

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

April 11, 2011

SPECIAL PRESENTATIONS – 4:00 PM

2011 AViD Author Series

PROCLAMATIONS – 4:00 PM

Champions for Children Week

INVOCATION: Council Member Hensley

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 37:

***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)	DAVIS CONCESSIONS	2601 HUBBELL AVE	B Beer
(B)	DAVIS CONCESSIONS	4980 E 46TH ST	B Beer
(C)	FAST MART	1621 UNIVERSITY	E Liquor
(D)	LA PIZZA HOUSE	1013 SE 14TH ST	C Liquor
(E)	SAIGON MARKET	2501 EUCLID AVE	C Beer
(F)	STAR GAS STATION	4028 E 14TH ST	E Liquor
(G)	VICTORY LANE	3801 EASTON BLVD	C Liquor

RENEWAL APPLICATIONS

(H)	ALPINE TAP ROOM	2720 INGERSOLL	C Liquor
(I)	BARATTAS RESTAURANT	2320 S UNION ST	C Liquor
(J)	CAFE BARATTA'S	600 E LOCUST ST	C Liquor
(K)	CAPITAL CITY MOOSE LODGE	2515 WEDGEWOOD	A Liquor

(L)	DES MOINES ART CENTER	4700 GRAND AVE	C Liquor
(M)	EAST 25TH STREET PUB	509 E 25TH ST	C Liquor
(N)	FAMOUS DAVES	4351 MERLE HAY RD	C Liquor
(O)	GERRIS	232 E 30TH ST	C Liquor
(P)	GIT N GO STORE #5	2700 INDIANOLA	C Beer
(Q)	GREENWOOD LOUNGE	3707 INGERSOLL	C Liquor
(R)	JETHROS	3100 FOREST AVE	C Liquor
(S)	KIRKWOOD LOUNGE	400 WALNUT ST	C Liquor
(T)	QUIK TRIP #559	4024 FLEUR DR	C Beer
(U)	RITUAL CAFE	1301 LOCUST ST	C Beer/Wine
(V)	SCORNOVACCAS RISTORANTE	1930 SE 14TH ST	C Beer/Wine
(W)	WEST END LOUNGE	2309 FOREST AVE	C Liquor

OUTDOOR SERVICE APPLICATIONS

- (X) PEGGYS INC 3020 FOREST AVE C Liquor
Temporary outdoor service area in conjunction with Drake Relays effective April 27 – May 1, 2011. Pending approval of Building Department.
- (Y) UNIVERSITY LIBRARY CAFE 3506 UNIVERSITY C Liquor
Temporary outdoor service area in conjunction with Drake Relays effective April 27 – May 1, 2011. Pending approval of Bulding and Fire Department.

SPECIAL EVENTS APPLICATIONS

- (Z) DRAKE UNIVERSITY 2505 CARPENTER Five (5) Day License
Special Class C Liquor License for grand opening event on April 15, 2011.
Pending approval of Fire Department.
- (AA) DRAKE UNIVERSITY 2505 CARPENTER Five (5) Day License
Special Class C Liquor License for an event on April 21, 2011. Pending approval
of Fire Department.
- (BB) LAO AMERICAN ASSOC OF IA 3000 E GRAND AVE Five (5) Day License
Class B Beer License with Class C Native Wine for Potluck event on April 16,
2011.

5. [City](#) Clerk to issue Cigarette Licenses.

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

PUBLIC IMPROVEMENTS

7. [Approving](#) Agreement for Cooperative Public Service with Polk County for the reconstruction of Beaver Avenue from Aurora Avenue to NW Lower Beaver Avenue.

[\(Council Communication No. 11-211\)](#)

8. [Approving](#) Professional Services Agreement with Terracon Consultants, Inc. for materials testing and special inspection services for the Fire Department Training and Logistics Facility, not to exceed \$55,000.

[\(Council Communication No. 11-210\)](#)

9. [Approving](#) Professional Services Agreement with Veenstra and Kimm, Inc., (H.R. Veenstra Jr., President) in conjunction with design and construction phase services for the SE 4th Street Storm Pump Station Project, not to exceed \$241,448.

