



**\*\*\* 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 '20-' 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, MSC Board Room**  
**1551 E. M L King Jr. Parkway**  
**Des Moines, Iowa 50317**

**July 13, 2020**  
**4:30 PM**

*Iowa Code Section 21.4 requires that each Council meeting shall be held at a place reasonably accessible to the public and at a time reasonably convenient to the public, unless for good cause such a place or time is impossible or impracticable. Given Mayor Cownie's March 17, 2020 Proclamation Amendment, as amended, prohibiting indoor gatherings of ten or more persons on public property and Section One of the Governor's June 25, 2020 Proclamation strongly encouraging vulnerable Iowans to limit participation in gatherings of any size and any purpose during the COVID19 outbreak and further given Section One Twenty Three of the Governor's June 25, 2020 Proclamation suspending the regulatory provisions of Iowa Code §§ 21.8, 26.12, and 414.12, or any other statute imposing a requirement to hold a public meeting or hearing, the City Council has determined that a meeting at a physical place is impossible or impracticable and all Council meetings for the time being will be conducted electronically with the public allowed to attend per the instructions on this agenda. Meeting minutes will continue to be provided per the City's normal course of business.*

***Mayor, Council and Commission members will be participating by ZOOM meeting due to COVID-19. The public can participate by using the information below:***

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.

<https://zoom.us/j/94116598764?pwd=anVsSXlHMfdZcXBkeUxvTGZNMVFWUT09>

- **You do have to register to participate so please plan accordingly.**

Or join by phone by dialing:

- 833 548 0276 (Toll Free) or 877 853 5257 (Toll Free)  
Webinar ID: 941 1659 8764

[20-1082](#) 1. ROLL CALL: **Present: Cownie, Gatto, Gray, Mandelbaum, Voss and Westergaard. Absent: Boesen. Mayor and Council participated electronically. Council Member Boesen entered the meeting during item 40.**

[20-1083](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Mandelbaum to adopt. Motion Carried 6-1. Absent: Boesen.**

[20-1084](#) 3. APPROVING CONSENT AGENDA \* – items 3 through 55: **Moved by Gatto to adopt the balance of the consent agenda. Motion Carried 6-1. Absent: Boesen.**

**\*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

[20-1085](#) 4. [Approving](#) Alcoholic Beverage License Applications for the following: **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**

#### NEW APPLICATIONS

(A)	EL VALLE TIENDA MEXICANA	101 Army Post Rd	C Beer
(B)	LA TAPATIA 2	3504 MERLE HAY RD	C Beer

#### RENEWAL APPLICATIONS

(C)	AIRPORT HOLIDAY INN	6111 FLEUR DR	B Liquor
(D)	APPLEBEES NEIGHBORHOOD	3900 MERLE HAY RD	C Liquor
(E)	APPLEBEES NEIGHBORHOOD	6301 SE 14TH ST	C Liquor
(F)	BEAVERDALE VFW CLUB	4029 URBANDALE	A Liquor
(G)	BLACKBIRD HOSPITALITY	713 WALNUT ST	C Liquor
(H)	BLANK MUNICIPAL GOLF	711 COUNTY LINE RD	C Liquor
(I)	BOWLERAMA	1313 E DIEHL AVE	C Liquor
(J)	CONSERVATORY	315 E 5TH ST	C Liquor
(K)	COPPER CUP	207 4TH ST	C Liquor
(L)	DELMONICO FINE DINING	2801 FLEUR DR	C Liquor
(M)	DERRYS LOUNGE	4845 MERLE HAY RD	C Liquor
(N)	DES MOINES AMVETS POST #2	2818 5TH AVE	A Liquor
(O)	DOUGH CO PIZZA	2330 UNIVERSITY	C Beer/Wine
(P)	EASTSIDERS	1833 HUBBELL AVE	C Liquor
(Q)	EL PALOMINO	3116 E 14TH ST	C Beer
(R)	FONGS PIZZA	3018 FOREST AVE.	C Beer/Wine
(S)	HOLIDAY INN DOWNTOWN	1050 6TH AVE	B Liquor
(T)	ISLAS DEL PACIFICO	1434 DES MOINES ST	C Liquor
(U)	JASPER WINERY	2400 GEORGE FLAGG	C Native Wine
(V)	LA HACIENDA	6050 SE 14TH ST	C Liquor

