



*** 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

September 12, 2022
5:00 PM

PROCLAMATIONS – 4:50 PM

Latino Heritage Month

100th Anniversary of the Des Moines Chapter of the Izaak Walton League of America

- [22-1374](#) 1. ROLL CALL: **Present: Cownie, Boesen, Gatto, Mandelbaum, Sheumaker, Voss and Westergaard. Mayor Cownie participated in the meeting by telephone.**
- [22-1375](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1376](#) 3. APPROVING CONSENT AGENDA * – items 3 through 65: **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

[22-1377](#)

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

NEW APPLICATIONS

- | | | | |
|-----|---------------|--------------------|-----------------|
| (A) | DM BEERGARDEN | 2251 GEORGE FLAGG | Special Class C |
| (B) | DZO | 2611 INGERSOLL AVE | Class C Liquor |

RENEWAL APPLICATIONS

- | | | | |
|------|-----------------------|-----------------------|-----------------|
| (C) | 300 BURGER | 300 W MLK JR PKWY | Class C Liquor |
| (D) | AMERICAN OUTLAWS | 214 3RD ST | Class C Liquor |
| (E) | CASEYS STORE #2314 | 3527 INDIANOLA AVE | Class C Beer |
| (F) | CASEYS STORE #2676 | 2106 ECHO VALLEY DR | Class C Liquor |
| (G) | CASEYS STORE #44 | 4560 E 14TH ST | Class C Beer |
| (H) | CEVICHE | 223 E WALNUT ST | Class C Liquor |
| (I) | CLUB 2000 | 422 INDIANOLA RD | Class C Liquor |
| (J) | CLYDES FINE DINER | 111 E GRAND AVE #111 | Class C Liquor |
| (K) | DM IZAAK WALTON | 4343 GEORGE FLAGG | Class C Liquor |
| (L) | DM MARRIOTT HOTEL | 700 GRAND AVE | Class B Liquor |
| (M) | DM MARRIOTT HOTEL | 700 GRAND AVE | Class E Liquor |
| (N) | FAREWAY STORES | 100 E EUCLID AVE | Class E Liquor |
| (O) | GOLDENLAND FOOD | 2740 DOUGLAS AVE | Class C Beer |
| (P) | HY VEE MARKET CAFE #3 | 3221 SE 14TH ST | Class C Liquor |
| (Q) | HYATT PLACE | 418 6TH AVE | Class B Liquor |
| (R) | INDIA STAR | 5514 DOUGLAS AVE | Special Class C |
| (S) | KUM & GO #120 | 6304 SW 9TH ST | Class C Beer |
| (T) | QUIK TRIP #560 | 2300 MLK JR PKWY | Class C Beer |
| (U) | VIVA MEXICAN | 6101 GRAND AVE | Class C Liquor |
| (V) | WALGREENS #00359 | 2545 E EUCLID AVE | Class E Liquor |
| (W) | WALGREENS #04714 | 4555 FLEUR DR | Class E Liquor |
| (X) | WALGREENS #05362 | 1330 E UNIVERSITY AVE | Class E Liquor |
| (Y) | WALGREENS #05777 | 2930 E UNIVERSITY AVE | Class E Liquor |
| (Z) | WALGREENS #07453 | 104 E EUCLID AVE | Class E Liquor |
| (AA) | WALGREENS #07833 | 3501 INGERSOLL AVE | Class E Liquor |
| (BB) | WALGREENS #07968 | 6200 SE 14TH ST | Class E Liquor |
| (CC) | WALGREENS #05721 | 3140 SE 14TH ST | Class E Liquor |
| (DD) | WALGREENS #05852 | 3030 UNIVERSITY AVE | Class E Liquor |
| (EE) | WALGREENS #07452 | 4415 DOUGLAS AVE | Class E Liquor |
| (FF) | WAL-MART #1723 | 5101 SE 14TH ST | Class E Liquor |
| (GG) | WELLMANS PUB | 2920 INGERSOLL AVE | Class C Liquor |

SPECIAL EVENT APPLICATIONS

- | | | | |
|------|---------------------|----------------------------|--------|
| (HH) | BLOOD SWEAT & BEERS | 1417 WALNUT ST (IN STREET) | 5 days |
|------|---------------------|----------------------------|--------|
- CLASS B BEER LICENSE FOR FESTIVAL ON OCTOBER 1, 2022.

