

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

**June 8, 2015 4:30 PM**

**I. CLOSED SESSION – 3:30 PM.**

- (A) Roll Call.
- (B) Recess, and reconvene in closed session pursuant to Section 21.5, subsection 1, paragraph C, of the Iowa Code to discuss necessary strategy with counsel in matters that are presently in litigation or where litigation is imminent, where its disclosure would be likely to prejudice or disadvantage the position of the City.
- (C) Closed Session.
- (D) Terminate closed session and reconvene in open session.
- (E) Motion to adjourn

\* \* \* \* \*

**INVOCATION:** Council Member Hensley

- 1. ROLL CALL:
- 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
- 3. APPROVING CONSENT AGENDA \* – items 3 through 55:

**\*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)	ABELARDOS MEXICAN FOOD	2510 INGERSOLL	C Liquor
<del>(B)</del>	<del>EXTRA INNINGS</del>	<del>1500 SE 1ST ST</del>	<del>C Liquor</del>
(C)	WALLACE CENTERS OF IOWA	756 16TH ST	B Beer

#### RENEWAL APPLICATIONS

(D)	AKEBONO RESTAURANT	215 10TH ST	C Liquor
(E)	BLANK PARK ZOO	7401 SW 9TH ST	C Liquor
(F)	CHOCOLATERIE STAM	2814 INGERSOLL	C Native Wine
(G)	CJS II	316 E 30TH ST	C Liquor
(H)	COURT AVENUE BREWING	309 COURT AVE	C Liquor
(I)	CREME CUPCAKE + DESSERT	543 28TH ST	C Liquor
(J)	DEN *(1)	4369 MERLE HAY RD	C Liquor
(K)	FORTE BANQUET	615 3RD ST	C Liquor
(L)	GIT N GO STORE #11	3940 E 29TH ST	C Beer
(M)	LA FAVORITA	1700 E GRAND AVE	C Beer
(N)	MOMS PLACE	910 HULL AVE	C Liquor
(O)	NEW CHINA BUFFET & GRILL	1201 E ARMY POST	B Beer
(P)	OKOBOJI GRILL	6050 SE 14TH ST	C Liquor
(Q)	OLD WEST MEXICAN	4138 FLEUR DR	C Liquor
(R)	QUIK TRIP #516	1000 E UNIVERSITY	C Beer
(S)	QUIK TRIP #535	1501 E GRAND AVE	C Beer
(T)	RIVER WALK HUB SPOT	215 WATER ST	C Liquor
(U)	TOBACCO OUTLET PLUS #519	3019 SE 14TH ST	C Beer
(V)	WHISKEY DIXX	215 4TH ST	C Liquor

#### OUTDOOR SERVICE APPLICATIONS

(W)	BUDDYS CORRAL	418 E 5TH ST	C Liquor	Temporary in conjunction with Capital City Pride on June 12 – 14, 2015.
(X)	DELLA VITI	425 E GRAND AVE	C Liquor	Temporary in conjunction with Capital City Pride on June 12 – 14, 2015. Pending approval of Building Department.
(Y)	LIME LOUNGE	435 E GRAND AVE	C Liquor	Temporary in conjunction with Capital City Pride on June 12 – 14, 2015.
(Z)	PLAYERS SPORTS BAR	1760 BEAVER AVE	C Liquor	Temporary for customer appreciation event on June 13, 2015.
(AA)	RIVER WALK HUB SPOT	215 WATER ST	C Liquor	Temporary for Iowa Craft Brew Festival on June 20, 2015. Pending approval of Fire and Zoning Departments.

### SPECIAL EVENTS APPLICATIONS

- (BB) BLAZING SADDLE                      420 E 5TH ST                      Five (5) Day License  
Class B Beer License for Capital City Pride on June 12 – 14, 2015.
  
- (CC) BUZZARD BILLYS                      615 3RD ST                      Five (5) Day License  
Class C Liquor License for Ed Sheeran Pre-party on June 9, 2015.
  
