



\*\*\* 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 '24-' 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**

July 22, 2024

Continued from July 15, 2024

7:30 AM

[24-1001](#)

1. ROLL CALL: Present: Boesen, Simonson, Voss, Coleman, Westergaard, Mandelbaum and Gatto. Council Member Voss participated in the meeting by phone.

[24-1002](#)

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

- ~~3. APPROVING CONSENT AGENDA \* items 3 through 58:~~

~~\*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**

- ~~4. [Approving](#) Alcoholic Beverage License Applications for the following:~~

**NEW APPLICATION**

~~(A) DES MOINES ART CENTER ————— 4700 GRAND AVE ————— Class C Liquor~~

**RENEWAL APPLICATIONS**

<del>(B) AIRPORT HOLIDAY INN</del>	<del>6111 FLEUR DR</del>	<del>Class C Liquor</del>
<del>(C) APPLEBEES</del>	<del>6301 SE 14TH ST</del>	<del>Class C Liquor</del>
<del>(D) APPLEBEES</del>	<del>3900 MERLE HAY RD</del>	<del>Class C Liquor</del>
<del>(E) BEAVERDALE VFW CLUB</del>	<del>4029 URBANDALE AVE</del>	<del>Class F Retail</del>
<del>(F) BIG GROVE DES MOINES</del>	<del>555 17TH ST</del>	<del>Class C Liquor</del>
<del>(G) BLACKBIRD HOSPITALITY</del>	<del>713 WALNUT ST</del>	<del>Class C Liquor</del>
<del>(H) BLANK GOLF COURSE</del>	<del>711 COUNTY LINE RD</del>	<del>Class C Liquor</del>
<del>(I) BOWLERAMA</del>	<del>1313 E DIEHL AVE</del>	<del>Class C Liquor</del>
<del>(J) CONSERVATORY</del>	<del>315 E 5TH ST</del>	<del>Class C Liquor</del>
<del>(K) COPPER CUP</del>	<del>207 4TH ST</del>	<del>Class C Liquor</del>
<del>(L) DES MOINES AMVETS POST 2</del>	<del>2818 5TH AVE</del>	<del>Class F Retail</del>
<del>(M) DOUGH CO PIZZA</del>	<del>2330 UNIVERSITY AVE</del>	<del>Special Class C</del>
<del>(N) DOWNTOWN PANTRY</del>	<del>218 6TH AVE</del>	<del>Class E Liquor</del>
<del>(O) FRESKO</del>	<del>909 LOCUST ST</del>	<del>Class C Liquor</del>
<del>(P) GRAZIANO BROTHERS INC</del>	<del>1601 SOUTH UNION</del>	<del>Class B Retail</del>
<del>(Q) HY VEE FAST &amp; FRESH</del>	<del>5801 HICKMAN RD</del>	<del>Class E Liquor</del>
<del>(R) JASPER WINERY</del>	<del>2400 GEORGE FLAGG</del>	<del>Class C Liquor</del>
<del>(S) LA FAVORITA</del>	<del>1700 E GRAND AVE</del>	<del>Class B Retail</del>
<del>(T) LATIN KING</del>	<del>2200 HUBBELL AVE</del>	<del>Class C Liquor</del>
<del>(U) MARISCOS EL CAPITAN</del>	<del>2809 6TH AVE</del>	<del>Class C Liquor</del>
<del>(V) MARISCOS EL PIRATA</del>	<del>6050 SE 14TH ST</del>	<del>Class C Liquor</del>
<del>(W) PHO REAL KITCHEN AND BAR</del>	<del>200 4TH ST</del>	<del>Class C Liquor</del>
<del>(X) RICHARD O JACOBSON CENTER</del>	<del>3000 E GRAND AVE</del>	<del>Class C Liquor</del>
<del>(Y) ROYAL MART</del>	<del>111 63RD ST</del>	<del>Class E Liquor</del>
<del>(Z) SAKARI SUSHI LOUNGE</del>	<del>2605 INGERSOLL AVE</del>	<del>Class C Liquor</del>
<del>(AA) SCIENCE CENTER OF IOWA</del>	<del>401 W MLK JR PKWY</del>	<del>Class C Liquor</del>
<del>(BB) SMOKIN JOES OUTLET #4</del>	<del>2800 E UNIVERSITY AVE</del>	<del>Class E Liquor</del>
<del>(CC) TEQUILA RESTAURANT</del>	<del>2824 EASTON BLVD</del>	<del>Class C Liquor</del>
<del>(DD) YOUR BEST FRIENDS BAR</del>	<del>6218 WILLOWMERE DR</del>	<del>Class C Liquor</del>
<del>(EE) ZOMBIE BURGER</del>	<del>300 E GRAND AVE #100</del>	<del>Class C Liquor</del>

