

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

August 25, 2014 4:30 PM

I. CLOSED SESSION – 3:30 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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SPECIAL PRESENTATION – 4:00 PM

Check presentation from Hy-Vee to the Parks Department

INVOCATION: Council Member Chris Coleman

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 33:

***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) OASIS	630 SW 9TH ST	E Liquor
(B) OPEN SESAME CAFE	313 E LOCUST ST	C Liquor

RENEWAL APPLICATIONS

(C) 5 DE MAYO MEXICAN	5118 SE 14TH ST	C Liquor
(D) BARCADIUUM	102 3RD ST	C Liquor
(E) CASEYS #2784	4151 MERLE HAY RD	C Beer
(F) CASEYS #2786	5150 E 14TH ST	C Beer
(G) CHEAP SEATS	2301 HUBBELL AVE	C Liquor
(H) CONFLUENCE BREWING	1235 THOMAS BECK	B Beer
(I) FRATERNALORDER	6567 BLOOMFIELD	A Liquor
(J) GRAND VIEW UNIVERSITY	1500 MORTON AVE	C Liquor
(K) JOKERS *(1)	216 COURT AVE	C Liquor
(L) KA LAS MEXICANAS	4121 SE 14TH ST	C Beer
(M) LA MIE BAKERY	841 42ND ST	C Beer/Wine
(N) LUCCA	420 E LOCUST ST	C Liquor
(O) OLD CHICAGO	3800 MERLE HAY RD	C Liquor
(P) PAL JOEYS	6224 GRAND AVE	C Liquor
(Q) PARADIES SHOPS	5800 FLEUR DR	B Native Wine
(R) PINTS PUB N PATIO	319 COURT AVE	C Liquor
(S) SAAM AI NONG BAR	1517 2ND AVE	C Liquor
(T) TOBACCO OUTLET PLUS #510	3409 SW 9TH ST	C Beer
(U) UP/DOWN	500 E LOCUST ST	C Liquor
(V) VICKIE'S	2801 2ND AVE	C Liquor
(W) WESLEYLIFE	3520 GRAND AVE	C Beer/Wine

OUTDOOR SERVICE APPLICATIONS

(X) JESSES EMBERS	3301 INGERSOLL	C Liquor
Temporary for celebration on September 7, 2014. Pending approval of Fire and Zoning Departments.		

SPECIAL EVENTS APPLICATIONS

(Y) BUZZARD BILLYS	615 3RD ST	Five (5) Day License
Class C Liquor License for an Eagles Pre-party on September 9, 2014. Pending approval of Zoning Department.		
(Z) GREAT CATERERS	520 ROBERT D RAY	Five (5) Day License
Class C Liquor License for Xclusive on September 6, 2014. Pending approval of Zoning Department.		

8. [Approving](#) Change Order No. 2 with Lindner Painting, Inc. for additional work on the 9th & Locust Parking Garage Repairs, not to exceed \$89,048.32.

[\(Council Communication No. 14-418\)](#)

9. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects.

SPECIAL ASSESSMENTS

10. [Levying](#) assessment for cost of nuisance abatement – NAC Emergency Orders (Community Development) Schedule No. 2014-07.

BOARDS/COMMISSIONS/NEIGHBORHOODS

11. [Approving](#) recommendation from Council Member Christine Hensley to appoint Catherine Dietz-Kilen to Seat 10 on the Urban Design Review Board for a 3-year term commencing on June 30, 2014 and expiring on June 30, 2017.
12. [Communications](#) regarding resignation of Don Chesnut, Seat 15, and Tracy Levine, Seat 18, from the Greater Des Moines Sister Cities Commission.

COMMUNICATIONS FROM PLANNING AND ZONING

13. [Regarding](#) request from Landmark Development Services, Inc. for review and approval of a Preliminary Subdivision Plat “Skyline Plat 1” located in the 3400 block of West McKinley Avenue to allow division into five lots for single-family development, subject to conditions.