(II) DM OKTOBERFEST 100 BLOCK 4TH ST (BEER TENT) 5 days
CLASS C LIQUOR LICENSE FOR FESTIVAL ON SEPTEMBER 23-- 24, 2022.

(JJ) GREAT CATERERS 601 GRAND AVE 5 days
CLASS C LIQUOR LICENSE FOR AMERICAN INSTITUTE OF ARCHITECTS EVENT ON
SEPTEMBER 29, 2022.

(KK) HOLY FAMILY CATHOLIC 1265 E 9TH ST 5 days
CLASS C LIQUOR LICENSE FOR ANNUAL BARN BASH ON OCTOBER 1, 2022.

(LL) IOWA LATINO HERITAGE 1000 GRAND AVE 5 days
CLASS B BEER PERMIT FOR THE FESTIVAL ON SEPTEMBER 25 - 26, 2022.

(MM) THIRSTY PIGS LLC 901 2ND AVE 5 days
CLASS B BEER PERMIT FOR DES MOINES STREETSTYLE ON SEPTEMBER 22, 2022.

(NN) THIRSTY PIGS LLC 80 8TH ST (IN STREET) 5 days
CLASS B BEER PERMIT FOR DES MOINES STREETSTYLE ON SEPTEMBER 24, 2022.

(OO) WINEFEST DES MOINES 400 LOCUST ST 5 days
CLASS C LIQUOR LICENSE FOR SIPS & THE CITY ON SEPTEMBER 23, 2022.

(PP) YOUR PRIVATE BAR 120 E 5TH ST 5 days
CLASS C LIQUOR LICENSE FOR A WEDDING RECEPTION ON SEPTEMBER 17, 2022.

OUTDOOR SERVICE APPLICATIONS

(QQ) CHRISTOPHERS 2816 BEAVER AVE
TEMPORARY FOR BEAVERDALE FALL FESTIVAL ON SEPTEMBER 16 - 17, 2022

(RR) FRATERNAL ORDER 6567 BLOOMFIELD RD
TEMPORARY FOR ABATE TOY RUN ON OCTOBER 9, 2022.

[22-1378](#)

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

SPECIAL EVENT APPLICATIONS

(A) Jr's Southpork Ranch 3000 E. Grand Avenue 5-day
Class C Liquor License.

(B) Pavilion 3000 E. Grand Avenue, 5-day
Class B Beer License.

OUTDOOR SERVICE APPLICATION

(C) Parlor 4041 Urbandale Avenue
Temporary outdoor service for Beaverdale Fall Festival on September 16 – 17, 2022.

[22-1379](#) 5. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 6-1. Nays: Cownie.**

[22-1380](#) 6. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

[22-1381](#) 7. [Approving](#) and authorizing the execution of Iowa Department of Transportation (IDOT) Agreement for Broadway Avenue and Hubbell Avenue (US 6) Intersection Improvements. ([Council Communication No. 22-422](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1382](#) 8. [Approving](#) and authorizing the execution of the agreement for Cooperative Public Service with Polk County for the NE Broadway Avenue Improvement Project from Iowa Highway 415 (NW 2nd Avenue) to US Highway 6 (Hubbell Avenue). ([Council Communication No. 22-421](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

9. Approving Professional Services Agreements for On-Call Traffic Impact Study Services with the following: ([Council Communication No. 22-419](#))

[22-1383](#) (A) [HDR](#) Engineering, Inc., not to exceed \$150,000. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1384](#) (B) [McClure](#) Engineering Company, not to exceed \$150,000. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1385](#) (C) [Snyder](#) & Associates, Inc., not to exceed \$150,000. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1386](#) 10. [Professional](#) Services Agreement with Snyder & Associates, Inc. for professional services for Easter Lake Drive Sidewalk – Indianola Avenue to Easter Lake, not to exceed \$85,500. ([Council Communication No. 22-414](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1387](#) 11. [Approving](#) Private Construction Contract between Correll Contractor, Inc. and Coppola Enterprises, Inc. for paving, sanitary sewer and storm sewer Improvements in Creek at Echo Valley Plat 1, located at 2624 Echo Valley Drive. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1388](#) 12. [Communication](#) from contractors requesting permission to sublet certain items on public improvement project. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

