

DES MOINES CITY COUNCIL MEETING
City Hall, City Council Chambers
400 Robert D. Ray Drive
Des Moines, Iowa 50309

October 8, 2018
4:30 PM

PROCLAMATIONS – 4:00 PM

Fire Prevention Week

INVOCATION: Council Member Gatto

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 30:

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

LICENSES AND PERMITS

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

NEW APPLICATIONS

(A) ~~IN & OUT MARKET~~ ~~2127 MLK JR PKWY~~ ~~C Beer~~

RENEWAL APPLICATIONS

(B)	ARAMARK @ NATIONWIDE	1100 LOCUST ST	C Liquor
(C)	BEST FOOD MART	4028 E 14TH ST	C Beer
(D)	BLAZING SADDLE *(1)	416 E 5TH ST	C Liquor
(E)	CAMPBELLS CONCESSIONS	3000 E GRAND AVE	B Beer
(F)	CAMPBELLS CONCESSIONS	3000 E GRAND AVE	B Beer
(G)	CAPTAIN ROYS	1900 SAYLOR RD	C Liquor
(H)	DRAKE DINER	1111 25TH ST	C Liquor
(I)	EUREST DINING SERVICES	1331 GRAND AVE	C Liquor
(J)	EVEREST GROCERY STORE	5000 SW 9TH ST	C Beer
(K)	FAMILY PANTRY	4538 LOWER BEAVER	E Liquor
(L)	FLEUR CINEMA & CAFE	4545 FLEUR DR	C Beer/Wine
(M)	G T RACE CAR BAR	3013 INGERSOLL	C Liquor

(N)	GOODSONS *(1)	2815 BEAVER AVE	C Liquor
(O)	OASIS	630 SW 9TH ST	E Liquor
(P)	PROOF RESTAURANT	1301 LOCUST ST	C Liquor
(Q)	STAYBRIDGE SUITES	201 E LOCUST ST	C Beer
(R)	ZIMMS	3124 INGERSOLL	C Liquor

OUTDOOR SERVICE APPLICATIONS

(S)	VIVA MEXICAN RESTAURANT	6101 GRAND AVE	C Liquor
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Permanent.

SPECIAL EVENT APPLICATIONS

(T)	ROYAL MILE	217 4TH ST	Five (5) Day License
	Class B Beer License for IMT Des Moines Marathon on October 21, 2018.		
(U)	ROYAL MILE	214 4TH ST	Five (5) Day License
	Class B Beer License for IMT Des Moines Marathon on October 21, 2018.		

PUBLIC IMPROVEMENTS

5. Ordering construction of the following:

- (A) Storm Drainage Category D Repair Contract 2: Receiving of bids, (10-23-18), Setting date of hearing, (11-5-18). Engineer’s estimate, \$366,000.

[\(Council Communication No. 18-495\)](#)

- (B) Gray’s Station Regional Detention Basin: Receiving of bids, (10-23-18), Setting date of hearing, (11-5-18). Engineer’s estimate, \$3,100,000.

[\(Council Communication No. 18-492\)](#)

- (1) Acceptance of real estate documents from Des Moines Regional Transit Authority for voluntary acquisition of property in the vicinity of SW 11th Street and Dart Way for the Gray’s Station Regional Detention Basin Project.

[\(Council Communication No. 18-491\)](#)

- (C) Four Mile Creek Wetland at E. 34th Street and SE 14th Street Bioswales: Receiving of bids, (10-23-18), Setting date of hearing, (11-5-18). Engineer’s estimate, \$400,000.

[\(Council Communication No. 18-494\)](#)

- (D) MacRae Park Pond Dredging: Receiving of bids, (10-23-18), Setting date of hearing, (11-5-18). Engineer’s estimate, \$890,000.

[\(Council Communication No. 18-493\)](#)

6. [Approving](#) private construction contract between Sternquist Construction Inc. and Hubbell Realty Company for Paving Improvements in Woods on the River Plat 10 located south of E. Hartford Avenue and SE 22nd Street.
7. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects.
8. Accepting completed construction and approving final payment for the following:
 - (A) [Municipal](#) Service Center Demolition Contract 1, D.W. Zinser Company.
 - (B) [2016](#) HMA and PCC Partial Depth Repair Program, Hawkeye Paving Corporation.
 - (C) [2017](#) Traffic Signal Repairs and E. Grand Complete Street Conversion, Iowa Signal Inc.
9. [Exception](#) to request for proposal process for good cause and approving a Professional Services Agreement with Springsted Incorporated for 2019 Right-of-Way Management Fee Update Study, not to exceed \$97,060.

