

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

December 6, 2010

SPECIAL RECOGNITIONS – 4:00 PM

Annual Excellence in Historic Preservation Awards

South Suburban YMCA Playground

PROCLAMATIONS – 4:00 PM

Human Rights Day and Month

James M. O'Donnell Day

John L. Jones Day

Holiday Food Program Weeks

INVOCATION: Council Member Chris Coleman

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 31:

***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)	DOWNTOWN PANTRY	208 4TH ST	E Liquor
(B)	GOLDEN LAND ASIA	3814 DOUGLAS AVE	C Beer
(C)	HYATT PLACE	418 6TH AVE	B Liquor
(D)	MICHAELS PIZZA	2629 BEAVER AVE	C Beer/Wine

RENEWAL APPLICATIONS

(E)	801 STEAK & CHOP HOUSE	801 GRAND AVE	C Liquor
(F)	B & B SUPER MARKET	2001 SE 6TH ST	C Beer
(G)	CAPITOL ROOM	315 E 5TH ST	C Liquor
(H)	DAHLS FOODS	1819 BEAVER AVE	E Liquor
(I)	DERRYS LOUNGE	4845 MERLE HAY RD	C Liquor
(J)	FAWNS ASIAN CUISINE	1107 E UNIVERSITY	B Beer
(K)	FELIX & OSCARS	4050 MERLE HAY RD	C Liquor
(L)	FONGS PIZZA	223 4TH ST	C Liquor
(M)	HY VEE FOOD STORE #2	2540 E EUCLID AVE	E Liquor
(N)	KUM & GO #207	4200 HUBBELL AVE	C Beer
(O)	KUM & GO #208	3200 SE 14TH ST	C Beer
(P)	KUM & GO #2722	2211 UNIVERSITY	C Beer
(Q)	KUM & GO #2731	3104 UNIVERSITY	C Beer
(R)	KUM & GO #4110	2110 GUTHRIE AVE	C Beer
(S)	LICKER ROOM	2301 SW 9TH ST	C Liquor
(T)	LOS LAURELES	1518 E GRAND AVE	C Liquor
(U)	LOVELY FOOD MART	4600 FLEUR DR	C Beer
(V)	SMOKE SHOP	1918 SE 14TH ST	E Liquor
(W)	SUPER QUICK 2	1824 HUBBELL AVE	E Liquor
(X)	TUMEA AND SONS	1501 SE 1ST ST	C Liquor
(Y)	UNIVERSITY GROCERIES II	1621 UNIVERSITY	E Liquor

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

PUBLIC IMPROVEMENTS

6. [Approving](#) execution of Iowa Department of Transportation (IDOT) Agreement for Fleur Drive Viaduct over American Discovery Trail Bridge Rehabilitation.

[\(Council Communication No. 10-725\)](#)

7. [Approving](#) execution of four Iowa Jobs Program Grant Award Agreements with the Iowa Jobs Board and the Iowa Finance Authority.

[\(Council Communication No. 10-726\)](#)

8. Approving completion and acceptance of the following private construction contracts:
 - (A) [Concrete](#) Technologies, Inc. and Neumann Brothers, Inc. for Paving Improvements, 5th Avenue, south of Laurel Street.
 - (B) [Elder](#) Corporation and Neumann Brothers, Inc. for Storm Sewer Improvements, 5th Avenue, south of Laurel Street.
 - (C) [J. P.](#) Cullen & Sons, Inc. and State of Iowa, Department of Administrative Services for Storm Sewer Improvements, 1375 E. Court Avenue.
 - (D) [The](#) Underground Company, Ltd. and Ryan Companies US, Inc. for Storm Sewer Improvements, 1200 Locust Street.
9. Accepting completed construction and approving final payment to the following:
 - (A) [T K](#) Concrete – Bates & Evergreen Parks Playground Improvements.
 - (B) [Van](#) Hauen & Associates, Inc. – 1800 Watrous Avenue Emergency Sanitary Sewer Repair.

SPECIAL ASSESSMENTS

10. Approving delinquent sewer rental and/or solid waste/storm water utilities for November 2010 on the following:
 - (A) [Credits](#).
 - (B) [Fees](#).
11. [Approving](#) deletion of NAC-Emergency Assessment at 1526 23rd Street.

