

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

November 19, 2018
4:30 PM

SPECIAL PRESENTATIONS – 4:15 PM

Union Pacific Railroad Grant Check Presentation for Chesterfield Park

INVOCATION: Council Member Coleman

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 35:

***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 Application for the following:

NEW APPLICATIONS

- (A) FUN AND GAMES BAR & GRILL 2279 HUBBELL AVE C Liquor

RENEWAL APPLICATIONS

- | | | | |
|-----|---------------------|-------------------|----------|
| (B) | ANGRY GOLDFISH | 2301 SW 9TH ST | C Liquor |
| (C) | BIANCHIS HILLTOP | 2820 HUBBELL AVE | C Liquor |
| (D) | C FRESH MARKET | 801 UNIVERSITY | E Liquor |
| (E) | CASEYS #2892 | 6120 DOUGLAS AVE | B Beer |
| (F) | DISTRICT | 216 COURT AVE | C Liquor |
| (G) | EL RODEO #2 | 1234 E EUCLID AVE | C Liquor |
| (H) | ESTRADAS | 3029 MERLE HAY RD | C Liquor |
| (I) | EUROPA GROCERIES | 3839 MERLE HAY RD | C Beer |
| (J) | FLIX BREWHOUSE IOWA | 3800 MERLE HAY RD | C Liquor |
| (K) | HESSEN HAUS | 101 4TH STREET | C Liquor |

(L)	HIGH LIFE LOUNGE	200 SW 2ND ST	C Liquor
(M)	HY VEE GAS #4	4701 FLEUR DR	C Beer
(N)	JAVA JOES COFFEE HOUSE	214 4TH ST	C Liquor
(O)	JUNIPER MOON	2005 INGERSOLL	C Liquor
(P)	KUM & GO #208	3200 SE 14TH ST	E Liquor
(Q)	KUM & GO #4110 *(1)	2110 GUTHRIE AVE	E Liquor
(R)	MIYABI 9	512 E GRAND AVE	C Beer/Wine
(S)	PARK AVENUE PUB	1101 PARK AVE	C Liquor
(T)	QUIK TRIP #500	3700 HUBBELL AVE	E Liquor
(U)	QUIK TRIP #501	2221 E EUCLID AVE	E Liquor
(V)	QUIK TRIP #534	2945 E UNIVERSITY	E Liquor
(W)	QUIK TRIP #541	2428 HUBBELL AVE	C Beer
(X)	QUIK TRIP #554	901 SW 63RD	E Liquor
(Y)	ROYAL MILE *(1)	210 4TH ST	C Liquor
(Z)	SAHOTA FOOD MART	1805 SE 14TH ST	E Liquor
(AA)	SLEEPY HOLLOW	4051 DEAN AVE	C Liquor
(BB)	SUDSUCKERS	1511 E ARMY POST	C Liquor

SPECIAL EVENT APPLICATIONS

- (CC) BEV THE BARBARIAN 2280 BELL AVE Five (5) Day License
Class C Liquor License for Vintage and Made Fair on December 1, 2018. Pending approval of Fire Department.
- (DD) DES MOINES EUROPEAN 313 WALNUT ST Five (5) Day License
Class C Liquor License for Christkindlmarket on November 30 – December 2, 2018.
- (EE) SALISBURY HOUSE 4025 TONAWANDA DR Five (5) Day License
Special Class C Liquor License (Beer/Wine) for Holiday Concert and Party on December 5, 2018. Pending approval of Building and Fire Departments.

5. [City](#) Clerk to issue Coin Operated Machine Licenses.

PUBLIC IMPROVEMENTS

6. Ordering construction of the following:

- (A) [Easter](#) Lake South Watershed Pond Dredging and Improvements: Receiving of bids, (12-4-18), Setting date of hearing, (12-17-18). Engineer’s estimate, \$1,433,000.

[\(Council Communication No. 18-612\)](#)

- (B) [2019](#) ADA Downtown Sidewalk Ramp Program: Receiving of bids, (12-4-18), Setting date of hearing, (12-17-18). Engineer’s estimate, \$300,000.

