



**\*\*\* 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 '21-' 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 19, 2021**

**5:00 PM**

The public is hereby notified that the City Council will not tolerate disruption of its business meetings. Persons wishing to attend this meeting are reminded of the following:

1. We welcome germane comments from the public at the appropriate time, but this is a Council business meeting and the Council needs to conduct the people's business and Council has rules that are validly adopted under Iowa law and those rules will be followed.
2. Anyone engaging in disruptive conduct in the Council Chambers or Great Hall will result in those being disruptive being ordered to leave the building and being denied readmittance for the remainder of the day.
3. No person will be permitted to stand in the council chamber during council sessions between the audience seats and the council members except the persons addressing the council **at the speakers' microphone** and **only** after being recognized by the Mayor.
4. All persons desiring to address the council may do so only when recognized by the Mayor, but the council reserves the right to limit the speaker's time and the order in which the speakers may address the council.
5. **Under Section 2-70 of the City Code**, it is illegal to interrupt any person who is addressing the council except by a council member and it is illegal to disrupt the Council meeting.
6. **EVERYONE** in attendance has First Amendment rights and any disruptive conduct by one person or group impinges on the rights of others present, so disruptive conduct will not be tolerated.

7. If the meeting is disrupted, the public speaking portion of the meeting may be moved to the next in-person meeting which is not disrupted.
8. Those who disrupt the meeting will not be called on during the meeting, will be ordered to leave the building and may be cited or arrested for disorderly conduct, trespass or interfering with the good order of the meeting or other applicable charges.

[21-1080](#)

1. ROLL CALL: **Present: Cownie, Boesen, Gatto, Gray, Mandelbaum, Voss and Westergaard.**

[21-1081](#)

2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Gatto to adopt. Motion Carried 7-0.**

[21-1082](#)

3. APPROVING CONSENT AGENDA \* – items 3 through 58: **Moved by Gatto to adopt the balance of the consent agenda. Motion Carried 7-0. Motion by Council Member Mandelbaum to allow 30 minutes speaking time on Items 48, 49, 50, 51, 54B and 54D. Motion Failed. 3-4. Nays: Gatto, Gray, Voss and Westergaard.**

**\*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

[21-1083](#)

4. **Approving Alcoholic Beverage License Applications for the following: Moved by Gatto to adopt. Motion Carried 7-0. Council Member Gatto declares a conflict of interest and abstains from voting on Item 4J.**

### Renewal Applications

|                                  |                        |                        |
|----------------------------------|------------------------|------------------------|
| (A) AIRPORT HOLIDAY INN          | 6111 FLEUR DR          | Class B Liquor         |
| (B) APPLEBEES NEIGHBORHOOD GRILL | 6301 SE 14TH ST        | Class C Liquor         |
| (C) APPLEBEES NEIGHBORHOOD GRILL | 3900 MERLE HAY RD      | Class C Liquor         |
| (D) BLANK MUNICIPAL GOLF COURSE  | 711 COUNTY LINE RD     | Class C Liquor         |
| (E) BOWLERAMA                    | 1313 E DIEHL AVE       | Class C Liquor         |
| (F) DERRYS LOUNGE                | 4845 MERLE HAY RD      | Class C Liquor         |
| (G) DES MOINES AMVETS POST 2     | 2818 5TH AVE           | Class A Liquor         |
| (H) DJANGO                       | 1420 LOCUST ST         | Class C Liquor         |
| (I) EL PATIO MEXICAN RESTAURANT  | 611 37TH ST            | Class C Liquor         |
| * (J) FORTE BANQUET + CONFERENCE | 615 3RD ST             | Class C Liquor         |
| (K) FRESKO                       | 909 LOCUST ST 103      | Class C Liquor         |
| (L) GIT N GO STORE #7            | 3000 MERLE HAY RD      | Class C Beer           |
| (M) HY VEE FAST & FRESH          | 5801 HICKMAN RD        | Class E Liquor         |
| (N) ISLAS DEL PACIFICO           | 1434 DES MOINES ST 8   | Class C Liquor         |
| (O) JALAPENO PETE'S CANTINA      | 3000 E GRAND AVE       | Special Class C Liquor |
| (P) JASPER WINERY                | 2400 GEORGE FLAGG PKWY | Class C Native Wine    |
| (Q) LA HACIENDA MEXICAN          | 6050 SE 14TH ST        | Class C Liquor         |

