



***** 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 '23-' 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

February 20, 2023
5:00 PM

- [23-0195](#) 1. ROLL CALL: **Present: Cownie, Boesen, Gatto, Mandelbaum, Voss and Westergaard. Absent: Sheumaker. Council Member Sheumaker entered the meeting during item 2.**
- [23-0196](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [23-0197](#) 3. APPROVING CONSENT AGENDA * – items 3 through 44: **Moved by Gatto to adopt the balance of the Consent Agenda. Second by Voss. 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

[23-0198](#)

4. [Approving](#) Alcoholic Beverage License Applications for the following: **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0. Council Member Gatto declares a conflict of interest and abstains from voting on items 4A and 4G.**

NEW APPLICATIONS

*(A) CAFE BARATTAS	600 E LOCUST ST	Class C Liquor
(B) DISTRICT	212 4TH ST	Class C Liquor
(C) MISFITS SALOON AND GRILL	607 SE 30TH ST	Class C Liquor
(D) OAK PARK TEST KITCHEN	1011 LOCUST ST #101	Class C Liquor
(E) SODEXO LIVE!	1 LINE DR	Class C Liquor

RENEWAL APPLICATIONS

(F) ANNIES IRISH PUB	204 3RD ST	Class C Liquor
*(G) BARATTAS RESTAURANT	7401 SW 9TH ST	Class C Liquor
(H) BB & BISTRO/OTTS	4121 SE 14TH ST #B	Class C Liquor
(I) CASH SAVER #34	4121 FLEUR DR	Class E Liquor
(J) CENTRAL CITY LIQUOR	1460 2ND AVE	Class E Liquor
(K) CURBIN CUISINE	2713 BEAVER AVE	Special Class C
(L) DISTRICT	216 COURT AVE #101	Class C Liquor
(M) EAST END LIQUOR	3804 HUBBELL AVE	Class E Liquor
(N) ERNIES BOONDOCK	440 E GRAND AVE #A	Class C Liquor
(O) GATEWAY MARKET MLK	2002 WOODLAND AVE	Class C Liquor
(P) GIT N GO STORE #28	3274 E UNIVERSITY AVE	Class B Retail
(Q) H & A MINI MART	5901 FLEUR DR	Class E Liquor
(R) HILTON DES MOINES	435 PARK ST	Class C Liquor
(S) INGERSOLL LIQUOR	3500 INGERSOLL AVE	Class E Liquor
(T) LA TAPATIA	1440 DES MOINES ST	Class C Beer
(U) SIMONS	5800 FRANKLIN AVE	Class C Liquor
(V) STRANDED AT D & R	1922 HUBBELL AVE	Class C Liquor
(W) WASABI CHI	5418 DOUGLAS AVE	Class C Liquor
(X) WEST END LOUNGE	2309 FOREST AVE	Class C Liquor
(Y) WOOLYS	504 E LOCUST ST	Class C Liquor

SPECIAL EVENT APPLICATION

- (Z) APRES BAR CO 2610 MCKINLEY AVE 5 days
CLASS C LIQUOR LICENSE FOR AN EVENT ON MARCH 2, 2023.

TRANSFER TO NEW LOCATION

- (AA) ELWELL FAMILY FOOD 3000 E GRAND AVE #052 Class C Liquor
TEMPORARY TO THE CATTLE BARN FOR A SWINE SALE ON MARCH 3 –
4, 2023.

[23-0199](#)

