

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

March 8, 2018 7:30 AM

INVOCATION: Council Member Westergaard

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 48:

***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 Application for the following:

NEW APPLICATIONS

(A)	EASYGO	2723 GRAND AVE	E Liquor
(B)	HILTON DES MOINES	435 PARK ST	B Liquor
(C)	K SUPER MARKET	3300 SW 9TH ST	C Beer
(D)	RENAISSANCE DES MOINES	401 LOCUST ST	B Liquor
(E)	TRUMANS	400 SE 6TH ST	C Liquor
(F)	WISCO GRUB & PUB	3015 MERLE HAY RD	C Liquor

RENEWAL APPLICATIONS

(G)	BUZZARD BILLYS	615 3RD ST	C Liquor
(H)	CHUCKS	3608 6TH AVE	C Liquor
(I)	DOLLAR GENERAL #13292	3102 MERLE HAY RD	C Beer
(J)	DOLLAR GENERAL #313	2570 HUBBELL AVE	C Beer
(K)	DOLLAR GENERAL #4554	1020 E ARMY POST	C Beer
(L)	DOLLAR GENERAL #4991	3223 SE 14TH ST	C Beer
(M)	DOLLAR GENERAL #6077	221 SW 63RD ST	C Beer
(N)	DOLLAR GENERAL #6725	1428 E OVID AVE	C Beer
(O)	DOLLAR GENERAL #6735	2650 INGERSOLL AVE	C Beer

(P)	FRANCIES	2100 WAKONDA VIEW	C Liquor
(Q)	GRANDVIEW GOLF COURSE	2401 E 29TH ST	C Liquor
(R)	HY VEE FOOD STORE #1	3330 MLK JR PKWY	C Beer
(S)	IOWA CUB CLUB	1 LINE DR	C Liquor
(T)	MALO RESTAURANT	900 MULBERRY ST	C Liquor
(U)	MCCUENS PUB	2565 WEDGEWOOD	C Liquor
(V)	RICCELLIS SUPPER CLUB	3803 INDIANOLA	C Liquor
(W)	SCORNOVACCA PIZZA	3900 E 14TH ST	B Beer
(X)	TACOS LA FAMILIA	1610 6TH AVENUE	C Liquor
(Y)	VOM FASS	833 42ND ST	E Liquor

OUTDOOR SERVICE APPLICATIONS

- (Z) SAINTS PUB + PATIO 4041 URBAN DALE AVE C Liquor
 Temporary in conjunction with St. Patrick’s Day festival on March 17 – 18, 2018.
 Pending approval of Fire and Zoning Departments.

SPECIAL EVENT APPLICATIONS

- (AA) 1908 DRAUGHT HOUSE 407 COURT AVE Five (5) Day License
 Class C Liquor License for March Madness Street Party on March 16, 2018.
- (BB) ANNIES IRISH PUB 311 COURT AVE Five (5) Day License
 Class C Liquor License for St. Patrick’s Day Street Party on March 17, 2018.
- (CC) IOWA CRAFT BEER TENT 313 WALNUT ST Five (5) Day License
 Class B Beer License for Hoops & Hops on March 16 – 17, 2018.

5. ~~City~~ Clerk to issue ~~Cigarette/Tobacco/Nicotine/Vapor Permits.~~

PUBLIC IMPROVEMENTS

6. Ordering construction of the following:

- (A) Brine Barn Roof Modification: Receiving of bids, (3-27-18), Setting date of hearing, (4-9-18). Engineer’s estimate, \$46,500.

(Council Communication No. 18-110)

- (B) Hickman Road Reconstruction at M.L.K. Jr. Parkway and 30th Street: Receiving of bids, (3-27-18), Setting date of hearing, (4-9-18). Engineer’s estimate, \$1,180,000.

(Council Communication No. 18-111)

- (C) Polk Boulevard Reconstruction from Grand Avenue to I-235: Receiving of bids, (3-27-18), Setting date of hearing, (4-9-18). Engineer’s estimate, \$850,000.