**SPECIAL EVENT APPLICATONS**

<del>(FF) APRES BAR CO</del>	<del>100 LOCUST ST</del>	<del>5 days</del> <del>CLASS C LIQUOR LICENSE FOR MAD HATTER/FEVER EVENT ON JULY 27, 2024.</del>
<del>(GG) APRES BAR CO</del>	<del>4025 TONAWANDA DR</del>	<del>5 days</del> <del>CLASS C LIQUOR LICENSE FOR A WEDDING ON JULY 27, 2024.</del>
<del>(HH) BEAVERDALE NEIGHBORHOOD</del>	<del>4900 HICKMAN RD</del>	<del>5 days</del> <del>SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR BEAVERDALE BLUEGRASS FESTIVAL ON JULY 20, 2024.</del>

- (II) ~~BIRDS NEST~~ ~~3000 E GRAND AVE~~ ~~14 days~~  
~~SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR THE IOWA STATE~~  
~~FAIR ON AUGUST 8-18, 2024.~~
- (JJ) ~~BUBBLY BAR~~ ~~3000 E GRAND AVE~~ ~~14 days~~  
~~SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR THE IOWA STATE~~  
~~FAIR ON AUGUST 8-18, 2024.~~
- (KK) ~~BUD TENT~~ ~~3000 E GRAND AVE~~ ~~14 days~~  
~~SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR THE IOWA STATE~~  
~~FAIR ON AUGUST 8-18, 2024.~~
- (LL) ~~DEPOT~~ ~~3000 E GRAND AVE~~ ~~14 days~~  
~~SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR THE IOWA STATE~~  
~~FAIR ON AUGUST 8-18, 2024.~~
- (MM) ~~IOWA CRAFT BEER TENT~~ ~~3000 E GRAND AVE~~ ~~14 days~~  
~~SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR THE IOWA STATE~~  
~~FAIR ON AUGUST 8-18, 2024.~~
- (NN) ~~IOWA STATE FAIR GARDEN~~ ~~3000 E GRAND AVE~~ ~~5 days~~  
~~CLASS C LIQUOR LICENSE FOR FAIR AFTER DARK ON AUGUST 9-10, 2024~~
- (OO) ~~IOWA STATE FAIR~~ ~~3000 E GRAND AVE~~ ~~14 days~~  
~~SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR THE IOWA STATE~~  
~~FAIR ON AUGUST 8-18, 2024.~~
- (PP) ~~IOWA STATE FAIR~~ ~~3000 E GRAND AVE~~ ~~5 days~~  
~~CLASS C LIQUOR LICENSE FOR FAIR AFTER DARK ON AUGUST 10, 2024.~~
- (QQ) ~~JASPER WINERY~~ ~~3000 E GRAND AVE~~ ~~5 days~~  
~~SPECIAL CLASS C NATIVE WINE FOR THE IOWA STATE FAIR ON AUGUST~~  
~~8-18, 2024.~~
- (RR) ~~JASPER WINERY~~ ~~3000 E GRAND AVE~~ ~~5 days~~  
~~SPECIAL CLASS C NATIVE WINE FOR THE IOWA STATE FAIR ON AUGUST~~  
~~8-18, 2024.~~
- (SS) ~~JASPER WINERY~~ ~~3000 E GRAND AVE~~ ~~5 days~~  
~~SPECIAL CLASS C NATIVE WINE FOR THE IOWA STATE FAIR ON AUGUST 8~~  
~~-18, 2024.~~
- (TT) ~~JRS SOUTHPORK RANCH~~ ~~3000 E GRAND AVE~~ ~~14 days~~  
~~CLASS C LIQUOR LICENSE FOR THE IOWA STATE FAIR ON AUGUST 8-18,~~  
~~2024.~~