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

- [22-1389](#) (A) [Des Moines River Levee Pump Station Rehabilitations](#), Minturn, Inc. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1390](#) (B) [Grandview Golf Course Cart Path Repairs](#), InRoads, LLC. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1391](#) (C) [2021 Sidewalk Replacement Program](#), TK Concrete, Inc. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1392](#) (D) [Bill Riley Trail Repair at the Iowa Interstate Railroad Bridge](#), RW Excavating Solutions, LC. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1393](#) (E) [Court Avenue, SW 1st Street, and Scott Avenue Bridge Rehabilitations](#), Jasper Construction Services, Inc. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [22-1394](#) 14. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2022-01. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1395](#) 15. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Neighborhood Services), Schedule No. 2022-08. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [22-1396](#) 16. [Approving](#) one (1) tax abatement application and eighty-three (83) tax abatement applications for the additional value added by improvements completed in 2021 and 2022. ([Council Communication No. 22-406](#)) **Moved by Gatto to adopt and to 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.**
- [22-1397](#) 17. [Authorization](#) to proceed with acquisition of the necessary property interests for the 2023 Midblock Pedestrian Signal Improvements Project. ([Council Communication No. 22-411](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1398](#) 18. [Authorization](#) to proceed with acquisition of the necessary property interests for the 2023 Traffic Signal Replacement Project. ([Council Communication No. 22-416](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1399](#) 19. [Authorization](#) to proceed with acquisition of the necessary property interests for the E. Court Avenue Improvements - Des Moines River to E. 14th Street Project. ([Council Communication No. 22-417](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1400](#) 20. [Authorization](#) to proceed with acquisition of the necessary property interests for the Gray's Station Trunk Sanitary Sewer Project. ([Council Communication No. 22-418](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

[22-1401](#) 21. [Approve](#) expansion of the McKinley School/Columbus Park Neighborhood boundaries in accordance with the Neighborhood Recognition Policy. ([Council Communication No. 22-391](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1402](#) 22. [Recommendation](#) from Council Member Joe Gatto to appoint Lisa Treptow to the Greater Des Moines Sister Cities Commission, Seat 15, with a term commencing on April 28, 2019 and expiring April 28, 2024. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

[22-1403](#) 23. [Regarding](#) request from City of Des Moines for vacation of alley right-of-way located west of and adjoining 1830 Lincoln Avenue. **Moved by Gatto to receive and file the communication from the Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division. Second by Boesen. Motion Carried 7-0.**