[\(Council Communication No. 18-498\)](#)

SPECIAL ASSESSMENTS

10. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2018-07.

LAND/PROPERTY TRANSACTIONS

11. [Approving](#) tax abatement applications for the additional value added by improvements completed during 2017 and 2018 (128 applications).

[\(Council Communication No. 18-508\)](#)

COMMUNICATIONS FROM PLANNING AND ZONING

12. [Regarding](#) request from Christensen Development 1, LLC (owner) for a Preliminary Plat “Sherman Flats Plat 1” on property located at 610 16th Street, 1613 High Street and 1619 High Street, to allow subdivision into six (6) lots for single-family residential dwellings.
13. [Regarding](#) request from NJREC, Inc. (owner) for a Preliminary Plat “Cityview 34” located at 1331 Keosauqua Way for subdivision of the property into 34 townhome lots within an overall common outlot.

SETTING DATE OF HEARINGS

14. [On](#) conveyance of excess City-owned property at 1524 Vermont Street to All Lines Painting, Inc., \$26,000, (10-22-18).
15. [On](#) conveyance of a portion of excess City-owned property at 2607 Sunset Road to 205 Land Investments, LLC, \$1,332, (10-22-18).
16. [On](#) request from Stephen and Stephanie Sarcone (owners) to rezone 1801 Army Post Road from “R1-70” (One-Family Residential) to “C-2” (General Retail and Highway-Oriented Commercial), to allow redevelopment of the property with a drive-through restaurant, (10-22-18).
17. [On](#) request from HRC 8th Street (owner), to rezone 813 Crocker Street from “R-4” (Multiple-Family Residential) to “C-3A” (Central Business District Support Commercial), to allow for freestanding monument sign for the existing multiple-family residential complex, (10-22-18).
18. [On](#) land exchange agreement with River Point West LLC for the exchange of real estate located west of SW 11th Street between Tuttle Street and Dart Way, (10-22-18).

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

19. [Approving](#) payment for the property claim of ARI Fleet on behalf of Berkley Agribusiness Risk.
20. [Communication](#) from Legal Department concerning settlements made by City Attorney, not exceeding \$5,000.
21. [Approving](#) payment to Duncan, Green, Brown & Langeness Law Firm for representation of Police Officer Cody Grimes, \$1,775.

22. [Approving](#) payment to Duncan, Green, Brown & Langeness Law Firm for representation of Police Officer Tyson Teut, \$1,825.
23. [Approving](#) payment to Hall & Associates for services related to the Clean Water Act, \$238.97.

APPROVING

24. [Issuance](#) of Certificate of Completion to FDM Development Partnership, LLLP for the rehabilitation of existing buildings in historic Fort Des Moines in the 6800 block of Chaffee Road for residential use.
25. [Acceptance](#) of FY 2018 Body-Worn Camera Policy and Implementation Program grant, \$87,502.

[\(Council Communication No. 18-504\)](#)

26. [Submission](#) of the FY 2018 Annual Federal Equitable Sharing Agreement and Certification Report to the U.S. Department of Justice.

[\(Council Communication No. 18-502\)](#)

27. [Release](#) of Fire Escrow at 124 E. 29th Street.

28. Purchases for the following:

- (A) [Hellas](#) Construction Inc. (Reed Seaton, President) to resurface twelve (12) tennis courts at the Waveland Sports Complex for use by the Parks & Recreation Department, \$139,690.96. (Nine potential bidders, four received).
- (B) [Hiab](#) USA (Tom Case, President) for one replacement truck mounted log loader for use by the Public Works Department, \$159,216. (Five potential bidders, two received).

[\(Council Communication No. 18-507\)](#)

- (C) [FARO](#) Technologies, Inc. (Simon Raab, President) for non-competitive procurement of an upgrade to the existing 3D Crime Scene Reporting System for use by the Police Department, \$60,069.12.

[\(Council Communication No. 18-506\)](#)

29. [Civil](#) Service entrance list for CAD Graphic Technician.

