



*** 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 '17-' 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
Municipal Service Center, Council Chambers
1551 E. M.L. King Jr. Pkwy.
Des Moines, Iowa 50317

May 8, 2017
4:30 PM

I. **CLOSED SESSION – Ewing Conference Room 213 - 3:30 PM**

- [17-0722](#) (A) Roll Call. **Present: Cownie, Gatto, Gray, Hensley, Moore and Westergaard. Absent: Coleman. Council Member Coleman entered the meeting during item D.**
- [17-0723](#) (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 Gatto to adopt. Motion Carried upon roll call 6-1. Absent: Coleman.**
- [17-0724](#) (C) Closed Session.
- [17-0725](#) (D) Terminate closed session and reconvene in open session. **Moved by Moore to adopt. Motion Carried 7-0.**
- [17-0726](#) (E) 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 Moore to adopt. Motion Carried upon roll call 7-0.**

- [17-0727](#) (F) Closed Session.
- [17-0728](#) (G) Terminate closed session and reconvene in open session. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0729](#) (H) Motion to adjourn. **Moved by Gatto to adjourn at 4:16 PM. Motion Carried 7-0.**

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SPECIAL PRESENTATIONS – 4:00 PM

Grand View University Wrestling Team National Champions

Variety Club – The Children’s Charity – 2017 Recipient of the Iowa Parks and Recreation Association’s Service Club of the Year

INVOCATION: Council Member Gray

- [17-0730](#) 1. ROLL CALL: **Present: Cownie, Coleman, Gatto, Gray, Hensley, Moore and Westergaard.**
- [17-0731](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0732](#) 3. APPROVING CONSENT AGENDA * – items 3 through 62: **Moved by Hensley 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

- [17-0733](#) 4. Approving Alcoholic Beverage License Applications for the following: **Moved by Hensley to adopt all except item D. Motion Carried 7-0. Moved by Gray to continue item D to May 22, 2017. The City will contact CVS regarding bringing their site plan into compliance. Motion Carried 7-0. Council Member Coleman votes No on items F, M and N.**

NEW APPLICATIONS

- (A) NOODLE ZOO & THE ZOO BAR 601 E LOCUST ST C Liquor
- (B) PRICE CHOPPER 3425 INGERSOLL C Liquor

RENEWAL APPLICATIONS

- (C) AMERICANA 1312 LOCUST ST C Liquor

*(D)	CVS PHARMACY #10329	2303 MERLE HAY RD	E Liquor
(E)	DEPOT	3000 E GRAND AVE	B Beer
*(F)	DES MOINES VALERO #203	4140 PARK AVE	C Beer
(G)	EMBASSY SUITES HOTEL	101 E LOCUST ST	B Liquor
(H)	GARDEN NIGHTCLUB	112 SE 4TH ST	C Liquor
(I)	LEGENDS AMERICAN GRILL	216 COURT AVE	C Liquor
(J)	LOUIES WINE DIVE	4040 UNIVERSITY	C Liquor
(K)	OLYMPIC FLAME	514 E GRAND AVE	C Beer/Wine
(L)	ROCA & SHORTYS	208 COURT AVE	C Liquor
*(M)	ROYAL FOOD	1443 2ND AVE	C Beer
*(N)	SOUTH SIDE FOOD MART *(1)	1101 ARMY POST RD	E Liquor
(O)	THIRSTY SPORTSMAN	4808 SW 9TH ST	C Liquor

TRANSFER TO NEW LOCATION

(P) FEDERAL DISTRIBUTORS 3000 E GRAND AVE C Beer/Wine
Temporary to the Agri Building due to ATHS National Convention on May 25 – 27, 2017.

SPECIAL EVENT APPLICATIONS

(Q) BARKSDALE CONCESSIONS 3000 E GRAND Five (5) Day License
Class C Liquor License for ATHS National Convention on May 25 – 27, 2017.

(R) BUZZARD BILLYS 615 3RD ST Five (5) Day License
Class C Liquor License for Neil Diamond concert on May 21 and Red Hot Chili Peppers concert on May 23, 2017. Pending approval of Zoning Department.

(S) CAPTAIN ROYS 1900 SAYLOR RD Fourteen (14) Day License
Class B Beer License for events May 22 – June 4, 2017.