[22-1404](#) 24. [Regarding](#) request from Liberty Holdings, Inc. (Jeff Tucker, Officer) for the vacation of the easternmost 255 lineal feet of the east/west right-of-way of E. Jefferson Avenue, located to the west of Dixon Street for assembly with the property at 1626 Dixon Street. **Moved by Gatto to receive and file the communication from the Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division. Second by Boesen. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [22-1405](#) 25. **On** vacation of E. Jefferson Avenue right-of-way adjoining 1626 Dixon Street, 1730 E. Washington Avenue and 1637 E. 17th Street and conveyance of a portion of said vacated street right-of-way to Liberty Holdings, Inc., \$13,725, (10-3-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1406](#) 26. **On** vacation of east-west alley right-of-way located south of and adjoining 915 28th Street and conveyance to None Ya, LLC, \$75, (10-3-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1407](#) 27. **On** vacation of street and alley right-of-way located between SE 14th Street and SE 18th Street, south of E. Court Avenue and north of the Iowa Interstate Railroad, and conveyance to Roll-Offs of Des Moines, Inc., \$161,800, (10-3-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1408](#) 28. **On** vacation of east-west alley right-of-way located west of 29th Street between Brattleboro Avenue and University Avenue and conveyance to Drake University for \$29,170, (10-3-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1409](#) 29. **On** conveyance of easements for underground electric lines in portions of Greenwood Park to MidAmerican Energy Company, \$17,505, (10-3-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1410](#) 30. **On** conveyance of a portion of City-owned property, west of and adjoining Prospect Park locally known as Geoparcels No. 7924-28-405-004, to Des Moines Independent Community School District, (10-3-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1411](#) 31. **On** conveyance of a permanent easement for building encroachment in vacated Urbandale Avenue right-of-way located south of and adjoining 4041 Urbandale Avenue to Marigny, LLC for \$2,055, (10-3-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1412](#) 32. **On** conveyance of a Permanent Easement for Sanitary Sewer Facilities and a Temporary Easement for Construction and Construction-Related Activities in City property located north of and adjoining 1 Line Drive to Des Moines Metropolitan Wastewater Reclamation Authority, (10-3-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1413](#) 33. **On** request from 4021 Properties, LLC (Jenny Smith, Officer) for property located at 4019 and 4021 Ingersoll Avenue to rezone the property from “RX2” Mixed Use District to Limited “RX2” Mixed Use District to allow a 2-story building addition for expansion of office use, (10-3-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

- [22-1414](#) 34. [On](#) request from Cole Lopez and Lia Guerra (Owners) for property located at 2800 Brattleboro Avenue to rezone the property from “N5” Neighborhood District to “N5-2” Neighborhood District to allow reuse of the existing structure for a duplex use, (10-3-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1415](#) 35. [On](#) request from Zachary Finch and Cheryl Finch (Owners) for property located at 3125 Kingman Boulevard to amend PlanDSM Creating Our Tomorrow Plan to revise the future land use classification from Low Density Residential to Medium Density Residential, and to rezone the property from “N5-4” Neighborhood District to “NX2” Neighborhood Mix District, to allow use of the property for a multiple-household use with up to eight dwelling units, where the existing structure has lost its previous non-conforming rights, (10-3-22). **Moved by Gatto to adopt. Seconded by Boesen. Motion Carried 7-0.**
- [22-1416](#) 36. [On](#) request from 1348 E Euclid Ave, LLC (Owner) for property located in the vicinity of 1331 E. Douglas Avenue to amend PlanDSM Creating Our Tomorrow Plan to revise the future land use classification from Low Density Residential to Community Mixed Use and to rezone the property from “N3a” Neighborhood District to Limited “RX2” Mixed Use District to allow use of property in common with the property immediately to the south, which would be converted from a motel use to a multiple-household use, (10-3-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1417](#) 37. [On](#) request from Geneva Shoemaker (Owner) for property located at 4970 SE 24th Court to amend PlanDSM Creating Our Tomorrow Plan, to receive and file the large-scale development plan, revise the future land use classification from Low Density Residential to Public/Semi-Public, and to rezone the property from “N2b” Neighborhood District to Limited “P2” Public, Civic and Institutional District, to allow the parceling off of two existing cell towers from the residential property, (10-3-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1418](#) 38. [On](#) request from HRC NFS I LLC (Casey Port, Officer) for review and approval of a PUD Final Development Plan “Gray’s Station Linc – Parking Lot Reconfiguration/Site Improvements,” for properties located at 210 SW 11th Street and 310 SW 11th Street, to allow additions to and reconfigurations of the site’s bicycle and motor vehicle parking areas, (10-3-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1419](#) 39. [On](#) Status of Funded Activities (SOFA) to the U.S. Department of Housing and Urban Development (HUD), (10-3-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1420](#) 40. [On](#) Fifth Amendment to Lease Agreement with DBH Iowa, LLC for lease of Principal Park, (10-3-22). ([Council Communication No. 22-398](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