- (DD) CHRISTIANIS                      520 ROBERT D RAY DR                      Five (5) Day License  
Class C Liquor License for a business dinner on June 11, 2015.
  
- (EE) CHRISTIANIS                      520 ROBERT D RAY DR                      Five (5) Day License  
Class C Liquor License for a wedding on June 27, 2015.
  
- (FF) DM ARTS FESTIVAL                      1000 GRAND AVE                      Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for festival on June 26 – 28, 2015.
  
- (GG) DM ARTS FESTIVAL                      1000 GRAND AVE                      Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for festival on June 26 – 28, 2015.
  
- (HH) DM ARTS FESTIVAL                      1203 LOCUST ST                      Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for festival on June 26 – 28, 2015.
  
- (II) DM ARTS FESTIVAL                      1198 GRAND AVE                      Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for festival on June 26 – 28, 2015.
  
- (JJ) DM ARTS FESTIVAL                      1310 GRAND AVE                      Five (5) Day License  
Class C Liquor License for festival on June 26 – 28, 2015.
  
- (KK) DM ARTS FESTIVAL                      1418 LOCUST AVE                      Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for festival on June 26 – 28, 2015.
  
- (LL) DM ARTS FESTIVAL                      1443 GRAND AVE                      Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for festival on June 26 – 28, 2015.
  
- (MM) DM ARTS FESTIVAL                      1501 LOCUST AVE                      Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for festival on June 26 – 28, 2015.
  
- (NN) HY VEE                      4025 TONAWANDA DR                      Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for Shakespeare on the Lawn on June  
11 – 14, 2015. Pending approval of Building Department.
  
- (OO) HY VEE WFP                      100 LOCUST ST                      Five (5) Day License  
Class C Liquor License for a wedding reception on June 20, 2015.
  
- (PP) JETHROS                      1327 31ST ST                      Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for Wingding on June 20, 2015.

- (QQ) NICKS 1106 ARMY POST RD Five (5) Day License  
Class B Beer License for Classic Car Show on June 26, 2015.
- (RR) NICKS 1106 ARMY POST RD Five (5) Day License  
Class B Beer License for Classic Car Show on June 19, 2015.
- (SS) PARKS AREA 3012 6TH AVE Five (5) Day License  
Class B Beer License for Rendezvous on Riverview on June 19, 2015.
- (TT) PARKS AREA 3012 6TH AVE Five (5) Day License  
Class B Beer License for Rendezvous on Riverview on June 26, 2015.
- (UU) STUDIO 13 419 E 5TH ST Five (5) Day License  
Class B Beer License for Capital City Pride on June 12 – 14, 2015.
- (VV) TASTE! TO GO 520 ROBERT D RAY DR Five (5) Day License  
Class C Liquor License for a wedding reception on June 20, 2015.
- (WW) UP/DOWN 401 E 5TH ST Five (5) Day License  
Class C Liquor License for Capital City Pride on June 12 – 14, 2015.
- (XX) WAT LAO BUDDHAVAS 1804 E PARK AVE Five (5) Day License  
Class B Beer License for festival on June 19 – 21, 2015.
- (YY) WATERWORKS PARK 2201 GEORGE FLAGG Five (5) Day License  
Class B Beer License for River Bank Bash on June 27, 2015.

- 5. [Consideration](#) of renewal Class E Liquor License with C Beer and B Wine for Shop N Save, 1829 6<sup>th</sup> Avenue. (Zoning Department recommends denial). **Motion is to DENY.**
- 6. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits.
- 7. [City](#) Clerk to issue Coin Operated Machine Licenses.

**PUBLIC IMPROVEMENTS**

- 8. Ordering construction of the following:
  - (A) [Indianola](#) Avenue Widening – Phase 4: Receiving of bids, (6-16-15), Setting date of hearing, (7-13-15), Engineer’s estimate, \$3,426,501.80.

[\(Council Communication No. 15-304\)](#)

- (B) [John](#) Pat Dorrian Trail Renovation – Center Street Bridge to I-235: Receiving of bids, (6-23-15), Setting date of hearing, (7-13-15), Engineer’s estimate, \$175,000.