(T) CAPTAIN ROYS 1900 SAYLOR RD Fourteen (14) Day License
Class B Beer License for events on June 5 – 18, 2017.

(U) COMMONS OFF THE CLOCK 313 WALNUT ST Five (5) Day License
Class B Beer License for an event on May 19, 2017. Pending approval of Zoning Department.

(V) COMMONS OFF THE CLOCK 313 WALNUT ST Five (5) Day License
Class B Beer License for an event on June 2, 2017. Pending approval of Zoning Department.

(W) DRAKE UNIVERSITY 2505 CARPENTER Five (5) Day License
Special Class C Liquor License (Beer/Wine) for Turner Jazz Orchestra on May 11, 2017.

(X) GATEWAY MARKET 2909 WOODLAND Five (5) Day License
Class C Liquor License for a wedding reception on May 13, 2017.

(Y) IOWA TAPROOM 215 E 3RD ST Five (5) Day License
Class B Beer License for Market to Market Relay on May 13, 2017. Pending approval of Zoning Department.

(Z) NICKS 1106 ARMY POST Five (5) Day License

Class B Beer License for Classic Car Show on May 12, 2017.

(AA) NICKS 1106 ARMY POST Five (5) Day License
Class B Beer License for Classic Car Show on May 19, 2017.

(BB) OVATIONS FOOD SERVICES 833 5TH AVE Five (5) Day License
Class B Beer License for Iowa Barnstormers Tailgate Party on May 13, 2017. Pending approval of Zoning Department.

(CC) ROR 710 CORNING Five (5) Day License
Class B Beer License for Rendezvous on Riverview event on June 2, 2017.

(DD) ROR 710 CORNING Five (5) Day License
Class B Beer License for Rendezvous on Riverview event on June 9, 2017.

(EE) ROR 710 CORNING Five (5) Day License
Class B Beer License for Rendezvous on Riverview event on June 16, 2017.

(FF) SARA PORTER 3500 KINGMAN BL Five (5) Day License
Class C Liquor License for a wedding reception on May 20, 2017. Pending approval of Building, Electrical and Fire Departments.

(GG) TASTE! TO GO 4700 GRAND AVE Five (5) Day License
Class C Liquor License for Big Hair Ball on May 13, 2017.

(HH) YOUR PRIVATE BARTENDER 519 PARK ST Five (5) Day License
Class C Liquor License for an event on May 20, 2017. Pending approval of Zoning Department.

- [17-0734](#) 5. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits. **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Cownie and Moore.**

PUBLIC IMPROVEMENTS

6. Ordering construction of the following:

[17-0735](#) (A) [Lower](#) Oak and Highland Park Sewer Separation Phase 1: Receiving of bids, (5-23-17), Setting date of hearing, (6-12-17). Construction estimate, \$1,930,000. ([Council Communication No. 17-412](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-0736](#) (B) [MacRae](#) Park Road Reconstruction from Davis Ave 500 Feet North: Receiving of bids, (5-23-17). Setting date of hearing, (6-12-17). Construction estimate, \$212,000. ([Council Communication No. 17-413](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-0737](#) 7. [Approving](#) exception to request for proposals process for good cause and approving Professional Services Agreement with Calhoun-Burns & Associates, Inc. for the City-Wide Bridge Evaluation – 2017, not to exceed \$188,000. ([Council Communication No. 17-409](#))

