



***** 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 '19-' preceding each item on the agenda is a roll call number assigned by the City Clerk. Please refer to this number when requesting information or copies.

SUMMARY OF DES MOINES CITY COUNCIL MEETING
City Hall, City Council Chambers
400 Robert D. Ray Drive
Des Moines, Iowa 50309

July 15, 2019
4:30 PM

SPECIAL PRESENTATION – 4:15 PM

Certificate of Recognition Hotel Fort Des Moines – 100-year Anniversary.

INVOCATION: Council Member Gray

- [19-1073](#) 1. ROLL CALL: **Present: Cownie, Boesen, Coleman, Gatto, Gray, Mandelbaum and Westergaard.**
- [19-1074](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1075](#) 3. APPROVING CONSENT AGENDA * – items 3 through 54: **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

19-1076

4. Approving Alcoholic Beverage License Applications for the following: **Moved by Gatto to adopt all except item FF. Motion Carried 7-0. Moved by Gray to adopt item FF. Motion Carried 7-0.**

NEW APPLICATIONS

(A) FONGS PIZZA	3018 FOREST AVE.	C Beer/Wine
(B) MARS SIDEBAR	400 LOCUST ST	C Beer/Wine
(C) MI LINDO MEXICO	3900 E 14TH ST	C Beer/Wine
(D) PAPA KENOS PIZZERIA	2330 UNIVERSITY	C Beer/Wine
(E) PHO REAL KITCHEN AND BAR	200 4TH ST	C Liquor
(F) SCOTTYS SLICES & SHOTS	405 COURT AVE	C Liquor
(G) SKOL!	401 SE 5TH ST	C Liquor

RENEWAL APPLICATIONS

(H) AIRPORT HOLIDAY INN	6111 FLEUR DR	B Liquor
(I) APPLEBEES NEIGHBORHOOD	3900 MERLE HAY RD	C Liquor
(J) APPLEBEES NEIGHBORHOOD	6301 SE 14TH ST	C Liquor
(K) BEAVERDALE VFW CLUB	4029 URBAN DALE	A Liquor
(L) BLACKBIRD HOSPITALITY	713 WALNUT ST	C Liquor
(M) BLU	215 E WALNUT ST	C Beer/Wine
(N) BOWLERAMA	1313 E DIEHL AVE	C Liquor
(O) CHRISTIANIS EVENTS	520 ROBERT D RAY	C Liquor
(P) CONSERVATORY	315 E 5TH ST	C Liquor
(Q) COPPER CUP	207 4TH ST	C Liquor
(R) DERRYS LOUNGE	4845 MERLE HAY RD	C Liquor
(S) DES MOINES AMVETS POST #2	2818 5TH AVE	A Liquor
(T) DUMPLING DARLING	212 E 3RD ST	C Liquor
(U) EASTSIDERS	1833 HUBBELL AVE	C Liquor
(V) ISLAS DEL PACIFICO	1434 DES MOINES ST	C Liquor
(W) JASPER WINERY	2400 GEORGE FLAGG	C Native Wine
(X) LA HACIENDA	6050 SE 14TH ST	C Liquor
(Y) LATIN KING RESTAURANT	2200 HUBBELL AVE	C Liquor
(Z) RICHARD O JACOBSON	3000 E GRAND AVE	C Liquor
(AA) SAKARI SUSHI LOUNGE	2605 INGERSOLL	C Liquor
(BB) SMOKIN' JOES #4	2800 E UNIVERSITY	E Liquor
(CC) TEQUILA RESTAURANT	2824 EASTON BLVD	C Liquor
(DD) WAVELAND GOLF COURSE	4908 UNIVERSITY	C Liquor

OUTDOOR SERVICE APPLICATION

(EE) GYM	2279 HUBBELL AVE	C Liquor
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Permanent.

SPECIAL EVENT APPLICATIONS

*(FF) BEAVERDALE ASSOC. 4900 HICKMAN Five (5) Day License
Special Class C Liquor License (Beer/Wine) for Beaverdale Bluegrass Festival on July 20, 2019.