[\(Council Communication No. 15-305\)](#)

- (C) [SE](#) 22<sup>nd</sup> Street from Hartford Avenue to Park Avenue Partial Depth Repair: Receiving of bids, (6-23-15), Setting date of hearing, (7-13-15), Engineer’s estimate, \$457,000.

[\(Council Communication No. 15-308\)](#)

- (D) [2015](#) ADA Sidewalk Ramp Program – Contract 3: Receiving of bids, (6-23-15), Setting date of hearing, (7-13-15), Engineer’s estimate, \$425,000.

[\(Council Communication No. 15-297\)](#)

- (E) [2015](#) Sewer Repair – Contract 1: Receiving of bids, (6-23-15), Setting date of hearing, (7-13-15), Engineer’s estimate, \$450,000.

[\(Council Communication No. 15-298\)](#)

9. [Approving](#) Professional Services Agreement with Architecture by G. E. Wattier, Inc. d/b/a Slingshot Architecture for the Skywalk Bridge 6D-7D repairs, not to exceed \$39,510.

[\(Council Communication No. 15-295\)](#)

10. [Approving](#) execution of Iowa Interstate Railroad, Ltd. Street Crossing Signal Safety Improvement Agreement for 5<sup>th</sup> Avenue.

[\(Council Communication No. 15-293\)](#)

11. [Approving](#) completion and acceptance of the Private Construction Contract for storm sewer improvements at Southern Meadows between Machin Corporation and Little Kading Construction Company, Inc.

12. [Approving](#) Private Construction Contract between Iowa Signal, Inc. and Grand View University for signalization improvements in 1200 Grandview Avenue, \$9,539.

13. [Communication](#) from contractors requesting permission to sublet certain items on Public Improvement Projects.

## LAND/PROPERTY TRANSACTIONS

14. [Authorization](#) to proceed with the acquisition of the necessary right-of-way and easements for the Hubbell Avenue and Easton Boulevard Traffic Signal Upgrade.

[\(Council Communication No. 15-311\)](#)

15. [Authorization](#) to submit a Hazard Mitigation Grant Program (HMGP) application and request to the Federal Emergency Management Agency (FEMA) for proposed voluntary hazard mitigation acquisition buyout and demolition project.

[\(Council Communication No. 15-300\)](#)

16. [Approving](#) release of temporary easement for vehicular turnaround at 4850 and 4851 E. Ovid Avenue within Brook Run Village.

[\(Council Communication No. 15-290\)](#)

## BOARDS/COMMISSIONS/NEIGHBORHOODS

17. [Jacob](#) Christensen advising of his resignation from the Zoning Board of Adjustment, Seat 6, effective June 30, 2015 and to defer to the June 22, 2015 Council meeting.

- (A) [Recommendation](#) from Mayor T. M. Franklin Cownie to appoint Jacob Christensen to the Airport Authority Board, Seat 1, for a four-year term commencing July 1, 2015 to expire June 30, 2019 and to defer to the June 22, 2015 Council meeting.

## COMMUNICATIONS FROM PLANNING AND ZONING

18. [Regarding](#) approval of a Preliminary Plat/PUD Development Plan “Copper Crossing” on property in the vicinity of 5400 block of Easton Boulevard (NE 23<sup>rd</sup> Avenue) to allow a subdivision for 54 single-family residential lots, 20 single-family semi-detached lots (94 units) and a 4.3 acre outlot for future multiple-family residential development, subject to conditions.