(W)	LATIN KING RESTAURANT	2200 HUBBELL AVE	C Liquor
(X)	MI LINDO MEXICO	3900 E 14TH ST	C Beer/Wine
(Y)	PRINCIPAL FINANCIAL	750 PARK ST	C Liquor
(Z)	RICHARD O JACOBSON	3000 E GRAND AVE	C Liquor
(AA)	SAKARI SUSHI LOUNGE	2605 INGERSOLL	C Liquor
(BB)	SCIENCE CENTER OF IOWA	401 W MLK JR PKWY	C Liquor
(CC)	SMOKIN' JOES #4	2800 E UNIVERSITY	E Liquor
(DD)	TEQUILA RESTAURANT	2824 EASTON BLVD	C Liquor
(EE)	TIPSY CROW TAVERN	102 3RD ST	C Liquor
(FF)	WAVELAND MUNICIPAL GOLF	4908 UNIVERSITY	C Liquor

- [20-1086](#) 5. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits. **Moved by Gatto to adopt. Motion Carried 5-1-1. Nays: Cownie. Absent: Boesen.**

### PUBLIC IMPROVEMENTS

- [20-1087](#) 6. [Approving](#) Iowa Department of Transportation Agreement (IDOT) for a Revitalize Iowa's Sound Economy Program (RISE) Project and related agreement between City of Des Moines and Des Moines Airport Authority for the Cowles Drive Reconstruction Program (Phase 1) at the Des Moines International Airport. ([Council Communication No. 20-313](#)) **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**

- [20-1088](#) 7. [Approving](#) Professional Services Agreement with CDM Smith, Inc. for Phase 1 of the City-Wide Stormwater Master Plan Study, not to exceed \$597,122. ([Council Communication No. 20-302](#)) **Moved by Gray to adopt. Motion Carried 6-1. Absent: Boesen.**

8. Number not used.

- [20-1089](#) 9. [Approving](#) Supplemental Agreement No. 1 to the Professional Services Agreement with Foth Infrastructure and Environment, LLC for additional design and construction phase services for SW 9th Street Bridge over Middle Creek Replacement, not to exceed \$140,000. ([Council Communication No. 20-299](#)) **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**

- [20-1090](#) 10. [Approving](#) Change Order No. 1 with GTG Construction, LLC for additional work on the Weeks Middle School Park Improvements, \$87,999.34. ([Council Communication No. 20-298](#)) **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**

- [20-1091](#) 11. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects. **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**

12. Accepting completed construction and approving final payment for the following:

- [20-1092](#) (A) [2019](#) Arterial & Collector Route ADA Sidewalk Ramp Program, TK Concrete, Inc. **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**
- [20-1093](#) (B) [Glendale](#) Cemetery Road Reconstruction and Gray's Lake Trail Resurfacing, OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving. **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**
- [20-1094](#) (C) [Tower](#) Park and Sheridan Park Water Playgrounds, Minturn, Inc. **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**

#### SPECIAL ASSESSMENTS

- [20-1095](#) 13. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2020-06. **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**

#### LAND/PROPERTY TRANSACTIONS

- [20-1096](#) 14. [Acceptance](#) of Planned Unit Development (PUD) Restoration Bond for Casey's General Store on SW 9<sup>th</sup> Street Final Development Plan. ([Council Communication No. 20-303](#)) **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**

#### BOARDS/COMMISSIONS/NEIGHBORHOODS

- [20-1097](#) 15. [Recommendation](#) of Council Member Boesen to appoint Kayla Berkson to the Plan and Zoning Commission, Seat 4, for the term expiring July 6, 2025. **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**
- [20-1098](#) 16. [Recommendation](#) from Council Member Voss to appoint Stephanie Fleckenstein, PE to the Transportation Safety Committee, Seat 3, for the term expiring on December 31, 2020. **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**
- [20-1099](#) 16-I [Recommendation](#) from Council Member Gray to appoint Jay Busch to the Parks and Recreation Board, Seat 7, for the term expiring June 30, 2024. **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**
- [20-1100](#) 17. [Recommendation](#) from Council Member Mandelbaum to reappoint Steve Wilke-Shapiro to the Urban Design Review Board, Seat 10, for the term expiring June 30, 2023. **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**