[\(Council Communication No. 18-610\)](#)

7. [Approving](#) Professional Services Agreement with Snyder & Associates, Inc. for professional services for 6th Avenue Streetscape Phase 2, not to exceed \$464,054.

[\(Council Communication No. 18-620\)](#)

8. [Authorizing](#) submittal of Federal Surface Transportation Block Grant (STBG) and Transportation Alternative Program (TAP) fund Fiscal Year (FY) 2023 applications to the Des Moines Metropolitan Planning Organization (MPO).

[\(Council Communication No. 18-627\)](#)

9. [Approval](#) of the Intelligent Transportation System (ITS) Master Plan as the framework for the City's future traffic management and communication systems infrastructure.

[\(Council Communication No. 18-624\)](#)

10. Number not used.

- ~~11. Items regarding Gray's Station:~~

- ~~(A) [Execution](#) of agreement with Hubbell Realty Company and HRC NFS, LLC for construction and funding of a pedestrian bridge over the Raccoon River connecting the proposed Gray's Station Development to Gray's Lake Park.~~

~~[\(Council Communication No. 18-628\)](#)~~

- ~~(B) [Exception](#) to Request for Proposals (RFP) process for good cause and approving Professional Services Agreement with Shuck Britson, Inc. for Gray's Station Pedestrian Bridge, not to exceed \$142,704.~~

~~[\(Council Communication No. 18-616\)](#)~~

12. Approving completion and acceptance of private construction contracts for the following:

- (A) [Storm](#) Sewer Improvements, 701 Grand Avenue, between Baker Mechanical, Inc. d/b/a Baker Group and Principal Financial Group, Inc.
- (B) [Storm](#) Sewer Improvements, 711 High Street, between Baker Mechanical, Inc. d/b/a Baker Group and Principal Financial Group, Inc.

13. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects.

14. [Accepting](#) completed construction and approving final payment for 2018 Martin Luther King Jr. Parkway Streetlights Upgrade, ABC Electrical Services, LLC.

SPECIAL ASSESSMENTS

15. [Levying](#) assessments for costs of Public Works sewer repair, Schedule No. 2018-03.
16. [Levying](#) Assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2018-11.

LAND/PROPERTY TRANSACTIONS

17. [Authorize](#) voluntary acquisition and to approve and accept real estate documents for property located north of E. Watrous Avenue and west of Hartford Avenue from Charles A. Hethershaw for the Des Moines River Trail – Phase 2 Project.

[\(Council Communication No. 18-625\)](#)

COMMUNICATIONS FROM PLANNING AND ZONING

18. [Regarding](#) approval of amendment to Preliminary Plat “Bridge District Plat 2” for property at 720 and 730 E. 2nd Street, to allow for 49 townhome lots within a common lot.

SETTING DATE OF HEARINGS

19. [On](#) approval of documents for conveyance of excess City property west of and adjoining 2418 Sunset Road to Barber Brothers Enterprises, LLC, \$35,488, (12-3-18).
20. [On](#) issuance of not to exceed \$7,500,000 General Obligation Bonds for essential corporate purposes, (12-3-18).

[\(Council Communication No. 18-559\)](#)

21. [On](#) issuance of not to exceed \$6,300,000 General Obligation Bonds for essential corporate purposes, (12-3-18).

[\(Council Communication No. 18-559\)](#)

22. [On](#) Three-Party Agreement for land transfers with River Point West LLC and HRC NFS I, LLC in the Grays' Landing and Gray's Station Development Areas, (1-14-19).

[\(Council Communication No. 18-607\)](#)

23. [On](#) assessment of \$500 penalties to liquor license holders for violation of Iowa Alcoholic Beverage Laws, sale to minor, (12-3-18).

(A) Royal Food, 1443 2nd Avenue.

(B) Sambettis, 1430 2nd Avenue.

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

24. [Approving](#) payment to Ahlers & Cooney, PC Law Firm for services regarding Capital Loan Notes, \$34,197.38.