- [22-1421](#) 41. On the proposition to authorize a lease purchase agreement in the principal amount not to exceed \$50,000 for the purpose of acquiring certain items of equipment consisting of two Nissan Leaf electric vehicles, (10-3-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [22-1422](#) 42. Approving payment to Bloomfield Acres, LLC. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1423](#) 43. Approving payment to Caliber Collision and Enterprise Rent-A-Car on behalf of Trevor Gutknecht. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1424](#) 44. Approving payment to Optum, subrogation vendor for Wadena Insurance Company subrogee of Shyann Warrick in a property damage claim. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1425](#) 45. Approving payment to Progressive Insurance and Paul McGee. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1426](#) 46. Approving retention of outside counsel. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- [22-1427](#) 47. Submitting travel and training request for T.M. Franklin Cownie. (Council Communication No. 22-425) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

APPROVING

- [22-1428](#) 48. 2022 Continuum of Care (CoC) Grant Program competitive application, including noncompetitive award of Youth Homeless Demonstration Program renewal and replacement grants to the U.S. Department of Housing and Urban Development (HUD). (Council Communication No. 22-432) **Moved by Westergaard to adopt. Second by Gatto. Motion Carried 7-0.**
- [22-1429](#) 49. Community Development Block Grant (CDBG) funds to provide a new roof and boiler for The Beacon at 1717 Woodland Avenue, \$80,000. (Council Communication No. 22-403) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

- [22-1430](#) 50. [Reallocating](#) \$65,000 from the City’s third round of Community Development Block Grant Funding to prepare for, prevent, and respond to Coronavirus (CDBG-CV 3) Administration Funding to the Grubb Y After School Care at King Elementary. ([Council Communication No. 22-423](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1431](#) 51. [Final](#) Terms of an Urban Renewal Development Agreement with ONESPEED DSM, LLC for the renovation and conversion of the existing auto repair shop located at 303 Scott Avenue into a craft brewing space. ([Council Communication No. 22-405](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1432](#) 52. [Issuance](#) of a Certificate of Completion for Sixth Avenue Flats Metro Center Urban Renewal Project. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1433](#) 53. [Third](#) amendment to the Iowa Economic Development Authority (IEDA) contract related to financial assistance for Accordia Life & Annuity Company a/k/a Global Atlantic Financial Company under the IEDA High Quality Jobs (HQP) program. ([Council Communication No. 22-401](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1434](#) 54. [Terminating](#) the High Quality Jobs (HQP) program agreement between the Iowa Economic Authority (IEDA), City of Des Moines, and Meredith Operations Corporation f/k/a as Meredith Corporation. ([Council Communication No. 22-400](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1435](#) 55. [First](#) Amendment to Agreement regarding Better Utilizing Investments to Leverage Development (BUILD) Grant to the Des Moines Area Metropolitan Planning Organization (MPO) between the City of Des Moines, the Des Moines Area MPO, Central Iowa Water Trails, LLC (CIWT), and Polk County Conservation. ([Council Communication No. 22-392](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 6-1. Nays: Sheumaker.**
- [22-1436](#) 56. [Fee-For-Service](#) Work Order Agreement with Conservation Corps Minnesota & Iowa for the Gray’s Lake woodland improvement project. ([Council Communication No. 22-397](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1437](#) 57. [Agreement](#) with the U.S. Geological Survey for the operation and maintenance of five (5) stream gaging stations. ([Council Communication No. 22-424](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1438](#) 58. [Request](#) for outdoor special event, Franklin Avenue Library Community Table: A Story Telling and Local Food Festival on October 8, 2022, in accordance with “Franklin Junior High School” PUD Conceptual Plan for property at 4801 Franklin Avenue. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1439](#) 59. [Receive](#) and file the 2020-2021 Annual Report of the Greater Des Moines Public Art Foundation. **Moved by Westergaard to receive and file. Second by Gatto. Motion Carried 7-0.**