~~(UU) OLD WEST ROADHOUSE ————— 3000 E GRAND AVE ————— 14 days  
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR THE IOWA STATE  
FAIR ON AUGUST 8 — 18, 2024.~~

~~(VV) SHOP DSM, THE ————— 901 CHERRY ST BEER TENT ————— 5 days  
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR THURSDAYS AT THE  
SHOP ON JULY 25, 2025~~

~~(WW) SHOP DSM, THE ————— 901 CHERRY ST BEER TENT ————— 5 days  
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR THURSDAYS AT THE  
SHOP ON JULY 18, 2024.~~

~~(XX) SHOP DSM, THE ————— 901 CHERRY ST BEER TENT ————— 5 days  
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR THURSDAYS AT THE  
SHOP ON AUGUST 1, 2024.~~

~~(YY) STOCKMANS INN ————— 3000 E GRAND AVE ————— 14 days  
CLASS C LIQUOR LICENSE FOR THE IOWA STATE FAIR ON AUGUST 8 — 18,  
2024.~~

~~(ZZ) SUSAN KNAPP AMPHITHEATER — 551 E 34TH ST ————— 14 days  
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR THE IOWA STATE  
FAIR ON AUGUST 8 — 18, 2024.~~

~~(AAA) TRAVELING NOVA LLC ————— 4025 TONAWANDA DR ————— 5 days  
CLASS C LIQUOR LICENSE FOR A WEDDING RECEPTION ON AUGUST 3,  
2024.~~

### **OUTDOOR SERVICE APPLICATION**

~~(BBB) STRIKING SPARROW LOUNGE — 1930 SE 6TH ST ————— Class C Liquor  
PERMANENT.~~

~~4-I [Consideration](#) of a Class C Liquor License for Continental, 407 E 5<sup>th</sup> Street. Pending approval  
of the Vice Department.~~

~~5. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits.~~

### **PUBLIC IMPROVEMENTS**

[24-1003](#)

6. [Approving](#) and authorizing the execution of Iowa Department of Transportation (IDOT) Agreement for IA 163 (E. University Avenue) from US 69 (E. 14th Street) to Easton Boulevard Street improvements. ([Council Communication No. 24-285](#)) **Moved by Westergaard to adopt. Second by Gatto. Motion Carried 7-0.**