LAND/PROPERTY TRANSACTIONS

12. [Acceptance](#) of real estate documents from 1405 S.E. 1st Co. for the Livingston Avenue Storm Sewer Project, \$5,000 plus closing costs.

[\(Council Communication No. 10-722\)](#)
13. [Approving](#) contract amendments to Community Development Block Grant (CDBG) Disaster Recovery Hazard Mitigation Grant Program Property Acquisition Contracts with Iowa Department of Economic Development (IDED).

[\(Council Communication No. 10-721\)](#)

BOARDS/COMMISSIONS/NEIGHBORHOODS

14. [Approving](#) Neighborhood Revitalization Board's recommendation of Charter Status for King Irving Neighborhood effective January 1, 2012.

[\(Council Communication No. 10-714\)](#)

15. [Communication](#) from Leisha Barcus advising of her resignation from the Plan and Zoning Commission, Seat 5, effective December 31, 2010.

SETTING DATE OF HEARINGS

16. [On](#) assignment of Scheduled Airline Operating Agreement from Midwest Airlines to Frontier Airlines, (12-20-10).

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

17. [Approving](#) payment of \$2,405.68 to Hall & Associates for representation in the matter Iowa League of Cities v. United States Environmental Protection Agency.

CITY MANAGER COMMUNICATIONS

18. [Submitting](#) travel and training requests for T. M. Franklin Cownie, John Herzog, Mikel J. Johnson, Jason L. Preston and Jeff Van Maanen.

[\(Council Communication No. 10-716\)](#)

APPROVING

19. [Shelter](#) Plus Care Grant Agreement with United States Department of Housing and Urban Development (HUD).

[\(Council Communication No. 10-731\)](#)

20. [Contract](#) with Iowa Community Action Association and Des Moines Community Action Agency to provide Disaster Case Management Services to June 1, 2011.

[\(Council Communication No. 10-717\)](#)

21. [Acceptance](#) of Project Safe Neighborhoods 2010 Anti-Gang Initiative Grant, \$20,138.

[\(Council Communication No. 10-713\)](#)
22. [Greater](#) Des Moines Partnership – Partnership 2012 Investment Campaign Commitment, \$100,000.

[\(Council Communication No. 10-732\)](#)
23. [Banner](#) design submitted by Downtown Community Alliance, on behalf of Meredith Corporation, to be displayed downtown on Locust Street during winter 2010-2011.
24. [Receipt](#) of Des Moines Water Works budget for calendar year ending December 31, 2011.
25. [Award](#) to Baker Group (BJ Baker III, Chairman & CEO) per State of Iowa Contract to upgrade HVAC systems to improve energy efficiency in City buildings, \$268,404.

[\(Council Communication No. 10-729\)](#)

(A) Number not used.
26. [Termination](#) of 2009 contract with Bojo’s Carpet and Tile Care for custodial services for the Royal View Manor and authorizing the Director of the Des Moines Municipal Housing Agency to execute a new contract to include all five public housing manors.

[\(Council Communication No. 10-718\)](#)
27. Bids from the following:
 - (A) Number not used.
 - (B) [POM](#) Incorporated (Seth Ward II, President) for non-competitive procurement of parking meter equipment for a planned replacement program for use by the Engineering Department, \$129,925.44

[\(Council Communication No. 10-723\)](#)
 - (C) [AVI](#) Systems (Jeff Stoebner, President) for video production system upgrade equipment for use by the City Manager’s Office, \$90,747. (Five bids mailed, three received).
28. [Authorizing](#) Finance Director to draw checks on registers for weeks of December 6 and December 13, 2010; to draw checks for the bills of the Des Moines Municipal Housing

Agency for weeks of December 6 and December 13, 2010; and to draw checks for biweekly payroll due December 17, 2010.

ORDINANCES - FINAL CONSIDERATION

- 29. [Amending](#) Chapter 42 of the Municipal Code regarding Noise Control Ordinance of Solid Waste Collection and other loading and unloading activities.
- 30. [Amending](#) Chapter 118 of the Municipal Code to provide for a Stormwater Utility fee adjustment.

ORDINANCES - SECOND CONSIDERATION

- 31. [Amending](#) Chapter 46 of the Municipal Code, regarding adoption of the International Fire Code, and amendments and additions.
 - (A) [Final](#) consideration of ordinance above, (waiver requested by the Fire Chief), requires 6 votes.