60. Number not used.

61. Abatement of public nuisances as follows:

- [22-1440](#) (A) [1311](#) Laurel Street. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1441](#) (B) [712](#) Marion Street. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1442](#) (C) [2419](#) Cottage Avenue. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1443](#) (D) [6214](#) SW 3rd Street. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1444](#) (E) [1138](#) 13th Street. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1445](#) (F) [1327](#) Randall Place. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1446](#) (G) [3230](#) E. 8th Street. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- (H) Number not used.
- [22-1447](#) (I) [1807](#) York Street. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1448](#) (J) [2335](#) SE 8th Street. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1449](#) 62. [Payment](#) to Cale America, Inc. d/b/a Flowbird Group for the monthly operating costs per Multi-Space Parking Meter System and Services Agreement for parking meter software support, transaction and processing fees, estimated annual amount \$400,000. ([Council Communication No. 22-413](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1450](#) 63. [Payment](#) to ABM Parking Services, Inc. for reimbursable operating expenses per Agreement for Management Services, estimated cost not to exceed \$2,740,000. ([Council Communication No. 22-412](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

64. Purchases from the following:

[22-1451](#) (A) [MacQueen](#) Equipment, Inc. (Dan Gage, President/CEO), an authorized distributor of the Heil Co., for two (2) replacement automated collection system containers per Sourcewell Contract for use by the Public Works Department, \$81,350.48. ([Council Communication No. 22-428](#)) **Moved by Gatto to adopt. Seconded by Boesen. Motion Carried 7-0.**

[22-1452](#) (B) [Stertil-Koni USA INC.](#) (Jean DellAmore, President) for two (2) automated lift pit cover systems and installation per Sourcewell Contract for use by the Fleet Services Division, \$62,033.62. ([Council Communication No. 22-429](#)) **Moved by Gatto to adopt. Seconded by Boesen. Motion Carried 7-0.**

- [22-1453](#) (C) [Midwest](#) Turf and Irrigation (Leonard Johnson, Owner), an authorized distributor of Harper Industries, Inc. d/b/a Harper Turf Equipment for two (2) replacement slope mowers per National Cooperative Purchasing Alliance (NCPA) Contract for use by the Public Works Department, \$113,220.02. ([Council Communication No. 22-426](#)) **Moved by Gatto to adopt. Seconded by Boesen. Motion Carried 7-0.**
- [22-1454](#) (D) [MacQueen](#) Equipment, Inc. (Dan Gage, President/CEO), an authorized dealer of Envirosight, LLC, for one (1) replacement vehicle and specialized sewer televising equipment for use by the Public Works Department, \$302,876.13. ([Council Communication No. 22-427](#)) **Moved by Gatto to adopt. Seconded by Boesen. Motion Carried 7-0.**
- [22-1455](#) (E) [AT](#) & T Mobility LLC, a subsidiary of AT & T Inc. (David Christopher, President) for annual cellular services and wireless transmission service, and the replacement of cellular phones per State of Iowa Agreement for use by the Police Department, total annual cost \$207,525. ([Council Communication No. 22-394](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 6-1. Nays: Sheumaker.**
- [22-1456](#) (F) [Insight](#) Public Sector, Inc. (Joyce Mullen, President and CEO) for Microsoft Azure Blob Storage per Microsoft Enterprise Enrollment Agreement for use by the Information Technology Department, estimated annual cost \$60,000. ([Council Communication No. 22-431](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1457](#) (G) [Carbon](#) Day Automotive (Brad Emalfarb, CEO) for four (4) electric charging stations per State of Iowa Contract, \$42,860 and Commonwealth Electric Company of the Midwest (Michael Price, President) for the installation of the four (4) electric charging stations per State of Iowa Contract, \$16,260 at the 9th & Locust and the Center Street Parking Facilities for use by the Engineering Department, total cost \$59,120. ([Council Communication No. 22-420](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1458](#) (H) [Forman](#) Ford (Jim Farley, President) for replacement insulated glazing unit materials and installation services to replace broken glass at seven locations throughout the Richard A. Clark Municipal Service Center for use by the Facilities Division, \$77,406. (One (1) compliant bid received). ([Council Communication No. 22-409](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1459](#) (I) [OneNeck](#) IT Solutions (Terry Swanson, President and CEO), an authorized HPE reseller, for maintenance and support for Hewlett Packard Enterprise Company (HPE) 3PAR Storage Arrays per Minnesota WSCA-NASPO Master Agreement and State of Iowa Contract for use by the Information Technology Department, \$62,150.40. ([Council Communication No. 22-430](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1460](#) (J) [The](#) Sutphen Corporation (Drew Sutphen, President) for three (3) fire extrication engine apparatus per Houston-Galveston Area Council (H-GAC) Cooperative purchase contract for use by the Fire Department, \$2,709,321.96. ([Council Communication No. 22-402](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1461](#) (K) [Exception](#) to the procurement ordinance competitive bidding requirement for good cause and authorizing the negotiation and execution of an agreement with 21CP Solutions for consultant services for professional assessment of the Police Department's policies, procedures, culture and training, \$249,823. ([Council Communication No. 22-433](#)) **Moved by Boesen to adopt. Second by Sheumaker. Motion Carried 7-0.**