(GG) BIRDS NEST 3000 E GRAND AVE C Beer/Wine
Fourteen day license for the Iowa State Fair from August 8 – 18, 2019.

(HH) BUD TENT 3000 E GRAND AVE B Beer
Fourteen day license for the Iowa State Fair from August 8 – 18, 2019.

(II) FIRST FLEET CONCERTS 2201 GEORGE FLAGG Five (5) Day License
Class C Liquor License for Flaming Lips concert on July 24, 2019.

(JJ) GATEWAY MARKET 4025 TONAWANDA DR Five (5) Day License
Special Class C Liquor License (Beer/Wine) for Murder Mystery Dinner on July 27, 2019. Pending approval of Building Department.

(KK) GRANDFATHERS BARN 3000 E GRAND AVE C Native Wine
Fourteen day license for the Iowa State Fair from August 8 – 18, 2019. Pending approval of Police Department.

(LL) GRANDSTAND 2019 3000 E GRAND AVE B Beer
Fourteen day license for the Iowa State Fair from August 8 – 18, 2019. Pending approval of Police Department.

(MM) GRUMPY GOAT TAVERN 1303 WALNUT ST Five (5) Day License
Class B Beer License for Wheels on Walnut on July 17, 2019.

(NN) IOWA CRAFT BEER TENT 3000 E GRAND AVE B Beer
Fourteen day license for the Iowa State Fair from August 8 – 18, 2019. Pending approval of Police Department.

(OO) ITALIAN AMERICAN FEST 1102 LOCUST ST Five (5) Day License
Special Class C Liquor License (Beer/Wine) for festival on July 26 – 27, 2019.

(PP) ROMAN CATHOLIC 601 GRAND AVE Five (5) Day License
Special Class C Liquor License (Beer/Wine) for Cathedral Concerts on July 26 – 27, 2019.

(QQ) SUMMER IN THE CITY 1650 GARFIELD AVE Five (5) Day License
Class B Beer License for concert on July 27, 2019.

(RR) SUSAN KNAPP 3000 E GRAND AVE B Beer
Fourteen day license for the Iowa State Fair from August 8 – 18, 2019.

(SS) TOP OF THE VINE 3000 E GRAND AVE C Beer/Wine
Fourteen day license for the Iowa State Fair from August 8 – 18, 2019. Pending approval of Police Department.

- [19-1077](#) 5. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits. **Moved by Gatto to adopt. Motion Carried 6-1. Nays: Cownie.**

PUBLIC IMPROVEMENTS

- [19-1078](#) 6. [Approving](#) Change Order No. 1 with Henkel Construction Company for additional work on Riverview Park Canopy and Truss, \$98,000. ([Council Communication No. 19-302](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [19-1079](#) 7. [Approving](#) Change Order No. 4 with Jasper Construction Services, Inc. for additional work on Court Avenue, SW 1st Street and Scott Avenue Bridge Rehabilitation, \$208,701.64. ([Council Communication No. 19-299](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [19-1080](#) 8. [Approving](#) Change Order No. 6 with S.M. Hentges & Sons, Inc. for additional work on Gray's Station Regional Detention Basin, \$91,720. ([Council Communication No. 19-301](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