- [20-1101](#) 18. [Recommendation](#) from Council Member Mandelbaum to reappoint Barb Bremner to the Park and Recreation Board, Seat 11, for the term expiring June 30, 2024. **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**
- [20-1102](#) 19. [Recommendation](#) from Council Member Boesen to reappoint Joel Potter to the Park and Recreation Board, Seat 3, for the term expiring June 30, 2024. **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**
- [20-1103](#) 20. [Communication](#) from Jacqueline R. Easley advising of the expiration of her term on the Plan and Zoning Commission, Seat 4, effective immediately. **Moved by Gatto to receive, file and accept the acknowledgment of her term expiration with appreciation for her service. Motion Carried 6-1. Absent: Boesen.**
- [20-1104](#) 21. [Communication](#) from Sarah Heggen advising of her resignation from the Housing Appeals Board, Seat 6, effective immediately. **Moved by Gatto to receive, file and accept resignation with appreciation for her service. Motion Carried 6-1. Absent: Boesen.**
- [20-1105](#) 21 I. [Recommendation](#) from Council Member Mandelbaum to appoint Jasmine Brooks to the Housing Appeals Board, Seat 6, for the term expiring June 30, 2023. **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**

#### COMMUNICATIONS FROM PLANNING AND ZONING

- [20-1106](#) 22. [Regarding](#) City-initiated request for vacation of the east/west alley segment between Vale Street and E. Railroad Avenue from SE 7<sup>th</sup> Street to SE 8<sup>th</sup> Street in the vicinity of property at 901 SE 7<sup>th</sup> Street, 709 and 714 Vale Street. **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 6-1. Absent: Boesen.**

#### SETTING DATE OF HEARINGS

- [20-1107](#) 23. [On](#) proposed honorary street name of “Riviera Way” for a segment of Corning Avenue between 6<sup>th</sup> Avenue and a terminus at the Des Moines River to the west of 7<sup>th</sup> Street, (8-3-20). **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**
- [20-1108](#) 24. [On](#) conveyance of an underground electric easement to MidAmerican Energy Company on City-owned property at 3226 University Avenue, \$1, (8-3-20). **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**
- [20-1109](#) 25. [On](#) request from Spot Free Car Wash, LLC (Allen Hansen, Officer) to amend the PlanDSM future land use designation and rezone 3104 Indianola Avenue from “N3a” Neighborhood to “MX3” Mixed Use to allow the existing car wash defined as a vehicle sales and service, vehicle maintenance/repair minor to continue as a use permitted by right, (8-3-20). **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**

- [20-1110](#) 26. [On](#) request from Grasso Properties One, LLC (Steve Grasso, Officer) to amend the PlanDSM future land use designation and rezone 3206 University Avenue from “P2” Public, Civic and Institutional to Ltd. “MX3” Mixed Use to allow the basement of the existing Drake University building used for office, business or professional to be remodeled for self-service storage use, (8-3-20). **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**
- [20-1111](#) 27. [On](#) request from 3 Sons Enterprises, LLC d/b/a Sunset Memorial Gardens (Blair Overton, Officer) to rezone 7601 Fleur Drive from “P-1” Public, Civic and Institutional to Ltd. “P-2” Public, Civic and Institutional to allow development of a place of worship use within a civic building type and allow the future right to expand an existing non-City-owned cemetery use through Conditional Use consideration, (8-3-20). **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**

#### LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [20-1112](#) 28. [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 6-1. Absent: Boesen.**
- [20-1113](#) 29. [Payment](#) to Equian as subrogee for Everest National in the personal injury claim of Kirk Ferneau. **Moved by Gatto to adopt. Motion Carried 5-1-1. Nays: Gray. Absent: Boesen.**

