



**\*\*\* 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 22, 2017  
4:30 PM

**PROCLAMATIONS – 4:00 PM**

**National Public Works Week**

**#KIDSLIVESMATTERDSM Awareness Week**

**Des Moines Kofu Student Exchange Day**

**INVOCATION:** Council Member Coleman

- [17-0843](#) 1. ROLL CALL: **Present: Cownie, Coleman, Gatto, Gray, Hensley, Moore and Westergaard.**
- [17-0844](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0845](#) 3. APPROVING CONSENT AGENDA \* – items 3 through 46: **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**

[17-0846](#)

4. [Approving](#) Alcoholic Beverage License Applications for the following: **Moved by Gatto to adopt. Motion Carried 7-0. Council Member Coleman votes No on items P and Q.**

**NEW APPLICATIONS**

(A)	CHEESE BAR	2925 INGERSOLL	C Liquor
(B)	CHOCOLATERIE STAM	2814 INGERSOLL	B Beer
(C)	E 25TH ST PUB & GRUB	509 E 25TH ST	C Liquor
(D)	HY VEE MARKET GRILL #5	1107 E ARMY POST	C Liquor
(E)	ST KILDA BAKERY AND CAFE	300 SW 5TH ST	C Liquor

**RENEWAL APPLICATIONS**

(F)	BIG KMART #4160	2535 HUBBELL AVE	C Beer
(G)	BREW HAUS LOUNGE	830 MCKINLEY AVE	C Liquor
(H)	CARLS PLACE	1620 WOODLAND	C Liquor
(I)	CHOCOLATERIE STAM	2814 INGERSOLL	C Native Wine
(J)	CONTINENTAL	428 E LOCUST ST	C Liquor
(K)	CREME CUPCAKE + DESSERT	543 28TH ST	C Liquor
(L)	CVS PHARMACY #10329	2303 MERLE HAY RD	E Liquor
(M)	DELMONICO FINE DINING	2801 FLEUR DR	C Liquor
(N)	DES MOINES CIVIC CENTER	221 WALNUT ST	C Liquor
(O)	ELWELL FAMILY FOOD	3000 E GRAND AVE	C Liquor
* (P)	GIT N GO STORE #3 *(1)	100 WATROUS AVE	C Beer
* (Q)	GIT N GO STORE #31 *(2)	2601 SW 9TH ST	C Beer
(R)	HOYT SHERMAN PLACE	1501 WOODLAND	C Liquor
(S)	JALAPENO PETE'S CANTINA	3000 E GRAND AVE	C Beer/Wine
<del>(T)</del>	<del>LA HACIENDA III</del>	<del>3121 INGERSOLL</del>	<del>C Liquor</del>
(U)	LA TAPATIA 2	3504 MERLE HAY RD	C Beer
(V)	LUCCA	420 E LOCUST ST	C Liquor
(W)	MADHOUSE BREWING CO	501 SCOTT AVE	B Beer
(X)	MERCY HOSPITAL MED CNTR	1111 6TH AVE	C Liquor
(Y)	MULLETS	1300 SE 1ST ST	C Liquor
(Z)	OLD WEST MEXICAN	4138 FLEUR DR	C Liquor
(AA)	PIZZA HUT #4353	1435 ARMY POST	B Beer
(BB)	PLAZA PUB	6202 DOUGLAS AVE	C Liquor
<del>(CC)</del>	<del>QUICK STAR</del>	<del>2701 INGERSOLL</del>	<del>C Beer</del>
(DD)	RAMADA INN	1810 ARMY POST	B Liquor
(EE)	RIVER WALK HUB SPOT	215 WATER ST	C Liquor
(FF)	SPAGHETTI WORKS	310 COURT AVE	C Liquor
(GG)	STEER AND STEIN	3000 E GRAND AVE	B Beer