9. Approving Private Construction Contract between the following:

- [19-1081](#) (A) [Legacy](#) Excavation LLC and J. Larson Homes, LLC for Sanitary Sewer Improvements in Three Lakes Plat 7. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [19-1082](#) (B) [Legacy](#) Excavation LLC and J. Larson Homes, LLC for Storm Sewer Improvements in Three Lakes Plat 7. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [19-1083](#) (C) [The](#) Underground Company, LLC for Storm Sewer Improvements in 220 SE 6th Street. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [19-1084](#) 10. [Execution](#) of Union Pacific Railroad Company (UPRR) Supplemental Agreement for the E. 30th Street Viaduct Rehabilitation. ([Council Communication No. 19-300](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [19-1085](#) 11. [Levying](#) Assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2019-07. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1086](#) 12. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2019-07. **Moved by Gatto to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [19-1087](#) 13. [Authorization](#) to proceed with acquisition of the necessary property interests for the Hamilton Drain East System Storm Sewer Improvements – Phase 1 and 2 Project. ([Council Communication No. 19-326](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1088](#) 14. [Authorization](#) to proceed with acquisition of the necessary property interests for the 2020 City-Wide Neighborhood Sidewalk Program. ([Council Communication No. 19-311](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1089](#) 15. [Acceptance](#) of subdivision improvements bond and approval of final subdivision plat for Gray's Station Plat 4. ([Council Communication No. 19-312](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [19-1090](#) 16. [Recommendation](#) from Council Member Gatto to appoint Joseph Nolte to the Sister Cities Commission, Seat 14, for the five-year term commencing April 28, 2015 to April 28, 2020. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1091](#) 17. [Recommendation](#) from Council Member Coleman to appoint Alex Duong to the Sister Cities Commission, Seat 6, for the five-year term commencing April 28, 2019 to April 28, 2024. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1092](#) 18. [Recommendation](#) from Council Member Gray to appoint Kelli Todd to the Sister Cities Commission, Seat 9, for the five-year term commencing April 28, 2017 to April 28, 2022. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1093](#) 19. [Communication](#) from Vinh Nguyen advising of his resignation from the Des Moines Civil and Human Rights Commission, Seat 1, effective immediately. **Moved by Gatto to receive, file and accept resignation with appreciation for his service. Motion Carried 7-0.**
- [19-1094](#) 20. [Appointing](#) Naomi Hamlett to 6th Avenue Corridor, Inc., Board of Directors, effective immediately. **Moved by Gatto to adopt. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [19-1095](#) 21. [Regarding](#) request from PRKG 1212, LLC (Ken Tharp, Officer) for vacation of subsurface portions of Walnut Street, E. 3rd Street and east/west alley right-of-way adjoining 304 E. Walnut Street, to allow accommodation of structural footings for the proposed hotel and retail development. **Moved by Gatto to receive and file the communication from the Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**
- [19-1096](#) 22. [Regarding](#) request from Des Moines Public Schools for vacation of east/west alley right-of-way adjoining 901 Walnut Street, to allow for placement of access control gates for the adjoining off-street parking lots. **Moved by Gatto to receive and file the communication from the Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [19-1097](#) 23. [On](#) a five-year License Agreement with three five-year extensions, with Electronic Engineering Co., for property at 4029 Delaware Avenue, for police communication purposes, not to exceed \$2,700 per month with 2% annual increases, (8-5-19). ([Council Communication No. 19-317](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1098](#) 24. [On](#) vacation of excess City-owned right-of-way at the intersection of South Union Street and Hartford Avenue and conveyance to Maria Gonzalez, \$1,000, (8-5-19). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1099](#) 25. [On](#) vacation of a portion of 8th Street right-of-way located east of and adjoining Enos Avenue and conveyance to Des Moines Area Community College, \$11,250, (8-5-19). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1100](#) 26. [On](#) conveyance of excess City-owned property at 2301 Sunset Road to Packaging Distribution Services, Inc., \$8,843, (8-5-19). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1101](#) 27. [On](#) conveyance of an underground electric easement in City property located south of Interstate 235 between 2nd Avenue and the Des Moines River to MidAmerican Energy Company, (8-5-19). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1102](#) 28. [On](#) request from Sanco Properties, LLC (Matt Griebrok, Officer) to rezone property at 5092 E. Broadway Avenue from “A-1” (Agricultural) to Limited “M-1” (Light Industrial) to allow expansion of the existing sales, service, warehousing and distribution uses in operation at the adjoining business at 4975 Hubbell Avenue, subject to conditions, (8-5-19). **Moved by Gatto to adopt. Motion Carried 7-0.**