## SETTING DATE OF HEARINGS

19. [On](#) vacation of surface and subsurface rights in portions of 4<sup>th</sup> Street, Court Avenue and 5<sup>th</sup> Avenue adjoining Court Avenue and conveyance of surface and subsurface easements to 420 Court Avenue, LLC, \$15,280, (6-22-15).
20. [On](#) conveyance of 3015 Seneca Avenue to Cuai Sang and Eidid Sang for \$76,000, (6-22-15).
21. [On](#) vacation and conveyance of a segment of Martin Luther King Jr. Pkwy (formerly Elm Street) adjoining 300 West Martin Luther King Jr. Pkwy to Green Ltd., LC, \$9,090, (6-22-15).
22. [On](#) vacation and conveyance of a portion of the north/south alley between 15<sup>th</sup> and 16<sup>th</sup> Street, south of Crocker Street, to Edward Brafford and Kristin Brafford, \$50 and to Ryan P. Howell, \$150, (6-22-15).
23. [On](#) request from 3826 Easton Blvd., LLC (owner) to rezone 3826 Easton Boulevard from "R1-60" (One-Family Low-Density Residential) to "R-3" (Multiple-Family Residential) to allow development of a 4-unit multiple-family dwelling, (6-22-15).
24. [On](#) request from First Federated Church (owner) to rezone property located at 4801 Franklin Avenue from "R1-60" (One-Family Low-Density Residential) to "C-1" (Neighborhood Retail Commercial) to allow reuse of a portion of the previous parochial school building for a private daycare center and pre-school, (6-22-15).
25. [On](#) the proposed Sixteenth Amendment to the Metro Center Urban Renewal Plan, (7-13-15).

[\(Council Communication No. 15-284\)](#)

26. [On](#) request from Riverpoint West, LLC for a Second Amendment to the Riverpoint Flex Office Park West PUD Conceptual Plan on property at 209 SW 9<sup>th</sup> Street, (6-22-15).
27. [On](#) issuance of Vehicle for Hire Company Certificate for NPI Limo Service, LLC, (Brady C. Johnson), (6-22-15).
28. [On](#) issuance of not to exceed \$36,550,000 General Obligation Bonds, for essential corporate purpose, (6-22-15).

[\(Council Communication No. 15-313\)](#)

## LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

29. [Approving](#) payment to Duncan, Green, Brown and Langeness relating to construction disputes, \$10,374.
30. Approving Workers' Compensation claims for the following:
  - (A) [Troy](#) Cavigl.
  - (B) [Tim](#) Davis.
  - (C) [Frances](#) Deaton.
  - (D) [Ronald](#) Stephan.

## CITY MANAGER COMMUNICATIONS

31. [Submitting](#) travel and training requests for Sean Devlin, Lawrence McDowell, Kevin Moran, Amelia Hamilton-Morris, Ben Page, Nekesha Palmer and Margaret Schleuger.

[\(Council Communication No. 15-316\)](#)

## APPROVING

32. [Amended](#) and Restated Urban Renewal Development Agreement with R & T Lofts, LP for the redevelopment of the former Des Moines Register Buildings at 717 Locust Street and 421 8<sup>th</sup> Street, and approving proposed Conceptual Development Plan.

[\(Council Communication No. 15-285\)](#)

33. [Conceptual](#) Development Plan for the redevelopment of 420 Court Avenue with a Hy-Vee Grocery Store, Apartments and Parking Ramp.

[\(Council Communication No. 15-283\)](#)

34. [Support](#) of a Workforce Housing Tax Credit (WHTC) Benefit Application to be submitted to the Iowa Economic Development Authority (IEDA) by Harbach Lofts LLC for a housing project at 316 SW 5<sup>th</sup> Street.

[\(Council Communication No. 15-315\)](#)



35. [Request](#) to Polk County Treasurer for assignment of tax sale certificates, approval of City acquisition of properties through tax deed, authorization to request release of property taxes and special assessments, and release of all City liens and special assessments in order to encourage housing development.

36. [Receipt](#) and file of proposal to purchase City-owned property at SE 43<sup>rd</sup> and Vandalia Road for redevelopment and direct the City Manager to negotiate preliminary terms of agreement with Electrical Power Products (EP2).

[\(Council Communication No. 15-286\)](#)

37. [Des Moines Metropolitan Planning Organization \(MPO\) Unified Planning Work Program Budget](#) and authorizing payment of FY 2015-16 assessment, \$203,433.