|                                   |                        |                |
|-----------------------------------|------------------------|----------------|
| (R) MERCY ONE DES MOINES          | 1111 6TH AVE           | Class C Liquor |
| (S) PHO REAL KITCHEN AND BAR      | 200 4TH ST             | Class C Liquor |
| (T) RICHARD O JACOBSON EXHIBITION | 3000 E GRAND AVE       | Class C Liquor |
| (U) SAKARI SUSHI LOUNGE           | 2605 INGERSOLL AVE     | Class C Liquor |
| (V) SMOKIN' JOES #4               | 2800 E UNIVERSITY AVE  | Class E Liquor |
| (W) THAI FLAVORS                  | 1254 E 14TH ST Special | Class C Liquor |
| (X) ZOMBIE BURGER                 | 300 E GRAND AVE        | Class C Liquor |

**SPECIAL EVENTS APPLICATIONS**

- (Y) APRES BAR CO 519 PARK ST 5 days  
CLASS C LIQUOR LICENSE FOR DES MOINES WEDDING SHOW ON AUGUST 11, 2021.
- (Z) BIRDS NEST 3000 E GRAND AVE 14 days  
CLASS B BEER PERMIT FOR THE IOWA STATE FAIR ON AUGUST 12 - 22, 2021.
- (AA)BLAZING SADDLE 406 E 5TH ST 5 days  
CLASS B BEER PERMIT FOR FESTIVAL ON JULY 24, 2021.
- (BB)DEPOT 3000 E GRAND AVE 14 days  
CLASS B BEER PERMIT FOR THE IOWA STATE FAIR ON AUGUST 12 - 22, 2021.
- (CC)GRANDFATHERS BARN 3000 E GRAND AVE 14 days  
CLASS C NATIVE WINE PERMIT FOR THE IOWA STATE FAIR ON AUGUST 12 - 22, 2021.
- (DD)IOWA BREWER'S GUILD 2201 GEORGE FLAGG PKWY 5 days  
CLASS C LIQUOR LICENSE FOR FESTIVAL ON AUGUST 7, 2021.
- (EE)IOWA CRAFT BEER TENT 3000 E GRAND AVE 14 days  
CLASS B BEER PERMIT FOR THE IOWA STATE FAIR ON AUGUST 12 - 22, 2021.
- (FF)JRS SOUTHPORK RANCH 3000 E GRAND AVE 14 days  
SPECIAL CLASS C LIQUOR LICENSE FOR THE IOWA STATE FAIR ON AUGUST 12 - 22, 2021.
- (GG)PAVILION 3000 E GRAND AVE 14 days  
CLASS B BEER LICENSE FOR THE IOWA STATE FAIR ON AUGUST 12 - 22, 2021.
- (HH)STOCKMANS INN 3000 E GRAND AVE 14 days  
CLASS B BEER LICENSE FOR THE IOWA STATE FAIR ON AUGUST 12 - 22, 2021.
- (II) STUFFED OLIVE 25 E COURT AVE 5 days  
CLASS C LIQUOR LICENSE FOR TACO AND MARGARITA FEST ON JULY 31, 2021.
- (JJ) SUSAN KNAPP AMPHITHEATER 551 E 34TH ST 14 days  
CLASS B BEER PERMIT FOR THE IOWA STATE FAIR ON AUGUST 12 - 22, 2021.
- (KK)TOP OF THE VINE 3000 E GRAND AVE 14 days  
CLASS C LIQUOR LICENSE FOR THE IOWA STATE FAIR ON AUGUST 12 - 22, 2021.
- (LL)BUD TENT 3000 E GRAND AVE 14 days  
SPECIAL CLASS C LIQUOR LICENSE FOR THE IOWA STATE FAIR ON AUGUST 12 - 22, 2021.

[21-1084](#)

