



*** DES MOINES CITY COUNCIL MEETING REPORT ***

The City Council took the following action on items listed in the attached meeting agenda summary. Copies of ordinances, resolutions and other Council action may be obtained from the City Clerk's Office (515) 283-4209. The six-digit number beginning with '15-' preceding each item on the agenda is a roll call number assigned by the City Clerk. Please refer to this number when requesting information or copies.

SUMMARY OF 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.**

- [15-0880](#) (A) Roll Call. **Present: Cownie, Coleman, Gatto, Gray, Hensley, Mahaffey and Moore.**
- [15-0881](#) (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. **Moved by Hensley to adopt. Motion Carried upon roll call 7-0.**
- [15-0882](#) (C) Closed Session.
- [15-0883](#) (D) Terminate closed session and reconvene in open session. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0884](#) (E) Motion to adjourn. **Moved by Hensley to adjourn at 4:32 PM. Motion Carried 7-0.**

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INVOCATION: Council Member Hensley

- [15-0885](#) 1. ROLL CALL: **Present: Cownie, Coleman, Gatto, Gray, Hensley, Mahaffey and Moore.**
- [15-0886](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0887](#) 3. APPROVING CONSENT AGENDA * – items 3 through 55: **Moved by Gatto to adopt the balance of the consent agenda. Motion Carried 7-0.**

***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

- [15-0888](#) 4. [Approving](#) Alcoholic Beverage License Applications for the following: **Moved by Gatto to adopt. Motion Carried 7-0. Council Member Gatto declares a conflict of interest and abstains from voting on item K. Council Member Coleman votes “No” on item U.**

NEW APPLICATIONS

(A)	ABELARDOS MEXICAN FOOD	2510 INGERSOLL	C Liquor
(B)	EXTRA INNINGS	1500 SE 1ST ST	C Liquor
(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.

[15-0889](#) 5. [Consideration](#) of renewal Class E Liquor License with C Beer and B Wine for Shop N Save, 1829 6th Avenue. (Zoning Department recommends denial). **Moved by Gray to deny. Motion Carried 7-0.**

[15-0890](#) 6. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits. **Moved by Gatto to adopt. Motion Carried 5-2. Nays: Cownie and Moore.**

- [15-0891](#) 7. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Gatto to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

8. Ordering construction of the following:

- [15-0892](#) (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](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

- [15-0893](#) (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](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [15-0894](#) (C) [SE](#) 22nd 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](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [15-0895](#) (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](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [15-0896](#) (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](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [15-0897](#) 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](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [15-0898](#) 10. [Approving](#) execution of Iowa Interstate Railroad, Ltd. Street Crossing Signal Safety Improvement Agreement for 5th Avenue. ([Council Communication No. 15-293](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [15-0899](#) 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. **Moved by Gatto to adopt. Motion Carried 7-0.**

[15-0900](#) 12. [Approving](#) Private Construction Contract between Iowa Signal, Inc. and Grand View University for signalization improvements in 1200 Grandview Avenue, \$9,539. **Moved by Coleman to adopt. Motion Carried 6-0. Council Member Mahaffey declares a conflict of interest and abstains from voting.**

[15-0901](#) 13. [Communication](#) from contractors requesting permission to sublet certain items on Public Improvement Projects. **Moved by Gatto to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

[15-0902](#) 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](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[15-0903](#) 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](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[15-0904](#) 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](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

[15-0905](#) 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. **Moved by Gatto to defer to the June 22nd Council meeting. Motion Carried 7-0.**

[15-0906](#) (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. **Moved by Gatto to defer to the June 22nd Council meeting. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [15-0907](#) 18. [Regarding](#) approval of a Preliminary Plat/PUD Development Plan “Copper Crossing” on property in the vicinity of 5400 block of Easton Boulevard (NE 23rd 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. **Moved by Gatto to receive and file. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [15-0908](#) 19. [On](#) vacation of surface and subsurface rights in portions of 4th Street, Court Avenue and 5th Avenue adjoining Court Avenue and conveyance of surface and subsurface easements to 420 Court Avenue, LLC, \$15,280, (6-22-15). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0909](#) 20. [On](#) conveyance of 3015 Seneca Avenue to Cuai Sang and Eidid Sang for \$76,000, (6-22-15). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0910](#) 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). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0911](#) 22. [On](#) vacation and conveyance of a portion of the north/south alley between 15th and 16th Street, south of Crocker Street, to Edward Brafford and Kristin Brafford, \$50 and to Ryan P. Howell, \$150, (6-22-15). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0912](#) 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). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0913](#) 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). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0914](#) 25. [On](#) the proposed Sixteenth Amendment to the Metro Center Urban Renewal Plan, (7-13-15). ([Council Communication No. 15-284](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [15-0915](#) 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 9th Street, (6-22-15). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0916](#) 27. On issuance of Vehicle for Hire Company Certificate for NPI Limo Service, LLC, (Brady C. Johnson), (6-22-15). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0917](#) 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](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [15-0918](#) 29. Approving payment to Duncan, Green, Brown and Langeness relating to construction disputes, \$10,374. **Moved by Gatto to adopt. Motion Carried 7-0.**
30. Approving Workers' Compensation claims for the following:
- [15-0919](#) (A) Troy Cavil. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0920](#) (B) Tim Davis. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0921](#) (C) Frances Deaton. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0922](#) (D) Ronald Stephan. **Moved by Gatto to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- [15-0923](#) 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](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

