

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

**March 11, 2019 4:30 PM**

**INVOCATION:** Council Member Gray

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA \* – items 3 through 39:

**\*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)	CAFE NOMADE	1430 LOCUST ST	C Liquor
(B)	EL POLLO CATRACHO	4100 SE 14TH ST	C Liquor
<del>(C)</del>	<del>SUNRISE TAP</del>	<del>4155 EASTON BLVD</del>	<del>C Liquor</del>

**RENEWAL APPLICATIONS**

(D)	BUZZARD BILLYS	615 3RD ST	C Liquor
(E)	DES MOINES VALERO #205	2829 EASTON BLVD	C Beer
(F)	DOLLAR GENERAL #13292	3102 MERLE HAY RD	C Beer
(G)	DOLLAR GENERAL #313	2570 HUBBELL AVE	C Beer
(H)	DOLLAR GENERAL #4554	1020 E ARMY POST	C Beer
(I)	DOLLAR GENERAL #4991	3223 SE 14TH ST	C Beer
(J)	DOLLAR GENERAL #6077	221 SW 63RD ST	C Beer
(K)	DOLLAR GENERAL #6725	1428 E OVID AVE	C Beer
(L)	DOLLAR GENERAL #6735	2650 INGERSOLL	C Beer
(M)	EL RINCON CATRACHO	3310 E 14TH ST	B Beer
(N)	GRANDVIEW GOLF COURSE	2401 E 29TH ST	C Liquor
(O)	HY VEE WINE & SPIRITS	2310 HUBBELL AVE	E Liquor
(P)	IOWA BEEF STEAK HOUSE	1201 E EUCLID AVE	C Liquor

(Q)	K SUPER MARKET	3300 SW 9TH ST	C Beer
(R)	MALO RESTAURANT	900 MULBERRY ST	C Liquor
(S)	MCCUENS PUB	2565 WEDGEWOOD	C Liquor
(T)	SEAFOOD TRAP	1552 E GRAND AVE	B Beer
(U)	TACOS LA FAMILIA	1610 6TH AVENUE	C Liquor

**SPECIAL EVENT APPLICATIONS**

(V)	MULLETS	1300 SE 1ST ST	C Liquor
	Temporary for St. Parick’s Day Party on March 16, 2019.		
(W)	IOWA CRAFT BEER TENT	313 WALNUT ST	C Liquor
	Fourteen day Class C Liquor License for St. Patrick’s Day event on March 16 – 17 and Hoops and Hops on March 21 – 23, 2019.		

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

**PUBLIC IMPROVEMENTS**

6. Ordering construction of the following:
- (A) [3226](#) University Avenue HVAC Replacement: Receiving of bids, (3-26-19), Setting date of hearing, (4-22-19). Engineer’s estimate, \$350,000.  
  
([Council Communication No. 19-090](#))
  - (B) [2019](#) Parking Garage Repair Program: Receiving of bids, (3-26-19), Setting date of hearing, (4-8-19). Engineer’s estimate, \$2,200,000.  
  
([Council Communication No. 19-088](#))
  - (C) [2019](#) City-wide PCC Pavement Restoration Program: Receiving of bids, (3-26-19), Setting date of hearing, (4-22-19). Engineer’s estimate, \$204,000.  
  
([Council Communication No. 19-087](#))
  - (D) [2019](#) Arterial & Collector Route ADA Sidewalk Ramp Program: Receiving of bids, (3-26-19), Setting date of hearing, (4-22-19). Engineer’s estimate, \$860,000.  
  
([Council Communication No. 19-086](#))
7. [Approving](#) Professional Services Agreement with SystemWorks, LLC for Fire Station No. 11 Building Commissioning, not to exceed \$72,800.

([Council Communication No. 19-091](#))

8. [Approving](#) Change Order No. 1 with Cramer and Associates, Inc. for additional work on Locust Street Bridge over the Des Moines River, \$56,790.

[\(Council Communication No. 19-094\)](#)

9. [Designating](#) lowest responsive, responsible bidder as Cramer and Associates, Inc. (Robert Cramer, President/CAO), and approval of contract and bond and permission to sublet, for the Ruan Connector project, \$2,545,825.70.
10. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects.
11. Accepting completed construction and approving final payment for the following:
  - (A) [2018](#) Neighborhood Sidewalk Program, Ti-Zack Concrete, Inc.
  - (B) [E. 6<sup>th</sup>](#) Street and Des Moines Street Traffic Signals, Van Maanen Electric, Inc.