(Council Communication No. 18-113)

- (D) [Agrimergent](#) Storm Sewer Phase 2: Receiving of bids, (3-27-18), Setting date of hearing, (4-9-18). Engineer's estimate, \$2,700,000.

[\(Council Communication No. 18-109\)](#)

- (E) [2018](#) Sidewalk Replacement Program: Receiving of bids, (3-27-18), Setting date of hearing, (4-9-18). Engineer's estimate, \$660,000.

[\(Council Communication No. 18-107\)](#)

- (F) [2018](#) Municipal Buildings Reroofing – Contract 1: Receiving of bids, (3-27-18), Setting date of hearing, (4-9-18). Engineer's estimate, \$300,000.

[\(Council Communication No. 18-106\)](#)

- 7. [Approving](#) Change Order No. 1 with D.W. Zinser Company for additional work on the Municipal Services Center (MSC) Demolition Contract 1, not to exceed \$120,107.

[\(Council Communication No. 18-115\)](#)

- 8. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects.
- 9. [Accepting](#) completed construction and approving final payment for Walnut Street Bus Lane from 9th Street to 10th Street, Kingston Services, LLC.

SPECIAL ASSESSMENTS

- 10. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2018-03.

LAND/PROPERTY TRANSACTIONS

- 11. [Establishing](#) revised fair market value for property located at 3735 and 3765 Hubbell Avenue for the Hubbell Avenue Improvements – East 33rd Street to East 38th Street Project.

[\(Council Communication No. 18-114\)](#)

- 12. [Approving](#) tax abatement applications for the additional value added by improvements completed during 2017 (220 applications).

[\(Council Communication No. 18-100\)](#)

BOARDS/COMMISSIONS/NEIGHBORHOODS

13. [Recommendation](#) from Council Member Linda Westergaard to appoint Matthew Keller to the Building and Fire Code Board of Appeals, Seat 5, for a three-year term commencing April 1, 2016 to April 1, 2019.
14. [Recommendation](#) from Mayor T.M. Franklin Cownie to appoint Troy Treviño to the Power Engineers Examining Board, Seat 1, for a three-year term commencing April 1, 2017 to April 1, 2020.
15. [Recommendation](#) from Mayor T.M. Franklin Cownie to appoint Cheryl Peterson to the Building and Fire Code Board of Appeals, Seat 15, for a three-year term commencing April 1, 2015 to April 1, 2018.
16. [Approving](#) appointment of Linda Westergaard as Primary Member and Joe Gatto as Alternate Member to the Fourmile Creek Watershed Management Authority Board of Directors.
17. [Approving](#) appointment of Josh Mandelbaum as Primary Member to the Des Moines Art Center Board of Trustees.
18. [Approving](#) appointment of Mayor T.M. Franklin Cownie as Primary Member to the Walnut Creek Watershed Management Authority Board of Directors.
19. [Approving](#) appointment of Mayor T.M. Franklin Cownie as Primary Member to the Polk County Housing Trust Fund (PCHTF) Board of Directors.
20. [Approving](#) appointment of Linda Westergaard as Primary Member to the Greater Des Moines Public Art Foundation Board of Directors.
21. [Communication](#) from Historic Preservation Commission regarding the resignation of Commissioner Susan Holderness and recommendation for replacement.

SETTING DATE OF HEARINGS

22. ~~[On](#) conveyance of excess City-owned property at the northwest corner of Vermont Street and Indiana Avenue to KOK Vermont Street, LLC, \$210,000, (3-19-18).~~
23. [On](#) proposed agreement for sale of real estate with Helena Industries, Inc. and redevelopment of approximately 47 acres of City-owned land, south of the 3800 block of Vandalia Road, (3-19-18).