30. [Authorizing](#) Finance Director to draw checks on registers for the weeks of October 8 and October 15, 2018; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of October 8 and October 15, 2018; and to draw checks for biweekly payroll due October 12, 2018.

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

ORDINANCES - FIRST CONSIDERATION

31. [Amending](#) Chapter 62 of the Municipal Code regarding costs for public hearings for the Civil and Human Rights Commission.
 - (A) [Final](#) consideration of ordinance above (waiver requested by the Legal Department and Civil and Human Rights Director), requires six votes.

32. [Amending](#) Chapter 78 of the Municipal Code repealing Article IV, Solicitation of Funds, sections 78-101 through 78-115.
 - (A) [Final](#) consideration of ordinance above (waiver requested by the Legal Department), requires six votes.

33. [Amending](#) Chapter 114 of the Municipal Code to add part-time one-way street at Harding Middle School to match new school hours.

[\(Council Communication No. 18-499\)](#)

34. [Amending](#) Chapter 74 of the Municipal Code regarding golf course greens fees and season badges.

[\(Council Communication No. 18-500\)](#)

COMMUNICATIONS/REPORTS

35. [From](#) John Bushby, 5115 NE 23rd Street, to speak regarding raising money for mental hospitals.
36. [From](#) Dennis Carney, 1435 41st Street, to speak regarding abandoned property in his neighborhood.

APPROVING

37. [City](#)-initiated request to amend the existing PlanDSM: Creating Our Tomorrow Plan Future Land Use Designation, vicinity of SW 56th Street and SW McKinley Avenue.
38. [Intergovernmental](#) 28E Agreement with Metropolitan Advisory Council (MAC) member communities of Altoona, Bondurant, Carlisle, Grimes, Johnston, Norwalk, Pleasant Hill, Polk County, Polk City, Windsor Heights and West Des Moines for funding and maintenance of Homeland Security Services.

[\(Council Communication No. 18-505\)](#)

- (A) [Acceptance](#) of 2018 Homeland Security WMD/SWAT and EOD grant, \$636,838.

[\(Council Communication No. 18-503\)](#)

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 39 THRU 44)

39. Items regarding 100 Watrous Avenue:
 - (A) [Amend](#) the existing PlanDSM: Creating Our Tomorrow Plan future land use designation from Low-Density Residential to Neighborhood Mixed Use.
 - (B) [Hearing](#) on request from Git-N-Go Convenience Stores, Inc. to rezone the property from “R1-70” (One-Family Residential) to “Ltd. C-1” (Neighborhood Retail Commercial) to allow redevelopment of the property with a new gas station/convenience store with six fueling locations, subject to conditions, **continued from September 24, 2018.**
 - (C) [First](#) consideration of ordinance above.
 - (D) [Final](#) consideration of ordinance above (waiver requested by Git-N-Go Convenience Stores, Inc.), requires six votes.

40. On vacation of a portion of NE 47th Court and approval of land exchange agreement with Hubbell Realty Company in conjunction with the Des Moines River Trail – Phase 2 Project.

(A) First consideration of ordinance above.

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

(C) Conditionally approving final subdivision plat “Summersfield Plat 4” located east of E. 46th Street and southeast of Hubbell Avenue.

(Council Communication No. 18-509)

41. On conveyance of excess City-owned property locally known as 2025 E. Grand Avenue to Cypress Properties, LLC, \$60,000.

(Council Communication No. 18-497)

42. On vacation of a portion of 12th Street right-of-way located west of and adjoining 1157 12th Street for assemblage with the adjoining parcels, and conveyance to Lars Vinz, \$150.

(A) First consideration of ordinance above.

43. On vacation of roadway easement for Southwest Connector right-of-way located east of SW 63rd Street and conveyance to Bell Avenue Properties, Inc, \$170,950.

(Council Communication No. 18-510)

(A) First consideration of ordinance above.

(B) Receive and file communication from the Plan and Zoning Commission.

44. Reject all bids on Trestle to Trestle Trail Repair East of Beaver Avenue (54.6% over project estimate) and close the hearing on the plans, specifications, form of contract documents, and engineer’s estimate.

(Council Communication No. 18-496)

*** END OF HEARINGS AT _____ ***

MOTION TO ADJOURN.

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