#### **SPECIAL ASSESSMENTS**

12. [Levying](#) Assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2019-02.
13. [Levying](#) assessments for fees, fine, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code and providing for payment, Schedule No. 2019-03.
14. [Deletion](#) of rental inspection assessment at 1125 18<sup>th</sup> Street.

#### **LAND/PROPERTY TRANSACTIONS**

15. [Conditionally](#) approving final plat for Parkside Estates Plat 1, in the vicinity of 150 E. County Line Road.

[\(Council Communication No. 19-106\)](#)

16. [Approving](#) tax abatement application for 121 12<sup>th</sup> Street on the additional value added by improvements completed during 2018.

[\(Council Communication No. 19-096\)](#)

## **BOARDS/COMMISSIONS/NEIGHBORHOODS**

17. Recommendation from Mayor Cownie to reappoint the following to the Airport Authority Board, for a four-year term commencing June 30, 2019, to expire June 30, 2023:
  - (A) [Mark](#) Feldmann, Seat 2.
  - (B) [Kerty](#) Levy, Seat 4.
  - (C) [Jake](#) Christensen, Seat 1.

## **COMMUNICATIONS FROM PLANNING AND ZONING**

18. [Regarding](#) request from Des Moines Area Community College (DMACC) for vacation of 8<sup>th</sup> Street right-of-way adjoining 1144 7<sup>th</sup> Street.
19. [Regarding](#) preliminary plat “Cityview 49” at 938 12<sup>th</sup> Street.

## **SETTING DATE OF HEARINGS**

20. [On](#) vacation of the north-south alley right-of-way between SW 1<sup>st</sup> Street and SW 2<sup>nd</sup> Street, from Edison Avenue to Columbus Avenue and conveyance to CS Family Properties, LLC (Cory Steiner, Officer) to allow for assemblage with adjoining properties for redevelopment with a senior living apartments project, \$5,544, (3-25-19).
21. [On](#) request from Luther Memorial Church of Des Moines, Iowa (purchaser) to rezone 1101 Grandview Avenue from “PUD” (Planned Unit Development) to “R-3” (Multiple-Family Residential) and to amend the Grand View University West PUD Conceptual Plan to remove the subject property from the PUD in order to assemble it with property to the east at 1201 Grandview Avenue for expansion of the existing church at 1201 Grandview Avenue. The subject property is owned by Grand View University, (3-25-19).

## LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

22. [Approving](#) payment to Duncan, Green, Brown & Langeness Law Firm for representation of Police Officer Tyson Teut, \$337.50, Police Officer Cody Grimes, \$100.00, and Police Officer Kyle Thies, \$1,787.50.

## APPROVING

23. [Cooperative](#) Agreement with Iowa Department of Natural Resources (DNR) to provide funding for the Easter Lake Watershed Dredging and Improvements project, not to exceed \$425,000.

[\(Council Communication No. 19-098\)](#)

24. [Receive](#) and file communication from the Beaverdale SSMID Board regarding the levy for the Beaverdale Self-Supported Municipal Improvement District (SSMID).
25. [Receive](#) and file communication from the Highland Park SSMID Board regarding the levy for the Highland Park Self-Supported Municipal Improvement District (SSMID).
26. [Receive](#) and file communication from the Roosevelt Cultural District SSMID Board regarding the levy for the Roosevelt Cultural District Self-Supported Municipal Improvement District (SSMID).
27. [Submittal](#) of Center Street Park and Ride Facility Annual Budget to Des Moines Area Regional Transit Authority (DART) and authorization of budget expenditures.
28. [Budget](#) for the Downtown Self-Supported Municipal Improvement District (SSMID) for fiscal year ending June 30, 2020.
29. [Budget](#) for the SW 9<sup>th</sup> Corridor Self-Supported Municipal Improvement District (SSMID) for the fiscal year ending June 30, 2020.
30. [Communication](#) from Downtown Community Alliance, on behalf of Capital City Pride, requesting approval for up to 60 banners to be displayed on 30 poles between E. 2nd Street and E. 7th Street on Locust Street.
31. [Communication](#) from Downtown Community Alliance, on behalf of the Downtown Farmer's Market, requesting approval for up to 40 banners to be displayed on 40 poles on Court Avenue, April through October 2019.

32. Abatement of public nuisances at the following:
- (A) [143](#) E. Seneca Avenue.
  - (B) [913](#) Douglas Avenue.
33. [Loan](#) agreement extension with U.S. Navy for public display of the USS Des Moines model.
34. [Communication](#) of fire escrow at 923 Park Avenue.
35. [Contract](#) purchase with Elavon, Inc. (through the University of Iowa and University of Northern Iowa Contract) to furnish merchant credit card processing services, for the remainder of the current term and for five successive one-year optional terms, \$150,000 annually.