24. [On](#) request from Operating Engineers, Local 234, Building Corporation to rezone property at 4880 Hubbell Avenue from “A-1” (Agricultural) to Limited “C-2” (General Retail and Highway-Oriented Commercial) to allow expansion of the existing union hall site, subject to conditions, (3-19-18).
25. [On](#) request from Creighton Penney d/b/a Mid Iowa Towing to rezone property at 109 E. 28th Street from “M-1” (Light Industrial) to “M-2” (Heavy Industrial), to allow for outdoor storage of inoperable vehicles as part of a towing contractor business, (3-19-18).
26. [On](#) proposed Tenth Amendment to the Urban Renewal Plan for the SE Agribusiness Urban Renewal Area, (4-9-18).

[\(Council Communication No. 18-096\)](#)

CITY MANAGER COMMUNICATIONS

27. [Submitting](#) travel and training requests for Cody Brigman, Brady Carney, Darren Cornwell, Linda Harris, Shawna Isaac, Aaron Nord, Todd Wilshusen, and Steve Woody.

[\(Council Communication No. 18-118\)](#)

APPROVING

28. [Community](#) Development Block Grant (CDBG) Contract with the 6th Avenue Corridor, Inc. (6AC) for demolition and related costs for property at 1327 6th Avenue, up to \$75,000.

[\(Council Communication No. 18-117\)](#)

29. [Urban](#) Renewal Development Agreement with 206 6th Avenue, LLC for the historic renovation and conversion of the Midland Building for use as a 138-room hotel.

[\(Council Communication No. 18-097\)](#)

30. ~~Urban Renewal Development Agreement with Rowat Lofts, LLC for a 162-unit multi-family housing project between SE 6th and SE 7th Streets.~~

31. [Authorizing](#) City Manager to negotiate agreement based on preliminary terms with RE3, LLC for historic renovation at 440 E. Grand Avenue into a mixed-use residential and commercial development.

[\(Council Communication No. 18-104\)](#)

32. “[LINC](#)” PUD Development Plan for property at 210 and 310 SW 11th Street to allow development of a 5-story, 84-unit multiple-family residential dwelling at 210 SW 11th Street; a 5-story, 131-unit multiple-family residential dwelling at 310 SW 11th Street; and a 1-story clubhouse building.
33. [Transit](#) related grants from excess Center Street Park and Ride facility revenues to Des Moines Area Regional Transit Authority (DART).
 - (A) [Approval](#) and submittal of Center Street Park and Ride Facility Annual Budget to Des Moines Area Regional Transit Authority (DART) and authorizing budget expenditures.
34. [Declaring](#) an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the Des Moines Stormwater Management Utility for certain original expenditures paid in connection with the proposed project.
35. [Budget](#) for the Downtown Self-Supported Municipal Improvement District (SSMID) for the fiscal year ending June 30, 2019.
36. [Budget](#) for the Ingersoll-Grand Self-Supported Municipal Improvement District (SSMID) for fiscal year ending June 30, 2019.
37. [Receive](#) and file communication from the Beaverdale SSMID Board, regarding the recommended budget for the Beaverdale Self-Supported Municipal Improvement District (SSMID) for FY19.
38. Budget for the SW 9TH Corridor Self-Supported Municipal Improvement District (SSMID) for the Fiscal Year ending June 30, 2019.
39. [Application](#) for the U.S. Department of Homeland Security 2017 Fire Prevention and Safety Grant.

[\(Council Communication No. 18-095\)](#)

40. [Des](#) Moines Fire Department and Des Moines Area Community College EMS Field Experience Agreement.

[\(Council Communication No. 18-102\)](#)

41. [Communication](#) from Downtown Community Alliance, on behalf of the Iowa State Fair, requesting approval of banners to be displayed on 44 banner poles on Locust Street, Grand Avenue, and E. Locust Street in July and August 2018.
- 41-I [Application](#) from St. Paddy’s Half & 5k, requesting approval to place an arch at E. 7th Street between Locust and Walnut Streets on March 17, 2018.

42. [Communication](#) from Downtown Community Alliance, on behalf of the Downtown Farmer's Market, requesting approval of banners to be displayed on 40 banner poles on Court Avenue from April through October 2018.

