

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

**February 8, 2016**  
**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.

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**PROCLAMATIONS – 4:15 PM**

**Up with People Week**

**INVOCATION:** Council Member Bill Gray

- 1. ROLL CALL:
  - I. Prairie Meadow City/County Partnership Check Presentation.**
- 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
- 3. APPROVING CONSENT AGENDA \* – items 3 through 31:

**\*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)	CANDELA	2925 INGERSOLL	C Liquor
(B)	HOLIDAY INN	333 SW 11TH ST	C Beer
(C)	IOWA TAPROOM	215 E 3RD ST	C Liquor
(D)	REEDS HOLLOW	2712 BEAVER AVE	C Liquor

**RENEWAL APPLICATIONS**

(E)	COONEYS TAVERN	3708 BEAVER AVE	C Liquor
(F)	DELLA VITI	425 E GRAND AVE	C Liquor
(G)	EL AGUILA REAL *(1)	3520 BEAVER AVE	C Liquor
(H)	GIT N GO STORE #27	1240 KEOSAUQUA	C Beer
(I)	MARGARITA MEXICAN	400 SE 6TH ST	C Liquor
(J)	MICHAELS PIZZA	2629 BEAVER AVE	C Beer/Wine
(K)	PATTONS RESTAURANT	1552 E GRAND AVE	C Beer/Wine
(L)	SHOWROOM	4100 MERLE HAY RD	C Liquor
(M)	TOBACCO OUTLET PLUS #503	400 EUCLID AVE	C Beer
(N)	WOOLYS	504 E LOCUST ST	C Liquor

**TRANSFER TO NEW LOCATION**

(O)	ELWELL FAMILY FOOD	3000 E GRAND AVE	C Liquor
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Temporary to the Cattle Barn for the Iowa Beef Expo on February 14 – 21, 2016.

**SPECIAL EVENTS APPLICATIONS**

(P)	DRAKE - TURNER JAZZ	2505 CARPENTER AVE	Five (5) Day License Special Class C Liquor License (Beer/Wine) for Andy Claussen event on February 11, 2016.
(Q)	GATEWAY MARKET	400 ROBERT D RAY DR	Five (5) Day License Special Class C Liquor License (Beer/Wine) for Downtown Chamber Annual Celebration on February 16, 2016.
(R)	TAI VILLAGE	3000 E GRAND AVE	Five (5) Day License Class B Beer License for New Year Celebration on February 13, 2016.

5. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits.

6. [City](#) Clerk to issue Coin Operated Machine Licenses.

## **PUBLIC IMPROVEMENTS**

7. [Approving](#) and authorizing the execution of Iowa Department of Transportation (IDOT) agreement for East 30th Street Viaduct over UPRR Rehabilitation.

([Council Communication No. 16-065](#))

8. [Approving](#) completion and acceptance of the private construction contract for paving improvements at 1938 SE 6<sup>th</sup> Street between Koester Construction Co., Inc. and Neighborhood Development Corporation.

## **LAND/PROPERTY TRANSACTIONS**

9. [Acceptance](#) of real estate documents from Polk County, Iowa for the Evergreen Bridge Over Easter Lake Replacement Project.

## **BOARDS/COMMISSIONS/NEIGHBORHOODS**

10. [Communication](#) from Kathy Collins Reilly advising of her resignation from the Des Moines Civil and Human Rights Commission, Seat 2, effective immediately.
  - (A) [Recommendation](#) from Council Member Skip Moore to appoint Donna Red Wing to the Des Moines Civil and Human Rights Commission, Seat 2, for a three-year term commencing April 1, 2015 to April 1, 2018.
11. [Recommendation](#) from Council Member Bill Gray to appoint Blake O'Brien to the Building and Fire Code Board of Appeals, Seat 4, for the remainder of a three-year term to expire April 1, 2016 and an additional three-year term expiring April 1, 2019.
12. [Recommendation](#) from the Neighborhood Finance Corporation (NFC) to appoint Josh Hellyer to the Neighborhood Revitalization Board, as the NFC Board Representative, Seat 15, for a one-year term commencing June 30, 2015 to expire June 30, 2016.
13. [Recommendation](#) from Council Member Christine Hensley to reappoint Seth Gray to the Urban Design Review Board, Seat 6, for a three-year term commencing June 30, 2015 to expire June 30, 2018.