[\(Council Communication No. 19-097\)](#)

36. [Proposal](#) from Less Than Trinity, LLC to manage the concession and rental operations at Gray's Lake Park and authorizing City Manager to negotiate a contract.

[\(Council Communication No. 19-102\)](#)

37. Purchases from the following:

- (A) [Xybix](#) Systems Inc. (Kenneth Carson, President) to supply and install thirteen (13) Public Safety Communication Center Dispatch Consoles Workstations for use by the Police Department, \$158,872.07. (Nine potential bidders, five received).

[\(Council Communication No. 19-099\)](#)

- (B) [Baker](#) Group (BJ Baker III, Chairman & CEO) for non-competitive procurement of a software upgrade to the current Building Automation System (BAS) used for the HVAC building controls at various buildings for use by the Facilities Management Division, \$55,540.

[\(Council Communication No. 19-108\)](#)

- (C) [Instant](#) Armor Inc. (Eric Michaelson, President) as sole area-wide distributor for non-competitive procurement to order ballistic blanket panel systems for use by the five (5) statewide Homeland Security teams, \$363,231, of which \$72,649 is the City's allocated cost.

[\(Council Communication No. 19-105\)](#)

- (D) [Horton](#) Emergency Vehicles (John Slawson, President) as sole area-wide distributor for non-competitive procurement for remounting and structural repair service to an ambulance for use by the Fire Department, \$145,890.06.

[\(Council Communication No. 19-103\)](#)

- (E) [OneNeck](#) IT Solutions (Terry Swanson, President and CEO) for replacement Hewlett Packard mass storage array that will support the current and future storage performance and capacity needs per State of Iowa Contract for use by the IT Department, \$333,391.28.

[\(Council Communication No. 19-095\)](#)

- 38. [Civil](#) Service Entrance Lists for Park Maintenance Worker and Building Inspector.
- 39. [Authorizing](#) Finance Director to draw checks on registers for the weeks of March 11 and March 18, 2019; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of March 11 and March 18, 2019; and to draw checks for biweekly payroll due March 15, 2019.

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

**ORDINANCES - FIRST CONSIDERATION**

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

[\(Council Communication No. 19-092\)](#)

- (A) Code modifications related to the Vue 23 Lofts Development, 23<sup>rd</sup> Street at Ingersoll Avenue.
- (B) Code correction related to one-way designation on Crocker Street between 31<sup>st</sup> and 33<sup>rd</sup> Streets.
- (C) Code correction related to incorrect references to Chamberlain Avenue.

**COMMUNICATIONS/REPORTS**

- 41. [From](#) Casey Garbes, 2125 Indianola Avenue #A6, to speak regarding the high-risk dog ordinance.
- 42. [From](#) Gloria Hoffman, 4200 Leonard Place, to speak regarding Local Option Sales Tax vote result.

## APPROVING

43. Number not used.
44. [Review](#) of Zoning Board of Adjustment decision granting use variance to allow limited food/retail sales establishment selling alcoholic liquor on property at 1372 E. 14<sup>th</sup> Street. (Choose one alternative A, B or C)

[\(Council Communication No. 19-110\)](#)

- (A) 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 to 30 days from the date of the remand.
- (B) The City Council takes no action to review the Decision and Order. The decision of the Board will become final on April 5, 2019.
- (C) The City Council declines to remand the decision to the Zoning Board of Adjustment. The decision of the Board becomes final on this date.
45. [Receive](#) and file the After Action Flash Flood Report, 2018.

## HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 46 THRU 65)

46. [On](#) consideration of the recommended Capital Improvement Program Plan (CIP) for fiscal years 2019-2020 through 2024-2025.

[\(Council Communication No. 19-101\)](#)

47. [On](#) issuance of not to exceed \$61,855,000 General Obligation Bonds, (for Essential Corporate Purposes).

[\(Council Communication No. 19-100\)](#)

- (A) [Authorization](#) for additional action.

48. [On](#) issuance of not to exceed \$955,000 General Obligation Bonds, (for General Corporate Purposes).

[\(Council Communication No. 19-100\)](#)

- (A) [Authorization](#) for additional action.