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

## PUBLIC IMPROVEMENTS

- [21-1085](#) 6. [Approving](#) and authorizing the execution of the Iowa Department of Transportation (IDOT) Agreement for the E. 30<sup>th</sup> Street and E. University Avenue Intersection Improvements. ([Council Communication No. 21-324](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1086](#) 7. [Approving](#) and authorizing the execution of the Iowa Department of Transportation (IDOT) Agreement for the Traffic Signal System Timing Update – Phase 4. ([Council Communication No. 21-327](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1087](#) 8. [Approving](#) and authorizing the execution of the Iowa Department of Transportation (IDOT) Agreement for the SW 9<sup>th</sup> Street Bridge Replacement over Middle South Creek. ([Council Communication No. 21-326](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1088](#) 9. [Approving](#) and authorizing the execution of the Iowa Department of Transportation (IDOT) Agreement for the Walnut Street Bridge Replacement. ([Council Communication No. 21-328](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1089](#) 10. [Approving](#) and authorizing the execution of the Iowa Department of Transportation (IDOT) Agreement for the Guthrie Avenue Bridge Rehabilitation over the UPRR. ([Council Communication No. 21-325](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1090](#) 11. [Approving](#) Change Order No. 1 with Raccoon Valley Contractors, LLC, for additional work on Near West Side Sewer Separation Phase 3, \$561,664.38. ([Council Communication No. 21-322](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1091](#) 12. [Approving](#) Fiscal Year 2023 Traffic Safety Fund Application to the Iowa Department of Transportation (IDOT). ([Council Communication No. 21-321](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
13. Approving Private Construction Contracts between the following:
- [21-1092](#) (A) [Baker](#) Electric, Inc and 611 Fifth Avenue, LLC, for traffic signal improvements located on the southeast corner of 5<sup>th</sup> Avenue and Park Street and the northeast corner of 5<sup>th</sup> Avenue and Watson Powell, Jr. Parkway, \$94,517. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1093](#) (B) [Baker](#) Electric, Inc. and Kemin Industries, Inc. for traffic signal improvements on E. Martin Luther King Jr. Parkway and SE 18<sup>th</sup> Street, \$41,350. **Moved by Gatto to adopt. Motion Carried 7-0.**

14. Approving completion and acceptance of Private Construction Contracts between the following:

[21-1094](#) (A) [Storm Sewer Improvements](#), 120 E. 5<sup>th</sup> Street between Elder Corporation and Des Moines Heritage Trust. **Moved by Gatto to adopt. Motion Carried 6-0. Council Member Boesen declares a conflict of interest and abstains from voting.**

[21-1095](#) (B) [Traffic Signal Improvements](#), 420 Walnut Street, 420 Walnut Street between Baker Electric, Inc. and 5<sup>th</sup> and Walnut Parking, LLC. **Moved by Gatto to adopt. Motion Carried 6-0. Council Member Mandelbaum abstains from voting based on an appearance of a conflict of interest.**

[21-1096](#) (C) [Sanitary Sewer Improvements](#), Brook Landing Lot 1 between Pohlmeier Construction, Inc. and Brook Landing, LLC. **Moved by Gatto to adopt. Motion Carried 7-0.**

[21-1097](#) 15. [Communication](#) from contractors requesting permission to sublet certain items on public improvement project. **Moved by Gatto to adopt. Motion Carried 7-0.**

#### **SPECIAL ASSESSMENTS**

[21-1098](#) 16. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2021-06. **Moved by Gatto to adopt. Motion Carried 7-0.**

#### **BOARDS/COMMISSIONS/NEIGHBORHOOD**

[21-1099](#) 16-I [Communication](#) from Jay Busch advising of his resignation from the Parks and Recreation Board, Seat 7, effective immediately. **Moved by Gatto to receive, file and accept resignation with appreciation for his service. Motion Carried 7-0.**

[21-1100](#) 17. [Recommendation](#) from Council Member Mandelbaum to appoint Evan Shaw to the Historic Preservation Commission, Seat 9, for a three-year term commencing on July 1, 2021, and ending on July 30, 2024. **Moved by Gatto to adopt. Motion Carried 7-0.**

[21-1101](#) 17-I [Recommendation](#) from Council Member Boesen to appoint Nicholas Cerrato to the Building and Fire Code Board of Appeals, Seat 9, for a three-year term ending April 1, 2024. **Moved by Gatto to adopt. Motion Carried 7-0.**