[19-1103](#) 29. [On](#) request from 2425 Hubbell Ave LLC (Todd Mendenhall, Officer) to amend PlanDSM: Creating Our Tomorrow Plan, rezone property and amend PUD Conceptual Plan for property at 1424, 1428, 1432 and 1436 E. 25th Street and 2323 and 2425 Hubbell Avenue from “PUD” (Planned Unit Development) to Limited “R1-60” (One-Family Low-Density Residential), to allow the property to be removed from the existing PUD and developed for single-family residential dwellings, subject to conditions, (8-5-19). **Moved by Gatto to adopt. Motion Carried 7-0.**

[19-1104](#) 30. [On](#) request from J. Larson Homes, LLC (John Larson, Officer) and QSL Development, LLC (John Larson, Officer) to amend PlanDSM: Creating Our Tomorrow Plan and to rezone property in 3301 block of E. 56th Street from “A-1” (Agricultural) to Limited “R-3” (Multiple-Family Residential), to allow 63.087 acres of agricultural land to be developed in phases for a single-family residential subdivision, with the future possibility of townhome units and multiple-family residential apartment dwellings, subject to conditions, (8-5-19). **Moved by Gatto to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

[19-1105](#) 31. [Approving](#) payment to Jeffrey Reber for a personal injury claim. **Moved by Gatto to adopt. Motion Carried 6-0. Council Member Gray declares a conflict of interest and abstains from voting.**

[19-1106](#) 32. [Approving](#) payment for the property claim of Tricia Wilson and her insurer Safeco Insurance, as subrogee. **Moved by Gatto to adopt. Motion Carried 7-0.**

[19-1107](#) 33. [Approving](#) payment to Duncan, Green, Brown & Langeness Law Firm for representation of Police Officer Tyson Teut and Police Officer Kyle Thies. **Moved by Gatto to adopt. Motion Carried 7-0.**

[19-1108](#) 34. [Approving](#) payment to Ahlers & Cooney, PC regarding legal services. **Moved by Gatto to adopt. Motion Carried 7-0.**

[19-1109](#) 35. [Approving](#) payment to Shuttleworth & Ingersoll Law Firm. **Moved by Gatto to adopt. Motion Carried 7-0.**

[19-1110](#) 36. [Communication](#) from Legal Department concerning settlements made by City Attorney, not exceeding \$5,000. **Moved by Gatto to receive, file and affirm settlements made by City Attorney. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

[19-1111](#) 37. [Submitting](#) travel and training requests for Jeremy Eekhoff, Scott Sanders and Jonathan Gano. **Moved by Gatto to adopt. Motion Carried 7-0.**

[\(Council Communication No. 19-320\)](#)

APPROVING

- [19-1112](#) 38. [Issuance](#) of Certificate of Completion to Thompson Properties, LC for development of commercial property at 1105 & 1125 E. Broadway Avenue. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1113](#) 39. [Issuance](#) of Certificate of Completion to Helena Industries, Inc. for the expansion of its industrial facility at 3525 Vandalia Road. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1114](#) 40. [Amended](#) parking meter rate and Time Zones I and III. **Moved by Coleman to adopt; refer to the City Manager to report on private property towing practices and allowing parking in Municipal lots on weekends. Motion Carried 7-0.**

WITHDRAWN

- [19-1115](#) 41. ~~Agreement with Friends of SW 9th for SW 9th and Bell Avenue Plaza Maintenance and Repair. (Council Communication No. 19-314)~~
42. Number not used.
- [19-1116](#) 43. [Cooperative](#) Agreement with Polk Soil and Water Conservation District (PSWCD) to provide funding for a retention pond project in the Fourmile Creek Watershed, not to exceed \$20,000. ([Council Communication No. 19-323](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1117](#) 44. [Initiate](#) amendment to the Sherman Hill Local Historic District to align its boundary with the boundary of the Sherman Hill Historic District as listed on the National Register of Historic Places. ([Council Communication No. 19-319](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1118](#) 45. [Agreement](#) for EMT Training and Agreement for Paramedic Training between Fire Department and Des Moines Area Community College (DMACC). ([Council Communication No. 19-318](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