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

PUBLIC IMPROVEMENTS

6. Ordering construction of the following:

- [23-0200](#) (A) [New](#) York Avenue from 44th Street to 45th Street Reconstruction: Receiving of bids, (3-7-23) and Setting date of hearing, (3-27-23), Engineer's estimate, \$370,000. ([Council Communication No. 23-094](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0201](#) (B) [2023](#) HMA Residential Paving Program Contract 1 – LOSST: Receiving of bids, (3-7-23) and Setting date of hearing, (3-27-23), Engineer's estimate, \$1,054,000. ([Council Communication No. 23-092](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0202](#) (C) [2023-2024](#) HMA Pavement Scarification and Resurfacing: Receiving of bids, (3-7-23) and Setting date of hearing, (3-27-23), Engineer's estimate, \$250,000. ([Council Communication No. 23-093](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0203](#) 7. [Approving](#) and authorizing the application for a U.S. Department of Transportation (DOT) Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant for the Southeast Connector Project between SE 30th Street and US Highway 65. ([Council Communication No. 23-095](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 6-1. Pass: Sheumaker.**
- [23-0204](#) 8. [Approving](#) and authorizing the execution of the Iowa Department of Transportation (IDOT) Agreement for the SW 9th Street Viaduct Rehabilitation. ([Council Communication No. 23-078](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0205](#) 9. [Approving](#) Supplemental Agreement No. 1 to the Professional Services Agreement (PSA) with Bolton & Menk, Inc. for construction observation services for University Avenue Rehabilitation, 4908 University Avenue to 39th Street, not to exceed \$109,490. ([Council Communication No. 23-077](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0206](#) 10. [Approving](#) Supplemental Agreement No. 2 to the Professional Services Agreement (PSA) with Kirkham Michael & Associates, Inc. for professional services for Hamilton Drain Storm Water Improvements, not to exceed \$375,000. ([Council Communication No. 23-076](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0207](#) 11. [Approving](#) Change Order No. 1 with Van Maanen Electric, Inc. for additional work on Harriet Street Solar Field, in the amount of \$1,015,484. ([Council Communication No. 23-086](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

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

[23-0208](#)

(A) [2021](#)-2022 HMA Pavement Scarification and Resurfacing, Grimes Asphalt and Paving Corporation. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

[23-0209](#)

(B) [River](#) Oaks Drive Reconstruction from Muskogee Avenue to Lincoln Place Drive, Hawkeye Paving Corporation. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

[23-0210](#)

13. [Approval](#) of final subdivision plat and acceptance of subdivision bond for West Edge Rowhomes Plat 1. ([Council Communication No. 23-098](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

[23-0211](#)

14. [Approving](#) eighty-five (85) tax abatement applications for the additional value added by improvements completed in 2022. ([Council Communication No. 23-099](#)) **Moved by Gatto to adopt and to approve the 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 Voss. Motion Carried 7-0.**

[23-0212](#)

15. [Authorization](#) to proceed with acquisition of the necessary property interests for the 2025 Neighborhood Sidewalk Program. ([Council Communication No. 23-085](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

[23-0213](#)

16. [Authorization](#) to proceed with acquisition of the necessary property interests for the 2024 Neighborhood Sidewalk Program. ([Council Communication No. 23-084](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

[23-0214](#)

17. [Recommendation](#) from Council Member Mandelbaum to appoint Madison Dierks to the Urban Design Review Board, Seat 6, for a three-year term expiring June 30, 2024. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

[23-0215](#)

17-I [Recommendation](#) from Mayor T.M. Franklin Cownie to appoint Susan Bolte to the Civil Service Commission, Seat 2, for a four-year term expiring March 31, 2023, with an additional term commencing April 1, 2023, and expiring March 31, 2027. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

[23-0216](#)