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

ORDINANCES - FINAL CONSIDERATION

- 32. [On](#) Zoning Text and Municipal Code amendments regulating pawnbrokers and delayed deposit service businesses.

ORDINANCES - SECOND CONSIDERATION

- 33. [On](#) Zoning Text Amendments to revise the applicability of Conditional Use Permit requirements for businesses selling liquor, wine or beer, as amended to require existing businesses to comply with the 60%/40% requirements effective December 31, 2013.

[\(Council Communication No. 10-733\)](#)

- 34. [Amending](#) Chapter 26 of the Municipal Code to adopt the 2009 editions of the International Building Code; International Residential Code; International Existing Building Code; International Mechanical Code; International Fuel Gas Code; International Energy Conservation Code and Uniform Plumbing Code – as amended by changing Section 26-328 and 26-329 to address concerns raised by local homebuilders.

(A) [Amendment](#) to the Schedule of Fees.

[\(Council Communication No. 10-715\)](#)

- 35. Number not used.

***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 36 THRU 39)

36. On conveyance of portion of vacated alley, east of 2401 SE 6th Street to Southside Assembly Church of Des Moines, Iowa, Inc. for incorporation into existing property, \$25.

(Council Communication No. 10-720)

37. On conveyance of property in the 1900 block of Scott Avenue to Kemin Holdings, LC for expansion and incorporation into existing site, \$17,085.

(Council Communication No. 10-724)

38. Items regarding proposed Southside Economic Development District Urban Renewal Area:

(Council Communication No. 10-730)

- (A) Communication from the Plan and Zoning Commission.
- (B) Resolution of Necessity finding the Urban Renewal Area to be an economic development area appropriate for redevelopment for commercial use.
- (C) Hearing on the proposed Urban Renewal Plan and adopting the Plan.
- (D) First consideration of ordinance providing for the division of general property taxes levied and collected each year in the Urban Renewal Area to allow for the use of Tax Increment Financing (TIF).
39. Resolution to REJECT all bids and close the hearing on plans, specifications, form of contract and Engineer's estimate for City Hall Window Replacement. (One bid received, over estimate)

(Council Communication No. 10-719)

*** END HEARINGS AT _____ PM ***

CITY MANAGER RECOMMENDATIONS

40. [Regarding](#) Preliminary Terms of Agreement with Employers Mutual Casualty Company (EMC) regarding purchase of the Hub Tower and relocation of EMC National Life Company to Des Moines.

([Council Communication No. 10-728](#))

41. Recommendations from the City Manager regarding the Municipal Service Park:

([Council Communication No. 10-737](#))

- (A) [Authorization](#) to proceed with acquisition of real property at 903 SE 22nd Street from OMG Midwest Inc. d/b/a Des Moines Asphalt & Paving Co. for relocation of the Public Works supply yard.
- (B) [Authorization](#) to issue a Request for Proposal (RFP) for Consultant Services to develop a master plan and needs assessment for a consolidated Municipal Service Park (MSP) in the vicinity of SE 14th, Maury and Harriett Streets.

APPROVING

42. [Privately](#) funded issuance of Iowa Floating Rate Demand Commercial Development Refunding Revenue Bonds (East Grand Office Park Project) Series 2010, not to exceed \$6,000,000 (not a debt obligation of the City of Des Moines).

([Council Communication No. 10-734](#))

43. [Receipt](#) of report from the City Council Employee Evaluation Committee regarding the following:

- (A) City Attorney update.
- (B) Follow-up from 2010 Employee Reviews.

44. [Procurement](#) of Google Apps for Government software and services, for a period of 3 years, not to exceed \$342,000.

([Council Communication No. 10-727](#))

45. [Request](#) from Des Moines Public Art Foundation for a pilot project for placement of art on a traffic control box at the southeast corner of Polk Boulevard and University Avenue.

[\(Council Communication No. 10-738\)](#)

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. [Establishing](#) a temporary moratorium, expiring April 12, 2011, on development within the 2 Rivers District that does not conform with the planned zoning for the District.
SPONSOR: Council Member Meyer.

[\(Council Communication No. 10-739\)](#)

Motion to Adjourn.

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