[\(Council Communication No. 11-213\)](#)

10. [Approving](#) Supplemental Agreement No. 1 to the Professional Services Agreement with Savage-Verploeg & Associates, Inc. d/b/a SVPA Architects, Inc. for additional design and construction phase services for the Fire Station No. 1 Replacement, not to exceed \$18,810.

[\(Council Communication No. 11-212\)](#)

11. [Approving](#) Change Order No. 1 with McAninch Corporation for additional work on the Mulberry Street Paving – 13th Street to 15th Street, not to exceed \$70,599.60.

[\(Council Communication No. 11-208\)](#)

12. [Approving](#) Private Construction Contract between Kline Electric, Inc. and Des Moines Art Center for sculpture lighting system improvements in the John and Mary Pappajohn Sculpture Park, 15th Street & Grand Avenue, \$13,906.80.

13. [Communication](#) from T & A Turf and Irrigation LLC requesting permission to sublet certain items on the 2011 Golf Course Repairs.

14. [Accepting](#) completed construction and approving final payment for 2009 Sewer Repair Contract 1, Van Hauen & Associates, Inc.

SPECIAL ASSESSMENTS

15. Approving deletion of NAC – Emergency Assessments at the following:
 - (A) [3711](#) Ingersoll Avenue.
 - (B) [3120](#) Cottage Grove Avenue.

16. [Approving](#) waiver of \$15,777.35 demolition assessment at 2910 1st Street for Greater Des Moines Habitat for Humanity to develop a single-family home.

[\(Council Communication No. 11-218\)](#)

17. Approving Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility for March 2011:
 - (A) [Credits](#).
 - (B) [Fees](#).

COMMUNICATIONS FROM PLANNING AND ZONING

18. [Regarding](#) request from Friends of the Des Moines Botanical Center for closure of the park road known as Robert D. Ray Drive from a point north of Interstate 235 to E. 6th Street.

SETTING DATE OF HEARINGS

19. [On](#) conveyance of excess City-owned property located on north side of Pleasant Drive, west of 56th Street to R.M. Madden Construction, Inc. for residential development, \$28,633, (4-25-11).

20. [On](#) approval of agreement with Greater Des Moines Habitat for Humanity for conveyance of tax sale deed property at 1144 17th Street and 3017 Mahaska Avenue to develop housing, (4-25-11).

[\(Council Communication No. 11-217\)](#)

21. On items regarding issuance of General Obligation Bonds, (4-25-11):

[\(Council Communication No. 11-225\)](#)

- (A) [Resolution](#) electing classifications and procedures for proposed bond projects.
- (B) [\\$21,180,000](#) (Essential Corporate Purposes - Miscellaneous).
- (C) [\\$12,490,000](#) (Essential Corporate Purposes – Urban Renewal).
- (D) [\\$930,000](#) (General Corporate Purposes – Library).
- (E) [\\$965,000](#) (General Corporate Purposes – Municipal Buildings).
- (F) [\\$735,000](#) (General Corporate Purposes – Fire, Library, Municipal Buildings).
- (G) [\\$865,000](#) (General Corporate Purposes – Miscellaneous Improvements).
- (H) [\\$330,000](#) (General Corporate Purposes – Parks).
- (I) [\\$325,000](#) (General Corporate Purposes - Parks).
- (J) [\\$10,000,000](#) (General Corporate Purposes – Refunding Series 2005A).

22. On items regarding the Blank Park Zoo, (4-25-11):

[\(Council Communication No. 11-219\)](#)

- (A) [On](#) long-term lease agreement between the City and A.H. Blank Park Zoo Foundation, Inc. for operations, management and maintenance of the A.H. Blank Park Zoo.
- (B) [On](#) vacation of A.H. Blank Park and A.H. Blank Park Zoo as parkland.
- (C) [On](#) reallocation of certain unspent proceeds of the General Obligation Bonds-Taxable Series 2009G, General Obligation Bonds-Series 2010D, and General Obligation Bonds-Taxable Series, 2010E.

[\(Council Communication No. 11-223\)](#)

CITY MANAGER COMMUNICATIONS

23. [Submitting](#) travel and training requests for T. M. Franklin Cownie, Patty Jennings and Sarah Lynch.