43. [Communication](#) from Downtown Community Alliance, on behalf of the Lifeserve Blood Center, requesting approval of banners to be displayed on 35 banner poles on Locust Street in June 2018 and E. Locust Street poles April through December 2018.

44. Purchases from the following:
 - (A) [Hewlett](#)-Packard Company (Dion Weisler, President) for replacement employee desktop computers per State of Iowa contract for use by the IT Department, additional funding \$80,000.

[\(Council Communication No. 18-098\)](#)

 - (B) [Sutphen](#) Corporation (Eric Thorson, General Manager) for non-competitive procurement to repair an aerial ladder truck for use by the Fire Department, \$66,632.21.

[\(Council Communication No. 18-099\)](#)

45. [Civil](#) Service Entrance lists for Senior Maintenance Carpenter and Assistant Surveyor, Promotional lists for Lead Sewer Maintenance and Senior Crime Scene Investigator.

46. [Authorizing](#) Finance Director to draw checks on registers for the weeks of March 5 and 12, 2018; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of March 5 and 12, 2018; and to draw checks for biweekly payroll due on March 16, 2018.

ORDINANCES - SECOND CONSIDERATION

47. [Vacating](#) portions of E. 12th Street right-of-way adjoining 623 E. 12th Street.
 - (A) [Final](#) consideration of ordinance above (waiver requested by Council Member Gatto), requires six votes.

48. [Amending](#) Chapter 114 of the Municipal Code regarding traffic regulation changes as follows:
- (A) Parking restriction on 48th Street from University Avenue to Franklin Avenue.
 - (B) Allow angle parking on E. Hillside Avenue, Murphy Street, E. Shaw Street and 23rd Street to match field conditions.
 - (C) Reduction of certain hourly and maximum rates in City-owned parking garages as part of the City's downtown parking strategy.

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

ORDINANCES - FIRST CONSIDERATION

49. [Amending](#) Chapters 42, 70 and 102 relating to graffiti, street use permits and banners.

[\(Council Communication No. 18-101\)](#)

- (A) [Final](#) consideration of ordinance above (waiver requested by the City Manager), requires six votes.

50. Number Not Used.

HEARINGS (OPEN AT 8:00 A.M.) (ITEMS 51 THRU 69)

51. [On](#) vacation of portions of the north/south alley lying east of and adjoining 121 12th Street and conveyance of a permanent easement for building encroachment to 12th Street Lofts, LLC, \$3,200.

[\(Council Communication No. 18-103\)](#)

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

52. [On](#) assessment of \$500 penalties to the following liquor license holders for violation of Iowa Alcoholic Beverage Laws, sale to minor.

- (A) Git-N-Go Store # 10, 816 E. Euclid Avenue.
- (B) Vickie's, 2801 2nd Avenue.
- (C) Shop-N-Save #1, 2127 M. L King Jr. Pkwy.
- (D) Tobacco Outlet Plus #503, 400 Euclid Avenue.

53. On consideration of the recommended Capital Improvement Program (CIP) for fiscal years 2018-2019 through 2023-2024.

[\(Council Communication No. 18-120\)](#)

54. On the issuance of not to exceed \$33,780,000 General Obligation Bonds (for Essential Corporate Purposes).

[\(Council Communication No. 18-121\)](#)

(A) [Authorization](#) for additional action.

55. On the issuance of not to exceed \$920,000 General Obligation Bonds (for General Corporate Purposes).

[\(Council Communication No. 18-121\)](#)

(A) [Authorization](#) for additional action.

56. On the issuance of not to exceed \$870,000 General Obligation Bonds (for General Corporate Purposes).

[\(Council Communication No. 18-121\)](#)

(A) [Authorization](#) for additional action.

57. On the issuance of not to exceed \$830,000 General Obligation Bonds (for General Corporate Purposes).

[\(Council Communication No. 18-121\)](#)

(A) [Authorization](#) for additional action.

