

DES MOINES CITY COUNCIL MEETING
****NEW LOCATION****
Municipal Service Center, Council Chambers
1551 E. M. L. King Jr. Pkwy
Des Moines, Iowa 50317

January 23, 2017
4:30 PM

INVOCATION: Council Member Moore

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 36:

***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)	AC HOTEL	401 E GRAND AVE	B Liquor
(B)	TACOS LA FAMILIA	1610 6TH AVENUE	C Liquor

RENEWAL APPLICATIONS

(C)	300 CRAFT & ROOFTOP	300 W MLK JR PKWY	C Liquor
(D)	ALBA RESTAURANT	519 DES MOINES ST	C Liquor
(E)	APOSTO	644 18TH ST	C Liquor
(F)	CASEYS #2244	2150 E ARMY POST	C Beer
(G)	CHADS CLUB 2000	422 INDIANOLA AVE	C Liquor
(H)	DC MISFITS	607 SE 30TH ST	C Liquor
(I)	DIAMOND JACKS	3000 E GRAND AVE	C Liquor
(J)	FAST MART	1621 UNIVERSITY	E Liquor
(K)	FLYING MANGO	4345 HICKMAN RD	C Liquor
(L)	GIT N GO STORE #18	6501 SE 14TH ST	C Beer
(M)	IOWA TAPROOM	215 E 3RD ST	C Liquor
(N)	LA CRUZ #3	3900 E 14TH ST	C Beer
(O)	LIFT *(1)	222 4TH STREET	C Liquor
(P)	MACCABEES DELI & JUDAICA	1150 POLK BLVD	B Wine
(Q)	MAD MEATBALL	401 SE 5TH ST	C Liquor

(R)	MARIANAS	1305 UNIVERSITY	B Beer
(S)	MICHELLES LOUNGE	3925 E 14TH ST	C Liquor
(T)	PALMERS DELI & MARKET	2843 INGERSOLL	C Liquor
(U)	PANCHEROS MEXICAN GRILL	2708 INGERSOLL	B Beer
(V)	PUEBLO VIEJO	3841 E 14TH ST	C Liquor
(W)	QUINTONS BAR & GRILL	506 E GRAND AVE	C Liquor
(X)	RESIDENCE INN DES MOINES	100 SW WATER ST	B Liquor
(Y)	SAMBETTIS	1430 2ND AVE	C Liquor
(Z)	SNAKE PIT LOUNGE	3100 MCKINLEY AVE	A Liquor
(AA)	TOBACCO OUTLET PLUS #521	3301 E EUCLID AVE	C Beer
(BB)	TROPHYS SPORTS BAR	2701 DOUGLAS AVE	C Liquor

SPECIAL EVENT APPLICATIONS

- (CC) BARATTAS 1551 E MLK JR PKWY Five (5) Day License
Special Class C Liquor License (Beer/Wine) for Iowa League of Cities Reception on February 7, 2017.
- (DD) DRAKE UNIVERSITY 2505 CARPENTER ST Five (5) Day License
Special Class C Liquor License (Beer/Wine) for Turner Jazz Orchestra on February 14, 2017.
- (EE) TASTE! TO GO 700 GRAND AVE Five (5) Day License
Special Class C Liquor License (Beer/Wine) for an event on February 10, 2017.

5. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits.
6. [City](#) Clerk to issue Coin Operated Machine Licenses.

PUBLIC IMPROVEMENTS

7. Ordering construction of the following:
 - (A) [Park](#) Avenue Elementary Pedestrian Bridge Removal and Site Improvements: Receiving of bids, (2-7-17), Setting date of hearing, (2-20-17). Construction estimate, \$522,000.
([Council Communication No. 17-039](#))
 - (B) [SW](#) 14th Street and McKinley Avenue Traffic Signal Replacement: Receiving of bids, (2-7-17). Setting date of hearing, (2-20-17). Construction estimate, \$180,000.
([Council Communication No. 17-040](#))
 - (C) [42nd](#) Street Streetscape from I-235 to Crocker Street: Receiving of bids, (2-21-17), Setting date of hearing, (3-6-17). Construction estimate, \$1,950,000.
([Council Communication No. 17-036](#))

8. [Approving](#) contribution to the Greater Des Moines Water Trails and Greenways Phase I Engineering Study, \$47,788.

[\(Council Communication No. 17-042\)](#)

9. [Approving](#) exception to Request for Proposals (RFP) process for good cause and approving Professional Services Agreement with Kirkham Michael & Associates, Inc. for Leetown Creekway Box Culvert –Iowa State Fair Roadway Design, not to exceed \$59,700.