#### APPROVING

- [20-1114](#) 30. [2020](#) Supplemental Emergency Solutions Grant (ESG) Funding Allocations. ([Council Communication No. 20-304](#)) **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**
- [20-1115](#) 31. [Reprogramming](#) of unspent Emergency Solutions Grant (ESG) funding to Central Iowa Shelter and Services. ([Council Communication No. 20-306](#)) **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**
- [20-1116](#) 32. [Amendment](#) of Blighted Property Rehabilitation (BPR) Program Agreement with Rally Cap Properties, LLC for rehabilitation of property at 693 19th Street to allow extension of the agreement to April 30, 2021. ([Council Communication No. 20-305](#)) **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**
- [20-1117](#) 33. [First](#) Amendment to the Urban Renewal Development Agreement with 3750 Grand, LLC for the partial rehabilitation and construction of an 8-story residential building with approximately 38 condominiums and 59 indoor parking stalls at 3750 Grand Avenue. ([Council Communication No. 20-310](#)) **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**

34. Items regarding Fidelity & Guaranty (Karen Krug, Vice President, Human Resources), 601 Locust Street, Suite 1400: ([Council Communication No. 20-308](#))

[20-1118](#)

(A) [Economic](#) Development Assistance Contract under Iowa Economic Development Authority (IEDA) High Quality Jobs Program. **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**

[20-1119](#)

(B) [Economic](#) Development Parking License Agreement. **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**

[20-1120](#)

35. [Correcting](#) conditions of approval regarding request from Drake University (Venessa Macro, Officer) for review and approval of a 4<sup>th</sup> Amendment to the Drake University Recreation PUD Conceptual Plan for property at the northwest corner of 27<sup>th</sup> Street and Forest Avenue to allow replacement of an existing electronic sign with a new two-sided monument sign. **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**

[20-1121](#)

36. [Conceptual](#) Development Plan by Des Moines Industrial, LLC of property located in the vicinity of 200 SE 15<sup>th</sup> Street for development of a multi-modal transloading facility. ([Council Communication No. 20-311](#)) **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**

37. Number not used.

[20-1122](#)

38. [City](#)-initiated request to rezone property in the vicinity of SE 4<sup>th</sup> and E. Market Streets from the riverfront on the west to SE 5<sup>th</sup> Street on the east, and from E. Vine Street on the north to Martin Luther King Jr. Parkway on the south. **Moved by Gatto to refer a request by the District Developer, LLC (developer/purchaser) represented by Paul Hayes (Officer), to rezone property necessary for the proposed master-planned, mixed-use urban redevelopment of 12 blocks of property, including a proposed future riverfront park, located in the general vicinity of SE 4<sup>th</sup> and Market Streets, from the riverfront on the west to SE 5<sup>th</sup> Street on the east, and from the E. Vine Street right-of-way on the north to the Martin Luther King Jr. Pkwy right of way on the south, as generally shown in the map, from P2 Public District and DX2 Downtown District to DX1 Downtown District and DXR Downtown District, 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 6-1. Absent: Boesen.**

- [20-1123](#) 39. [City](#)-initiated request to rezone property required for church parking lots and underground stormwater detention located at 4014 Amherst Street, 4102 North Union Street, and Lots 18 and 19 Madison Gardens. **Moved by Gatto to refer a request by True Bible Baptist Church (Owner), represented by Senior Pastor Rod Bradley, to rezone property required for church parking lots and underground stormwater detention located at 4014 Amherst Street, 4102 North Union Street and Lots 18 and 19 Madison Gardens, as shown in the map, from N3a Neighborhood District to P2 Public, Civic and Institutional District, 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 6-1. Absent: Boesen.**
- [20-1124](#) 40. [Participation](#) with the Iowa League of Cities in preparing comments to the draft ambient Water Quality criteria proposed by the United States Environmental Protection Agency. **Moved by Mandelbaum to continue to the August 3, 2020 Council meeting. Schedule a work session on this topic and include representation from Des Moines Water Works and the Wastewater Reclamation Authority. Motion Carried 7-0.**
- [20-1125](#) 41. [Agreement](#) with Central Iowa Water Trails, LLC regarding project Outgrant Application for proposed improvements to Prospect Park as part of Central Iowa Water Trails Project. ([Council Communication No. 20-317](#)) **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**
- [20-1126](#) 42. [Receive](#) and file acceptance by MidAmerican Energy Company of Ordinance No 15,902 amending the Electric Energy Franchise and the Gas Franchise repealing the Temporary increase to the franchise fee used solely toward payment of the *Kragnes v City of Des Moines* judgment. Sponsor Council Member Gray. **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**
- [20-1127](#) 43. [Proposal](#) of SmithGroup, Inc. (John Kretschman, Director of Operations) for consulting services for the development of Birdland Park and Marina Master Plan and authorizing the City Manager to negotiate and execute agreement. ([Council Communication No. 20-318](#)) **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**
- [20-1128](#) 44. [Amendment](#) to Robert D. Ray Asian Garden Maintenance and Repair Agreement with the Des Moines River Front Development Authority (RDA). ([Council Communication No. 20-319](#)) **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**
- [20-1129](#) 45. [Termination](#) agreement with ILEX Group, Inc. for development in the vicinity of 4600 NE 14<sup>th</sup> Street. ([Council Communication No. 20-312](#)) **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**