7. ~~[Approving](#) Guaranteed Maximum Price (GMP) Amendment No. 2 with Ryan Companies US, Inc. for Construction Manager at Risk (CMaR) services for the Des Moines Fire Station No. 4 Replacement, not to exceed \$12,961,920. ([Council Communication No. 24-289](#))~~
8. ~~Items regarding the proposed Gray's Lake Playground and Sprayground Project: ([Council Communication No. 24-290](#))~~
  - (A) ~~[Approval](#) of Conceptual Design Plan for the Gray's Lake Playground and Sprayground Project.~~
  - (B) ~~[Approving](#) exception to Request for Proposal (RFP) process for good cause and approving Professional Services Agreement (PSA) with Confluence, Inc. for the Gray's Lake Playground and Sprayground Project, not to exceed \$197,700.~~
9. ~~[Approval](#) of Amendment Number Three of the Agreement between the Flood Mitigation Board and the City of Des Moines, Iowa and the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) pursuant to the Iowa Flood Mitigation Program. ([Council Communication No. 24-291](#))~~
10. ~~[Approving](#) Private Construction Contract between Alliance Construction Group, LLC and J. Larson Homes, LLC for paving improvements in Three Lakes Estates Plat 10 in the vicinity of E. Army Post Road and Indianola Road.~~
11. ~~[Approving](#) completion and acceptance of Private Construction Contract between Sternquist Construction, Inc. and DR Horton Iowa for paving improvements in The Woods at Copper Creek Plat 5 in the vicinity of E. 50<sup>th</sup> Street and E. Sheridan Avenue.~~
12. ~~[Communication](#) from contractor requesting permission to sublet certain items on a public improvement project.~~
13. ~~Accepting completed construction and approving final payment for the following:~~
  - (A) ~~[Teachout](#) Pool Painting Improvements—Superior Painting & Epoxy Coating, LLC.~~
  - (B) ~~[Riverview](#) Restroom Facility—Munro Construction Company.~~
  - (C) ~~[Hamilton](#) Drain Storm Water Improvements Phase 2—RW Excavating Solutions, LC.~~

## **SPECIAL ASSESSMENTS**

14. ~~[Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2024-07.~~
15. ~~[Levying](#) assessments for costs of Nuisance Abatement NAC Emergency Orders (Neighborhood Services), Schedule No. 2024-07.~~

16. ~~[Levying](#) Assessments for costs of Public Works Sewer Repair at 3012 Oxford Street, Schedule No. 2024-03.~~

## **LAND/PROPERTY TRANSACTIONS**

17. ~~[Approving](#) Gray's Station Plat 5 Final Plat and acceptance of Subdivision Bond. ([Council Communication No. 24-301](#))~~
18. ~~Number not used.~~
19. ~~[Authorization](#) to proceed with acquisition of the necessary property interests for the Intelligent Transportation Systems (ITS) Upgrade Phase 5 Project. ([Council Communication No. 24-288](#))~~

## **BOARDS/COMMISSIONS/NEIGHBORHOODS**

20. ~~[Recommendation](#) from Mayor Boesen to appoint Andrea Ytzen to the Building and Fire Code Board of Appeals, Seat 1, for a term expiring April 1, 2025.~~
21. ~~[Recommendation](#) from Mayor Boesen to appoint Anne Whatley to the Housing Appeals Board, Seat 1, for a term expiring March 16, 2027.~~
22. ~~[Recommendation](#) from Council Member Mandelbaum to appoint Kuuku Saah to the Zoning Board of Adjustment, Seat 6, for a term expiring April 6, 2026.~~
23. ~~[Recommendation](#) from the Youth Advisory Board to appoint Sophia Whitehead and Logan A. Corwin for a term expiring August 1, 2025.~~
24. ~~[Recommendation](#) from Mayor Boesen to reappoint Evan Herlocker to the Historic Preservation Commission, Seat 12, for a term expiring February 3, 2027.~~
25. ~~[Recommendation](#) from Mayor Boesen to reappoint Frederick Gaddy to the Housing Services Board, Seat 1, for a term expiring June 30, 2026.~~
26. ~~[Recommendation](#) from Mayor Boesen to reappoint Timothy Hickman to the Library Board of Trustees, Seat 2, for a term expiring June 30, 2029.~~
27. ~~[Recommendation](#) from Mayor Boesen to reappoint Dr. Isobel Osius to the Library Board of Trustees, Seat 3, for a term expiring June 30, 2028.~~
28. ~~[Recommendation](#) from Mayor Boesen to reappoint Marvin Alexander to the Civil Service Commission, Seat 4, for a term expiring March 31, 2026.~~

~~29. [Recommendation](#) from Mayor Boesen to reappoint Alec Quijano to the Civil Service Commission, Seat 3, for a term expiring March 31, 2026.~~

