

DES MOINES CITY COUNCIL MEETING
Excerpts from procedural rules of City Council

October 11, 2010
4:30 PM

SPECIAL PRESENTATIONS – 4:00 PM

Recognition of Des Moines Arts Festival “2010 Gold Grand Pinnacle Award” from the International Festivals & Events Association

Recognition of Anastasiya Koval, Russian Exchange Student, guest of Council Member Brian Meyer

PROCLAMATIONS – 4:15 PM

Lights on Afterschool Day

National Disability Employment Month

Domestic Violence Awareness Month

Des Moines Jazz History Day

INVOCATION: Council Member Christine Hensley

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 32:

***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) CASEYS #2892	6120 DOUGLAS AVE	B Beer
(B) DOWNTOWN PANTRY	208 4TH ST	C Beer
(C) KC BBQ	5405 DOUGLAS AVE	B Beer

RENEWAL APPLICATIONS

(D)	BLAZING SADDLE	416 E 5TH ST	C Liquor
(E)	BLUES ON GRAND	1501 GRAND AVE	C Liquor
(F)	CAMPBELLS CONCESSIONS	3000 E GRAND AVE	B Beer
(G)	CAMPBELLS CONCESSIONS	3000 E GRAND AVE	B Beer
(H)	DRAKE DINER	1111 25TH ST	C Liquor
(I)	FAMILY PANTRY	4538 LOWER BEAVER	E Liquor
(J)	FLEUR CINEMA & CAFE	4545 FLEUR DR	C Beer/Wine
(K)	G T RACE CAR BAR	3013 INGERSOLL	C Liquor
(L)	GIT N GO STORE #33	865 42ND ST	C Beer
(M)	GOODSONS	2815 BEAVER AVE	C Liquor
(N)	GRAND VIEW COLLEGE	1500 MORTON AVE	C Beer/Wine
(O)	HULL TAVERN TAP	834 E HULL AVE	C Liquor
(P)	KARTARS MINI MART	3761 E UNIVERSITY	C Beer
(Q)	LIME LOUNGE	2706 INGERSOLL	C Liquor
(R)	QUIKTRIP #500	3700 HUBBELL AVE	C Beer
(S)	SHOP N SAVE	2127 M LK JR PKWY	E Liquor
(T)	TROPIK RESTAURANT & BAR	3015 MERLE HAY RD	C Liquor
(U)	ZIMMS	3124 INGERSOLL	C Liquor

TRANSFER TO NEW LOCATION

(V)	DRAKE UNIVERSITY	1309 26TH ST	C Liquor
	Temporary transfer from 2875 University Avenue for an event on October 22 – 23, 2010. Pending approval of Building, Electrical, Fire and Zoning Departments.		

OUTDOOR SERVICE APPLICATONS

(W)	BLUES ON GRAND	1501 GRAND AVE	C Liquor
	Temporary for Blues On Grand Last Bash on October 23, 2010. Pending approval of Building, Electrical, Fire and Zoning Departments.		

SPECIAL EVENTS APPLICATIONS

(X)	CATER 2 U	1312 LOCUST ST	Five (5) Day License
	Class C Liquor License for a wedding reception on October 16, 2010. Pending approval of Building, Electrical, Fire and Zoning Departments.		
(Y)	DM VOCAL ARTS ENSEMBLE	1200 GRAND AVE	Five (5) Day License
	Special Class C Liquor License (Beer/Wine) for an event on October 16, 2010. Pending approval of Building, Electrical, Fire and Zoning Departments.		

SETTING DATE OF HEARINGS

12. [On](#) conveyance of remaining alley right-of-way adjoining 1051 19th Street to Ryan Galloway, \$100, (10-25-10).
13. [On](#) vacation and conveyance of north/south alley, west of and adjoining 2201 Forest Avenue, to Anawim Housing for Forest Avenue Urban Renewal Project, \$1, (10-25-10).
 - (A) [Communication](#) from Plan and Zoning Commission.
14. [On](#) vacation and lease of public right-of-way for a sidewalk café to Saints Pub & Patio at 4041 Urbandale Avenue, (10-25-10).
15. [On](#) Proposed Second (2011) Year Action Plan of the 2010—2014 US Department of Housing and Urban Development (HUD) Consolidate Plan, (11-22-10).