[\(Council Communication No. 17-041\)](#)

10. [Communication](#) from contractors requesting permission to sublet certain items on Public Improvement Projects.
11. [Accepting](#) completed construction and approving final payment for Paco Construction, LLC – Four Mile Community Center Parking Lot Improvements.
12. Approving completion and acceptance of private construction contracts for the following:
 - (A) [Sanitary](#) and storm sewer improvements, The Prairie Hills Plat 1, between C.A.C., Inc. and Prairie Hills at Des Moines, LLC.
 - (B) [Sanitary](#) sewer improvements, Eagle View Lofts at 712 SE 6th Street, between Gator Excavating, Inc. and Eagle View Lofts, LLC.
 - (C) [Sanitary](#) sewer improvements, 3410 Beaver Avenue, between McAninch Corporation and Beaverdale Senior Housing, LLC.
 - (D) [Paving](#) improvements, Bridge District, between McAninch Corporation and Bridge District Verve, LLC.
 - (E) [Storm](#) sewer improvements, 1623 Grand Avenue, between McAninch Corporation and Artisan Row, LLC.
 - (F) [Storm](#) sewer improvements, 3025 Oxford Street, between J & K Contracting, LLC and Des Moines Independent Community School District.
 - (G) [Storm](#) sewer improvements, 5001 SW 14th Street, Wright Elementary School, between Miner Hardscape, LLC and Des Moines Independent Community School District.
 - (H) [Sanitary](#) sewer and storm sewer improvements, 2800 Indianola Avenue, between Koester Construction Co., Inc. and Hatch Development Group, LLC.

SPECIAL ASSESSMENTS

13. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2017-01.

LAND/PROPERTY TRANSACTIONS

14. [Approving](#) fifty-four (54) tax abatement applications for the additional value added by improvements completed during 2016.

[\(Council Communication No. 17-033\)](#)

BOARDS/COMMISSIONS/NEIGHBORHOODS

15. [Attendance](#) reports for the various City Boards and Commissions from January 1 through December 31, 2016.
16. [Communication](#) from Jason Ekstrom, advising of his resignation from the Housing Services Board, Seat 1, effective immediately.

SETTING DATE OF HEARINGS

17. [On](#) vacation and conveyance of an irregular portion of 6th Avenue right-of-way and an irregular portion of 5th Avenue right-of-way both adjoining 921 6th Avenue to Catholic Health Initiatives – Iowa Corp., \$99,556, (2-6-17).
18. [On](#) vacation of air space, surface and subsurface rights in portions of right-of-way adjoining 1400 Walnut Street and conveyance of permanent easements to 14 Walnut LLC for \$5,724 and acceptance of a permanent easement for public pedestrian way from 14 Walnut LLC valued at \$1,400, (2-6-17).
19. [On](#) the issuance of a Certificate of Appropriateness for proposed exterior alterations to the American Federal Building a/k/a Catholic Pastoral Center, 601 Grand Avenue, (2-6-17).

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

20. [Approving](#) payment to Ahlers & Cooney, PC Law Firm with respect to general matters.
21. [Communication](#) from Legal Department concerning settlements made by City Attorney, not exceeding \$5,000.

CITY MANAGER COMMUNICATIONS

22. [Submitting](#) travel and training request for Carrie Kruse and Darrell Caldwell.

([Council Communication No. 17-045](#))

APPROVING

23. [Receive](#) and file Quarterly Treasurer's Report as of December 31, 2016.

24. Issuance of Certificate of Completion for the following:

- (A) [420](#) Court Avenue, LLC, for the Hy-Vee grocery store and apartment project at 420 Court Avenue.
- (B) [201](#), LLC, for the Staybridge Suites Hotel and City Square Lofts at 201 E. Locust Street.
- (C) [Edge](#) at Gray's Landing LLC for the Edge at Gray's Landing apartments at 405 SW 9th Street.

25. [Fourth](#) extension of Agreement with Airport Authority to February 28, 2017.

26. [Initiation](#) of Request for Proposals (RFP) process for evaluation of the Neighborhood Revitalization Program.

([Council Communication No. 17-032](#))

27. [Amended](#) and Substituted Police Services Agreement with the Des Moines Skywalk Association.

([Council Communication No. 17-024](#))

28. [Intergovernmental](#) 28E Agreement with Polk County for Ambulance and Emergency Medical Services (EMS) to the Polk County Jail.

([Council Communication No. 17-026](#))

29. [Household](#) Hazardous Waste Service Agreement with Metro Waste Authority (MWA) for waste drop-off at MWA Collection Center.

([Council Communication No. 17-028](#))

30. Abatement of public nuisances at the following addresses:
 - (A) [2208](#) Maury Street.
 - (B) [352](#) Forest Avenue.
 - (C) [4617](#) SE 5th Street.
 - (D) [4110](#) SW 5th Street.
31. [Release](#) of Fire Escrow at 2634 Capitol Avenue.
32. Bids from the following:
 - (A) [Midwest](#) L & I (Stephen Sandahl, President) for 203 trees to be planted along various right-of-way locations for use by the Public Works Department, \$63,338.68. (Twelve (12) potential bidders, four received).
 - (B) [Neenah](#) Foundry (Thomas Riordan, CEO) for 300 custom manhole castings resulting from the manhole design contest for use by the Public Works Department, \$63,000. (Five potential bidders, two received).
33. [Civil](#) Service Entrance lists for Human Resources Assistant, Mechanical Inspector and License Clerk.
34. [Authorizing](#) Finance Director to draw checks on registers for the weeks of January 23 and 30, 2017; and to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of January 23 and January 30, 2017 and to draw checks for biweekly payroll due on February 3, 2017.