[22-1462](#) 65. [Authorizing](#) Finance Director to draw checks on registers for the weeks of September 12, 19 and 26, 2022; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of September 12, 19 and 26, 2022; to draw checks for biweekly payroll due September 23, 2022. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

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

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 66 THRU 70)

[22-1463](#) 66. [On](#) conveyance of an easement for an existing Gas and Regulator Station on City property located at 106 SE 1st Street to MidAmerican Energy Company. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1464](#) 67. [On](#) conveyance of excess City property located in the block bounded by SE 23rd Street on the west, SE 24th Street on the east, Maury Street on the south and Dean's Lake on the north to Kemin Holdings, LC, \$566,636. ([Council Communication No. 22-404](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

[22-1465](#) 68. [On](#) vacation of a portion of Locust Street and 7th Street right-of-way adjoining 700 Locust Street and conveyance of a Permanent Easement for Building Encroachment to Lawmark, LP, \$1,200. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1466](#) (A) [First](#) consideration of ordinance above. **Moved by Gatto that this ordinance be considered and given first vote for passage. Seconded by Boesen. Motion Carried 7-0.**

[22-1467](#) (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, #[16,172](#). Seconded by Boesen. Motion Carried 7-0.**

- [22-1468](#) 69. **On** request from Iowa Laborers' Education & Training Trust Fund (Edward Ely, Officer) for the following regarding property located at 4580 Hubbell Avenue, to receive and file the Large Scale Development Plan, to amend the PlanDSM Creating Our Tomorrow Plan to revise the future land use classification from Industrial to Community Mixed-Use, to amend the Baker “PUD” Conceptual Plan to remove approximately 6.9 acres to be rezoned to Limited “MX3” Mixed-Use District, and to rezone the property from Baker “PUD” District to “MX3” Mixed-Use District, to allow Assembly - Place of Worship and Assembly and Entertainment (Commercial) use. **Moved by Westergaard to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1469](#) (A) **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.**
- [22-1470](#) (B) **Final** consideration of ordinance above (waiver requested by the applicant), 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, #16,173. Second by Boesen. Motion Carried 7-0.**
- [22-1471](#) 70. **On** 2022 Sewer Lining Program: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating the lowest responsive, responsible bidder as Municipal Pipe Tool Company, LLC (Mark Kaler, Manager), \$2,945,436.19. ([Council Communication No. 22-410](#)) **Moved by Boesen to adopt. Second by Gatto. Motion Carried 7-0.**
- [22-1472](#) (A) **Approval** of contract and bond and permission to sublet. **Moved by Boesen to adopt. Second by Gatto. Motion Carried 7-0.**

END HEARINGS AT 5:13 PM

APPROVING II

- [22-1473](#) 71. **Review** of Zoning Board of Adjustment decision conditionally granting a Use Variance to allow for an “Office: Business or Professional” use in a “F” Flood District on property at 3732 Easton Boulevard owned by Jaime Villafana. ([Council Communication No. 22-399](#)) **Moved by Westergaard to adopt alternative A. The City Council remands the Decision and Order to the Zoning Board of Adjustment for further study. The effective date of the Board’s decision will be deferred for 30 days from the date of this remand. Second by Gatto. Motion Carried 7-0.**

ORDINANCES – FIRST CONSIDERATION

[22-1474](#)