18. [Recommendation](#) from Mayor T.M. Franklin Cownie to reappoint Scott Bents to the Transportation Safety Committee, Seat 1, for a three-year term expiring December 30, 2025. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [23-0217](#) 19. **Regarding** requests from Hubbell Realty Company (Steve Moseley, Officer) to receive and file Large Scale Development Plan and Preliminary Plat “Woodmont” for property located in the vicinity of 4425 E. Douglas Avenue which would allow subdivision and development of approximately 171.2 acres with 489 one-household residential lots. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [23-0218](#) 20. **On** conveyance of City-owned property to Neighborhood Finance Corporation for redevelopment of housing, (3-6-23). **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0219](#) 21. **On** conveyance of excess City property locally known as 85 Jefferson Avenue to LT Leon Associates, Inc, \$15,000, (3-6-23). **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0220](#) 22. **On** conveyance of excess City property locally known as 1439 and 1445 Michigan Street to TD & MD, LLC, \$40,000, (3-6-23). **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0221](#) 23. **On** land exchange agreement with Jerry’s Homes, Inc. for property located between E. Payton Avenue and E. Army Post Road for the Carlisle Trail Connection Project, (3-6-23). **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0222](#) 24. **On** request from Urban Dreams (Izaah Knox, Officer) to amend the PlanDSM Creating Our Tomorrow Plan to revise the future land use classification from Industrial to Community Mixed Use, and to rezone 1615 2nd Avenue from “I1” Industrial District to “MX3” Mixed Use District to allow renovation and reuse of the existing building for “Office” and “Assembly” uses, (3-6-23). **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0223](#) 25. **On** request from WC MRP Des Moines Center, LLC (Natin Paul, Officer) for review and approval of a first amendment to the Southdale PUD Conceptual Plan at 4900 SE 14th Street to allow expansion of a retail use (Home Depot) to include additional outdoor display and merchandising in the parking lot, (3-6-23). **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0224](#) 26. **On** request from Hubbell Realty Company (Caleb Smith, Officer) for review and approval of a First Amendment to the Gray’s Station PUD Conceptual Plan for property located in the vicinity of 1300 Tuttle Street to update the realignment of SW 13th Street and to revise review requirements for future PUD Development site plans, (3-6-23). **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

- [23-0225](#) 27. On request from Hubbell Realty Company (Caleb Smith, Officer) for review and approval of PUD final development plan for “Grays Station Telus Condos” for property located in the vicinity of 1300 Tuttle Street to allow development of the property with the construction of two condo buildings containing 84 residential units, (3-6-23). **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0226](#) 28. On request from Hubbell Realty Company (Caleb Smith, Officer) for review and approval of the PUD final development plan for “Gray’s Station Plat 5 Townhomes and Clubhouse” for property located in the vicinity of 1300 Tuttle Street to allow for construction of 65 townhomes and a clubhouse amenity building, (3-6-23). **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0227](#) 29. On request from Gassmann Real Estate, LLC (Jason Gassmann, Officer) regarding an appeal of the denial of Type 2 Design Alternatives necessary for construction of a 10-foot tall, electrified security fence on property located at 2822 6th Avenue, (3-6-23). **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- [23-0228](#) 30. Submitting travel and training request for T.M. Franklin Cownie. ([Council Communication No. 23-102](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

APPROVING

- [23-0229](#) 31. Home Investment Partnership Program (Home) Agreement with Community Housing Initiatives, Inc. for Evergreen Trail Rehabilitation, \$280,000. ([Council Communication No. 23-091](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0230](#) 32. Amendment to the Parcel Development Agreement and Supplemental Agreement with Blackacre Development, LLC, and River Point West, LLC, regarding the construction of a mixed-use development with an outdoor sports and entertainment venue along SW 14th Street, south of W. Martin Luther King Jr. Parkway. ([Council Communication No. 23-089](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0231](#) 33. First Amendment to an Economic Development Assistance Contract with the Iowa Economic Development Authority (IEDA), Helena Industries, LLC and City of Des Moines under the High Quality Jobs Program. ([Council Communication No. 23-101](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0232](#) 34. Request to Polk County for Tax Sale Certificates and Agreement with Home Opportunities Made Easy, Inc. for development and/or rehabilitation of housing. ([Council Communication No. 23-090](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