WITHDRAWN

- [19-1119](#) 46. ~~[Execution](#) of contract with Langley Productions, Inc., regarding television series “COPS”. (Council Communication No. 19-316)~~
- [19-1120](#) 47. [Amendment](#) to Donation, Construction and Maintenance Agreement with Central Iowa Trail Association, Inc. regarding Advanced Loop Mountain Bike Trail in Ewing Park. ([Council Communication No. 19-324](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [19-1121](#) 48. **Lower** Fourmile Creek Greenway Management and Maintenance Chapter 28E Agreement with Polk County Conservation Board. ([Council Communication No. 19-322](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1122](#) (A) **Setting** date of hearing on documents for conveyance of excess City-owned property in the Fourmile Creek Floodplain to Polk County Conservation Board for the Fourmile Creek Greenway Project, (8-5-19). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1123](#) 49. **Advance** of funds to the Metro Center Urban Renewal Project for the payment of the Phase 2 Secondary Grant to 101 East Grand Parking, LLC (Paul Hayes, President) for the new mixed-use building at 111 E. Grand Avenue. **Moved by Gatto to adopt. Motion Carried 7-0.**
50. Abatement of public nuisances at the following:
- [19-1124](#) (A) **802** E. County Line Road, Lot 99. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1125](#) (B) **2548** E. 23rd Street. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1126](#) (C) **1840** Logan Avenue. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1127](#) (D) **1300** E. 38th Street. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1128](#) (E) **1113** 37th Street. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1129](#) (F) **1915** E. 38th Court. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1130](#) 51. **Civil** Service Entrance Lists for Human Resources Business Partner and Promotional List for Senior Police Officer. **Moved by Gatto to receive and file. Motion Carried 7-0.**
52. Fund transfer resolution of the City of Des Moines for the following:
- [19-1131](#) (A) **Fiscal** year 2019. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1132](#) (B) **Fiscal** year 2020. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-1133](#) 53. **Authorizing** Finance Director to draw checks on **registers** for the weeks of July 15, July 22, and July 29, 2019; to draw checks for the **bills** of the Des Moines Municipal Housing Agency for the weeks of July 15, July 22 and July 29, 2019; and to draw checks for biweekly payroll due July 19 and August 2, 2019. **Moved by Gatto to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

- [19-1134](#) 54. **On** vacation of a portion of Maine Street right-of-way located east of and adjoining 100 Indiana Avenue. **Moved by Gatto that this ordinance do now pass, #15,786. Motion Carried 7-0.**

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

ORDINANCES - SECOND CONSIDERATION

- [19-1135](#) 55. **On** rezoning of property at 4801 Franklin Avenue, (Franklin Jr. High School) from Ltd. “C-1” (Neighborhood Retail Commercial) to “PUD” (Planned Unit Development). **Moved by Boesen that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

- [19-1136](#) (A) **Final** consideration of rezoning ordinance above (waiver requested by the applicant), requires six votes. **Moved by Boesen 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, #15,787. Motion Carried 7-0.**

ORDINANCES - FIRST CONSIDERATION

- [19-1137](#) 56. **Amending** Chapter 114 of the Municipal Code removing an on-street Americans with Disabilities Act (ADA) parking space on Capitol Avenue near E. 21st Street. (**Council Communication No. 19-310**) **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- [19-1138](#) 57. **Enacting** a new Chapter 74 of the Municipal Code regarding Parks and Recreation Board and Parks and Recreation Department and Director; regulating conduct for the use of parks and recreation facilities; fees for rental and use of parks facilities and programs and mobile food vendors. (**Council Communication No. 19-325**) **Moved by Gatto that this ordinance be considered and given first vote for passage, refer to the City Manager and City Attorney to add gender balance to the requirements for appointment of members. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