ORDINANCES - SECOND CONSIDERATION

35. [On](#) vacation of a fee interest and subsurface rights in portions of Watson Powell Jr. Way street right-of-way and the adjacent north/south alley right-of-way all adjoining 550 Watson Powell Jr. Way.
36. [Amending](#) Chapter 114 of the Municipal Code regarding traffic regulation changes as follows:
 - (A) Parking restriction modifications related to the Beaver Avenue Streetscape project.
 - (B) Installation of a traffic signal at Indianola Avenue and Payton Avenue.
 - (C) Parking restriction modifications to match field conditions – Washington Avenue.

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

ORDINANCES - FIRST CONSIDERATION

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

[\(Council Communication No. 17-043\)](#)

- (A) One-side parking restriction – Carman Estates Plat 9.
- (B) Renumbering Municipal Code sections to agree with alphabetical order.
- (C) Municipal Code updates related to the renaming of Army Post Road to Willow Creek Avenue.
- (D) Snow route modifications – 55th Street.

COUNCIL REQUESTS

- 37-I [Request](#) from Council Member Bill Gray to speak regarding a billboard near 60th and Douglas Avenue.

COMMUNICATIONS/REPORTS

38. [From](#) Lelah Swallow, 2002 Lyon Street, to speak regarding DART and yellow school buses.
39. [From](#) Tracey Lange, 1215 E. 33rd Street, to speak regarding the renewal of the liquor license for Johnny Macs Bar & Grill, 2279 Hubbell Avenue.
40. [From](#) Heather Ryan, 1253 E. 37th Court, to speak regarding the Citizen Odor Board.

APPROVING

41. [Preliminary](#) terms of an Urban Renewal Development Agreement with TWG Development, LLC for multi-family housing at 201 SE 6th Street.

[\(Council Communication No. 17-034\)](#)

42. [Preliminary](#) terms of agreement with Hubbell Realty Company for redevelopment of approximately 75 acres located west of SW 16th Street, north of Raccoon River, west of SW 11th Street and south of future Tuttle Street for development as a mixed density residential neighborhood, Gray's Station Development.

[\(Council Communication No. 17-044\)](#)

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 43 THRU 51)

43. On conveyance of City-owned property at 1520 32nd Street to Rally Cap Properties, LLC for rehabilitation of housing.

(Council Communication No. 17-031)

44. On correction of legal description for conveyance of a portion of previously vacated SE 19th Street right-of-way and City-owned property all adjoining 1900 Scott Avenue to Kemin Holdings, LC.

45. On amendment to Ordinance No. 15,524, vacation of a segment of Ingersoll Avenue street right-of-way and conveyance of a corrected easement for bus shelter encroachment in the vacated Ingersoll Avenue street right-of-way to Des Moines Area Regional Transit Authority.

(A) First consideration of ordinance above.

46. On Amendment to Concession Agreement for the Birdland Marina with Less Than Trinity, LLC d/b/a Captain Roy's.

(Council Communication No. 17-029)

47. On request from Quik Trip Corporation for an amendment to the Quik Trip #0559R PUD Conceptual Plan at 4021 Fleur Drive.

48. On vacation of right-of-way adjoining 401 SE 6th Street and 400 SE 7th Street for incorporation into the Market District One, LLC development.

(A) First consideration of ordinance above.

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

49. On the Fourteenth Amendment to the Central Place Industrial Park Redevelopment Program Urban Renewal Plan.

(Council Communication No. 17-035)

50. On the proposed Third Amendment to the Urban Renewal Plan for the Accent Neighborhood Urban Renewal Project.

(Council Communication No. 17-037)

(A) First consideration of ordinance amending the tax increment financing ordinance for the Accent Neighborhood Urban Renewal Project.

51. On the proposed Nineteenth Amendment to the Metro Center Urban Renewal Plan.

(Council Communication No. 17-038)

(A) First consideration of ordinance above amending the tax increment financing ordinance for the Metro Center Urban Renewal Project.

(B) Final consideration of ordinance above (waiver requested by the Legal Department), requires six votes.

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

MOTION TO ADJOURN.

*****Attention DART Riders:**

DART will provide public transportation to and from City of Des Moines meetings at their temporary location in the Richard A. Clark Municipal Services Center at 1551 E. Martin Luther King Jr. Parkway.

Transportation can be scheduled to and from DART Central Station at 620 Cherry Street. To reserve your ride, please call DART On Call Scheduling at (515) 283-8136. Calls for trips will be accepted up to 5:00PM the day before the meeting. Be sure to mention in your request you require transportation for the City of Des Moines meetings at the temporary location.

This notice is intended to comply with accessibility requirements of the Americans with Disabilities Act.

View City Council agendas online at www.dmgov.org



All-America City

1949 1976 1981 2003 2010