~~29-1 [Recommendation](#) from Council Member Westergaard to reappoint Andrew Lorentzen to the Plan and Zoning Commission, Seat 10, for a term expiring July 2, 2029.~~

### **SETTING DATE OF HEARINGS**

~~30. [On](#) conveyance of 1607 Clark Street to The Woods Bibbin Company LLC for \$6,500, (8-5-24).~~

~~31. [On](#) conveyance of 2800 and 2818 Bell Avenue to Bams Properties, LLC, Steven Jones and Matthew Norris for Christian Edward Print and Graphics expansion, \$174,027, (8-5-24).~~

~~32. [On](#) a request from Tasty King of Iowa, LLC (Neil Thomson, Officer) to amend the Plan DSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification of the property from Industrial within a Community Node to Community Mixed Use within a Community Node and to rezone 205 University Avenue from “MX2” Mixed Use District to “MX3” Mixed Use District, to bring an existing restaurant with a drive through use into conformance with zoning regulations, (8-5-24).~~

~~33. [On](#) a request from S&S Homebuilders, LLC (Nick Stephenson, Officer) to amend the Plan DSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification of the property from Low Density Residential to Low Medium Density Residential and to rezone 902 and 908 31st Street from “N5” Neighborhood District to “NX1” Neighborhood Mix District, to allow the construction of a residential row building, (8-5-24).~~

~~34. [On](#) a request from MidAmerican Energy Company (Benjamin Keith and Mark D. Lowe, Officers) for review and approval of an 8th amendment to the Airport Commerce Park West PUD Conceptual Plan at 5700 Thornton Avenue, to allow a utility substation use and additional fencing options, (8-5-24).~~

~~35. [On](#) a City initiated request to rename two cul de sac street segments of Caulder Court to East Caulder Court, (8-5-24).~~

~~36. [On](#) the First Amendment to the Fourth Restated City Wide Urban Revitalization Plan to update the definition of missing middle residential and to add certain building material requirements to be eligible for tax abatement, (8-5-24).~~

### **LEGAL DEPARTMENT – CLAIM SETTLEMENTS & BILLINGS**

~~37. [Approving](#) payment to Michael DeMoss for a workers’ compensation claim.~~

~~38. [Approving](#) payment to Alex Petersen for a personal injury claim.~~

## **CITY MANAGER COMMUNICATIONS**

39. ~~[Submitting](#) travel and training request for Mayor Connie Boesen. ([Council Communication No. 24-300](#))~~

## **APPROVING**

40. ~~[Issuance](#) of a Certificate of Completion to HOA EVMF LLC for construction of a new 7-story mixed use building containing approximately 110 residential units and at least 4,000 square feet of commercial space at 317 E. 6<sup>th</sup> Street in the Metro Center Urban Renewal Area.~~
41. ~~[Agreement](#) with Rebuilding Together Greater Des Moines, Inc. d/b/a Rebuilding Together to support homeowners using the Neighborhood Services Property Improvement Division (ION Program). ([Council Communication No. 24-295](#))~~
42. ~~Items regarding American Rescue Plan Act (ARPA) funding agreement with the Des Moines Public Schools: ([Council Communication No. 24-298](#))~~
- ~~(A) [Mutual](#) termination of agreement for expanded preschool and associated wrap around care.~~
- ~~(B) [Approving](#) first amendment to agreement to fund the expansion of preschool classes.~~
43. ~~[Des](#) Moines Metropolitan Planning Organization (MPO) Fiscal Year (FY) 2025 Unified Planning Work Program and Budget and authorizing payment of FY 2025 Assessment in the amount of \$211,034. ([Council Communication No. 24-299](#))~~
44. ~~[First](#) Amendment to Amended and Restated 28E Agreement with Neighborhood Development Corporation (NDC). ([Council Communication No. 24-294](#))~~
45. ~~[Grant](#) Agreement with Invest DSM, Inc. ([Council Communication No. 24-293](#))~~
46. ~~[First](#) Amendment to American Rescue Plan Act (ARPA) funding agreement with Trees Forever, Inc. for supplemental tree planting services.~~
47. ~~[Agreement](#) for sharing of financial expenses with Polk County for the MidAmerican Energy Two Rivers Park. ([Council Communication No. 24-306](#))~~