[\(Council Communication No. 10-616\)](#)

- (A) [Communication](#) from the Neighborhood Revitalization Board.

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

16. [Approving](#) payment of \$3,576.50 to Peddicord, Wharton, Spencer and Hook, L.L.P. for representation of Officer Mersed Dautovic.
17. Approving payment of workers' compensation claims for the following:
 - (A) [Danny](#) Rivas, \$8,430.72.
 - (B) [Jarvey](#) Sorensen, \$7,972.91.

CITY MANAGER COMMUNICATIONS

18. [Submitting](#) travel and training request for T. M. Franklin Cownie.

[\(Council Communication No. 10-607\)](#)

APPROVING

19. [Initial](#) LIHEAP (Low-Income Home Energy Assistance Program) Contract with Iowa Department of Human Rights for energy-related assistance for low-income individuals from October 1, 2010 to September 30, 2011.

[\(Council Communication No. 10-603\)](#)

20. [FY](#) 2010-11 Community Impact Investment Agreement with United Way of Central Iowa.

21. [Amended](#) Conceptual Development Plan and First Amendment to Urban Renewal Development Agreement with Brownstones on Grand, LLC for the Brownstones at 201 Grand Avenue.

[\(Council Communication No. 10-609\)](#)

22. [Iowa](#) Department of Transportation Air Service Sustainment Grant for Des Moines International Airport, \$20,000.

[\(Council Communication No. 10-608\)](#)

23. [FY2009](#) Methamphetamine Drug Hot Spots Grant Program from the Governor's Office of Drug Control Policy for September 1, 2010 through June 11, 2011, \$18,830.

[\(Council Communication No. 10-612\)](#)

24. [Agreement](#) with Wellmark, Inc. to provide administrative services for the Early Retiree Reinsurance Program through the U.S. Department of Health and Human Services.

[\(Council Communication No. 10-621\)](#)

25. [City](#) Council Meeting Schedule for 2011.

26. Issuance of the following:

(A) [\\$19,300,000](#) Stormwater Management Utility Revenue Capital Loan Notes, Series 2010F.

(B) [\\$5,100,000](#) Stormwater Management Utility Revenue Refunding Capital Loan Notes, Series 2010G.

27. Bids from the following:

(A) [ColorFX](#) (Jon Troen, President) for printing and mailing services to distribute recycling educational materials to be used by the Public Works Department, \$47,364. (Thirteen bids mailed, four received).

(B) [Truck](#) Equipment, Inc. (Leo Wiesler, President) and Eddy Walker Equipment Company (Don Eddy, President) for various material spreaders and snow plows to be installed on existing trucks to be used by Fleet Maintenance, \$72,108. (Four bids mailed, three received).

[\(Council Communication No. 10-602\)](#)

- (C) [Northrop](#) Grumman – Remotec, Inc. (Wes Bush, Chief Executive Officer and President) for non-competitive procurement of upgrades to the Remotec F6A bomb robotics platforms to the F6B standards for Iowa’s Explosive Ordnance Disposal (EOD) Task Force Teams to be used by the Police Department, \$419,496.

[\(Council Communication No. 10-613\)](#)

- (D) [Forsythe](#) Technology Consulting (Dan Walsh, Account Manager) for non-competitive procurement for Q1 Labs Qradar Network Security Solution to provide security, intrusion detection and troubleshooting for the City’s Data Network to be used by the IT Department, \$72,607.

[\(Council Communication No. 10-615\)](#)

28. Civil Service Entrance lists for the following:

- (A) [Civil](#) Engineer I and Budget Analyst.
- (B) [Deputy](#) Building Official and Fleet Services Master Mechanic I.

29. [Authorizing](#) Finance Director to draw checks on registers for weeks of October 11 and October 18, 2010; to draw checks for bills of the Des Moines Municipal Housing Agency for weeks of October 11 and October 18, 2010; and to draw checks for biweekly payroll due October 22, 2010.

ORDINANCES - SECOND CONSIDERATION

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

- (A) Petition to allow parking – E. Maple Street, east of E. 18th Street.
- (B) Request from Madison Elementary School for traffic modifications.
- (C) Request for revised speed limit – SW 9th Street, south of Iowa Highway 5.
- (D) Request from Cattell Elementary School for traffic modifications.