- [19-1139](#) 58. **From** Rose Ayers, 900 Des Moines Street, to speak regarding the intersection of Des Moines Street and E. 9th Street. **Moved by Gatto to receive and file comments and refer to the City Manager for review and recommendation. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- [19-1140](#) 59. **Update** on unbiased service delivery. **Moved by Boesen to receive and file. Motion Carried 7-0.**

APPROVING

60. Items regarding PlanDSM: Creating Our Tomorrow Plan: ([Council Communication No. 19-315](#))
- [19-1141](#) (A) **Approval** of Drake Neighborhood Revitalization Plan. **Moved by Boesen to approve. Motion Carried 7-0.**
- [19-1142](#) (B) **Approval** of Oak Park/Highland Park Neighborhood Revitalization Plan. **Moved by Boesen to approve. Motion Carried 7-0.**
- [19-1143](#) (C) **Approval** of Franklin Area Neighborhood Revitalization Plan. **Moved by Boesen to approve. Motion Carried 7-0.**
- [19-1144](#) (D) **Approval** of Columbus Park Neighborhood Revitalization Plan. **Moved by Boesen to approve. Motion Carried 7-0.**
- [19-1145](#) (E) **Amending** existing plan of Columbus Park Special Investment District. ([Council Communication No. 19-328](#)) **Moved by Boesen to adopt and approve the proposed amendment. Motion Carried 7-0.**
- [19-1146](#) 61. **Review** of Zoning Board of Adjustment decision granting a variance from separation requirement to allow a concert venue to sell liquor, wine and beer within Water Works Park, subject to conditions. ([Council Communication No. 19-313](#)) **Moved by Mandelbaum to receive and file the staff report and comments received, and to adopt alternative C, The City Council declines to remand the decision to the Zoning Board of Adjustment. The decision of the Board becomes final on this date. Motion Carried 7-0.**
62. Number not used.

WITHDRAWN

[19-1147](#)

63. ~~First consideration of an ordinance amending Chapter 70 of the Municipal Code regarding Large Capacity Magazines and Trigger Activators.~~

(A) ~~Version A.~~

(B) ~~Version B.~~

[19-1148](#)

(C) [Resolution](#) delaying action on firearm accessory regulations while such regulations are further studied. (Extra Item sponsored by Mayor Cownie, Council Members Coleman, Gatto, Gray and Westergaard). **Moved by Coleman to adopt, incorporate the Mayor’s comments, refer to the City Manager to seek “best practices” from around the country for reducing gun violence and enhancing safety that can be adopted locally, and to provide a report about the current situation in Des Moines. Motion Carried 7-0.**

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 64 THRU 74)

[19-1149](#)

64. [On](#) proposed lease with Employer’s Mutual Casualty Company for office space in the parking garage property at 750 Mulberry Street. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**

[19-1150](#)

65. [On](#) approval of documents for conveyance of excess City-owned property locally known as 2516, 2600, 2605 and 2607 Sunset Road to Iowa Pacific Processors, Inc. for \$162,900 and granting an option to purchase excess real property locally known as 2700, 2708, District/Parcel 010/05246-000-000, 2720 and portions of 2707 and 2715 Sunset Road to Iowa Pacific Processors, Inc., \$1,000. ([Council Communication No. 19-304](#)) **Moved by Mandelbaum to adopt. Motion Carried 7-0.**

[19-1151](#)

66. [On](#) approval of documents for conveyance of excess City-owned property at 1500 Maury Street to Comiskey Glass & Glazing Company, \$215,000. ([Council Communication No. 19-303](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[19-1152](#)

67. [On](#) Yeader Creek Stream Stabilization Improvements, Phase 2: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as RW Excavating Solutions, LC (Dan E. Wilson, Managing Member), \$3,076,133.60. ([Council Communication No. 19-309](#)) **Moved by Gatto to adopt; receive and file documents and refer to the City Manager to respond to questions. Motion Carried 6-1. Nays: Cownie.**