- [20-1130](#) 46. [Des](#) Moines Metropolitan Planning Organization (MPO) Fiscal Year 2021 Unified Planning Work Program and Budget and authorizing payment of FY 2021 Assessment, \$108,427. ([Council Communication No. 20-307](#)) **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**
- [20-1131](#) 47. [Amended](#) Parking Meter Rate and Time Zones I, II and III. **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**
- [20-1132](#) 48. [Receipt](#) of financial reports from Des Moines Water Works. **Moved by Gatto to receive and file. Motion Carried 6-1. Absent: Boesen.**
49. Abatement of public nuisances at the following:
- [20-1133](#) (A) [11](#) E. Dunham Avenue (main structure). **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**
- [20-1134](#) (B) [2513](#) Woodland Avenue (main structure). **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**
- [20-1135](#) (C) [4200](#) SE 17<sup>th</sup> Street (main and garage structure). **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**
- [20-1136](#) (D) [728](#) E. Border Street (main structure). **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**
- [20-1137](#) 50. [Communication](#) of fire escrow at 1716 41<sup>st</sup> Street. **Moved by Gatto to receive and file and to direct the City Attorney to bring legal action within one hundred eighty (180) days of certified mail notice dated June 17, 2020, if owner(s) has not demolished or renovated the structure. Motion Carried 6-1. Absent: Boesen.**
- [20-1138](#) 51. [Release](#) of Fire Escrow at 4001 E. 32<sup>nd</sup> Street. **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**

52. Purchases from the following:

[20-1139](#)

- (A) [Stivers](#) Ford (Scott Politte, General Manager) for replacement of eighteen (18) Ford Utility Interceptors (Patrol) and Dewey Ford (Dan Boettcher, General Manager) for replacement of one (1) cargo van utilized for prisoner transport per State of Iowa Contract for use by Fleet Services, \$619,149. ([Council Communication No. 20-309](#)) **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**

[20-1140](#)

- (B) [AT & T](#) Mobility LLC a subsidiary of AT & T Inc. (David Christopher, President) for annual cellular services and wireless transmission service, and the replacement of cellular phones per State of Iowa Agreement for use by the Police Department, \$159,400. ([Council Communication No. 20-314](#)) **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**

[20-1141](#)

- (C) [Wright](#) Outdoor Solutions (Jennifer Anderson, General Manager) and Family Tree Care (Rick Hanson, President) for six (6) month extensions of the Emerald Ash Borer (EAB) Management Services agreements for tree and stump removals for the City's Emerald Ash Borer response plan for use by the Public Works Department, estimated cost \$650,000. **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**

[20-1142](#)

- (D) [Landscape](#) Structures of Deleno Minnesota (Steve King, Founder, Chairman of Board) for playground equipment for Weeks Middle School Park per National Cooperative Purchasing Alliance (NCPA) Contract for use by the Parks and Recreation Department, \$67,580. ([Council Communication No. 20-315](#)) **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**

[20-1143](#)

- (E) [Forterra](#) Pipe & Precast (Mark Carpenter, President) and Contech Engineered Solutions (Mike Rafi, President) for an annual contract with two (2) additional one-year renewal options to furnish various pipe materials for storm and sanitary sewer maintenance for use by the Public Works Department, estimated annual cost \$70,000. (Three potential bidders, two received). **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**

[20-1144](#)

53. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of July 13, 20 and 27, 2020; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of July 13, 20 and 27, 2020 and to draw checks for biweekly payroll due July 17 and 31, 2020. **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Boesen.**