[\(Council Communication No. 15-291\)](#)

38. ~~Third Addendum to Boundary Streets and Roads Maintenance Agreement with Warren County.~~

39. [Request](#) to Polk County Treasurer and approving agreements with Greater Des Moines Habitat for Humanity Inc., NFC Properties LLC and Home Opportunity Made Easy Inc. for assignment of tax sale certificates for various property for rehabilitation of housing.

[\(Council Communication No. 15-287\)](#)

40. [Expansion](#) of Neighborhood Finance Corporation (NFC) lending areas to Meredith, Watrous South, Waveland Woods and Westwood Neighborhoods.

[\(Council Communication No. 15-289\)](#)

41. [Contract](#) with Polk County for assignment of Tax Sale Certificates for 1355 Pennsylvania Avenue, 1710 7<sup>th</sup> Street and 2727 Linden Avenue.

[\(Council Communication No. 15-292\)](#)

42. [Updated](#) 28E Agreement for Mutual Assistance with Polk County Fire/Rescue Services.

43. [Application](#) to the Department of Justice, Office of Justice Programs, for the 2015 Body-Worn Camera Pilot Implementation Competitive Grant, \$252,180.

[\(Council Communication No. 15-279\)](#)

44. [Letter](#) of support for the pending modernization of the Federal Aviation Administration (FAA) Reauthorization bill, which includes a \$4.00 increase in the cap imposed on the Passenger Facility Charge.
45. [Application](#) from Pasha Korsakov requesting approval for banners to be placed at the start and finish location on Walnut Street in front of Exile Brewing Company at 1514 Walnut Street for Run to Exile, June 13, 2015.
46. [Application](#) from Park and Recreation Department requesting approval for a banner across the Court Avenue Bridge to promote National Park and Recreation Month to be displayed Saturday, July 18, 2015.
47. [Communication](#) from Downtown Community Alliance on behalf of the Greater Des Moines Convention & Visitors Bureau, requesting approval of banner design for banners to be displayed on SW 2<sup>nd</sup> and 3<sup>rd</sup> Streets in downtown Des Moines during the months of July and August, 2015.
48. [Bid](#) from Central Salt LLC (Thomas Peterson, President) for joint purchase along with the City of West Des Moines, Polk County and 24 other public entities representing the Central Iowa Salt Group (CISG) for rock salt to be used by the Public Works Department, \$418,390. (Seven potential bidders, four received).

[\(Council Communication No. 15-274\)](#)

49. [Purchase](#) of software license renewal, software support services and Select Subscriber Program Agreement with Bentley Systems, Incorporated (Antonio Ierardo, Vice President) for three years, \$51,073.25 1<sup>st</sup> year, \$55,159.11 2<sup>nd</sup> year and \$59,571.84 3<sup>rd</sup> year.

[\(Council Communication No. 15-312\)](#)

50. Bids from the following:

- (A) [Iowa Plains Signing](#) (Jeff Koudelka, President) for an annual contract with two (2) additional one-year renewal options to furnish safety devices to be used by the Public Works Department, annual estimated cost \$80,000. (Four potential bidders, three received).
- (B) [Safeware](#) Inc. (Edward Simons, President) for chemical protection suits for use by the Police Department, WMD, SWAT and EOD Taskforce Teams, \$96,645. (Seven potential bidders, three received).

[\(Council Communication No. 15-280\)](#)

- (C) [AP/M Permaform](#) (Bill Shook, President) for blanket purchase order for high-strength grout products (for use with previously purchased sewer manhole rehabilitation equipment) to be used during fiscal year 2016 by the Public Works Department, annual estimated cost \$85,000.

[\(Council Communication No. 15-314\)](#)

- (D) [IPS Group](#) (Dave King, President) for blanket purchase order for replacement parking meter parts for credit card and smart card enabled parking meter units to be used during fiscal year 2016 by the Traffic & Transportation Division, annual estimated cost \$30,000.

[\(Council Communication No. 15-310\)](#)

- (E) [IPS Group](#) (Dave King, President) for blanket purchase order for monthly software support fees and transaction fees for credit card enabled meters to be used during fiscal year 2016 by the Traffic & Transportation Division, annual estimated cost \$66,000.