31. [Designating](#) NE Economic Development District Urban Renewal Area as an urban renewal tax increment financing (TIF) district.

- (A) [Final](#) consideration of ordinance above (waiver requested by Council Member Mahaffey), requires six votes.

32. [Amending](#) Chapter 114 of the Municipal Code regarding vehicle and parking restrictions, the erection of signs for snow ordinance streets and snow ordinance street designations.

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

COMMUNICATIONS/REPORTS

33. [From](#) Kathy Buckley, 4211 Amick Avenue, and Jerry Skeers to speak regarding land use of Rice Field at 3001 Beaver Avenue.
34. [From](#) David Costello, 1105 Orchard Lane, to speak regarding helping the homeless this winter.
35. [From](#) Loren Esse, 1348 42nd Street, to speak regarding objection of traffic island/curb adjustment construction on 42nd Street between University and Forest Avenue.
36. [From](#) Miguel Murillo, 5925 Muskogee Avenue, to speak regarding assessments and a lien on 1318 7th Street by Des Moines Water Works.

***Note: If the City Council completes all items above before 5:00 PM, they will skip the Hearing Items, and continue the agenda starting with the next item following the Hearings. At 5:00 PM, they will return to this point in the agenda to consider the Hearing Items and then continue with all the remaining items on the agenda.**

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 37 THRU 45)

37. On applications for Certificate of Public Convenience and Necessity to operate a taxicab service for the following:
- (A) [City](#) Cab LLC for Shani Amin and Mohamed Ahmed.
([Council Communication No. 10-618](#))
- (1) [Communication](#) from Sam Kreamer, attorney for City Cab.
- (B) [United](#) Cab, Ltd. for Mohamed Habib.
([Council Communication No. 10-617](#))

38. ~~On appeal from Wendy Stout, 612 E. Diehl, regarding recommended denial of a Taxicab License.~~

39. On proposed authorization of one or more loan agreements and the issuance of not to exceed \$90,000,000 General Obligation Refunding Capital Loan Notes. (**Special Council meeting to sale Notes will be on October 27, 2010 at 4:00 PM**).

[\(Council Communication No. 10-610\)](#)

(A) Authorization for additional action.

40. On fourth amendment to concession agreement for food and beverage operations with SSP America, Inc. at the Des Moines International Airport.

[\(Council Communication No. 10-614\)](#)

41. On vacation of dead-end segment of Merced Drive and a dead-end segment of 30th Street, south of Merced Drive.

(A) First consideration of ordinance above.

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

(C) Releasing Subdivision Improvement Bond for Sawyer's Landing Plat 2.

[\(Council Communication No. 10-601\)](#)

42. On request from Kathy Harrison to rezone 2713 Martin Luther King Jr. Parkway from "M-3" (Limited Industrial) to Ltd. "C-2" (General Retail and Highway Oriented Commercial) to allow vehicle repair and vehicle sales and display businesses.

(A) First consideration of ordinance above.

43. On continuance of hearing for denial of ownership change and revocation of liquor license for Sun Mart located at 300 Walnut Street to October 25, 2010 at 5:00 PM.

44. On Grand Avenue – 19th Street to Polk Boulevard Older Driver-Pedestrian Traffic Control: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Iowa Signal Inc., (Wayne Lesley, President), \$147,408.01.

[\(Council Communication No. 10-605\)](#)

(A) Approving contract and bond, and permission to sublet.

45. [Resolution](#) to **REJECT** all bids and close the hearing on plans, specifications, form of contract documents, and Engineer's estimate for 2010 Golf Course Sewer Repairs, (2 bids received).

[\(Council Communication No. 10-606\)](#)

*** END HEARINGS AT _____ PM ***

CITY MANAGER RECOMMENDATIONS

46. [Regarding](#) proposed SE Economic Development District Urban Renewal Area and preparation of an urban renewal plan and creation of tax increment financing (TIF) district.

[\(Council Communication No. 10-619\)](#)

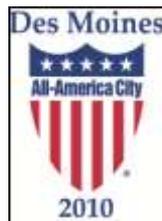
EXTRA ITEMS

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. [Communication](#) from Planning and Zoning Commission regarding proposed text amendment revising the applicability of Conditional Use Permit requirements for businesses selling liquor, wine and beer. Sponsor: Council Member Hensley.

MOTION TO ADJOURN.

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