

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

March 10, 2014 4:30 PM

3:00 - 3:30PM Reception in Great Hall

**3:30 PM Swearing in Ceremony for Joe Gatto
and Appreciation of Council Member Carl Voss**

3:45 PM Closed Session

4:00 PM Municipal Housing Governing Board Meeting

I. CLOSED SESSION- 3:45 PM

- (A) Roll Call.
- (B) Recess, and reconvene in closed session pursuant to Section 21.5(c) of the Code of Iowa to discuss pending litigation.
- (C) Closed Session.
- (D) Terminate closed session and reconvene in open session.
- (E) Motion to adjourn.

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INVOCATION: Council Member Hensley

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 27:

***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)	CHUCKS	3608 6TH AVE	C Liquor
(B)	DOWNTOWN PANTRY	218 6TH AVENUE	E Liquor
(C)	HOPSCOTCH	901 CHERRY ST	C Liquor
(D)	IOWA CUB CLUB	1 LINE DR	C Liquor
(E)	MALO RESTAURANT	900 MULBERRY ST	C Liquor

RENEWAL APPLICATIONS

(F)	BUZZARD BILLYS	615 3RD ST	C Liquor
(G)	FAT TUESDAY	6112 SW 9TH ST	C Liquor
(H)	FRANCIES	2100 WAKONDA VIEW	C Liquor
(I)	GRANDVIEW GOLF COURSE	2401 E 29TH ST	C Liquor
(J)	HY VEE WINE & SPIRITS	2310 HUBBELL AVE	E Liquor
(K)	IOWA BEEF STEAK HOUSE	1201 E EUCLID AVE	C Liquor
(L)	JOHNNYS BLANK PARK ZOO	7401 SW 9TH ST	C Liquor
(M)	MCCUENS PUB	2565 WEDGEWOOD	C Liquor
(N)	PAESANOS PIZZERIA	2804 SW 9TH ST	C Beer/Wine
(O)	RICCELLIS SUPPER CLUB	3803 INDIANOLA	C Liquor
(P)	TOBACCO OUTLET PLUS #521	3301 E EUCLID AVE	C Beer
(Q)	VOM FASS	833 42ND ST	E Liquor

OUTDOOR SERVICE APPLICATIONS

(R)	MICKEYS IRISH PUB	204 3RD ST	C Liquor
	Temporary for St. Paddy's Day Tent Party on March 15 – 17, 2014. Pending approval of Building Department.		

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

PUBLIC IMPROVEMENTS

7. Ordering construction of the following:

- (A) [Beaver](#) Avenue Streetscape – Beaver Crest Drive to Fagen Drive: Receiving of bids, (3-18-14), Setting date of hearing, (4-7-14). Construction estimate, \$1,563,732.

[\(Council Communication No. 14-095\)](#)

- (B) [2014](#) Brick Street Repair Program: Receiving of bids, (3-25-14), Setting date of hearing, (4-7-14). Construction estimate, \$112,000.

[\(Council Communication No. 14-096\)](#)

8. [Approving](#) Agreements with MidAmerican Energy Company to replace the wood distribution poles with fiberglass poles, install new LED street lights, and to reduce the amount of overhead wiring for the Beaver Avenue Streetscape, not to exceed \$204,898.56.

[\(Council Communication No. 14-094\)](#)

9. [Approving](#) Iowa Department of Transportation (IDOT) Agreement for Traffic Observation Camera and Downtown CMS Upgrades.

[\(Council Communication No. 14-093\)](#)

LAND/PROPERTY TRANSACTIONS

10. [Approving](#) 13 Tax Abatement applications for the additional value added by improvements completed during 2013.

[\(Council Communication No. 14-102\)](#)

BOARDS/COMMISSIONS/NEIGHBORHOODS

11. [Communication](#) from Michael Bowser, Chair of the Human Rights Commission, advising of the resignation of Nancy Trotter from the Human Rights Commission, Seat 2, effective immediately.
 - (A) [Recommendation](#) from Council Member Skip Moore to appoint Kathy Collins Reilly to the Human Rights Commission, Seat 2, for a three-year term commencing April 1, 2012 to expire April 1, 2015.
12. [Approving](#) recommendation of Council Member Chris Coleman to reappoint Christine Manbeck to the Human Rights Commission, Seat 3, for a three-year term commencing April 1, 2014 to expire April 1, 2017.
- 12-I [Approving](#) recommendation of Council Member Chris Coleman to appoint Dave Gaer to the Zoning Board of Adjustment, Seat 3, for a five-year term commencing April 2, 2010 to expire April 2, 2015.
13. [Approving](#) recommendation from Council Member Bill Gray to appoint Kevin Geiken to the Sister Cities Commission, Seat 8, for a five-year term commencing April 28, 2013 to expire April 28, 2018.

SETTING DATE OF HEARINGS

14. [On](#) conveyance of a portion of the vacated east/west alley right-of-way adjoining 1709 Francis Avenue to Olga Marina Ayala, \$25, (3-24-14).
15. [On](#) the proposed Fourth Amendment to the Urban Renewal Plan for the Guthrie Avenue Business Park Urban Renewal Area, (4-7-14).