[19-1153](#)

(A) [Approving](#) contract and bond and permission to sublet. **Moved by Gatto to adopt. Motion Carried 6-1. Nays: Cownie.**

- [19-1154](#) (B) [Cooperative](#) Agreement with Iowa Department of Natural Resources (IDNR) to provide funding for the Yeader Creek Stream Stabilization Improvements, Phase 2 Project, not to exceed \$936,480. ([Council Communication No. 19-321](#)) **Moved by Gatto to adopt. Motion Carried 6-1. Nays: Cownie.**
- [19-1155](#) 68. [On](#) 4144 Hubbell Avenue Demolition: Resolution approving plans, specifications, form of contract documents, and Engineer's estimate and designating lowest responsible bidder as D.W. Zinser Company (David W. Zinser, President), \$104,690. ([Council Communication No. 19-305](#)) **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [19-1156](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [19-1157](#) 69. [On](#) 2019 Sewer Repair Contract 1: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as The Underground Company, LTD. (Duane Burkhardt, President), \$1,121,000. ([Council Communication No. 19-307](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [19-1158](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [19-1159](#) 70. [On](#) 2019 Residential Paving: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Grimes Asphalt and Paving Corporation (Kurt Rasmussen, President), \$1,463,241. ([Council Communication No. 19-306](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**
- [19-1160](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Boesen to adopt. Motion Carried 7-0.**
- [19-1161](#) 71. [On](#) George Whitmer and Fairmont Park Improvements: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Caliber Concrete, LLC (Jason Martin, Owner), \$149,846.44. ([Council Communication No. 19-308](#)) **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [19-1162](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [19-1163](#) 72. [Public](#) Hearing on Plans, Specifications, Form of Contract Documents, and Engineers Estimate on 47th and Holcomb Storm Sewer Improvements and Ratifying and Confirming Roll Calls 19-1059 and 19-1060 Awarding Contract to S.M. Hentges & Sons Inc. (Steven M. Hentges, President), \$5,948,907.50. **Moved by Gray to adopt. Motion Carried 7-0.**
- [19-1164](#) 73. [Public](#) Hearing on Plans, Specifications, Form of Contract Documents, and Engineers Estimate on 2019 PCC Pavement Patching Program and Ratifying and Confirming Roll Calls 19-1061 and 19-1062 Awarding Contract to Iowa Civil Contracting, Inc. (Randy D. Miller, President), \$1,626,280. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [19-1165](#) 74. **Public** Hearing on Plans, Specifications, Form of Contract Documents, and Engineers Estimate on 2019 Neighborhood Sidewalk Program and Ratifying and Confirming Roll Calls 19-1065 and 19-1067 Awarding Contract to Ti-Zack Concrete, Inc. (Steve J. Rutt, President), \$594,965. **Moved by Boesen to adopt. Motion Carried 7-0.**

END HEARINGS AT 5:25 PM

EXTRA ITEMS

- [19-1166](#) 1. **City** initiation of a request to rezone 720, 727, 730 and 827-861 E. 2nd Street; 205-221 and 350 Maple Street; 101-284 and 225 E. Center Street; 832-848 E. 4th Street; and 200 Des Moines Street. Sponsor: Council Member Gatto. **Moved by Gatto to refer a request by Bridge District II, LLC (owner), represented by Ashley Aust (officer) to rezone property located at 720, 727, 730 and 827-861 East 2nd Street, 205-221 and 350 Maple Street, 101-284 and 225 East Center Street, 832-848 East 4th Street, and 200 Des Moines Street, as generally shown in the attached map, from “D-R” Downtown-Riverfront District to “PUD” Planned Unit Development, to the Community Development Department and Plan and Zoning Commission for review and recommendation at an upcoming Commission meeting as a City-initiated rezoning request. Motion Carried 7-0.**

- [19-1167](#) MOTION TO ADJOURN. **Moved by Gatto to adjourn at 7:14 PM. Motion Carried 7-0.**

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