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

- [17-0738](#) 8. [Approving](#) exception to request for proposals process for good cause and approving Professional Services Agreement with RDG IA Inc. d/b/a RDG Planning & Design for the Principal Park Batting Tunnel, not to exceed \$75,550. ([Council Communication No. 17-411](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0739](#) 9. [Approving](#) exception to request for proposals process for good cause and approving Professional Services Agreement with IMEG Corp. for design and construction services for the 2017 Parking Garage Repair Program, not to exceed \$79,499. ([Council Communication No. 17-407](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0740](#) 10. [Approving](#) Professional Services Agreement with HR Green, Inc. for conceptual design of the Hamilton Drain East System Storm Sewer Improvements, not to exceed \$217,600. ([Council Communication No. 17-414](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0741](#) 11. [Approving](#) 28E Agreement with the City of Pleasant Hill for a public improvement project, SE 43rd Street from Carlisle Road to Vandalia Road. ([Council Communication No. 17-410](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0742](#) 12. [Approving](#) Change Order No. 7 with Henning Paric Commercial, LLC for additional work on the City Hall Improvements Project, not to exceed \$544,679. ([Council Communication No. 17-406](#)) **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Gatto and Moore.**
- [17-0743](#) 13. [Approving](#) Change Order No. 8 with Henning Paric Commercial, LLC for additional work on the City Hall Improvements Project and increase project budget by \$950,000. ([Council Communication No. 17-419](#)) **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Gatto and Moore.**
- [17-0744](#) 14. [Approving](#) contract and bond and permission to sublet with RW Excavating Solutions, LC (Dan E. Wilson, Managing Member) on the Agrimergent Storm Sewer Phase 1, \$1,059,070.31. **Moved by Hensley to adopt. Motion Carried 7-0.**
15. Approving private construction contracts for the following:
- [17-0745](#) (A) [Paving](#) and Storm Improvements in Bici Flats, Corell Contractor, Inc. and Bici Flats, LLC. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0746](#) (B) [Sanitary](#) Sewer Improvements in 3703 SE 14th Street, Koester Construction Company, Inc. and Discount Tire Company of Iowa, Inc. **Moved by Hensley to adopt.**

Motion Carried 7-0.

- [17-0747](#) (C) [Skywalk](#) Bridge Improvements in Skywalk Bridge 7F-8F, over 8th Street North of Grand Avenue, Weitz Company, LLC and 7 & Grand Ramp Developer, LLC. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0748](#) (D) [Paving](#) and Storm Sewer Improvements in Vue Apartments, Estes Company LLC d/b/a Ester Construction and 23 Ingersoll LLC. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0749](#) 16. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0750](#) 17. [Accepting](#) completed construction and approving final payment for SE Connector Paving – SE 9th Street to SE 15th Street, Elder Corporation. **Moved by Hensley to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [17-0751](#) 18. [Ordering](#) preparation of plat and schedule of assessments for SE 14th Street Sidewalks from various locations between Indianola Avenue and Army Post Road. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0752](#) (A) [Adopting](#) and levying final schedule of assessments, and providing for payment thereof. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0753](#) 19. [Levying](#) assessments for fees, fines, penalties, costs, and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2017-04. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0754](#) 20. [Approving](#) deletion of NAC-Emergency Assessment at 2620 Cornell Street. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0755](#) 21. [Approving](#) deletion of NAC-Emergency Assessment at 3018 York Street. **Moved by Hensley to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [17-0756](#) 22. [Request](#) to purchase 2015 Tax Sale Certificate from the current certificate holder and to request the Polk County Treasurer to assign the 2017 Tax Sale Certificate to the City of Des Moines for property located at 1637 Huntland Drive. ([Council Communication No. 17-396](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [17-0757](#) 23. [Authorization](#) and approving partial abandonment and release of public utility easement in property located north of Des Moines Street between East 2nd Street and East 4th Street. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0758](#) 24. [Authorization](#) and approving partial abandonment and release of sewer and public utility easement in property located north of Des Moines Street between East River Drive and East 4th Street. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0759](#) 25. [Approving](#) Final Subdivision Plat, Saylor Fire Station Plat 1, located at 211 NW 54th Avenue within the two-mile distance for extra territorial review. ([Council Communication No. 17-388](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [17-0760](#) 26. [Recommendation](#) from the Des Moines Skywalk Association, regarding their appointments to the Skywalk Committee, Seats 4 and 5. **Moved by Hensley to approve the recommendation. Motion Carried 7-0.**
- [17-0761](#) 27. [Recommendation](#) from the Des Moines Public Schools regarding their appointment of Kara Longfield to the Traffic Safety Committee, Seat 9. **Moved by Hensley to approve the recommendation. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [17-0762](#) 28. [Regarding](#) Preliminary Plat “Beaver Cove” at 4209 Lower Beaver Road. **Moved by Gray to receive and file. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [17-0763](#) 29. [On](#) request from HDR Land Development, LLC to rezone property in the vicinity of 4896 Easton Boulevard from “A-1” (Agricultural) to “PUD” (Planned Unit Development) and for approval of a 2nd Amendment to the Woods at Copper Creek PUD Conceptual Plan to add approximately 38.68 acres to the east of the existing development to provide approximately 130 additional lots for single-family residential that would each be a minimum of 70 feet wide, (5-22-17). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0764](#) 30. [On](#) vacation of a segment of Ingersoll Avenue right-of-way, north of and adjoining 539 Polk Boulevard, and conveyance to Elizabeth J. Carter and Jared M. Carter, \$150, (5-22-17). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0765](#) 31. [On](#) conveyance of City-owned property at 1445 6th Avenue to 6th Avenue Corridor, Inc., in conjunction with redevelopment of the property, \$12,000, (5-22-17). ([Council Communication No. 17-393](#)) **Moved by Gray to adopt. Motion Carried 7-0.**
- [17-0766](#) 32. [On](#) conveyance of City-owned property at 1321 Fremont Street to Community Housing