### SPECIAL EVENT APPLICATIONS

- (HH) BLAZING SADDLE 488 E WALNUT Five (5) Day License  
Class B Beer License for Capital City Pride on June 9 – 11, 2017.
- (II) BUZZARD BILLYS 615 3RD ST Five (5) Day License  
Class C Liquor License for Tom Petty and the Heartbreakers concert on June 5, 2017.
- (JJ) BUZZARD BILLYS 615 3RD ST Five (5) Day License  
Class C Liquor License for Tim McGraw and Faith Hill concert on June 10, 2017.
- (KK) CAPTAIN ROYS 1900 SAYLOR RD Five (5) Day License  
Class B Beer License for event on June 19 – July 2, 2017.
- (LL) CELEBRASIAN 2017 1203 LOCUST ST Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for an event on May 26 – 27, 2017.
- (MM) CELEBRASIAN 2017 1307 LOCUST ST Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for an event on May 26 – 27, 2017.
- (NN) CHRISTIANIS EVENTS 4025 TONAWANDA Five (5) Day License  
Class C Liquor License for a wedding on June 10, 2017. Pending approval of Zoning Department.
- (OO) DM ARTS FESTIVAL 400 15TH STREET Five (5) Day License  
Class C Liquor License for festival on June 23 – 25, 2017.
- (PP) DM ARTS FESTIVAL 1418 LOCUST AVE Five (5) Day License  
Class C Liquor License for festival on June 23 – 25, 2017.
- (QQ) DM ARTS FESTIVAL 1310 GRAND AVE Five (5) Day License  
Class C Liquor License for festival on June 23 – 25, 2017.
- (RR) DM ARTS FESTIVAL 1203 LOCUST ST Five (5) Day License  
Class C Liquor License for festival on June 23 – 25, 2017.
- (SS) DM ARTS FESTIVAL 1198 GRAND AVE Five (5) Day License  
Class C Liquor License for festival on June 23 – 25, 2017.
- (TT) DM ARTS FESTIVAL 1000 GRAND AVE Five (5) Day License  
Class C Liquor License for festival on June 23 – 25, 2017.
- (UU) DM ARTS FESTIVAL 415 15TH ST Five (5) Day License  
Class C Liquor License for festival on June 23 – 25, 2017.
- (VV) GATEWAY MARKET 4700 GRAND AVE Five (5) Day License  
Class C Liquor License for an event on June 2, 2017. Pending approval of Electrical Department.
- (WW) IOWA BEEF STEAK HOUSE 1201 E EUCLID AVE Five (5) Day License  
Class C Liquor License for Bike Night on May 23, 2017. Pending approval of Electrical and Zoning Departments.

(XX) IOWA TAPROOM 215 E 3RD ST Five (5) Day License  
Class B Beer License for Iowa Craft Brew Festival on June 17, 2017.

(YY) LEVY PROM GOLF 3915 FLEUR DR Five (5) Day License  
Class C Liquor License for the Principal Charity Classic on June 5 – 11, 2017. Pending approval of  
Electrical, Fire and Zoning Departments.

(ZZ) NICKS 1106 ARMY POST Five (5) Day License  
Class B Beer License for Classic Car Show on June 9, 2017. Pending approval of Fire and Zoning  
Departments.

(AAA) NICKS 1106 ARMY POST Five (5) Day License  
Class B Beer License for Classic Car Show on June 2, 2017. Pending approval of Fire and Zoning  
Departments.

(BBB)NICKS 1106 ARMY POST Five (5) Day License  
Class B Beer License for Classic Car Show on May 26, 2017. Pending approval of Fire and Zoning  
Departments.

(CCC) OVATIONS FOOD SERVICES 833 5TH AVE Five (5) Day License  
Class C Liquor License for Iowa Barnstormers Tailgate Party on June 9, 2017. Pending approval of  
Electrical, Fire and Zoning Departments.

(DDD) ROR 710 CORNING AVE Five (5) Day License  
Class B Beer License for Rendezvous on Riverview event on June 23, 2017.

(EEE) ROR 710 CORNING AVE Five (5) Day License  
Class B Beer License for Rendezvous on Riverview event on June 30, 2017.

(FFF) ST GEORGE GREEK 1110 35TH ST Five (5) Day License  
Class C Liquor License for Greek Food Festival on June 2 – 4, 2017. Pending approval of Fire  
Department.

(GGG) WAT LAO BUDDHAVAS 1804 E PARK AVE Five (5) Day License  
Class B Beer License for festival on June 16 – 18, 2017. Pending approval of Fire Department.

(HHH) WINEFEST 2400 GEORGE FLAGG Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for Iowa Pork Producers Lawn Party on June 4, 2017.  
Pending approval of Electrical and Fire Departments.

(III) WINEFEST 400 LOCUST ST Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for events on June 3 and June 9, 2017.

(JJJ) WINEFEST 666 WALNUT ST Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for Prima Dinner on June 8, 2017. Pending approval  
of Fire Department.

(KKK) WINEFEST 1716 LOCUST ST Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for Meredith Saturday Session on June 3, 2017.  
Pending approval of Fire Department.