## SETTING DATE OF HEARINGS

14. On items regarding the budget, (2-22-16):

- (A) On consideration of the recommended Capital Improvement Program for fiscal years 2016-2017 through 2021-2022.

(Council Communication No. 16-069)

- (B) On amendment to the annual budget for current fiscal year ending June 30, 2016.

- (C) On proposed budget for the fiscal year ending June 30, 2017.

14-I Items regarding proposed General Obligation Bonds for the following, (2-22-16):

- (A) Resolution electing classifications and procedures for proposed bond projects.

- (B) On issuance of not to exceed \$26,395,000 (for Essential Corporate Purposes).

- (C) On issuance of not to exceed \$7,175,000, (for Urban Renewal Purposes).

- (D) On issuance of not to exceed \$3,505,000 (for Urban Renewal Purposes).

- (E) On issuance of not to exceed \$985,000 (for General Corporate Purposes).

- (F) On issuance of not to exceed \$825,000, (for General Corporate Purposes).

- (G) On issuance of not to exceed \$950,000, (for General Corporate Purposes).

- (H) On issuance of not to exceed \$885,000, (for General Corporate Purposes).

- (I) On issuance of not to exceed \$920,000, (for General Corporate Purposes).

- (J) On issuance of not to exceed \$260,000, (for General Corporate Purposes).

- (K) On issuance of not to exceed \$985,000, (for General Corporate Purposes).

15. On assessment of \$500 penalties to liquor license holders listed on attachment "A" for violation of Iowa Alcoholic Beverage Laws, (2-22-16).

## LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

16. [Approving](#) payment to Peddicord, Wharton, Spencer, Hook, Barron & Wegman, LLP for representation of Police Officer Colin Boone, \$2,306.
17. [Approving](#) payment to Ahlers & Cooney, PC Law Firm for Collective Bargaining services, \$1,837.50.

## CITY MANAGER COMMUNICATIONS

18. [Submitting](#) travel and training request for Cody Brigman, Benjamin Campbell, Mike Goodwin, Steve Hesslink, Mike Houseman Jr., Carrie Kruse, Kenneth Robinson, John Scarlett and Sara Thies.

[\(Council Communication No. 16-068\)](#)

## APPROVING

19. [Preliminary](#) terms of agreement with Bronson Partners, LLC for the renovation and conversion of 1417 Walnut Street for a mixed-use residential and commercial development.

[\(Council Communication No. 16-058\)](#)

20. [Support](#) of a Workforce Housing Tax Credit Benefit Application to be submitted to the Iowa Economic Development Authority (IEDA) by HRC 8<sup>th</sup> Street II, LLC for a housing project at 915 9<sup>th</sup> Street.

[\(Council Communication No. 16-057\)](#)

21. [Request](#) for Tax Sale Certificate from Polk County Treasurer's Office for the vacant house at 1115 E. 13<sup>th</sup> Street and approving Agreement with Community Housing Initiatives, Inc. (CHI) for assignment of the tax sale certificate for rehabilitation to owner-occupied housing.

[\(Council Communication No. 16-059\)](#)

22. [Issuance](#) of a Certificate of Completion for Cityville on 9<sup>th</sup> Phase 1.

23. [Third](#) Amendment to the contract for single-stream recyclables processing services with Mid-America Recycling, LLC.

[\(Council Communication No. 16-071\)](#)

24. [Refund](#) of 2015 Taxi and Limousine Driver's Licenses.