Initiatives, Inc. in conjunction with redevelopment of the property, \$6,000, (5-22-17). ([Council Communication No. 17-392](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [17-0767](#) 33. [Approving](#) payment to Premier Homes for a property damage claim at 613 Pioneer Road. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0768](#) 34. [Approving](#) payment to Michael and Mary Knode for a property damage claim. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0769](#) 35. [Approving](#) settlement and payment to Douglas Triplett to resolve an employment claim. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0770](#) 36. [Approving](#) payment to Kenworthy Law, PC on matters related to construction disputes, \$15,127.58. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0771](#) 37. [Approving](#) payment to Charles Becker and the Belin McCormick Law Firm for legal representation on environmental issues related to landfills, \$7,487.16. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0772](#) 38. [Approving](#) payment to Belin McCormick Law Firm for consulting and legal services, \$6,846.00. **Moved by Hensley to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- [17-0773](#) 39. [Submitting](#) travel and training requests for Rodrigo Santizo, Ryan Doty and T.M. Franklin Cownie. ([Council Communication No. 17-423](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

APPROVING

- [17-0774](#) 40. [Support](#) of a Workforce Housing Tax Credit Benefit Application to be submitted to the Iowa Economic Development Authority (IEDA) by Rally Cap Properties, LLC for a housing rehabilitation project at various locations. ([Council Communication No. 17-403](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0775](#) 41. [First](#) Amendment to Amended and Restated Development Agreement with FDM Development Partnership, LLLP for the rehabilitation of existing buildings in Historic Fort

Des Moines for residential use. ([Council Communication No. 17-404](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [17-0776](#) 42. [Development](#) Agreement with H. Glass Partners, LLC for the redevelopment of 212 E. 3rd Street and approving Conceptual Development Plan. ([Council Communication No. 17-402](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0777](#) (A) [Setting](#) date of hearing on sale of vacated City right-of-way adjoining 212 E. 3rd Street to H. Glass Partners, LLC, \$1,000, (5-22-17). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0778](#) 43. [First](#) Amendment to Iowa Great Places Program Grant Agreement for Sixth Avenue Corridor Streetscaping Project. ([Council Communication No. 17-395](#)) **Moved by Gray to adopt. Motion Carried 6-1. Absent: Coleman.**
- [17-0779](#) 44. [Payment](#) of \$100,000 to the Greater Des Moines Partnership for calendar year 2016 and payments for calendar years 2017 and 2018. ([Council Communication No. 17-421](#)) **Moved by Moore to continue to the May 22, 2017 Council meeting; refer to the City Manager to schedule a Work Session presentation by the Partnership. Motion Carried 6-1. Absent: Coleman.**
- [17-0780](#) 45. [Support](#) for the Home Base Iowa initiative. ([Council Communication No. 17-382](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0781](#) 46. [Donation](#) and Naming Agreement with Employers Mutual Casualty Company for Overlook at MacRae Park and naming of overlook as “EMC Overlook”. ([Council Communication No. 17-400](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0782](#) (A) [Communication](#) from the Fundraising Committee, requesting that the new shelter be named for Julia Brenton. **Moved by Hensley to receive, file and approve the request. Motion Carried 7-0.**
- [17-0783](#) 47. [Reimbursement](#) for geotechnical costs associated with redevelopment of City-owned land in Central Place Business Park. ([Council Communication No. 17-418](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0784](#) 48. [Receipt](#) of petitions to establish a Sherman Hill Self-Supported Municipal Improvement District (SSMID), merging two districts into a single district. ([Council Communication No. 17-394](#)) **Moved by Hensley to receive, file and refer to the Plan and Zoning Commission, petitions to establish a Sherman Hill Self-Supported Municipal Improvement District. Motion Carried 7-0.**