**ORDINANCES - FINAL CONSIDERATION**

- [20-1145](#) 54. **On** Zoning Ordinance in Chapter 134 of the City Code relating to Lodging – Short-Term Commercial Rental uses to continue to a future Council meeting, pending analysis by the City Legal Department and recommendation and submittal to the City Council by the City Manager (Continued from June 22, 2020 Council meeting). **Moved by Gatto to continue to a future Council meeting, pending analysis by City Legal Department and recommendation and submittal to City Council by City Manager. Motion Carried 6-1. Absent: Boesen.**

**ORDINANCES - SECOND CONSIDERATION**

- [20-1146](#) 55. **Amending** Chapter 102, Article IV, relating to Right-of-Way Occupancy. **Moved by Gatto that this ordinance be considered and given second vote for passage. Motion Carried 6-1. Absent: Boesen.**

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

**ORDINANCES - FIRST CONSIDERATION**

- [20-1147](#) 56. **Amending** Chapter 114 of the Municipal Code regarding traffic regulation changes as follows: ([Council Communication No. 20-301](#)) **Moved by Gatto that items A, B, C, E, F and G of this ordinance be considered and given first vote for passage. Refer item D back to Engineering to identify more parking for residents. Motion Carried 6-1. Absent: Boesen.**

- (A) Traffic Control Change – Intersection of SW 1st Street and Edison Avenue.
- (B) Parking Restriction – 9th Street between Shawnee Avenue and Aurora Avenue.
- (C) Parking Restriction – Porter Avenue between SW 12th Street and SW 14th Street.
- (D) Parking Restriction – Westwood Drive between 56th Street and the cul-de-sac to the east.
- (E) Parking Restriction – Cummins Road between SE 14th Street and the cul-de-sac to the west.
- (F) Proposed code change to match field conditions on 9th Street from Grand Avenue north to Chestnut Street.
- (G) Parking restrictions on SW 3rd Street between Martin Luther King Jr. Parkway and Market Street.

- [20-1148](#) 57. **Amending** Sections 50-26, 50-32.05, 50-34 and 50-35 relating to floodplain development regulations and to continue to the August 17<sup>th</sup> Council meeting (Continued from May 18, 2020 Council Meeting). **Moved by Gatto to continue to the August 17, 2020 Council meeting. Motion Carried 7-0.**

## COMMUNICATIONS/REPORTS

- [20-1149](#) 58. [Request](#) to speak from Jeff Young regarding the Beaverdale Farmers Market at Franklin Junior High. **Moved by Gray to receive and file comments. Refer to the City Manager and Legal to prepare a resolution for a vote on Monday to allow the Beaverdale Famer’s Market for the remainder of the year. Motion Carried 7-0.**
- [20-1150](#) 59. [Request](#) to speak from Lori Palm on fireworks and enforcement. **Moved by Westergaard to receive and file comments. Refer to the City Manager to schedule a work session on this topic. Motion Carried 7-0.**
- [20-1151](#) 60. [Request](#) to speak from Sandra Robbins on citizen review board for Des Moines Police Department. **Moved by Gatto to receive and file. Ms. Robbins did not speak. Motion Carried 7-0.**

## APPROVING

- [20-1152](#) 60-I [Resolution](#) regarding City Policies on the use of face masks. Sponsors: Council Members Mandelbaum, Boesen, Voss and Mayor Cownie. **Moved by Mandelbaum to adopt and allow face shields as an alternative to masks. Motion Carried 7-0.**

## HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 61 THRU 72)

- [20-1153](#) 61. [On](#) vacation of a portion of E. Martin Luther King Jr. Pkwy right-of-way between E. 15<sup>th</sup> Street and E. 18<sup>th</sup> Street and conveyance to Des Moines Industrial, LLC, \$100. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1154](#) (A) [First](#) consideration of ordinance above. **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [20-1155](#) (B) Final consideration of ordinance above, 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, #[15,907](#). Motion Carried 7-0.**