- [23-0233](#) 35. [ARPA](#) funding agreement with Neighborhood Finance Corporation for the Energy Advantage Program. ([Council Communication No. 23-103](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0234](#) 36. [ARPA](#) funding agreement with Des Moines Public Schools for expanded preschool services for six additional classrooms, \$3,300,000. ([Council Communication No. 23-087](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0235](#) 37. [ARPA](#) funding agreement with Des Moines Public Schools (DMPS) for expanded preschool and associated wrap around care, \$600,000. ([Council Communication No. 23-088](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
38. Abatement of public nuisance as follows:
- [23-0236](#) (A) [809](#) Knob Hill Drive. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0237](#) (B) [1021](#) SE 14th Street. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0238](#) (C) [712](#) Marion Street. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0239](#) (D) [1540](#) Des Moines Street. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0240](#) (E) [3319](#) SW 7th Street. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0241](#) (F) [1102](#) Army Post Road. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
39. Communication of fire escrow at the following locations:
- [23-0242](#) (A) [696](#) 18th Street. **Moved by Gatto to receive and file and to direct the City Attorney to bring legal action within one hundred eighty (180) days of certified mail notice dated December 20, 2022, if owner(s) has not demolished or renovated the structure. Second by Voss. Motion Carried 7-0.**
- [23-0243](#) (B) [1200](#) Lewis Avenue. **Moved by Gatto to receive and file and to direct the City Attorney to bring legal action within one hundred eighty (180) days of certified mail notice dated January 24, 2023, if owner(s) has not demolished or renovated the structure. Second by Voss. Motion Carried 7-0.**
- [23-0244](#) 40. [Additional](#) funds of \$100,000 for the annual agreement with Central Iowa Ready Mix, Norwalk Ready Mix Concrete, Liberty Ready Mix and CTI Ready Mix to furnish Portland Cement Concrete for use by the Public Works Department, estimated annual amount \$600,000. ([Council Communication No. 23-073](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

- [23-0245](#) 41. Additional funds of \$100,000 for the annual agreement with Stone Cross Lawn & Landscape LLC for sidewalk snow removal services to be used by the Public Works Department, estimated annual amount \$400,000. ([Council Communication No. 23-074](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

- [23-0246](#) 42. Additional funds of \$250,000 for the annual agreement with Arbor Masters and Wright Outdoor Solutions for Emerald Ash Borer (EAB) Management Services for use by the Public Works Department, estimated annual amount \$962,221.67. ([Council Communication No. 23-072](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

- [23-0247](#) 43. Purchase from Heartland Business Systems (Peter Helander, CEO) of Cisco IE4000 network hardware for intelligent transportations systems per State of Iowa and ValuePoint contracts for use by the Information Technology Department, \$396,113.60. ([Council Communication No. 23-075](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

- [23-0248](#) 44. Authorizing Finance Director to draw checks on registers for the weeks of February 20 and February 27, 2023; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of February 20 and February 27, 2023; to draw checks for biweekly payroll due February 24, 2023. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

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

HEARINGS (OPEN AT 5:00 P.M.) (ITEM 45 THRU 54)

- [23-0249](#) 45. On conveyance of an easement for a fiber optic line in a portion of Greenwood Park to Mediacom Communications Corporation for \$13,150. **Moved by Mandelbaum to adopt. Second by Gatto. Motion Carried 7-0.**

- [23-0250](#) 46. On request from Twenty-Five Thirteen Woodland, LLC (Steve Wilke-Shapiro, Officer) to amend the PlanDSM Creating Our Tomorrow Plan to revise the future land use classification of 2513 Woodland Avenue from Low Density Residential to Neighborhood Mixed Use and to rezone the property from “N5” Neighborhood District to Limited “RX1” Mixed Use District to allow renovation of the existing building for an office use. **Moved by Mandelbaum to adopt. Second by Boesen. Motion Carried 7-0.**

- [23-0251](#) (A) First consideration of ordinance above. **Moved by Mandelbaum that this ordinance be considered and given first vote for passage. Second by Boesen. Motion Carried 7-0.**

- [23-0252](#) (B) Final consideration of ordinance above (waiver requested by the applicant), 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, #16,222. Second by Boesen. Motion Carried 7-0.**

[23-0253](#) 47. **On** request from Langworthy Enterprises XIII, LLC (Daniel E. Langworthy, Officer) to amend the PlanDSM Creating Our Tomorrow Plan to revise the future land use classification from Low-Medium Density Residential to High Density Residential, and to rezone 1327 13th Street from “N5” Neighborhood District to Limited “NX2” Mixed Use District, to allow use of the property for a multiple-household use with up to 6 dwelling units. **Moved by Sheumaker to adopt. Second by Gatto. Motion Carried 7-0.**

[23-0254](#) (A) **First** consideration of ordinance above. **Moved by Sheumaker that this ordinance be considered and given first vote for passage. Second by Gatto. Motion Carried 7-0.**

[23-0255](#) (B) **Final** consideration of ordinance above (waiver requested by the applicant), 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, #16,223. Second by Gatto. Motion Carried 7-0.**