72. **Amending** Chapter 114 of the Municipal Code regarding Traffic Regulation Changes as follows: ([Council Communication No. 22-415](#)) **Motion by Westergaard that A, C and D be considered and given first vote for passage and to continue B failed, no second. Motion by Gatto that this ordinance be considered and given first vote for passage. Second by Voss. Motion Carried 6-1. Nays: Westergaard.**

- (A) Parking restrictions - 6th Avenue, Forest Avenue, and Franklin Avenue.
- (B) Parking restriction - Pleasant Drive from Cummins Parkway to 56th Street.
- (C) Parking modification - 6th Avenue from Clinton Avenue to Douglas Avenue.
- (D) Corner Clearances.
 - (1) E. 9th Street and Cleveland Avenue.
 - (2) SE 12th Street and E Thornton Avenue.
 - (3) 19th Street and Leyner Street.
 - (4) E. 24th Street and Guthrie Avenue.
 - (5) E. 41st Street and Easton Boulevard.
 - (6) 43rd Street and Forest Avenue.
 - (7) 56th Street and Walnut Hill Avenue.
 - (8) 59th Street and Franklin Avenue.
 - (9) Beaver Avenue and Beavercrest Drive.
 - (10) North Union Street and Guthrie Avenue.

[22-1475](#)

(E) 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, #16,174. Second by Voss. Motion Carried 6-1. Nays: Westergaard.**

[22-1476](#)

73. **Amending** Chapter 42, Article VIII of the Municipal Code relating to the disposal of snow. ([Council Communication No. 22-393](#)) **Moved by Boesen that this ordinance be considered and given first vote for passage. Second by Gatto. Motion Carried 6-1. Pass: Sheumaker.**

[22-1477](#)

(A) **Final** consideration of ordinance above, (waiver requested by Jonathan Gano, Public Works 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, #16,175. Second by Gatto. Motion Carried 6-1. Pass: Sheumaker.**

[22-1478](#) 74. Amending the Municipal Code by enacting Chapter 61 relating to Vacant Property Registration. (Council Communication No. 22-395) **Moved by Sheumaker that this ordinance be considered and given first vote for passage. Second by Gatto. Motion Carried 7-0.**

[22-1479](#) (A) ~~Final consideration of ordinance above (waiver requested by SuAnn Donovan, Assistant Director, Neighborhood Services), requires six votes.~~

[22-1480](#) (B) ~~Approving and adopting administrative fees for the Vacant Property Registration Ordinance.~~

COMMUNICATIONS/REPORTS

[22-1481](#) 75. Requests to speak as follows: **Moved by Gatto to receive and file. Second by Boesen. Motion Carried 7-0.**

- (A) Tara McFarling
- (B) Allison Streu
- (C) Lucy Holms – did not speak.
- (D) Jeff Krugler
- (E) RJ Miller
- (F) Hakeem Muhammad
- (G) Bernice Thompson
- (H) Adam Callanan
- (I) Amy Tursi
- (J) Sam Davis

EXTRA ITEMS

[22-1482](#) 1. Approving First Amendment to Urban Renewal Development Agreement with Nationwide Mutual Insurance. Sponsors: Mayor Cownie and Council Member Mandelbaum. (Council Communication No. 22-434) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 6-1. Pass: Sheumaker.**

[22-1483](#) 2. Approving Purchase and Sale Contract with Nationwide Mutual Insurance Company for the purchase of 1200 Locust Street, 1200 Mulberry Street, and Assignment of Parking Lot Lease at 13th Street and Walnut Street. Sponsors: Mayor Cownie and Council Member Mandelbaum. (Council Communication No. 22-435) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 6-1. Nays: Sheumaker.**

[22-1484](#) 3. Approving waiver and consent to conflict of interest in representation by Ahlers & Cooney, PC of the Des Moines Airport Authority as to an agreement between the Des Moines Airport Authority and the City of Des Moines for Borrow Site. Sponsors: Mayor Cownie and Council Member Mandelbaum. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1485](#)

MOTION TO ADJOURN. Moved by Gatto to adjourn at 6:20 PM. Second by Boesen. Motion Carried 7-0.

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