[\(Council Communication No. 11-226\)](#)

APPROVING

24. [Submission](#) of an application to Iowa Department of Economic Development for Neighborhood Stabilization Program 3 Funds to provide assistance redeveloping abandoned and foreclosed homes.

[\(Council Communication No. 11-216\)](#)

25. [Documents](#) related to Neighborhood Commercial Revitalization Program Façade Grant for renovation to 1501 Grand Avenue, \$15,000.

[\(Council Communication No. 11-209\)](#)

26. [Communication](#) from City's Office of Economic Development regarding preliminary terms of agreement with Alliance Technologies, LLC to locate at 420 Watson Powell.

[\(Council Communication No. 11-207\)](#)

27. [Certificate](#) of Completion to R.E. Properties, LLC for renovation of 506-524 E. Grand Avenue to be applied retroactively to January 1, 2010.

[\(Council Communication No. 11-214\)](#)

28. [Submitting](#) a proposal to Iowa Office of Energy Independence (OEI) under the American Reinvestment and Recovery Act State Energy Program (ARRASEP) on behalf of Metropolitan Coalition to deliver education and outreach programs focused on energy efficiency, \$150,000.

[\(Council Communication No. 11-202\)](#)

29. [Proposal](#) from Tom Rosburg, PhD for professional consulting services to conduct a natural resource inventory of the City's park and open space land, \$52,525.

[\(Council Communication No. 11-224\)](#)

30. [First](#) Amendment to contract for Police Department database creation with Carl Nestingen Inc. for an additional cost of \$4,000 and authorizing City Manager to approve any additional amendments that do not exceed ten percent or \$15,000.

[\(Council Communication No. 11-204\)](#)

31. Banner design submitted by Downtown Community Alliance on behalf of the following:
- (A) [Main](#) Street Iowa to be displayed in downtown Des Moines on E. Locust Street and Locust Street in May.
 - (B) [Orchard](#) Place to be displayed in downtown Des Moines in Western Gateway.
 - (C) [Rotary](#) Club in downtown Des Moines on Locust Street and Grand Avenue.
32. [Communication](#) from Greg Edwards, President and CEO of the Greater Des Moines Convention & Visitors Bureau requesting permission to place a temporary banner on the north side of Veterans Memorial Auditorium from April 15 – May 15, 2011 in recognition of the Rotary Club of Des Moines’ Centennial Week of May 1-7, 2011.
33. [Bid](#) from Wright Outdoor Solutions (Byron McGuinness, President) to purchase from the Public Works Department 20,000 cubic yards of wood chips collected at the City’s wood dump, estimated revenue \$35,000. (Four bids mailed, one received).

[\(Council Communication No. 11-221\)](#)

34. Bids from the following:
- (A) [Iowa](#) Prison Industries (Al Reiter, Plant Manager) for an annual contract with up to two (2) additional twelve (12) month renewal options to furnish sign making services for use by the Engineering Department, estimated annual cost \$50,000. (Seven bids mailed, three received).
 - (B) [Proctor](#) Mechanical Corporation (Raymond J. Conway, Vice President) and Air-Con Mechanical Corporation (James Shaffer, President) for annual contract with two (2) additional one-year renewal options to furnish plumbing services to the construction and/or maintenance of City-owned sanitary sewer mains for use by the Public Works Department, additional expenditure \$40,000. (Eight bids mailed, two received).

[\(Council Communication No. 11-222\)](#)

- (C) [TESSCO](#) Inc. (Robert Barnhill Jr., President) for two (2) portable service monitors to test and calibrate existing two-way voice and data radio systems for use by the Police Department, \$37,383.84. (Five bids mailed, four received).

- 35. [Civil](#) Service Promotional Lists for Fire Medic and Senior Customer Service Representative.
- 36. [Authorizing](#) Finance Director to draw checks on registers for weeks of April 11 and April 18, 2011; to draw checks for bills of the Des Moines Municipal Housing Agency for weeks of April 11 and April 18, 2011; and to draw checks for biweekly payroll due April 22, 2011.

ORDINANCES - SECOND CONSIDERATION

- 37. [Amending](#) Chapter 118 of the Municipal Code regarding extending completion and submittal dates of qualifying improvements for the Private Property Protection Program.
 - (A) Final consideration of ordinance above, requires six votes.