48. ~~[Ratification](#) of the National Park Service (NPS) Land and Water Conservation Fund (LWCF) grant application by the Parks and Recreation Department seeking \$145,000 for Cheatom Park Playground Improvements Project. ([Council Communication No. 24-281](#))~~
49. ~~[Application](#) for the 2024 Body Worn Camera Policy and Implementation Program to Support Law Enforcement Agencies Grant, \$99,970. ([Council Communication No. 24-297](#))~~
50. ~~[28E](#) Agreement with the Des Moines Airport Authority to provide for the joint exercise of the respective powers in connection with the issuance of parking citation complaints at the Airport.~~
51. ~~[An](#) exception to the procurement ordinance competitive bidding requirements and renewal amendment to the cost sharing agreement with the Des Moines Independent Community School District related to the School Crossing Guard Program. ([Council Communication No. 24-296](#))~~
52. ~~[Use](#) of various City facilities as poll sites for precincts 24, 25, and 54 for the Polk County General Election on Tuesday, November 5, 2024.~~
53. ~~Abatement of public nuisances as follows:~~
- ~~(A) [3225](#) State Avenue.~~
  - ~~(B) [7204](#) SW 14<sup>th</sup> Street.~~
  - ~~(C) [130](#) E. 33<sup>rd</sup> Street.~~
54. ~~Purchases from the following:~~
- ~~(A) [RW](#) Excavating Solutions, LC for log jam removal services at the SW 1<sup>st</sup> Street Bridge for use by the Public Works Department, \$132,000. (Two hundred seventy nine (279) potential bidders and seven (7) bids received).~~
  - ~~(B) [G&S](#) Service, Inc. (Darrell Been, President) for initial procurement term of two (2) years with two (2) additional two year renewal options for vehicle towing storage services for use by the Neighborhood Inspections Division, estimated annual cost \$5,000. (One (1) compliant bid received). ([Council Communication No. 24-292](#))~~
  - ~~(C) [Purchase](#) of up to 55 vehicles for use in various City Departments for Fiscal Year 2024-2025 utilizing various State of Iowa Department of Administrative Services (DAS) and other approved procurement contracts, total maximum amount \$2,500,000. ([Council Communication No. 24-303](#))~~

~~(D) [Stew](#) Hansen Dodge City (Dan Boettcher, General Manager) for auto body repair services for use by various City Departments for Fiscal Year 2025 per State of Iowa (DAS) purchasing contract, estimated annual amount \$350,000.~~

~~[\(Council Communication No. 24-304\)](#)~~

~~(E) [Housby](#) Mack Inc. (Kelly Housby, CEO) for a one year agreement with two (2) additional one year renewal options for repair and maintenance of heavy duty trucks and the installed refuse collection equipment and related telematics services, annual amount up to \$250,000. [\(Council Communication No. 24-305\)](#)~~

~~55. [Purchase](#) from Reliant Fire Apparatus, Inc. (Brett Krueger, CEO) for one heavy duty rescue vehicle per Houston Galveston Area Council (HGAC) Contract for use by the Fire Department, \$1,509,503. [\(Council Communication No. 24-280\)](#)~~

~~56. [Purchase](#) from Sutphen Corporation (Drew Sutphen, President) for one (1) 75-foot, single axle, aerial fire apparatus per Houston Galveston Area Council (HGAC) Contract for use by the Fire Department, \$1,767,962.04. [\(Council Communication No. 24-279\)](#)~~