(LLL) WOODY'S PICKLE SHACK 1500 E ARMY POST Five (5) Day License  
Class B Beer License for Bike Night on June 1, 2017. Pending approval of Zoning Department.

[17-0847](#) 5. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits. **Moved by Gatto to adopt. Motion Carried 5-2. Nays: Cownie and Moore.**

[17-0848](#) 6. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Gatto to adopt. Motion Carried 7-0.**

## **PUBLIC IMPROVEMENTS**

7. Ordering construction of the following:

[17-0849](#) (A) [2017](#) Parking Garage Repair Program: Receiving of bids, (6-13-17), Setting date of hearing, (6-26-17). Construction estimate, \$770,000. ([Council Communication No. 17-445](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[17-0850](#) (B) [5<sup>th</sup>](#) & Keo Parking Garage Elevator Lobby Heating, Ventilation and Air Conditioning (HVAC): Receiving of bids, (6-13-17). Setting date of hearing, (6-26-17). Construction estimate, \$105,000. ([Council Communication No. 17-446](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[17-0851](#) 8. [Approving](#) TNT Tuckpointing and Building Restoration, LLC Change Order No. 1 for additional work on City Hall and Police Station Façade Improvements, not to exceed \$265,540. ([Council Communication No. 17-442](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[17-0852](#) 9. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects. **Moved by Gatto to adopt. Motion Carried 7-0.**

## SPECIAL ASSESSMENTS

- [17-0853](#) 10. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2017-05. **Moved by Gatto to adopt. Motion Carried 7-0.**

## LAND/PROPERTY TRANSACTIONS

- [17-0854](#) 11. [Acceptance](#) of real estate documents from Oakview Terrace 1 Limited Partnership for the 30<sup>th</sup> Street Sidewalk – Boston Avenue to Urbandale Avenue Project. ([Council Communication No. 17-439](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0855](#) 12. [Acceptance](#) of real estate documents from Benskin, Inc. for the MacRae Park Improvements Project and dedication of the said estate as parkland in MacRae Park. ([Council Communication No. 17-441](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0856](#) 13. [Release](#) of Planned Unit Development (PUD) Restoration Bond for the Carman Estates Plat 9 subdivision plat, located in the vicinity of the 2400 block of Easter Lake Drive. ([Council Communication No. 17-427](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0857](#) 14. [Setting](#) date of hearing on conveyance of vacated City right-of-way located south of and adjoining 4080 Southeast 15<sup>th</sup> Court to Joseph P. Lasack and Teresa A. Lasack, \$50, (6-12-17). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0858](#) 15. [Resolution](#) dedicating East Martin Luther King, Jr. Parkway right-of-way between Southeast 15<sup>th</sup> Street and Southeast 30<sup>th</sup> Street, as part of the Southeast Connector Project. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0859](#) 16. [Authorization](#) to proceed with acquisition of the necessary property interests for the Hubbell Avenue Improvements – East 33<sup>rd</sup> Street to East 38<sup>th</sup> Street Project by gift, negotiation, or eminent domain. ([Council Communication No. 17-444](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0860](#) 17. [Approving](#) release of Public Trail Easement granted incident to filing of Summersfield Plat 1, in vicinity of E. 46<sup>th</sup> and E. Merced Street. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0861](#) 18. [Request](#) by Katy Brown for City Council initiation of the process to consider the vacation of the east/west alley adjoining her residence at 1212 Hutton Street. **Moved by Gatto to adopt. Motion Carried 7-0.**

## BOARDS/COMMISSIONS/NEIGHBORHOODS

- [17-0862](#) 19. [Communication](#) from Carl McPherson advising of his resignation from the Traffic Safety Committee, Seat 1, effective immediately. **Moved by Gatto to receive, file and accept resignation with appreciation for his service. Motion Carried 7-0.**
- [17-0863](#) 20. [Communication](#) from Michael Bowser advising of his resignation from the Des Moines Civil and Human Rights Commission, Seat 7, effective immediately. **Moved by Gatto to receive, file and accept resignation with appreciation for his service. Motion Carried 7-0.**