[\(Council Communication No. 15-309\)](#)

- (F) [Logan Contractors Supply](#) (Bruce Logan, President) for blanket purchase order for CrafcO crack sealant (Roadsaver 221) and detackifier (Detack) pavement maintenance products for use with existing CrafcO pavement preservation equipment to be used during fiscal year 2016 by the Public Works Department, annual estimated cost \$65,000.

[\(Council Communication No. 15-275\)](#)

- (G) [POM](#) Inc. (Seth Ward II, Owner/President) for blanket purchase order for replacement parking meter parts for non-credit parking meters to be used during fiscal year 2016 by the Traffic & Transportation Division, annual estimated cost \$45,000.

[\(Council Communication No. 15-310\)](#)

- (H) [Grainger](#) for blanket purchase order for miscellaneous industrial supplies and equipment per State of Iowa Contract to be used during fiscal year 2016 by the Public Works Department, annual estimated cost \$50,000.

[\(Council Communication No. 15-277\)](#)

- (I) [Menards](#) for blanket purchase order for miscellaneous building materials and supplies per State of Iowa Contract to be used during fiscal year 2016 by the Public Works Department, annual estimated cost \$85,000.

[\(Council Communication No. 15-273\)](#)

- 51. [Purchase](#) of the extended maintenance agreement for two mobile Automated License Plate Reader (ALPR) units from PIPS Technologies a subsidiary of 3M over the next three years, \$3,000 annually.

[\(Council Communication No. 15-278\)](#)

- 52. [Civil](#) Service Entrance List for Park and Recreation Supervisor and Promotional Lists for Police Major and Police Lieutenant.
- 53. [Authorizing](#) Finance Director to draw checks on registers for the weeks of June 8 and June 15, 2015; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of June 8 and June 15, 2015; and to draw checks for biweekly payroll due on June 12, 2015.

## **ORDINANCES - FINAL CONSIDERATION**

- 54. Items regarding Robert D. Ray Drive:
  - (A) [On](#) vacation of a portion of Robert D. Ray Drive, north of Des Moines Street, as a Park Road and Rededication as public street right-of-way.
  - (B) [Amending](#) Chapter 114 of the Municipal Code regarding rededication of Robert D. Ray Drive as public street right-of-way.

55. [Amending](#) Chapter 114 of the Municipal Code regarding hourly, night and event parking rates in City parking garages.

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

#### ORDINANCES - FIRST CONSIDERATION

56. [Amending](#) Chapter 102 of the Municipal Code regarding right-of-way management fees.

[\(Council Communication No. 15-307\)](#)

**\*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 57 THRU 63)

57. [On](#) vacation of subsurface rights within Walnut Street and 8<sup>th</sup> Street right-of-way and conveyance of a permanent subsurface easement to Employers Mutual Casualty Company, \$1,090.

[\(Council Communication No. 15-301\)](#)

(A) [First](#) consideration of ordinance above.

(B) [Final](#) consideration of ordinance above (waiver requested by the applicant), requires six votes.

58. [On](#) conveyance of property adjacent to 5908 Chamberlain Drive to Andrew and Claudia Lorentzen for incorporation into residential property, \$200.

[\(Council Communication No. 15-302\)](#)