58. On the issuance of not to exceed \$655,000 General Obligation Bonds (for General Corporate Purposes).

[\(Council Communication No. 18-121\)](#)

(A) [Authorization](#) for additional action.

59. On the issuance of not to exceed \$720,000 General Obligation Bonds (for General Corporate Purposes).

[\(Council Communication No. 18-121\)](#)

(A) [Authorization](#) for additional action.

60. [On](#) the issuance of not to exceed \$520,000 General Obligation Bonds (for General Corporate Purposes).

[\(Council Communication No. 18-121\)](#)

(A) [Authorization](#) for additional action.

61. [On](#) the issuance of not to exceed \$660,000 General Obligation Bonds (for General Corporate Purposes).

[\(Council Communication No. 18-121\)](#)

(A) [Authorization](#) for additional action.

62. [On](#) the issuance of not to exceed \$775,000 General Obligation Bonds (for General Corporate Purposes).

[\(Council Communication No. 18-121\)](#)

(A) [Authorization](#) for additional action.

63. [On](#) the issuance of not to exceed \$520,000 General Obligation Bonds (for General Corporate Purposes).

[\(Council Communication No. 18-121\)](#)

(A) [Authorization](#) for additional action.

64. [Authorizing](#) the issuance of \$47,290,000 General Obligation Bonds, Series 2018B, and levying a tax for payment thereof.

[\(Council Communication No. 18-121\)](#)

65. [On](#) amendment to the annual budget for current fiscal year ending June 30, 2018.

[\(Council Communication No. 18-120\)](#)

66. [On](#) proposed budget for the fiscal year ending June 30, 2019.

[\(Council Communication No. 18-120\)](#)

67. On 2018 HMA Residential Paving Program: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving (Jeffrey A. Chapman, General Manager), \$940,053.

(Council Communication No. 18-105)

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

68. On 59th and 62nd Streets at Douglas Avenue Traffic Signal Replacements: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Baker Electric, Inc. (Britt Baker, CEO), \$251,667.58.

(Council Communication No. 18-108)

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

69. On Near West Side Sewer Separation Phase 2: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Jasper Construction Services, Inc. (Cliff Rhoads, President), \$4,479,655.

(Council Communication No. 18-112)

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

- (B) Approving Supplemental Agreement No. 2 to the Professional Services Agreement with Snyder & Associates, Inc. for additional professional services in connection with the Near West Side Sewer Separation Project, not to exceed \$323,000.

(Council Communication No. 18-116)

END HEARINGS AT _____AM

EXTRA ITEMS

These extra items are filed after 5:00 P.M. on the Wednesday preceding a Council meeting and have been included upon the Amended Agenda by the City Clerk, with sponsorship of the Mayor or a City Council Member who shall deem the item of sufficient urgency to warrant immediate Council action - said statement of urgency from the City Manager and/or appropriate Department Director shall be placed on file with the City Clerk.

1. [Waiving](#) condition precedent in the amended and restated development agreement for the Iowa Events Center Hotel, approving IRA Trust Indenture and Series D Certificate Guarantee and other project documents. Sponsor: Council Member Chris Coleman.

[\(Council Communication No. 18-122\)](#)

- (A) [Approving](#) and authorizing a form of loan agreement and authorizing and providing for the issuance of Capital Loan Notes and providing for a method of payment of the notes, and approval of a tax exemption certificate.
2. [Authorizing](#) and approving retention of Robert Douglas and the Davis Brown Law Firm on issues relating to the City's interest in the formation of a condominium regime for the mixed-use project to be known as "The Fifth" at the site of the former Fifth and Walnut Parking Garage. Sponsor: Council Member Chris Coleman.
3. [Authorizing](#) responses to the Iowa Department of Public Health Office of Medical Cannabidiol representing the City's support for locating a dispensary within the Des Moines City limits under appropriate conditions. Sponsor: Mayor T. M. Franklin Cownie.

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 2017