SETTING DATE OF HEARINGS

14. [On](#) vacation and conveyance of a portion of 24th Street, 24th Drive and Washington Street right-of-way and the conveyance of a portion of vacated 24th Place adjacent to 1620 24th Street to Erich Riesenber, \$1,200, (9-8-14).
15. [On](#) vacation and conveyance of a segment of E. Granger Avenue extending from SE 15th Street to SE 15th Court and for the conveyance of a portion of the vacated north/south alley right-of-way extending south from E. Granger Avenue between SE 15th Street and SE 15th Court to Randy Weigel, \$3,630, (9-8-14).

16. [On](#) vacation and conveyance of the west six feet of SE 15th Street, east of and adjoining 1440 Maury Street, to Raymond Quijano, \$2,330, (9-8-14).
17. [On](#) request from Ronnie and Nancy Eivins to rezone 126 E. 28th Court from “M-1” (Light Industrial) to “R1-60” (One-Family Low-Density Residential) to allow the existing single-family dwelling to be a permitted use, (9-8-14).
18. [On](#) request from 3 Stooges, LLC to rezone 3703, 3719 and 3727 SE 14th Street from “R1-60” (One-Family Low-Density Residential) to Ltd. “C-2” (General Retail and Highway-Oriented Commercial) to allow redevelopment into a retail/office commercial center and restaurant, (9-8-14).

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

19. Approving workers’ compensation claims for the following:
 - (A) [Ralph](#) Smith.
 - (B) [Dennis](#) Degner.
 - (C) [Mike](#) Poland.

CITY MANAGER COMMUNICATIONS

20. [Submitting](#) travel and training requests for Terry Bennigsdorf, T.M. Franklin Cownie, Laura Graham and Patrick Phelan.

[\(Council Communication No. 14-425\)](#)

21. [Regarding](#) City financial assistance for the Entrepreneurial Center Des Moines.

[\(Council Communication No. 14-412\)](#)

APPROVING

22. [Community](#) Services Block Grant Community Action Plan and application for the 2015 CSBG Program Year.

[\(Council Communication No. 14-427\)](#)

23. [2014](#) Emergency Solutions Grant (ESG) Funding.

[\(Council Communication No. 14-406\)](#)

24. [Amending](#) lease guidelines for telecommunication towers and equipment located on City-owned property.

[\(Council Communication No. 14-422\)](#)

25. [Modified](#) design for repair of Meredith Multi-use Recreational Trail-Southwest 5th (Jackson) Street Bridge and authorizing City Manager to negotiate and execute any necessary Engineering Design Funding Agreement.

[\(Council Communication No. 14-411\)](#)

26. [Facility](#) Use Agreement for Gray's Lake Park and Meredith, Kruidenier and Southwest Connector Trails for 2014 Hy-Vee Triathlon.

27. [Proposal](#) of Public Safety Solutions, Inc. to provide consulting services for review of Fire Station placement and authorizing City Manager to negotiate and execute contract.

[\(Council Communication No. 14-415\)](#)

28. [2014](#) Edward Byrne Memorial Justice Assistance Grant Award for various law enforcement purposes, \$167,323.

[\(Council Communication No. 14-404\)](#)

29. [Addendum](#) to Banking and Custodial Services Agreement with Bankers Trust Company to extend the agreement for a three-year option term.

[\(Council Communication No. 14-424\)](#)

30. [Bid](#) specifications from the Police Department and permission to solicit bids for an agreement to furnish impounded vehicle towing and storage service for the entire City for an initial term of thirty-six months with two one-year renewal options, estimated annual cost \$50,000.

[\(Council Communication No. 14-417\)](#)

31. Bids from the following:

- (A) [Central](#) Iowa Mechanical (Larry Goode, President) for rooftop HVAC replacement services at the Ruan Building Skywalk Bridge 5E-6E for use by the Engineering Department, \$44,930. (Ten bids mailed, three received).
- (B) [Grainger](#) Industrial Supply for blanket purchase orders for miscellaneous industrial supplies and equipment to be purchased during fiscal year 2015 per State of Iowa Contract to be used by the Public Works Department, estimated annual cost \$42,000.