## SETTING DATE OF HEARINGS

- [17-0864](#) 21. [On](#) vacation of a portion of City right-of-way adjoining 2301 Ingersoll Avenue and conveyance of a subsurface easement therein to 23 Ingersoll LLC, \$1,425. (6-12-17). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0865](#) 22. [On](#) conveyance of City-owned property located at 1720 7<sup>th</sup> Street to Hat Trick Renovation, LLC for redevelopment of housing, (6-12-17). ([Council Communication No. 17-436](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0866](#) 23. [On](#) request from Solid Ground LLC to rezone property at 150 East County Line Road from “R1-80” (One-Family Residential District) to Limited “R1-60” (One-Family Low-Density Residential District) to allow subdivision of the property for minimum 60-foot wide single-family residential lots, subject to conditions, (6-12-17). **Moved by Gatto to adopt. Motion Carried 7-0.**

## LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [17-0867](#) 24. [Approving](#) payment to Belin McCormick Law Firm for representation on environmental issues related to landfills, \$1,917.50. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0868](#) 25. [Approving](#) payment to Peddicord, Wharton, Spencer, Hook, Barron & Wegman, LLP for representation of former Police Officer Vanessa Miller, \$2,300. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0869](#) 26. [Approving](#) payment to Peddicord, Wharton, Spencer, Hook, Barron & Wegman, LLP for representation of former Police Officer Tyson Teut, \$1,412.50. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0870](#) 27. [Approving](#) payment to Kari Aalbers to resolve an employment claim. **Moved by Gatto to adopt. Motion Carried 7-0.**

## CITY MANAGER COMMUNICATIONS

- [17-0871](#) 28. [Submitting](#) travel and training request for Emily Cohen, Shannon Duffy, Larry Gilmore, David Ness, Rodell Nydam, Angela Ofstad, Peggy Schleuger, and Hannah Schabilion. ([Council Communication No. 17-454](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

## APPROVING

- [17-0872](#) 29. [Community](#) Development Block Grant (CDBG) Agreement with Des Moines Heritage Trust for acquisition of the Historic Union Railway Passenger Depot, 120 E. 5<sup>th</sup> Street, \$250,000. ([Council Communication No. 17-437](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0873](#) 30. [Amendment](#) to the Conceptual Development Plan for the renovation of College Hill Apartments and the construction of a new commercial building at 921 6<sup>th</sup> Avenue by College Hill Associates, LP. ([Council Communication No. 17-452](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0874](#) 31. [Third](#) Amendment to the Development Agreement with Wilkins Redevelopment, LLC, as successor to the original developer, for the historic restoration of the Wilkins Building at 713 Walnut Street. ([Council Communication No. 17-453](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0875](#) 32. [Memorandum](#) of Understanding (MOU) with State of Iowa Homeland Security and Emergency Management Department for Weapons of Mass Destruction/Des Moines Fire Department Hazardous Materials Team. ([Council Communication No. 17-425](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0876](#) 33. [One](#) year agreement with the City of Johnston for Homeland Security Services. ([Council Communication No. 17-430](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0877](#) 34. [Proposal](#) from Full Spectrum Productions, LLC for project management and related services for energy efficiency programs and initiatives related to the City Energy Project and authorizing the City Manager to negotiate and execute contract. ([Council Communication No. 17-431](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0878](#) 35. [Sponsorship](#) of an application for financial assistance to the Iowa Economic Development Authority (IEDA) under the High Quality Jobs (HQJ) Program for Siegwirk USA Co. ([Council Communication No. 17-429](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0879](#) 36. [Economic](#) Development Assistance Contract between Voya Services Company and the Iowa Economic Development Authority (IEDA). ([Council Communication No. 17-433](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**