- [20-1156](#) 62. **On** request from Anchor Investment Group, LLC to rezone 3116 Victoria Drive from “N3b” (Neighborhood) to Ltd. “N3b-2” (Neighborhood) to allow for conversion of the existing one-household residential dwelling to be restored to its original use as a two-household residential dwelling. **Moved by Gray to adopt. Motion Carried 7-0.**
- [20-1157](#) (A) **First** consideration of ordinance above. **Moved by Gray that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [20-1158](#) (B) **Final** consideration of ordinance above (waiver requested by Michael Donlin, Anchor Investment Group, LLC), requires six votes. **Moved by Gray 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, #15,908. Motion Carried 7-0.**
- [20-1159](#) 63. **On** request from Airport Development, LC for approval of PUD Final Development Plan for “Flex Warehouse on Park Avenue” at 6000 Park Avenue to allow development of a 6.53-acre site for a 57,720-square foot flex/warehouse building in accordance with the Airport Commerce Park West PUD Conceptual Plan requirements. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
- [20-1160](#) 64. **On** request from Brook Landing, LLC to amend the PUD Conceptual Plan and for approval of PUD Final Development Plan for property in the 3300 block of E. 56<sup>th</sup> Street and at 5510 Brook View Avenue to allow development of a 6.71-acre property with a worship assembly use within a 16,864-square foot building. **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [20-1161](#) 65. **On** request from Pinnacle on Fleur, LLC (William Kimberly, Officer) for approval of PUD Final Development Plan for “Pinnacle on Fleur” at 2710 Fleur Drive to allow development of 20 household units within three row type buildings. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
- [20-1162](#) 66. **On** request from the Village at Gray’s Lake, LLC for approval of PUD Final Development Plan for “Village at Gray’s Lake Lot 3” at 2580 Fleur Drive to allow renovation of the existing 3-story, 10,634 square foot office building on the former American Institute of Business campus and required site improvements. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**

- [20-1163](#) 67. **On** land exchange purchase agreement with Greater Des Moines Habitat for Humanity, Inc. for exchange of comparable properties. **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [20-1164](#) 68. **To** review the anticipated environmental impact of Near West Side Sewer Separation Phase 4. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
- [20-1165](#) 69. **On** 2020 HMA Resurfacing Program Contract 2: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids and designating lowest responsible bidder as Grimes Asphalt and Paving Corporation (Timothy Mallicoat, President), \$450,118.75. ([Council Communication No. 20-294](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1166](#) (A) **Approving** contract and bond and permission to sublet. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [20-1167](#) 70. **On** 6<sup>th</sup> Avenue Streetscape – College Avenue to University Avenue: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids and designating lowest responsible bidder as Hawkeye Paving Corporation (Anthony L. Perkins, President), \$4,565,307. ([Council Communication No. 20-295](#)) **Moved by Gray to adopt. Motion Carried 7-0.**
- [20-1168](#) (A) **Approving** contract and bond and permission to sublet. **Moved by Gray to adopt. Motion Carried 7-0.**
- [20-1169](#) 71. **On** Franklin Avenue Resurfacing from 48<sup>th</sup> Street to Merle Hay Road: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids and designating the lowest responsible bidder as InRoads, LLC (Joseph J. Manatt, Manager), \$1,548,220.35. ([Council Communication No. 20-296](#)) **Moved by Gray to adopt; direct the City Manager to begin the process to designate a 25-mph maximum speed limit on Franklin Avenue from 48<sup>th</sup> Street to Merle Hay Road, as called for in MOVEDSM and add Franklin Avenue from Merle Hay to 63<sup>rd</sup> Street to the list to be considered if the City receives CARES infrastructure funds. Motion Carried 7-0.**
- [20-1170](#) (A) **Approving** contract and bond and permission to sublet. **Moved by Gray to adopt. Motion Carried 7-0.**

[20-1171](#) 72. On Glendale Cemetery Road Reconstruction Phase 3: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids and designating lowest responsible bidder as Hawkeye Paving Corporation (Anthony L. Perkins, President), \$607,870. ([Council Communication No. 20-297](#)) **Moved by Gray to adopt. Motion Carried 7-0.**

[20-1172](#) (A) Approving contract and bond and permission to sublet. **Moved by Gray to adopt. Motion Carried 7-0.**

\*\*\* END OF HEARINGS AT 6:11 PM \*\*\*

[20-1173](#) MOTION TO ADJOURN. **Moved by Cownie to adjourn at 7:18 PM. Motion Carried 7-0.**

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