[\(Council Communication No. 14-087\)](#)

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

16. Approving payment of billing from Steven Lussier, PLC for the following:
 - (A) [\\$8,750](#).
 - (B) [\\$2,992](#).

CITY MANAGER COMMUNICATIONS

17. [Submitting](#) travel and training requests for Heather Brady, T. M. Franklin Cownie (2) and Debra Hobbs.

[\(Council Communication No. 14-104\)](#)

APPROVING

18. [Changes](#) to Conceptual Development Plan for East Village Growth Partners, LLC development of disposition parcel No. 02-1A (350 E. Locust Street) in the Metro Center Urban Renewal Area.

[\(Council Communication No. 14-103\)](#)

19. [Proposed](#) Preliminary District Plan for the Iowa Convention and Entertainment Reinvestment District and the submission of a pre-application to the Iowa Economic Development Authority (IEDA).

[\(Council Communication No. 14-109\)](#)

20. [Paramedic](#) Training Agreement between the Des Moines Fire Department and Des Moines Area Community College, \$57,960.

[\(Council Communication No. 14-105\)](#)

21. [Application](#) for the United States Department of Homeland Security Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant and authorizing the Fire Chief to execute the grant award agreement.

[\(Council Communication No. 14-106\)](#)

22. [Additional](#) expenditure with Central Iowa Mechanical (Larry Goode, Jr., President) to furnish plumbing services related to the construction and/or maintenance of City-owned sanitary sewer mains, \$48,000.

[\(Council Communication No. 14-091\)](#)

23. [Communication](#) from Downtown Community Alliance on behalf of the Downtown Farmer's Market requesting approval of banner design for banners to be displayed in downtown Des Moines on Court Avenue from April to October 2014.

- 24. [Communication](#) from Downtown Community Alliance on behalf of the Principal Charity Classic requesting approval of banner design for banners to be displayed in downtown Des Moines on Locust Street from April to May 2014.
- 25. [Civil](#) Service Promotional List for Electrical Inspector.
- 26. [Authorizing](#) Finance Director to draw checks on registers for the weeks of March 10 and March 17, 2014, and to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of March 10 and March 17, 2014 and to draw checks for biweekly payroll due on March 21, 2014.

ORDINANCES - SECOND CONSIDERATION

- 27. [Amending](#) Chapter 114 of the Municipal Code for removal of P.M. peak hour restrictions – east side of 9th Street from Crocker to Indiana.

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

ORDINANCES - FIRST CONSIDERATION

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

(Council Communication No. 14-092)

- (A) Loading zone – south side of Des Moines Street, east of E. 6th Street.
- (B) Parking restrictions in the vicinity of the 801 Grand Building.
- (C) Installation of parking meters on the west side of 17th Street between Grand and Ingersoll Avenue.
- (D) Making E. Walnut Street in the Capital Campus a part of the Central Business District instead of a snow route.
- (E) Odd/Even side snow parking zone – amended for clarification.

***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 29 THRU 44)

29. [On](#) recommended Capital Improvement Program (CIP) for fiscal years 2014-2015 through 2019-2020.

[\(Council Communication No. 14-108\)](#)

30. On items regarding General Obligation Bond Proposals:

[\(Council Communication No. 14-107\)](#)

- (A) [On](#) issuance of not to exceed \$19,655,000 General Obligation Bonds for Essential Corporate Purposes.
(1) [Authorization](#) for additional action.
- (B) [On](#) issuance of not to exceed \$720,000 General Obligation Bonds for General Corporate Purposes.
(1) [Authorization](#) for additional action.
- (C) [On](#) issuance of not to exceed \$950,000 General Obligation Bonds for General Corporate Purposes.
(1) [Authorization](#) for additional action.
- (D) [On](#) issuance of not to exceed \$985,000 General Obligation Bonds for General Corporate Purposes.
(1) [Authorization](#) for additional action.
- (E) [On](#) issuance of not to exceed \$1,000,000 General Obligation Bonds for General Corporate Purposes.
(1) [Authorization](#) for additional action.
- (F) [On](#) issuance of not to exceed \$830,000 General Obligation Bonds for General Corporate Purposes.
(1) [Authorization](#) for additional action.
- (G) [On](#) issuance of not to exceed \$995,000 General Obligation Bonds for General Corporate Purposes.
(1) [Authorization](#) for additional action.
- (H) [On](#) issuance of not to exceed \$1,000,000 General Obligation Bonds for General Corporate Purposes.
(1) [Authorization](#) for additional action.
- (I) [On](#) issuance of not to exceed \$870,000 General Obligation Bonds for General Corporate Purposes.