25. [Approving](#) payment to Shuttleworth & Ingersoll Law Firm for matters related to the possible acquisition of the DICO property located near the intersection of Fleur Drive and Martin Luther King Jr. Parkway.

26. [Approving](#) payment to Mark Evans for a personal injury claim.

APPROVING

27. [Release](#) of urban renewal restrictions and covenants imposed on property located at 35 Clark Street.

28. [Amending](#) the Schedule of Fees for Cemeteries under Chapter 34 of the City Code.

[\(Council Communication No. 18-602\)](#)

29. Purchases from the following:

- (A) [Towmaster](#) Truck Equipment (Dave Quade, President) for one replacement asphalt recycler per State of Minnesota Contract for use by the Public Works Department, \$77,680.

[\(Council Communication No. 18-601\)](#)

- (B) [Stivers](#) Ford (Scott Politte, General Manager), Karl Chevrolet (Carl Moyer, Owner) Stew Hanson Dodge City (Dan Boettcher, General Manager) and Dewey Ford (Dan Boettcher, General Manager) for forty-five (45) replacement vehicles per State of Iowa Contract for use by various departments, \$1,218,075.66.

[\(Council Communication No. 18-600\)](#)

- (C) [Housby](#) Mack Inc., (Kelly Housby, President) and Henderson Products (Jon Sievert, President) for twelve (12) replacement single-axle truckchassis, plus snow and ice control equipment to be outfitted on sixteen (16) truck chassis (four tandem-axle truck chassis to be awarded in the future) per Houston-Galveston Area Council (HGAC) contract for use by the Public Works Department, \$3,097,509.80.

[\(Council Communication No. 18-615\)](#)

30. [Exception](#) to Request for Proposals (RFP) process for good cause and approving Professional Service Agreement with Civil Design Advantage LLC for the Gray's Station Detention Basin, not to exceed \$127,500.

[\(Council Communication No. 18-613\)](#)

31. Abatement of public nuisance at the following:

- (A) [2109](#) Washington Avenue.

- (B) [1507](#) 11th Street.

32. [Release](#) of fire escrow at 807 39th Street.

33. [Civil](#) Service entrance lists for Fleet Services Serviceperson and Crime Scene Investigator. Promotional List for Sewer Cleaning Equipment Operator.

34. [Authorizing](#) Finance Director to draw checks on registers for the weeks of November 19 and 26, 2018; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of November 19 and 26, 2018; and to draw checks for biweekly payroll due November 23, 2018.

ORDINANCES - SECOND CONSIDERATION

- 35. [Amending](#) Chapter 118 of the Municipal Code regarding regulation of industrial wastewater and commercial wastewater.

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

ORDINANCES - FIRST CONSIDERATION

- 36. [Amending](#) Chapter 114 of the Municipal Code regarding traffic regulation changes as follows:

[\(Council Communication No. 18-626\)](#)

- (A) Code revisions extending snow routes on 34th Street, Guthrie Avenue and Scott Avenue.
 - (B) Code modifications related to the Parkside Estates development.
 - (C) Code modifications related to the Woods on the River Plat 10 development.
 - (D) Code modifications related to the Brook Landing Plat 2 development.
 - (E) Adding No Parking Area on Forest Avenue, east of 31st Street.
 - (F) Adding No Parking 7:00 a.m. to 5:00 p.m. School Days restriction for north side of Dean Avenue from E. 29th Street to E. 29th Court for Willard Elementary.
- 37. [Extending](#) temporary waiver of all permit fees for the repair, renovation or replacement of structures damaged by the recent flooding within the City of Des Moines.

COMMUNICATIONS/REPORTS

- 38. ~~[From](#) Jenni Klise, 2505 47th Street, to speak regarding the date CIP/Infrastructure Committee recommendation is due to City Council, blight in DSM Waterways and the crossing at 4th and Locust Streets.~~
- 39. [Request](#) from Matthew Gerherds, 7500 Bloomfield Road, Lot 2, to speak regarding unfair housing, the privacy of trailer courts and sidewalks for Bloomfield Road.