- [17-0880](#) 37. [Economic](#) Development Assistance Contract between Accordia Life & Annuity Company (“Global Atlantic”) and the Iowa Economic Development Authority (IEDA) for expansion in the Davis Brown Tower. ([Council Communication No. 17-456](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0881](#) 38. [Sixth](#) extension of agreement with Airport Authority. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0882](#) 39. [Application](#) from Dam to Dam Committee requesting approval for banners to be displayed at the start line and runner exit on June 3, 2017 on 12<sup>th</sup> Street between Walnut Street and Mulberry Street, and at 12<sup>th</sup> Street and Locust Street. **Moved by Gatto to receive, file and approve. Motion Carried 7-0.**
- [17-0883](#) 40. [Application](#) from Beaverdale Farmer’s Market requesting approval for banners to be displayed on light poles in four locations between June 5<sup>th</sup> and September 18, 2017, subject to approval from appropriate City departments. **Moved by Gatto to receive, file and approve. Motion Carried 7-0.**
- [17-0884](#) 41. [Exception](#) to the procurement ordinance competitive bidding requirements for good cause and approving a contract amendment with Marsden Building Maintenance, LLC (MBM) for services for Municipal Buildings, Fleet Services and Public Works Facilities, additional amount of \$117,024, continued from the May 8th City Council Meeting. ([Council Communication No. 17-455](#)) **Moved by Gatto to adopt. Motion Carried 6-1. Nays: Moore.**
42. Bids from the following:
- [17-0885](#) (A) [PetroChoice](#) Lubrication Solutions (Shane O’Kelly, CEO) for non-competitive procurement of seventeen (17) automated lubrication systems for refuse trucks for use by the Public Works Department, \$114,666. ([Council Communication No. 17-432](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0886](#) (B) [Ascendant](#) Strategy Management Group (Godfrey R. Sullivan, President/CEO) for strategic planning software and support per US General Services Administration Contract (GSA) for use by the City Manager’s Office, \$30,131.42 ([Council Communication No. 17-451](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0887](#) (C) [Hutchinson](#) Salt Co. (Larry Bingham, 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, \$375,690. (Seven potential bidders, six received). ([Council Communication No. 17-426](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0888](#) 43. [Civil](#) Service Entrance Lists for Laboratory Analyst II, User Support Manager, Building Equipment Operator and IT Network Manager. **Moved by Gatto to receive and file. Motion Carried 7-0.**

[17-0889](#)

44. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of May 22, May 29 and June 5, 2017; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of May 22, May 29 and June 5, 2017; and to draw checks for biweekly payroll due on June 9, 2017. **Moved by Gatto to adopt. Motion Carried 7-0.**

#### ORDINANCES - FINAL CONSIDERATION

[17-0890](#)

45. [Amending](#) Chapter 114 of the Municipal Code regarding traffic regulation changes as follows: **Moved by Gatto that this ordinance do now pass, [#15,583](#). 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 7<sup>th</sup> Street.
  - (F) Code corrections around Moulton Learning Center on 7<sup>th</sup> and 8<sup>th</sup> Streets, south of College Avenue.

#### ORDINANCES - SECOND CONSIDERATION

[17-0891](#)

46. [Amending](#) Chapter 60 of the Municipal Code regarding real estate contract sales inspections. **Moved by Gatto that this ordinance be continued to the June 12<sup>th</sup> City Council meeting. Motion Carried 7-0.**

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

## COUNCIL REQUESTS

- [17-0892](#) 47. **From** Council Member Skip Moore, to discuss City ordinances and City Council-established policies regarding employees. **Moved by Moore to receive and file comments. Motion Carried 7-0.**
- [17-0893](#) 48. **From** Council Member Skip Moore to discuss the future of City-owned property at 3325 Hubbell Avenue. **Moved by Moore to receive and file comments and refer to the City Manager for review and recommendation on the use of the property. Motion Carried 7-0.**
49. Number not used.

## APPROVING

50. Alternate resolutions regarding use of consumer fireworks in Des Moines, and allowing use of display fireworks by permit and directing staff to take all necessary actions:

WITHDRAWN

[17-0894](#)

- (A) ~~[Prohibiting](#) use.~~

**OR**

[17-0895](#)

- (B) [Limiting](#) use. **Moved by Gatto to approve the use of fireworks on July 4<sup>th</sup> during the hours of 4PM to 10PM on your own property by someone 18 years of age or older, under the legal limit of alcohol, at least 200 yards away from any hospital or senior living facility, not at any parks or cemeteries; a \$625 fine for violation of these restrictions; these restrictions will be posted at all sales locations. Motion Carried 4-3. Nays: Cownie, Hensley and Westergaard.**

[17-0896](#)

- 50-I [Resolution](#) scheduling hearing on proposed amendments to the Zoning Ordinance regarding sale of consumer fireworks, (June 2, 2017 at 11:00 AM). **Moved by Moore to adopt. Motion Carried 7-0.**

[17-0897](#)

51. [2017](#) revisions to the Des Moines Construction Bidding Requirements, revisions to the Contract Compliance Program and suspension of the City of Des Moines Taxpayer Quality Assurance Policy. ([Council Communication No. 17-438](#)) **Moved by Gatto to adopt. Motion Carried 4-3. Nays: Cownie, Hensley and Moore.**

## HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 52 THRU 62)

[17-0898](#)