- (1) [Authorization](#) for additional action.
 - (J) [Authorizing](#) issuance of not to exceed \$27,000,000 General Obligation Bonds and levying a tax for the payment.
31. [On](#) amendment to the annual budget for the current fiscal year ending June 30, 2014.
- [\(Council Communication No. 14-108\)](#)
32. [On](#) proposed annual budget for the fiscal year ending June 30, 2015.
- [\(Council Communication No. 14-108\)](#)
33. Items regarding property at 403 8th Street, Raccoon Street Warehouse, Kurt Pagliai (officer):
- (A) [Amendment](#) to the Des Moines 2020 Community Character Land Use Plan to amend the future land use designation from General Industrial to Downtown Support Commercial.
 - (B) [Hearing](#) on rezoning the property from “R-2A” (General Residential) to Ltd. “C-3B” (Central Business Mixed Use) to allow development of accessory off-street parking.
 - (C) [First](#) consideration of ordinance above.
 - (D) [Final](#) consideration of ordinance above (waiver requested by the applicant), requires six votes.
34. Items regarding property at 1159 24th Street, Tim Thelen (owner), to allow use of the premises as a carpenter shop for guitar making:
- (A) [Amendment](#) to the Des Moines 2020 Community Character Land Use Plan to change from Low/Medium Density Residential to Commercial: Pedestrian-Oriented, Commercial Corridor.
 - (B) [Hearing](#) on rezoning the property from “C-1” (Neighborhood Retail Commercial) 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.
35. Items regarding property at 320 Creighton Avenue Catholic Health Initiative – Iowa Corporation:
- (A) [Amendment](#) to the Des Moines 2020 Community Character Land Use Plan, from Low-Density Residential and Commercial: Pedestrian-Oriented, Commercial Corridor to Public/Semi-Public.
 - (B) [Hearing](#) on rezoning the property from “R1-60” (One-Family Low-Density Residential) to “C-0” (Commercial Residential) to allow construction of a maintenance building in support of the Mercy Hospital Complex and surrounding related properties.
 - (C) [First](#) consideration or ordinance above.
 - (D) [Final](#) consideration of ordinance above (waiver requested by the applicant), requires six votes.
36. Items regarding property at 2125 High Street, Freedom Financial Bank:
- (A) [Amendment](#) to the Des Moines 2020 Community Character Land Use Plan future land use designation from Low-Density Residential and Park/Open Space to Commercial: Pedestrian-Oriented, Commercial Corridor.
 - (B) [Hearing](#) on rezoning the property from “R-2A” (General Residential) to Ltd. “C-1” (Neighborhood Retail Commercial) to allow expansion of the existing, adjoining financial institution site by modifying the drive-up service area exit driveway on the property and alleyway requested for vacation.
 - (C) [First](#) consideration of ordinance above.
 - (D) [Final](#) consideration of ordinance above (waiver requested by the applicant), requires six votes.
37. [On](#) proposed renaming of a segment of the Southwest Connector, west of Iowa Highway 28 to Veterans Parkway.
- (A) [First](#) consideration of ordinance above.

- (B) [Final](#) consideration of ordinance above (waiver requested by the City Traffic Engineer), requires six votes.
38. [On](#) the proposed Third Amendment to the Urban Renewal Plan for the Southside Economic Development District Urban Renewal Area.
- [\(Council Communication No. 14-088\)](#)
39. [On](#) the proposed Sixth Amendment to the SE Agribusiness Urban Renewal Plan.
- [\(Council Communication No. 14-100\)](#)
40. [On](#) 14th Amendment to the Metro Center Urban Renewal Plan.
- [\(Council Communication No. 14-101\)](#)
41. [On](#) assessment of \$500 penalties for sale to minor to the following liquor license holders:
- (A) Casey's #2322, 4331 Park Avenue.
 - (B) Git-N-Go Store #7, 3000 Merle Hay Road.
 - (C) Super Stop, 727 SE 14th Street.
42. [On](#) SW 9th Street Widening – Titus Avenue to Kenyon Avenue: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designation of lowest responsible bidder as Concrete Technologies, Inc. (Brad Baumler, President), \$2,169,385.85.
- [\(Council Communication No. 14-097\)](#)
- (A) [Approving](#) contract and bond, and permission to sublet.
43. [On](#) Fire Station Number 10 Reroofing: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate.
- [\(Council Communication No. 14-098\)](#)
- (A) [Approval](#) of contract and bond.
44. [On](#) McHenry Park Storm Sewer: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designation of lowest responsible bidder as The Underground Company, Ltd. (Duane Burkhardt, President), \$122,260.
- [\(Council Communication No. 14-099\)](#)
- (A) [Approving](#) contract and bond, and permission to sublet.

*** END OF HEARINGS AT _____ PM ***

BOARD OF HEALTH

MOTION TO CONVENE. [MEMO](#)

1. [Approving](#) the Legal Department to proceed with court action seeking authority to abate the public nuisance at 603 SW 61st Street, main structure and garage structure, Titleholder: Robert D. Olson; Mortgage Holder: Lederman Bonding Company.
2. [Notification](#) from United Fire Group dated January 16, 2014 stating their insured, Charles Carnes, 910 31st Street, sustained a fire loss and they are holding a fire escrow/demolition reserve in the amount of \$10,000.
3. [Notification](#) from West Bend Insurance dated February 12, 2014 stating their insured, Select Holdings One LC, 1530 E. 16th Street, sustained a fire loss and they are holding a fire escrow/demolition reserve.

MOTION TO ADJOURN.

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