40. [Request](#) from Bridget Fagan-Reidburn, Justyn Lewis, Celeste Moore, Harvey Harrison, Herbert Williams, Lori Young, Laural Clinton, Joe Henry and Mark Stringer to speak on proposed racial profiling ordinance.

APPROVING

41. Items regarding the MoveDSM Transportation Master Plan:

- (A) [Approving](#) amendment to the Complete Streets Policy to reflect the goals and policies of the MoveDSM Transportation Master Plan.

[\(Council Communication No. 18-622\)](#)

- ~~(B) [Approving](#) incorporation of the Connect Downtown Plan as an element of the MoveDSM Transportation Master Plan.~~

~~[\(Council Communication No. 18-623\)](#)~~

- (C) [Approving](#) the MoveDSM Transportation Master Plan and adopting the plan as an element of and amendment to the PlanDSM: Creating Our Tomorrow Comprehensive Plan.

[\(Council Communication No. 18-621\)](#)

42. Items regarding Annual Urban Renewal Report (AURR) and Tax Increment Financing (TIF) Certification:

[\(Council Communication No. 18-605\)](#)

- (A) [Advance](#) of funds to the Metro Center Urban Renewal Project for planning, oversight and administration, \$800,000.

- (B) [Recommendation](#) from the City Manager regarding TIF needs for FY 2019-2020 and certification of TIF indebtedness.

- (C) [Urban](#) Renewal Reports for Urban Renewal Plans and Areas within the City of Des Moines.

43. [Resolution](#) approving preliminary terms for an urban renewal development agreement with Nelson Development for the construction of a Home2 Suites hotel along University Avenue, between 26th and 27th Street across from Drake University.

[\(Council Communication No. 18-606\)](#)

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 44 THRU 50)

44. Items regarding 2900 Easter Lake Drive:

- (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 Boyer & Boyer, LLC to rezone 2900 Easter Lake Drive from “R1-90” (Large-Lot One-Family Residential) to Ltd. "C-1” (Neighborhood Retail Commercial) to allow conversion of the existing church to a day care center. **(Six affirmative votes are required for approval)**
- (C) [First](#) consideration of ordinance above.
- (D) [Final](#) consideration of ordinance above (waiver requested by the applicant), requires six votes.

45. [On](#) vacation of portions of E. 4th Street, Des Moines Street and E. 5th Street right-of-way adjoining 415 and 421 Des Moines Street, and conveyance of a Permanent Easement for Subsurface Building Encroachment on City-owned property to 555 E Fourth Parking, LLC, \$13,830.

- (A) [First](#) consideration of ordinance above.

46. [On](#) vacation of segments of Locust Street and east-west alley right-of-way adjoining 1416 Locust Street and conveyance of a Permanent Easement for Building Encroachment – Door Swing to Saga Communications of Iowa, LLC d/b/a Des Moines Radio Group, \$1,320.

- (A) [First](#) consideration of ordinance above.

47. [On](#) Riverview Park Improvements: Reject all bids and to close the hearing on the plans, specifications, form of contract documents and Engineer’s estimate.

[\(Council Communication No. 18-619\)](#)

48. [On](#) 2019 Roadway Reconstruction Program: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Jasper Construction Services, Inc. (Cliff Rhoads, President), \$3,339,059.

[\(Council Communication No. 18-611\)](#)

- (A) [Approving](#) contract and bond and permission to sublet.

49. On Principal Park Outfield Deck Improvements: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Minturn, Inc. (Clinton M. Rhoads, President), \$167,400.

(Council Communication No. 18-618)

- (A) Approving contract and bond.

50. Cancellation of hearing on proposed Connection Fee Ordinance and withdrawal of proposed ordinance for Little Four Mile Trunk Sewer System Benefitted District.

- (A) Continuation of hearing on Little Four Mile Trunk Sanitary Sewer, approving plans, specifications, form of contract, documents, and Engineer's estimate to December 17, 2018.

(Council Communication No. 18-614)

END HEARINGS AT _____PM

MOTION TO ADJOURN.

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.

View City Council agendas online at www.dmgov.org



All-America City
1949 1976 1981 2003 2010 2017