APPROVING

- [15-0924](#) 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 8th Street, and approving proposed Conceptual Development Plan. ([Council Communication No. 15-285](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0925](#) 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](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [15-0926](#) 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 5th Street. ([Council Communication No. 15-315](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [15-0927](#) 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. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0928](#) 36. [Receipt](#) and file of proposal to purchase City-owned property at SE 43rd 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](#)) **Moved by Gatto to receive and file Council Communication No. 15-286 and to direct the City Manager to negotiate preliminary terms of a development agreement with EP2. Motion Carried 7-0.**
- [15-0929](#) 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](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- WITHDRAWN
- [15-0930](#) 38. ~~Third Addendum to Boundary Streets and Roads Maintenance Agreement with Warren County.~~
- [15-0931](#) 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](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0932](#) 40. [Expansion](#) of Neighborhood Finance Corporation (NFC) lending areas to Meredith, Watrous South, Waveland Woods and Westwood Neighborhoods. ([Council Communication No. 15-289](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0933](#) 41. [Contract](#) with Polk County for assignment of Tax Sale Certificates for 1355 Pennsylvania Avenue, 1710 7th Street and 2727 Linden Avenue. ([Council Communication No. 15-292](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [15-0934](#) 42. [Updated](#) 28E Agreement for Mutual Assistance with Polk County Fire/Rescue Services. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0935](#) 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](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0936](#) 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. **Moved by Gatto to receive, file and authorize the Mayor to send a letter of support for and on behalf of the City Council. Motion Carried 7-0.**
- [15-0937](#) 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. **Moved by Gatto to receive, file and approve banner design. Motion Carried 7-0.**
- [15-0938](#) 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. **Moved by Gatto to receive, file and approve banner design. Motion Carried 7-0.**
- [15-0939](#) 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 2nd and 3rd Streets in downtown Des Moines during the months of July and August, 2015. **Moved by Gatto to receive, file and approve banner design. Motion Carried 7-0.**
- [15-0940](#) 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](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0941](#) 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 1st year, \$55,159.11 2nd year and \$59,571.84 3rd year. ([Council Communication No. 15-312](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

50. Bids from the following:

- [15-0942](#) (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). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0943](#) (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](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0944](#) (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](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0945](#) (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](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0946](#) (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](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0947](#) (F) [Logan](#) Contractors Supply (Bruce Logan, President) for blanket purchase order for Crafcoc crack sealant (Roadsaver 221) and detackifier (Detack) pavement maintenance products for use with existing Crafcoc 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](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0948](#) (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](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [15-0949](#) (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](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0950](#) (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](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0951](#) 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](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0952](#) 52. [Civil](#) Service Entrance List for Park and Recreation Supervisor and Promotional Lists for Police Major and Police Lieutenant. **Moved by Gatto to receive and file. Motion Carried 7-0.**
- [15-0953](#) 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. **Moved by Gatto to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

54. Items regarding Robert D. Ray Drive:

- [15-0954](#) (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. **Moved by Gatto that this ordinance do now pass, #15,371. Motion Carried 7-0.**
- [15-0955](#) (B) [Amending](#) Chapter 114 of the Municipal Code regarding rededication of Robert D. Ray Drive as public street right-of-way. **Moved by Gatto that this ordinance do now pass, #15,372. Motion Carried 7-0.**
- [15-0956](#) 55. [Amending](#) Chapter 114 of the Municipal Code regarding hourly, night and event parking rates in City parking garages. **Moved by Gatto that this ordinance do now pass, #15,373. Motion Carried 7-0.**

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

ORDINANCES - FIRST CONSIDERATION

- [15-0957](#) 56. **Amending** Chapter 102 of the Municipal Code regarding right-of-way management fees. (**Council Communication No. 15-307**) **Moved by Hensley that this ordinance be considered and given first vote for passage, subject to the following: that Engineering and Legal staff (1) retain degradation cost as a recoverable cost under the proposed ordinance, but remove the degradation cost amount from the right-of-way management fee calculation in order to further review the inclusion of said cost in the City's right-of-way permitting fees, rather than management fees, (2) prepare a proposed right-of-way management fee schedule for implementation of a \$.12 per equivalent lineal foot fee over a six-year period beginning fiscal year 2017-2018, and (3) consult with affected parties regarding the declaratory judgment process. Motion Carried 7-0.**