## SETTING DATE OF HEARINGS

- [21-1102](#) 18. On vacation of a portion of Southwest McKinley Avenue located north of and adjoining 6020 Southwest McKinley Avenue and conveyance to Nickolas Van Patten for \$250, (8-9-21). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1103](#) 19. On vacation of portions of Southeast 3<sup>rd</sup> Street and Southeast 4<sup>th</sup> Street right-of-way located north of Martin Luther King, Jr. Parkway and south of vacated East Elm Street as part of the Market District Redevelopment project, (8-9-21). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1104](#) 20. On vacation of Ohio Street right-of-way located north of Franklin Avenue, (8-9-21). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1105](#) 21. On conveyance of a permanent gas easement located at 101 East 2<sup>nd</sup> Street to MidAmerican Energy Company for the East 2<sup>nd</sup> Street Reconstruction – Court Avenue to Iowa Interstate Railroad project for \$1, (8-9-21). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1106](#) 22. On request from Des Moines Film for a Certificate of Appropriateness for proposed exterior alternations to the Varsity Theater located at 1207 25<sup>th</sup> Street, (8-9-21). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1107](#) 23. On issuance of not to exceed \$40,000,000 General Obligation Urban Renewal Bonds for Essential Corporate Purposes, (8-9-21). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1108](#) 24. On issuance of not to exceed \$53,000,000 General Obligation Bonds for Essential Corporate Purposes, (8-9-21). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1109](#) 25. On issuance of not to exceed \$1,000,000 General Obligation Bonds for General Corporate Purposes (GCP-1), (8-9-21). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1110](#) 26. On issuance of not to exceed \$1,000,000 General Obligation Bonds for General Corporate Purposes (GCP-2), (8-9-21). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1111](#) 27. On issuance of not to exceed \$1,000,000 General Obligation Bonds for General Corporate Purposes (GCP-3), (8-9-21). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1112](#) 28. On issuance of not to exceed \$1,000,000 General Obligation Bonds for General Corporate Purposes (GCP-4), (8-9-21). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1113](#) 29. On issuance of not to exceed \$1,000,000 General Obligation Bonds for General Obligation Corporate Purposes (GCP-5), (8-9-21). **Moved by Gatto to adopt. Motion Carried 7-0.**

- [21-1114](#) 30. [On](#) issuance of not to exceed \$1,000,000 General Obligation Bonds for General Corporate Purposes (GCP-6), (8-9-21). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1115](#) 31. [On](#) issuance of not to exceed \$1,000,000 General Obligation Bonds for General Corporate Purposes (GCP-7), (8-9-21). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1116](#) 32. [On](#) issuance of not to exceed \$1,000,000 General Obligation Bonds for General Corporate Purposes (GCP-8), (8-9-21). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1117](#) 33. [On](#) issuance of not to exceed \$1,000,000 General Obligation Bonds for General Corporate Purposes (GCP-9), (8-9-21). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1118](#) 34. [On](#) issuance of not to exceed \$1,000,000 General Obligation Bonds for General Corporate Purposes (GCP10), (8-9-21). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1119](#) 35. [On](#) issuance of not to exceed \$1,000,000 General Obligation Bonds for General Corporate Purposes (GCP-11), (8-9-21). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1120](#) 36. [On](#) issuance of not to exceed \$1,000,000 General Obligation Bonds for General Corporate Purposes (GCP-12), (8-9-21). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1121](#) 37. [On](#) issuance of not to exceed \$1,000,000 General Obligation Bonds for General Corporate Purposes (GCP-13), (8-9-21). **Moved by Gatto to adopt. Motion Carried 7-0.**

#### **LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS**

- [21-1122](#) 38. [Approving](#) payment for the claim of JNR Adjustment Company as subrogee of Lumen Technologies. **Moved by Gatto to adopt. Motion Carried 7-0.**

#### **APPROVING**

- [21-1123](#) 39. [Home](#) Investment Partnerships Program (HOME) Community Housing Development Organization (CHDO) Funding for Home Opportunities Made Easy, Incorporated (HOME, Inc.) to construct an affordable single-family home at 1825 9<sup>th</sup> Street. ([Council Communication No. 21-334](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1124](#) 40. [Des Moines](#) Metropolitan Planning Organization Fiscal Year 2022 Unified Planning Work Program and Budget and Fiscal Year 2022 Assessment. ([Council Communication No. 21-315](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1125](#) 41. [Economic](#) Development Parking License Agreement for Fidelity and Guaranty Life Business Services, Inc. ([Council Communication No. 21-319](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [21-1126](#) 42. [Certificate](#) of completion to Gray’s Landing Office, LLC, for the office building located at West Martin Luther King Parkway and SW 9<sup>th</sup> Street. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1127](#) 43. [Certificate](#) of completion to Connolly Lofts Associates, L.P. for the redevelopment of property at 401 SE 6<sup>th</sup> Street and 400 SE 7<sup>th</sup> Street in the Metro Center Urban Renewal Area. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1128](#) 44. [Certificate](#) of completion to Electro Management Corp. and Electrical Power Products, Inc. (Britt Baker) for the completion of a 60,000 square-foot warehouse addition to the existing production facility located at 4240 Army Post Road. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1129](#) 45. [Support](#) for a Workforce Housing Tax Credit (WHTC) Benefit Application to be submitted to the Iowa Economic Development Authority by TB, LC (Nick Jensen) for the Thomas Beck Brownstones Project at 1328 Thomas Beck Road. ([Council Communication No. 21-338](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1130](#) 46. [Support](#) for a Workforce Housing Tax Credit (WHTC) Benefit Application to be submitted to the Iowa Economic Development Authority by 3524 6<sup>th</sup> Ave, LLC (Joseph Cordaro) for the Highland Apartments Project at 3524 6<sup>th</sup> Avenue. ([Council Communication No. 21-338](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1131](#) 47. [Resolution](#) ratifying, confirming and approving publication of notice of public hearing for the issuance of not to exceed \$30,000,000 Stormwater Management Utility Revenue Bonds. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1132](#) 48. [Extension](#) of grant performance period for the Project Safe Neighborhood Grant through the Office of Drug Control Policy from November 25, 2019 through October 31, 2020, to November 25, 2019 through December 30, 2021. ([Council Communication No. 21-316](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1133](#) 49. [Application](#) for funding through the Community Oriented Police Services (COPS) Grant Program to contract with Police Executive Research Forum (PERF) in the amount of \$148,500. ([Council Communication No. 21-318](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1134](#) 50. [Joint](#) Application with Polk County for funding through the 2021 Justice Assistance Grant (JAG) Program to be utilized for the purchase of law enforcement equipment in the amount of \$169,638. ([Council Communication No. 21-323](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**