[23-0256](#) 48. **On** request from LDS Enterprises, LLC (Larry D Sprague, Officer) to rezone 4415 Hubbell Avenue from “MX3” Mixed Use District to Limited “CX” Mixed Use District to allow use of the property for auto body painting. **Moved by Westergaard to adopt. Second by Boesen. Motion Carried 7-0.**

[23-0257](#) (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.**

WITHDRAWN

[23-0258](#) (B) ~~**Final** consideration of ordinance above (waiver requested by the applicant), requires six votes.~~

[23-0259](#) 49. **On** request from 4820 Ingersoll Propco, LLC (John Manfredy, Officer) to amend the PlanDSM Creating Our Tomorrow Comprehensive Plan to revise the future land use designation of 4820 Ingersoll Avenue from Medium Density Residential to High Density Residential to allow redevelopment of the property with a density greater than 17 dwelling units per acre. **Moved by Mandelbaum to adopt. Second by Voss. Motion Carried 7-0.**

[23-0260](#) 50. **On** establishing the total maximum property tax dollars certified for levy for fiscal year ending June 30, 2024. ([Council Communication No. 23-097](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

- [23-0261](#) 51. On SW 8th Street Viaduct Rehabilitation: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating the lowest responsive, responsible bidder as Jasper Construction Services, Inc. (Cliff Rhoads, President), \$872,375. ([Council Communication No. 23-079](#)) **Moved by Mandelbaum to adopt. Second by Boesen. Motion Carried 7-0.**
- [23-0262](#) (A) Approval of contract and bond and permission to sublet. **Moved by Mandelbaum to adopt. Second by Boesen. Motion Carried 7-0.**
- [23-0263](#) 52. On Pennsylvania Avenue Rehabilitation from E. Washington to E. Jefferson: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating the lowest responsive, responsible bidder as MPS Engineers, PC d/b/a Kingston Services, PC (Umesh G. Shetye, President), \$304,213.75. ([Council Communication No. 23-080](#)) **Moved by Westergaard to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0264](#) (A) Approval of contract and bond and permission to sublet. **Moved by Westergaard to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0265](#) 53. On E. 4th Street Reconstruction from East ML King Jr. Parkway to E. Market Street: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating the lowest responsive, responsible bidder as Absolute Concrete Construction, Inc. d/b/a Absolute Group (Sonny Hall, President), \$4,969,142.50. ([Council Communication No. 23-082](#)) **Moved by Mandelbaum to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0266](#) (A) Approval of contract and bond and permission to sublet. **Moved by Mandelbaum to adopt. Second by Voss. Motion Carried 7-0.**
- [23-0267](#) 54. Reject all bids on Western Gateway Water Features and close hearing on the plans, specifications, form of contract documents, and engineer’s estimate. ([Council Communication No. 23-081](#)) **Moved by Mandelbaum to adopt. Second by Boesen. Motion Carried 7-0.**

END HEARINGS AT 5:33 PM

APPROVING II

- [23-0268](#) 55. Donation and Naming Agreements for Des Moines North Side Community Recreation Center, Approving Naming of Center and Portions of Center, and Authorizing City Manager to determine effective date of such naming. ([Council Communication No. 23-096](#)) **Moved by Sheumaker to adopt. Second by Gatto. Motion Carried 7-0.**

ORDINANCES FIRST CONSIDERATION

[23-0269](#) 56. [Amending](#) Chapter 26 of the Municipal Code relating to building and building regulation. ([Council Communication No. 23-100](#)) **Moved by Gatto that this ordinance be considered and given first vote for passage. Second by Westergaard. Motion Carried 7-0.**

[23-0270](#) (A) 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, #[16,224](#). Second by Boesen. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

[23-0271](#) 57. [Requests](#) to speak as follows: **Moved by Gatto to receive and file. Second by Boesen. Motion Carried 7-0.**

- (A) Luis G Arredondo
- (B) Adam Callanan

MOTION TO ADJOURN. Moved by Gatto to adjourn at 5:55 PM. Second by Boesen. Motion Carried 7-0.

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