- [17-0785](#) 49. [Expenditures](#) under agreement with the Ingersoll Grand Self-Supported Municipal Improvement District (SSMID). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0786](#) 50. [Memorandum](#) of Understanding with Iowa Soybean Association to conduct a North Raccoon River Watershed Study and authorizing submission of a Water Resource Restoration Sponsored Project Application for the North Raccoon River Watershed to the Iowa Department of Natural Resources. ([Council Communication No. 17-417](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0787](#) 51. [28E](#) Agreement for Public Works Mutual Assistance with the Counties of Boone, Dallas, Jasper, Madison, Marion, Marshall, Polk, Story and Warren and Cities within these Counties. ([Council Communication No. 17-387](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0788](#) 52. [Receive](#) and file Des Moines Strategic Communications Plan 2017. ([Council Communication No. 17-422](#)) **Moved by Coleman to adopt; refer to the City Manager to provide an itemized list and timeline for elements which are moving forward. Motion Carried 7-0.**
- [17-0789](#) 53. [Application](#) from RipRoar Events, LLC requesting approval to place banners at the start and finish lines for the Des Moines Women's Half Marathon. **Moved by Hensley to receive, file and ratify approval. Motion Carried 7-0.**
- [17-0790](#) 54. [Communication](#) from Downtown Community Alliance, on behalf of the Greater Des Moines Partnership, requesting approval to place banners on Locust Street, E. Locust Street, Grand Avenue, and 8th, 10th, 12th and 13th Street banner poles in June through December 2017. **Moved by Hensley to receive, file and approve. Motion Carried 7-0.**
- [17-0791](#) 55. [Application](#) from Bubble Run, LLC requesting approval to place arches at the start and finish lines for the Bubble Run on May 12th and 13th, 2017. **Moved by Hensley to receive, file and approve. Motion Carried 7-0.**
- [17-0792](#) 56. [Application](#) from Pink Gorilla Events requesting approval to place two inflatable arches, feather flags, and event fence with a banner attached to assist runners with navigation for the Market to Market Relay on May 13th, 2017 **Moved by Hensley to receive, file and approve. Motion Carried 7-0.**

57. Abatement of public nuisances at the following addresses:

[17-0793](#) (A) [6030](#) Urbandale Avenue. **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-0794](#) (B) [2908](#) SE 14th Street. **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-0795](#) (C) [1423](#) E. 9th Street. **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-0796](#) 58. **Exception** to the procurement ordinance competitive bidding requirements for good cause and approving a contract amendment with Marsden Building Maintenance for services for Municipal Buildings, Fleet Services and Public Works Facilities, for an additional annual amount, \$117,024. ([Council Communication No. 17-420](#)) **Moved by Hensley to refer to the City Manager to schedule a Work Session to discuss this contract and the scope of services. Motion Carried 6-1. Nays: Moore. Previous motion by Moore to deny failed. Yeas: Gatto and Moore. Nays: Coleman, Hensley, Cownie, Westergaard and Gray.**

59. Bids from the following:

[17-0797](#) (A) [Vetter](#) Equipment (Glen Vetter, Owner) for one (1) replacement agricultural tractor per State of Iowa Contract for use by Public Works Department Sewers Division, \$119,829.65. ([Council Communication No. 17-385](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-0798](#) (B) [Murphy](#) Tractor & Equipment (Thomas Udland, President) for one (1) replacement rubber-tired tractor backhoe and accessories per State of Iowa Contract for use by the Public Works Department Sewer Division, \$214,810.51. ([Council Communication No. 17-384](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-0799](#) (C) [Sutphen](#) Corporation (Thomas Sutphen, President) for two (2) replacement ladder trucks per Houston-Galveston Area Council (HGAC) Contract for use by the Fire Department, \$1,759,860. ([Council Communication No. 17-398](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-0800](#) (D) [Central](#) Service & Supply (Dan Abramovich, President) for twenty-two (22) replacement trash pumps for use by the Public Works Department Sewer Division, \$648,560. (Sixteen (16) potential bidders, seven received). ([Council Communication No. 17-383](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-0801](#) (E) [Municipal](#) Pipe & Tool (Mark Kaler, Owner) for one (1) hose reel easement machine for use by the Public Works Department Sewer Division, \$56,500. (Seven potential bidders, three received). ([Council Communication No. 17-386](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-0802](#)