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

ORDINANCES - FIRST CONSIDERATION

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

[\(Council Communication No. 11-206\)](#)

- (A) Removal of former Central Library Parking Lot from the Municipal Code.
- (B) Additional Handicapped Parking Spaces on High Street between 10th and 11th.
- (C) Final consideration of ordinance above, requires six votes.

COUNCIL REQUESTS

- 39. [From](#) Council Members Mahaffey and Moore, to discuss Taxpayer Quality Assurance.

COMMUNICATIONS/REPORTS

- 40. [From](#) ~~Bob Wessel, 212 University Avenue #15, to speak regarding financial matters.~~
- 41. [From](#) Zachary Mannheimer, 647 36th Street, to speak regarding reimbursement of Sidewalk Lease at 1408 Locust Street.
- 42. [From](#) Angela Winders, 2131 Lay Street, to speak regarding the vicious dog ordinance.

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 43 THRU 48)

43. On Application from City Cab LLC, for Certificate of Public Convenience and Necessity to operate a Taxicab Service.
- (A) First consideration of ordinance amending Chapter 126 of the Municipal Code to allow an additional fee of \$2 per trip where a taxicab steward is utilized.
 - (B) Final consideration of ordinance above (waiver requested by the cab companies), requires six votes.
 - (C) Communication from Sam Kreamer, attorney for City Cab.
44. On Zoning Text Amendments to Chapter 134-982 “C3-A” (Central Business Support Commercial) and Chapter 134-1017 “C-3” (Central Business) regulations to prohibit gas stations and fuel retail sales businesses **and to continue hearing and extend the moratorium until July 11, 2011 at 5:00 PM.**

(Council Communication No. 11-203)

45. Items regarding proposed 10th Amendment to the Metro Center Urban Renewal Plan:

(Council Communication No. 11-205)

- (A) Recommendation from Plan and Zoning Commission.
 - (B) Resolution of Necessity.
 - (C) Hearing on 10th Amendment.
 - (D) First consideration of TIF ordinance to expand the Urban Renewal District.
46. On conveyance of underground electrical line easement at SE 9th Street and Jackson Avenue to MidAmerican Energy Company for the Jackson Avenue Detention Basin Pump Station, \$1.

47. On items regarding Baker Creek PUD Conceptual Plan (vicinity of 4500 Hubbell):

- (A) [Amend](#) the Des Moines 2020 Community Character Land Use Plan future land use designation from General Industrial to Medium Density Residential.
- (B) [On](#) request from Baker Real Estate, LP to amend the PUD to identify the easternmost 23 acres for development of 180 multi-family and 30 single-family semi-detached residential units.
- (C) [First](#) consideration of ordinance above.
- (D) [Final](#) consideration of ordinance above (waiver requested by applicant), requires six votes.

48. [On](#) Riverwalk-North of E. Grand Avenue: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Jasper Construction Services, Inc., (Steven J. Rhoads, President), \$639,470.65.

[\(Council Communication No. 11-215\)](#)

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

*** END HEARINGS AT _____ P.M. ***

APPROVING

49. [Development](#) of a Dog Park at Ewing Park.

[\(Council Communication No. 11-220\)](#)

50. [Naming](#) of Court Avenue Plaza portion of the Principal Riverwalk as "The Hub Spot" and dedication of parkland.

EXTRA ITEMS

1. [Request](#) from Council Member Moore to speak regarding sidewalks on E. Sheridan Avenue, E. 27th Street, and Boyd Street.

BOARD OF HEALTH

MOTION TO CONVENE.

1. Approving the Legal Department to proceed with court action seeking authority to abate the public nuisance at the following locations:
 - (A) [1697](#) McKinley Avenue, main structure and accessory structures, Titleholders: Estate of Kenneth Snook and Doris J. Snook and all known and unknown Heirs; Mortgage Holder: Wells Fargo Bank, NA.
 - (B) [1255](#) 10th Street, main structure, Titleholder: Steve A. Sorensen, Sr.; Mortgage Holder: Liberty Bank.
 - (C) [1600](#) 21st Street, main structure, Titleholder: Eppard Investment, Inc.; Mortgage Holder: West Bank.

MOTION TO ADJOURN.

View City Council agendas online at www.dmgov.org



All-America City
1949 1976 1981 2003 2010