52. [On](#) conveyance of City-owned property at 1445 6<sup>th</sup> Avenue to 6<sup>th</sup> Avenue Corridor, Inc. in conjunction with redevelopment of the property, \$12,000. ([Council Communication No. 17-435](#)) **Moved by Gray to adopt. Motion Carried 7-0.**

[17-0899](#) 53. On conveyance of City-owned property at 1321 Fremont Street to Community Housing Initiatives, Inc. in conjunction with redevelopment of the property, \$6,000. ([Council Communication No. 17-434](#)) **Moved by Westergaard to adopt. Motion Carried 7-0.**

[17-0900](#) 54. On sale of vacated City right-of-way adjoining 212 E. 3<sup>rd</sup> Street to H. Glass Partners, LLC, \$1,000. ([Council Communication No. 17-443](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[17-0901](#) 55. 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 2<sup>nd</sup> 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, continued to the June 26<sup>th</sup> City Council Meeting at 5:00 PM. **Moved by Westergaard to adopt. Motion Carried 7-0.**

[17-0902](#) 56. 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. ([Council Communication No. 17-447](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-0903](#) (A) First consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[17-0904](#) (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, [#15,584](#). Motion Carried 7-0.**

57. Items regarding request from Extreme Auto Plaza, 1453 E. 14<sup>th</sup> Street, to allow future expansion of the existing vehicle display lot and sales of new vehicles and small trailers, subject to conditions, continued from the May 8<sup>th</sup> City Council Meeting:

(A) To **DENY** the following:

WITHDRAWN  
[17-0905](#)

(1) ~~Amendment to the existing PlanDSM Land Use Designation from Low/Medium Density Residential to Community Mixed Use.~~

WITHDRAWN  
[17-0906](#)

(2) ~~Hearing on the proposed rezoning of the property from Ltd. “C2” (General Retail and Highway Oriented Commercial) and “R 2A” (General Residential) to amended Ltd. “C 2”.~~

OR

- [17-0907](#) (B) **To CONTINUE** the rezoning hearing and direct the Legal Department to prepare the proper Ordinance and Acceptance of Rezoning Conditions. **Moved by Westergaard to remove conditions 2, 3 and 4 and refer the plan to staff to incorporate screening and easement for the employee parking on the east side of the building. Motion Carried 7-0.**
- [17-0908](#) 58. **On** the proposed First Amendment to the Urban Renewal Plan for the Northeast Gateway 1 Urban Renewal Area. ([Council Communication No. 17-428](#)) **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [17-0909](#) 59. **On** 2017 PCC Paving and Sidewalk Program: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Cerebral Group, LLC (Kalyan Venkatraman, President), \$263,441.70. ([Council Communication No. 17-448](#)) **Moved by Gatto to adopt; refer to the City Manager to report back to Council the number of employees at Cerebral Group, LLC. Motion Carried 7-0.**
- [17-0910](#) (A) **Approving** contract and bond, and permission to sublet. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0911](#) 60. **On** 2017-2018 Expanded Street Resurfacing Program – Contract 1: 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), \$1,583,934.65. ([Council Communication No. 17-449](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0912](#) (A) **Approving** contract and bond, and permission to sublet. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0913](#) 61. **On** Near West Side Sewer Separation Phase 1: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as S. J. Louis Construction, Inc. (James L. Schueller, President), \$3,370,000. ([Council Communication No. 17-440](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0914](#) (A) **Approving** contract and bond, and permission to sublet. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0915](#) 62. **On** 2017 Traffic Signal Repairs and E. Grand Complete Street Conversion: Reject bid and close the hearing on the plans, specifications, form of contract documents and Engineer's estimate. (One bid received, bid was incomplete). ([Council Communication No. 17-450](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

## EXTRA ITEMS

- [17-0916](#) 1. [Discussion](#) regarding the process for the performance appraisal to be conducted by the City Council Staff Review Committee (Council Members Coleman, Hensley and Moore) of the City Manager, City Attorney and City Clerk. Sponsor: Mayor Cownie. **Moved by Gatto to receive and file comments; the Review Committee will report back to Council at the June 26, 2017 Council meeting. Motion Carried 7-0.**
- [17-0917](#) 2. [Approving](#) appointment of Council Member Coleman to the Blank Park Zoo Foundation Board. Sponsor: Mayor Cownie. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0918](#) MOTION TO ADJOURN. **Moved by Moore to adjourn at 6:18 PM. Motion Carried 7-0.**

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