[\(Council Communication No. 14-405\)](#)

- (C) [Management](#) Communication Services (Gene Beckman, President) for Riverbed AppInternals System to perform analysis of application performance per State of Iowa Department of Transportation Contract to be used by the Information Technology Department, \$43,112.30.

[\(Council Communication No. 14-414\)](#)

32. [Civil](#) Service Promotional List for Senior Police Officer.

33. [Authorizing](#) Finance Director to draw checks on registers for the weeks of August 25 and September 1, 2014 and to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of August 25 and September 1, 2014 and to draw checks for biweekly payroll due on September 5, 2014.

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

ORDINANCES - FIRST CONSIDERATION

34. [Amending](#) Chapter 102 of the Municipal Code regarding Right-of-Way Management Fees.

[\(Council Communication No. 14-423\)](#)

35. [Amending](#) Chapter 114 of the Municipal Code, submitting traffic regulation changes as follows:

[\(Council Communication No. 14-409\)](#)

- (A) Extension of School Bus Loading Zone - south side of Grand Avenue, west of 18th Street.
- (B) Relocation of Parking Meters and Loading Zone – west side of 6th Avenue, north of Walnut Street.

COMMUNICATIONS/REPORTS

36. [From](#) David Costello, 1105 Orchard Lane, to speak regarding the homeless evictions.

***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 43)

- 37. [On](#) conveyance of permanent easements to the Des Moines Metropolitan Wastewater Reclamation Authority and Des Moines Water Works for the WRA New Main Outfall, Phase 17, Segments 5 and 6 Project.
- 38. [On](#) conveyance of permanent easement to the Des Moines Metropolitan Wastewater Reclamation Authority for the WRA New Main Outfall, Phase 17, Segments 3 and 4 Project.
- 39. [On](#) Second Amendment of the Second Restated City-Wide Urban Revitalization Plan to amend the Commercial Construction and Sustainability Design Standards.

[\(Council Communication No. 14-428\)](#)

40. [On](#) proposed Fifteenth Amendment to the Metro Center Urban Renewal Plan.

[\(Council Communication No. 14-407\)](#)

41. On 1422 Scott Avenue Demolition: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designation of lowest responsible bidder as J. Pettiecord Inc. (Jeff L. Pettiecord, President), \$279,500.

(Council Communication No. 14-419)

42. On 2014 Park Playground Improvements: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designation of lowest responsible bidder as Hansen Company, Inc. (Craig Faber, President), \$343,628.61.

(Council Communication No. 14-420)

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

43. On Grandview Park Water Playground: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designation of lowest responsible bidder as Lansink Construction, Inc. (Correy Lansink, President), \$318,567.

(Council Communication No. 14-408)

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

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

APPROVING

44. Naming of the Municipal Services Center as the Richard A. Clark Municipal Services Center.
45. Submittal of two applications for multi-family housing projects to the Iowa Economic Development Authority (IEDA) for Community Development Block Grant-Disaster Recovery (CDBG-DR) Round VI Funding.

(Council Communication No. 14-426)

- (A) Authorizing City Manager to negotiate a development agreement with Christ the King Housing Services for the development of 26 units of senior housing at 5602 SW 9th Street. Sponsor: Council Member Coleman.

46. [Memorandum](#) of Understanding with the Roosevelt Cultural District and Letter of Support for the implementation of the 42nd Street Streetscape Project.

[\(Council Communication No. 14-416\)](#)

BOARD OF HEALTH

MOTION TO CONVENE.

1. [Communication](#) from Integrity Insurance regarding escrow/demolition reserve being held for Commercial Bag and Supply Co., 1244 2nd Avenue for fire damage.

MOTION TO ADJOURN.

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