49. On issuance of not to exceed \$790,000 General Obligation Bonds, (for General Corporate Purposes).  
([Council Communication No. 19-100](#))
- (A) Authorization for additional action.
50. On issuance of not to exceed \$515,000 General Obligation Bonds, (for General Corporate Purposes).  
([Council Communication No. 19-100](#))
- (A) Authorization for additional action.
51. On issuance of not to exceed \$955,000 General Obligation Bonds, (for General Corporate Purposes).  
([Council Communication No. 19-100](#))
- (A) Authorization for additional action.
52. On issuance of not to exceed \$775,000 General Obligation Bonds, (for General Corporate Purposes).  
([Council Communication No. 19-100](#))
- (A) Authorization for additional action.
53. On issuance of not to exceed \$590,000 General Obligation Bonds, (for General Corporate Purposes).  
([Council Communication No. 19-100](#))
- (A) Authorization for additional action.
54. On issuance of not to exceed \$930,000 General Obligation Bonds, (for General Corporate Purposes).  
([Council Communication No. 19-100](#))
- (A) Authorization for additional action.
55. On issuance of not to exceed \$955,000 General Obligation Bonds, (for General Corporate Purposes).  
([Council Communication No. 19-100](#))
- (A) Authorization for additional action.
56. Authorizing issuance of \$49,845,000 General Obligation Bonds, Series 2019A, and levying a tax for the payment.  
([Council Communication No. 19-100](#))

57. [On](#) amendment to the annual budget for current fiscal year ending June 30, 2019.

[\(Council Communication No. 19-101\)](#)

58. [On](#) proposed budget for the fiscal year ending June 30, 2020.

[\(Council Communication No. 19-101\)](#)

59. [On](#) the proposed First Amendment to the Southwest Gateway Urban Renewal Plan.

[\(Council Communication No. 19-109\)](#)

60. [On](#) proposed Second Amendment to the Urban Renewal Plan for the Merle Hay Commercial Area Urban Renewal Area.

[\(Council Communication No. 19-107\)](#)

61. [On](#) approval of documents for conveyance of excess City property east of and adjoining 126 Franklin Avenue and vacated alley right-of-way located south of and adjoining 126 Franklin Avenue to Five-C2 Properties, LLC, \$3,200.

62. [On](#) request from Savannah Homes, Inc. to rezone property at 4320 E. 46<sup>th</sup> Street from “A-1” (Agricultural) to “R1-60” (One-Family Low-Density Residential) to allow single-family residential development.

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

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

63. Items regarding request from Full Court Press Inc., 3506 University Avenue, to allow the existing restaurant use to be reclassified as a tavern use:

(A) [Amend](#) the PlanDSM: Creating Our Tomorrow Plan future land use designation from Low-Medium Density Residential to Community Mixed Use.

(B) [Rezoning](#) of the property from “R-3” (Multiple Family Residential) to Ltd. “NPC” (Neighborhood Pedestrian Commercial).

(C) [First](#) consideration of ordinance above.

(D) [Final](#) consideration of ordinance above (waiver requested by the applicant), requires six votes.

64. Items regarding request from Brown Dog Realty, LLC, 2110 Wakonda View Drive, to allow rezoning to Ltd. "C-2 (General Retail and Highway-Oriented Commercial) to allow off-street parking, loading and maneuvering areas to the west of the existing plumbing and mechanical shop:
- (A) [Amend](#) the PlanDSM: Creating Our Tomorrow Plan future land use designation from Low-Density Residential to Community Mixed-Use.
  - (B) [Rezoning](#) of the property from "R1-80" (One-Family Residential) to Ltd. "C-2" (General Retail and Highway-Oriented Commercial).
  - (C) [First](#) consideration of ordinance above.
  - (D) [Final](#) consideration of ordinance above (waiver requested by the applicant), requires six votes.
65. [On](#) Blank Golf Course Maintenance Shed Improvements: Resolution approving plans specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as JPG Company, LLC (Jared Giese, President), \$191,000.

[\(Council Communication No. 19-089\)](#)

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

\*\*\* END OF HEARINGS AT \_\_\_\_\_ PM \*\*\*

## EXTRA ITEMS

These extra items are filed after 5:00 P.M. on the Wednesday preceding a Council meeting and have been included upon the Amended Agenda by the City Clerk, with sponsorship of the Mayor or a City Council Member who shall deem the item of sufficient urgency to warrant immediate Council action - said statement of urgency from the City Manager and/or appropriate Department Director shall be placed on file with the City Clerk.

1. [Request](#) from Council Member Coleman to speak regarding an extension of our agreement for the enhanced Court Avenue Entertainment District Safety Project.

MOTION TO ADJOURN.

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All-America City

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