- 60. [Civil](#) Service Entrance List for Park and Recreation Supervisor, Senior Police Officer, Senior Construction Inspector, Police Officer, Sewer Maintenance and Senior Traffic Device Maintenance Worker. **Moved by Hensley to receive and file. Motion Carried 7-0.**

[17-0803](#)

- 61. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of May 8 and 15, 2017; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of May 8 and 15, 2017; and to draw checks for biweekly payroll due on May 26, 2017. **Moved by Hensley to adopt. Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

[17-0804](#)

- 62. [Amending](#) Chapter 114 of the Municipal Code regarding traffic regulation changes as follows: **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

- (A) Code corrections – Ingersoll Bus Lane.
- (B) Parking Restriction Modifications – Ingersoll east of Martin Luther King Jr. Parkway.
- (C) Code modifications related to Easter Lake Estates Plat 6 and 7 and Prairie Hills Des Moines Plat 1.
- (D) Code changes to allow for electric vehicle charging stations in City parking ramps.
- (E) Addition of a bus loading area and removal of peak hour parking restrictions, south side of Cherry Street, west of 7th Street.
- (F) Code corrections around Moulton Learning Center on 7th and 8th Streets, south of College Avenue.

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

ORDINANCES - FIRST CONSIDERATION

[17-0805](#)

- 63. [Amending](#) Chapter 114 of the Municipal Code submitting traffic regulation changes as follows: ([Council Communication No. 17-416](#)) **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- (A) Stop Signs on E. Court Avenue from SE 32nd to E. 33rd Court.
- (B) Ingersoll Bus Stop change at 38th Street.
- (C) Addition of Parking Restrictions – Scott Avenue.

[17-0806](#) (D) Final consideration of ordinance above (waiver requested by Council Member Gatto), requires six votes. **Moved by Gatto that this ordinance do now pass, [#15,580](#). Motion Carried 7-0.**

[17-0807](#) 64. **Amending** Chapter 60 of the Municipal Code regarding real estate contract sales inspections. ([Council Communication No. 17-397](#)) **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

COUNCIL REQUESTS

65. Number not used.

[17-0808](#) 66. **From** Council Member Chris Coleman to discuss the current City definition for “restaurant” and “bar” with regards to City licensing. **Moved by Coleman to receive and file comments and refer to the City Manager, City Attorney and City Clerk for review and recommendation regarding the definitions and regarding the hours restaurants are selling food, and to add this item to the list of priorities in the Strategic Plan. Motion Carried 7-0.**

[17-0809](#) 67. **From** Council Member Bill Gray to submit a petition regarding recent gunshot incidents in Beaverdale. **Moved by Gray to receive, file and refer to the City Attorney for follow-up. Motion Carried 7-0.**

[17-0810](#) 68. **From** Council Member Christine Hensley to speak regarding parking meter options and potential impact for the City. **Moved by Hensley to refer to the City Manager, City Attorney and Traffic Division for review and recommendation and to determine discussion points prior to issuance of an RFI (Request for Interest) for an outside vendor. Motion Carried 7-0.**

[17-0811](#) 69. **From** Council Member Skip Moore to discuss City ordinances and City Council-established policies regarding employees. **Moved by Moore to continue to the May 22, 2017 Council meeting. Motion Carried 6-1. Absent: Westergaard.**

COMMUNICATIONS/REPORTS

[17-0812](#) 70. **From** citizens to speak regarding Johnny Mac’s Bar and Grill, 2279 Hubbell Avenue. **Moved by Westergaard to receive and file comments. Motion Carried 7-0.**

[17-0813](#) 71. **From** Teneshia Spears, 1831 Fuller Road, West Des Moines, to speak regarding enforcement of violations at a local bar. **Moved by Hensley to receive and file. Ms. Spears did not speak. Motion Carried 7-0.**

APPROVING

- [17-0814](#) 72. [Receive](#) and file letter and proposed draft resolution from the Des Moines Civil and Human Rights Commission proclaiming Des Moines a Welcoming City. **Moved by Moore to receive and file with direction for City Staff to give input and make recommendations on the draft resolution for Council consideration. Motion Carried 7-0.**

HEARINGS (OPEN AT 5:05 P.M.) (ITEMS 73 THRU 83)