~~57. [Receive](#) and file Quarterly Treasurer's Report as of June 30, 2024.~~

~~58. [Authorizing](#) Finance Director to draw checks on registers for the weeks of July 15, 22 and 29, 2024; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of July 15, 22 and 29, 2024; to draw checks for biweekly payroll due on July 26, 2024.~~

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

**HEARINGS (OPEN AT 5:00 PM) (ITEMS 59 THRU 67) OPEN AT 7:30 AM**

~~59. [On](#) continuance of hearing on a Commercial Lease Agreement with Panom & Sons LLC d/b/a Blu Thai Food and Sushi for use of Suite 309 for restaurant purposes located in City-owned property at the T.M. Franklin Cownie City Administration Building located at 1200 Locust Street to August 5, 2024 at 5:00PM.~~

~~60. [On](#) first amendment to a license agreement with the Des Moines Area Regional Transit Authority (DART) for bus benches in street right of way.~~

~~61. [On](#) approval of a License Agreement with Timbercrest Homes, LLC for use of a portion of E. Army Post Road right of way at planned SE 30<sup>th</sup> Street for private stormwater treatment improvements, \$4,900.~~

~~(A) [Approving](#) Three Lakes Estates Plat 10 Final Plat and Acceptance of Subdivision Bond. [\(Council Communication No. 24-302\)](#)~~

~~62. On approval of License Agreement with Des Moines Water Works for placement of data collection equipment on various City-owned properties.~~

~~63. On conveyance of a Permanent Easement for Water Main Right of Way in property located at 2704, 2706, 2714 and 2718 George Flagg Parkway to Des Moines Water Works, \$1.~~

[24-1004](#)

64. On a request from Orchard Place Des Moines Children's Home (Valerie Saltsgaver, Officer) to amend PlanDSM Creating Our Tomorrow Comprehensive Plan to revise the future land use classification from Low Density Residential to Low-Medium Density Residential and to rezone a parcel located in the vicinity of 1301 Kenyon Avenue from "NX1" Neighborhood-Mix District to Limited "NX2" Neighborhood-Mix District, to allow re-use of the existing building as a "Group Living Not Otherwise Classified" use. (Requires six votes for approval due to opposition of relevant property owners) **Moved by Mandelbaum to adopt. Second by Westergaard. Motion FAILED 4-3. Nays: Boesen, Coleman and Gatto.**

(A) ~~Approve.~~

WITHDRAWN

[24-1005](#)

~~(1) First consideration of ordinance above.~~

WITHDRAWN

[24-1006](#)

~~(2) Final consideration of ordinance above (waiver requested by the applicant), requires six votes.~~

[24-1007](#)

65. On a request from Monsoon Asians & Pacific Islanders in Solidarity (Mira Yusef, Officer) to rezone 1212 E. 17th Court from "N3a" Neighborhood District to "RX1" Mixed Use District, to allow re-use of an existing dwelling for an office – professional use. **Moved by Westergaard to adopt. Second by Gatto. Motion Carried 7-0.**

[24-1008](#)

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

[24-1009](#)

(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, #[16,369](#). Second by Gatto. Motion Carried 7-0.**

[24-1010](#)

66. [On](#) 2024 HMA Resurfacing Program Contract 2: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating the lowest responsive, responsible bidder as OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving (Kevin Bragg, President), \$588,480.75. ([Council Communication No. 24-282](#)) **Moved by Gatto to adopt. Second by Coleman. Motion Carried 7-0.**

[24-1011](#)

- (A) [Approval](#) of contract and bond. **Moved by Gatto to adopt. Second by Coleman. Motion Carried 7-0.**

[24-1012](#)

67. [On](#) Birdland Pool Repair and Painting Improvements: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating the lowest responsive, responsible bidder as Superior Painting & Epoxy Coating, LLC (Anthony Negrete Jr., Manager), \$318,000. ([Council Communication No. 24-283](#)) **Moved by Westergaard to adopt. Second by Gatto. Motion Carried 7-0.**

[24-1013](#)

