22-0837](#) 49. [On](#) River Oaks Drive Reconstruction from Muskogee Avenue to Lincoln Place Drive: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating lowest responsible bidder as Hawkeye Paving Corporation (Anthony L. Perkins, President), \$629,493. ([Council Communication No. 22-234](#)) **Moved by Mandelbaum to adopt. Second by Voss. Motion Carried 6-1. Absent: Gatto.**

[22-0838](#) (A) [Approval](#) of contract and bond and permission to sublet. **Moved by Mandelbaum to adopt. Second by Voss. Motion Carried 6-1. Absent: Gatto.**

[22-0839](#) 50. **On** E. 3rd Street Reconstruction from E. Court Avenue to Iowa Interstate Railroad: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating lowest responsible bidder as Minturn, Inc. (Clinton M. Rhoads, President), \$372,060. ([Council Communication No. 22-248](#)) **Moved by Mandelbaum to adopt. Second by Boesen. Motion Carried 6-1. Absent: Gatto.**

[22-0840](#) (A) **Approval** of contract and bond. **Moved by Mandelbaum to adopt. Second by Boesen. Motion Carried 6-1. Absent: Gatto.**

[22-0841](#) 51. **Dismissing** hearing on approval of plans, specifications, form of contract and engineer’s estimate on the City-Wide Skywalk Joint Seal replacements, due to no bids being received. ([Council Communication No. 22-241](#)) **Moved by Mandelbaum to adopt. Second by Boesen. Motion Carried 6-1. Absent: Gatto.**

**** END OF HEARINGS 5:34 P.M. ****

ORDINANCES - FINAL CONSIDERATION

[22-0842](#) 52. **An** ordinance for extending and amending the franchise heretofore granted to Midwest Gas Company, predecessor in interest to MidAmerican Energy Company, and granting until MidAmerican Energy Company, its successors and assigns, the right, franchise and privilege for a period of thirteen (13) years from and after the effective date hereof, to acquire, construct, operate and maintain in the City of Des Moines, Iowa, the necessary facilities for the production, distribution, transmission and sale of gas for public and private use; and to use and occupy the public streets, highways, avenues, alleys, bridges and public places for such purposes; providing for the imposition and collection of a franchise fee. **Moved by Boesen that this ordinance do now pass, #16,133. Second by Voss. Motion Carried 4-1-1. Nays: Sheumaker. Absent: Gatto. Council Member Mandelbaum declares a conflict of interest and abstains from voting.**

[22-0843](#) 53. **An** ordinance for extending and amending the franchise heretofore granted to Iowa Power and Light Company, predecessor in interest to MidAmerican Energy Company, and

granting unto MidAmerican Energy Company, its successors and assigns, the right, franchise and privilege for a period of thirteen (13) years from and after the effective date, to acquire, construct, operate and maintain in the City of Des Moines, Iowa, the necessary facilities for the production, distribution, transmission and sale of electric energy for public and private use; and to use and occupy the public streets, highways, avenues, alleys, bridges and public places for such purposes; providing for the imposition and collection of a franchise fee. **Moved by Boesen that this ordinance do now pass, #16,134. Second by Voss. Motion Carried 4-1-1. Nays: Sheumaker. Absent: Gatto. Council Member Mandelbaum declares a conflict of interest and abstains from voting.**

APPROVING

- [22-0844](#) 54. [Joint Clean Energy Statement of Intent](#) to Cooperate with MidAmerican Energy Company. **Moved by Voss to adopt. Seconded by Westergaard. Motion Carried 5-1. Absent: Gatto. Council Member Mandelbaum declares a conflict of interest and abstains from voting.**

ORDINANCES - FIRST CONSIDERATION

55. Number Not Used.

56. Number Not Used.

- [22-0845](#) 57. [Amending](#) the Municipal Code Section 118 relating to the volume charge for sewer services rate to be applied to residential and nonresidential properties (Sanitary Utility rate increase). ([Council Communication No. 22-230](#)) **Moved by Boesen that this ordinance be considered and given first vote for passage. Seconded by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

- [22-0846](#) (A) [Final](#) consideration of ordinance above (waiver requested by Nicholas Schaul, Finance Director), 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, #16,135. Seconded by Mandelbaum. Motion Carried 6-1. Absent: Gatto.**

COMMUNICATIONS/REPORTS

- [22-0847](#) 58. [Requests](#) to speak as follows: **Moved by Boesen to receive and file. Second by Voss. Motion Carried 6-1. Absent: Gatto.**
- (A) Bridget Pedersen **-did not speak.**
- (B) James Grimm – **did not speak.**

- ~~(C) Natalie Harwood~~
- (D) Marla Fowler
- (E) RJ Miller
- ~~(F) Adam Callanan~~
- (G) Taylor Webber – **did not speak.**
- ~~(H) Jolene Prescott~~
- (I) Julie Earles

[22-0848](#) MOTION TO ADJOURN. Moved by Cownie to adjourn at 5:58 PM. Motion Carried 6-1.
Absent: Gatto.

View City Council agendas online at DSM.city



All-America City
1949 1976 1981 2003 2010 2017