- [17-0815](#) 73. [On](#) the designation of the Stockdale Double House, including the existing garage, at 4018-20 Ingersoll Avenue as a local landmark. ([Council Communication No. 17-399](#)) **Moved by Hensley to grant the application for the Designation of the Stockdale Double House as a local landmark. Motion Carried 7-0.**
- [17-0816](#) 74. [On](#) conveyance of portions of the vacated north/south alley right-of-way between E. 23rd Street and E. 24th Street, north of Guthrie Avenue to adjoining property owners, \$175. ([Council Communication No. 17-401](#)) **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [17-0817](#) 75. [On](#) conveyance of City-owned property at 1074 26th Street to DSMBLC Holdings, Inc. ([Council Communication No. 17-390](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0818](#) 76. [On](#) conveyance of City-owned property at 3011 5th Avenue to Greater Des Moines Habitat for Humanity, Inc. ([Council Communication No. 17-391](#)) **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [17-0819](#) 77. [On](#) conveyance of City-owned property at 2019 30th Street to Home Revivals, LLC and approving acquisition agreement. ([Council Communication No. 17-389](#)) **Moved by Gray to adopt. Motion Carried 7-0.**
- [17-0820](#) 78. [On](#) request from TWG Development, LLC to rezone property in the vicinity of 201 SE 6th Street from “M-2” (Heavy Industrial) to Ltd. “C-3B” (Central Business Mixed-Use) to allow redevelopment with a four-story mixed use project and an estimated 211 dwelling units, estimated 2,200 square feet of ground floor commercial space, and an estimated 205 parking spaces in an underground garage. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0821](#) (A) [First](#) consideration of ordinance above. **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [17-0822](#) (B) [Final](#) consideration of ordinance above (waiver requested by the applicant), requires six votes. **Moved by Gatto 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, [#15,581](#). Motion Carried 7-0.**

- [17-0823](#) 79. **On** request from NB Golf, LLC to rezone 4905 Hubbell Avenue from Ltd. “M-1” (Light Industrial) to an amended Ltd. “M-1” to remove the zoning condition that prohibits a “vehicle display lot” use and allow use of the premises for the sale of golf carts. **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [17-0824](#) (A) **First** consideration of ordinance above. **Moved by Westergaard that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [17-0825](#) (B) **Final** consideration of ordinance above (waiver requested by applicant), requires six votes. **Moved by Westergaard 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, #15,582. Motion Carried 7-0.**
- [17-0826](#) 80. **On** request from Extreme Auto Plaza, Inc. to rezone 1453 E. 14th Street from Ltd. “C-2” (General Retail and Highway-Oriented Commercial) and “R-2A” (General Residential) to an amended Ltd. “C-2” (General Retail and Highway-Oriented Commercial) to allow future expansion of the existing vehicle display lot and sales of new vehicles and small trailers, subject to conditions and to continue to May 22, 2017 at 5:00 PM. **Moved by Westergaard to adopt. Motion Carried 7-0.**
81. Items regarding property acquisition for the Municipal Services Center, Phase 2 project:
- [17-0827](#) (A) **Resolution** rescinding Roll Call No. 17-0661 of April 17, 2017. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0828](#) (B) **Resolution** regarding authorization to proceed with acquisition of necessary property interests. (**Council Communication No. 17-405**) **Moved by Hensley to adopt. Motion Carried 4-3. Nays: Coleman, Gatto and Moore.**
- [17-0829](#) 82. **On** 30th Street Sidewalk from Boston Avenue to Urbandale Avenue: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Cerebral Group, LLC (Kalyan Venkatraman, President), \$183,199. (**Council Communication No. 17-408**) **Moved by Gray to adopt. Motion Carried 7-0.**
- [17-0830](#) (A) **Approving** contract and bond, and permission to sublet. **Moved by Gray to adopt. Motion Carried 7-0.**

[17-0831](#)

83. [On](#) Locust Street Reconstruction from 9th Street to 12th Street: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as J&K Contracting, LLC (Jeremy Feldmann, President), \$892,892. ([Council Communication No. 17-415](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-0832](#)

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

*** END OF HEARINGS AT 6:04 PM ***

[17-0833](#)

MOTION TO ADJOURN. **Moved by Hensley to adjourn at 9:11 PM. Motion Carried 7-0.**

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