HEARINGS (OPENED AT 5:01 P.M.) (ITEMS 57 THRU 63)

- [15-0958](#) 57. **On** vacation of subsurface rights within Walnut Street and 8th Street right-of-way and conveyance of a permanent subsurface easement to Employers Mutual Casualty Company, \$1,090. (**Council Communication No. 15-301**) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0959](#) (A) **First** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [15-0960](#) (B) **Final** consideration of ordinance above (waiver requested by the applicant), requires six votes. **Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#15,374](#). Motion Carried 7-0.**
- [15-0961](#) 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**) **Moved by Hensley to adopt. Motion Carried 7-0.**

59. Items regarding Broadlawns Medical Center, 1801 Hickman Road:

WITHDRAWN
[15-0962](#)

(A) ~~[Amending](#) the 2020 Community Character Plan, future land use designation from Public Semi Public and Park/Open Space to Neighborhood Commercial Center.~~

[15-0963](#)

(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. **Moved by Gray to continue to July 13, 2015 at 5:00 PM. Motion Carried 7-0.**

WITHDRAWN
[15-0964](#)

(C) ~~[First](#) consideration or ordinance above.~~

WITHDRAWN
[15-0965](#)

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

[15-0966](#)

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. **Moved by Hensley to adopt. Motion Carried 7-0.**

[15-0967](#)

(A) [First](#) consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[15-0968](#)

(B) [Final](#) consideration of ordinance above (waiver requested by the applicant), requires six votes. **Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#15,375](#). Motion Carried 7-0.**

[15-0969](#)

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. **Moved by Gatto to adopt. Motion Carried 7-0.**

[15-0970](#)

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](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**

[15-0971](#)

(A) [Approving](#) contract and bond, and permission to sublet. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

[15-0972](#) 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](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[15-0973](#) (A) [Approving](#) contract and bond, and permission to sublet. **Moved by Hensley to adopt. Motion Carried 7-0.**

*** END OF HEARINGS AT 5:08 PM ***

APPROVING

64. Items regarding the Downtown Walkability Study: ([Council Communication No. 15-294](#))

[15-0974](#) (A) [Authorize](#) issuance of Request for Proposals for professional services. **Moved by Hensley to adopt. Motion Carried 7-0.**

[15-0975](#) (B) [Authorize](#) implementation of a Pilot Program. **Moved by Hensley to adopt. Motion Carried 7-0.**

[15-0976](#) 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. ([Council Communication No. 15-288](#)) **Moved by Gray to receive and file the staff report and comments received, and to adopt alternative C. (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. Motion Carried 6-1. Nays: Coleman.**

[15-0977](#) 66. [Selection](#) of Nelson Construction and Development as the preferred developer of the air rights over the new 7th and Grand Parking Garage. ([Council Communication No. 15-281](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[15-0978](#) 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](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

EXTRA ITEMS

[15-0979](#) 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. **Moved by Coleman to adopt. Motion Carried 7-0.**

[15-0980](#) 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. **Moved by Hensley to adopt. Motion Carried 7-0.**

BOARD OF HEALTH

[15-0981](#) MOTION TO CONVENE. **Moved by Gatto that the City Council adjourn and convene as a Board of Health. Motion Carried 7-0.**

1. Approving the Legal Department to proceed with court action seeking authority to abate the public nuisance at the following locations:

[15-0982](#) (A) [2137](#) Des Moines Street, fire-damaged main structure and garage; Titleholders: Donald D. Norris (deceased) and Betty J. Norris (deceased). **Moved by Gatto to adopt. Motion Carried 7-0.**

[15-0983](#) (B) [1026](#) 24th Street, fire-damaged main structure; Titleholders: Greyfox Properties, LLC. **Moved by Gatto to adopt. Motion Carried 7-0.**

[15-0984](#) (C) [1546](#) 33rd Street, fire-damaged main structure; titleholder: Fritzier Family Enterprises, LLC. **Moved by Gatto to adopt. Motion Carried 7-0.**

[15-0985](#) (D) [1552](#) E. 36th Street, fire-damaged main structure; Titleholder: Herman Thompson. **Moved by Gatto to adopt. Motion Carried 7-0.**

[15-0986](#) MOTION TO ADJOURN. **Moved by Gray to adjourn at 5:22 PM. Motion Carried 7-0.**

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