59. Items regarding Broadlawns Medical Center, 1801 Hickman Road:
- (A) ~~Amending the 2020 Community Character Plan, future land use designation from Public Semi-Public and Park/Open Space to Neighborhood Commercial Center.~~
  - (B) Hearing on rezoning of the property from “C-0” (Commercial Residential), “R-2” (Multiple-Family Residential) and “FW” (Floodway) to “PUD” (Planned Unit Development), subject to conditions and approving the PUD Conceptual Plan and to continue to June 22, 2015 Council meeting at 5PM.
  - (C) First ~~consideration or ordinance above.~~
  - (D) Final ~~consideration of ordinance above (waiver requested by the applicant), requires six votes.~~
60. On request from DesMoinesArts, Inc. to rezone property at 900 and 1000 Keosauqua Way from “C-2” (General Retail and Highway-Oriented Commercial) to Ltd. “C-3” (Central Business District Commercial) to allow conversion of existing five-story office building to artist studio space and assembly/exhibit space, subject to conditions.
- (A) First consideration of ordinance above.
  - (B) Final consideration of ordinance above (waiver requested by the applicant), requires six votes.
61. On request from Ft. Des Moines Renovation, LLC for amendment to the West Point South PUD Conceptual Plan for redevelopment at 6700 Chaffee Road to allow for an increase in the maximum density from 116 dwelling units to 163 units within the historic Fort Des Moines barracks and stables.
62. On 2015 ADA Sidewalk Ramp Program – Contract 2: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designation of lowest responsible bidder as Kingston Services, LLC (Dan Hutton, President), \$462,290.
- (Council Communication No. 15-296)
- (A) Approving contract and bond, and permission to sublet.

63. On MacRae Park Trail Connection: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designation of lowest responsible bidder as Miner Hardscape (Matt Miner, Owner), \$173,604.60.

[\(Council Communication No. 15-306\)](#)

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

\*\*\* END OF HEARINGS AT \_\_\_\_\_ PM \*\*\*

## APPROVING

64. Items regarding the Downtown Walkability Study:

[\(Council Communication No. 15-294\)](#)

- (A) Authorize issuance of Request for Proposals for professional services.  
(B) Authorize implementation of a Pilot Program.

65. Review of Zoning Board of Adjustment decision granting a use variance to allow a limited food/retail sales establishment selling alcoholic liquor, wine and beer at 4538 Lower Beaver Road. (**Choose one alternative A, B or C**)

[\(Council Communication No. 15-288\)](#)

- (A) The City Council remands the Decision and Order to the Zoning Board of Adjustment for further study. The effective date of the Board's decision will be deferred for 30 days from the date of this remand.  
(B) The City Council takes no action to review the Decision and Order. The decision of the Board will become final on July 2, 2015.  
(C) The City Council declines to remand the decision to the Zoning Board of Adjustment. The decision of the Board becomes final on this date.

66. Selection of Nelson Construction and Development as the preferred developer of the air rights over the new 7<sup>th</sup> and Grand Parking Garage.

[\(Council Communication No. 15-281\)](#)

67. [Submission](#) of an Iowa Flood Mitigation joint application with the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) to the Homeland Security and Emergency Management Department, and approving a second amendment to the 28E Agreement by and between the City of Des Moines, Iowa and the Des Moines Metropolitan Wastewater Reclamation Authority for the Joint Application for Administration and Funding of a Project Plan Pursuant to the Iowa Flood Mitigation Program.

[\(Council Communication No. 15-303\)](#)

## **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. [Recommendation](#) from Council Member Coleman to reappoint Chad Layland to the Building and Fire Code Board of Appeals, Seat 3, for the remainder of the term expiring April 1, 2016. Sponsor: Council Member Coleman.
2. [Recommendation](#) from Mayor T. M. Franklin Cownie to appoint Cynde Fanter to the Parks and Recreation Board, Seat 1, for a four-year term commencing June 1, 2012 to expire June 1, 2016. Sponsor: Mayor T. M. Franklin Cownie.

## **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: [Memo](#)
  - (A) [2137](#) Des Moines Street, fire-damaged main structure and garage; Titleholders: Donald D. Norris (deceased) and Betty J. Norris (deceased).
  - (B) [1026](#) 24<sup>th</sup> Street, fire-damaged main structure; Titleholders: Greyfox Properties, LLC.
  - (C) [1546](#) 33<sup>rd</sup> Street, fire-damaged main structure; titleholder: Fritzler Family Enterprises, LLC.
  - (D) [1552](#) E. 36<sup>th</sup> Street, fire-damaged main structure; Titleholder: Herman Thompson.

### **MOTION TO ADJOURN.**



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