- (A) [Approval](#) of contract and bond. **Moved by Westergaard to adopt. Second by Gatto. Motion Carried 7-0.**

\*\*\*\* END HEARINGS AT 8:09 AM \*\*\*\*

#### ORDINANCES FIRST CONSIDERATION

[24-1014](#)

68. [Amending](#) Chapter 114 of the Municipal Code regarding Traffic Regulation Changes as follows: ([Council Communication No. 24-286](#)) **Moved by Gatto that this ordinance be considered and given first vote for passage. Second by Mandelbaum. Motion Carried 7-0.**

- (A) Speed Limit Modification – Keosauqua Way from Tenth Street to Interstate 235
- (B) Speed Limit Modification – 56th Street from Grand Avenue to Ingersoll Avenue
- (C) Traffic Control Modifications – Pedestrian Signals related to the E. University Avenue Improvements from E. 14th Street to E .17th Court Avenue project
- (D) Code Correction related to Market District improvements:
  - (1) SE 2nd Street – E. Court Avenue to Des Moines River
  - (2) SE 3rd Street – E. Court Avenue to E Market Street
  - (3) East Elm Street – SE 2nd Street to SE 4th Street
  - (4) East Market Street (private) – SE 2nd Street to SE 4th Street
- (E) Corner Clearance Parking Restrictions:
  - (1) 19th Street and Crocker Street
  - (2) 36th Street and Seneca Street
  - (3) 37th Street and Beaver Avenue
  - (4) Thompson Avenue and Lay Street

[24-1015](#)

- (F) 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, #[16,370](#). Second by Mandelbaum. Motion Carried 7-0.**

- [24-1016](#) 69. [Amending](#) Chapter 114 of the Municipal Code relating to the licensing and operation of Pedicabs. ([Council Communication No. 24-287](#)) **Moved by Gatto that this ordinance be considered and given first vote for passage. Second by Voss. Motion Carried 7-0.**
- [24-1017](#) (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, #[16,371](#). Second by Voss. Motion Carried 7-0.**
- [24-1018](#) 70. [Amending](#) Section 114-243 of the Municipal Code relating to civil automated traffic enforcement. **Moved by Gatto that this ordinance be considered and given first vote for passage. Second by Mandelbaum. Motion Carried 7-0.**
- [24-1019](#) (A) [Final](#) consideration of ordinance above (waiver requested by Dana Wingert, Chief of Police), 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, #[16,372](#). Second by Mandelbaum. Motion Carried 7-0.**
- [24-1020](#) (B) [Approving](#) an amended Schedule of Administrative Penalties for civil penalties for violation of the automated traffic enforcement ordinance. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 7-0.**

## COMMUNICATIONS/REPORTS

- [24-1021](#) 71. [Requests](#) to speak as follows: **Moved by Gatto to receive and file. Second by Coleman. Motion Carried 7-0.**
- (A) Lu Hallmeyer – did not speak.
  - (B) Jeff Krugler - did not speak.
  - (C) Tom Rendon – did not speak.
  - (D) Jerome (Jerry) Bradley – did not speak.
  - (E) Antwonette K Shade
  - (F) Veola Perry
  - ~~(G) Noah Beacom~~
  - (H) Lori Young – did not speak.
  - (I) Elizabeth Leas – did not speak.
  - (J) Tasida Barfoot – did not speak.
  - (K) Zachary Kyman – did not speak.
  - (L) Adam Callanan
  - (M) Carol Maher – did not speak.
  - (N) Jolene Prescott – did not speak.

[24-1022](#) MOTION TO ADJOURN. Moved by Boesen to adjourn at 8:26 AM. Motion Carried 7-0.

*The City of Des Moines is pleased to provide accommodations to disabled individuals or groups and encourages participation in City government. To better serve you, please notify us at least three business days in advance when possible at 515-283-4209, should special accommodations be required. Assistive Listening Devices are available for meetings in the City Council Chambers.*

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