[\(Council Communication No. 16-063\)](#)

25. [Communication](#) from Downtown Community Alliance on behalf of the Lifeserve Blood Center requesting approval of banner designs to be displayed in Downtown Des Moines on Locust Street in June and E. Locust Street from March-December.

26. [Receive](#) and file the Comprehensive Annual Financial Report (CAFR) for the City of Des Moines for the Fiscal Year (FY) ending June 30, 2015.

[\(Council Communication No. 16-067\)](#)

27. Bids from the following:

(A) [Ed](#) M. Feld Equipment Company (John Feld, President) for fire hose to be used by the Fire Department, \$49,660. (Four potential bidders, three received).

(B) [Communication](#) Innovators (Josh Knight, President) for fiber optic cable installation services for temporary City Hall relocation for use by the IT Department, \$57,218.59. (Nine potential bidders, three received).

(C) [Heartland](#) Business Systems (Peter Helander, President) for Cisco equipment for the temporary City Hall relocation for use by the IT Department, \$103,761.01. (Eight potential bidders, two received).

[\(Council Communication No. 16-070\)](#)

28. [Civil](#) Service Entrance Lists for Senior Construction Inspector and Engineering Technician.

29. [Authorizing](#) Finance Director to draw checks on registers for the weeks of February 8 and 15, 2016; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of February 8 and 15, 2016; and to draw checks for biweekly payroll due on February 19, 2016.

**ORDINANCES - FINAL CONSIDERATION**

- 30. [On](#) vacation of a portion of the east/west alley right-of-way between Franklin Avenue and Allison Avenue adjoining 1624 and 1700 Allison Avenue.

**ORDINANCES - SECOND CONSIDERATION**

- 31. [Amending](#) Chapter 58 of the Municipal Code, regarding application for landmark designation.

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

**ORDINANCES - FIRST CONSIDERATION**

- 32. [Amending](#) Article III Division 4 of the Municipal Code regarding State Income Tax Offset Procedures, relating to the administrative hearing process.
  - (A) [Final](#) consideration of ordinance above (waiver requested by the Legal Department), requires six votes.
- 33. [Amending](#) Section 78 of the Municipal Code regarding the allowed locations, times and manner of operation of mobile food vendors.

[\(Council Communication No. 16-066\)](#)

- (A) [Amending](#) the Schedule of Fees for Mobile Vendors.

**HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 34 THRU 39)**

- 34. [On](#) vacation and conveyance of an estimated 0.61 acres of Allen Park to Eagle View Lofts, LLC for \$1 in exchange for a perpetual easement for public ingress-egress, parking and dumpster space dedicated for Allen Park users, **and to continue to February 22, 2016 at 5:00 PM.**

[\(Council Communication No. 16-064\)](#)

- 35. [On](#) conveyance of a perpetual underground electric easement on City-owned property at Greenwood Park and Ashworth Park to MidAmerican Energy Company, \$1.

36. On conveyance of permanent fiber optic easement across City-owned property in the vicinity of SE 6<sup>th</sup> Street and Shaw Street to MCI Communications Services, Inc.
37. On 2014-2015 Sidewalk Program: approving plans, specifications, form of contract documents, Engineer's estimate, receive and file bids and designating lowest responsible bidder as Shekar Engineering, PLC (Chandra Shekar, President), \$80,365.

(Council Communication No. 16-060)

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

38. On Birdland Park Trail Connection: approving plans, specifications, form of contract documents, Engineer's estimate, receive and file bids and designating lowest responsible bidder as T K Concrete Inc. (Tony J. Ver Meer, President), \$151,580.

(Council Communication No. 16-061)

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

39. On Neal Smith Trail Rehabilitation – Riverview Park to Euclid Avenue: approving plans, specifications, form of contract documents, Engineer's estimate, receive and file bids and designating lowest responsible bidder as OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving (James Gauger, President), \$463,347.57.

(Council Communication No. 16-062)

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

\*\*END HEARINGS AT \_\_\_\_\_PM\*\*

MOTION TO ADJOURN.

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All-America City  
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