- [21-1135](#) 51. [Proposal](#) of Public Works LLC to provide professional services identifying best practices for research and data collection methods for city ordinance enforcement and law enforcement, not to exceed \$84,925. ([Council Communication No. 21-339](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1136](#) 52. [Receipt](#) of financial reports from Des Moines Water Works. **Moved by Gatto to receive and file. Motion Carried 7-0.**
- [21-1137](#) 53. [Communication](#) from the Greater Des Moines Partnership, on behalf of Meredith Corporation, for approval of up to seven (7) banners on seven (7) banner poles in Downtown Des Moines beginning September 17 through December 31, 2021. Banners will be displayed outside of Meredith Corporation on Locust Street between 18<sup>th</sup> and 15<sup>th</sup> Street. **Moved by Gatto to receive, file and approve. Motion Carried 7-0.**
54. Purchases from the following:
- [21-1138](#) (A) [J & J Construction](#) Corp (Jody Zuniga, President) for an annual agreement with four (4) additional one-year renewal options for miscellaneous concrete construction for use by the Facilities Division, annual cost of up to \$79,000. (Ten (10) potential bidders, one (1) received). ([Council Communication No. 21-314](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1139](#) (B) [Stivers Ford](#) (Scott Politte, General Manager) for eleven (11) vehicles including eight (8) Ford Utility Interceptors SUVs, one (1) Ford Utility Interceptor and one (1) ½ ton pickup up truck SSA (\$349,525.50), Dewey Ford (Dan Boettcher, General Manager) for five (5) vehicles including two (2) Compact SUVs and three (3) one-ton pickup truck cab and chassis (\$171,263.14), Karl Chevrolet (Carl Moyer, Owner) for one (1) Full Size SUV (\$26,957) and Stew Hansen Dodge City (Dan Boettcher, General Manager) for one (1) large SUV PPV (\$64,206.96) per various State of Iowa Department of Administrative Services (DAS) Purchasing Contracts for use by the Public Works, Police and Fire Departments, total amount \$611,952.10. ([Council Communication No. 21-307](#)) **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
- [21-1140](#) (C) [Kat's Painting](#) (Kathleen Joanna Louise Rivers, Owner) and 3 R Painting Company (John Gilchrist, Owner) for annual agreement with three (3) additional one-year renewal options for miscellaneous graffiti removal services, estimated annual cost \$80,000. (Seven (7) potential bidders, three (3) received). ([Council Communication No. 21-310](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1141](#) (D) [Intergraph Corporation](#) (Halsey Wise, President) for annual renewal of software maintenance, licensing and support for the City's Public Safety Computer Aided Dispatch (CAD System) for use by the Police and Fire Departments, \$365,000. ([Council Communication No. 21-317](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[21-1142](#) (E) [Commonwealth](#) Electric Company (T. Michael Price, President) for an annual purchase order for fiscal year 2022 for miscellaneous electrical work per State of Iowa Contract for use by the Facilities Operations Division, \$75,000. ([Council Communication No. 21-313](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[21-1143](#) (F) [Graybar](#) Electric (Kathy Massarella, CEO) for an annual purchase order for fiscal year 2022 for miscellaneous electrical parts and supplies per State of Iowa Contract for use by the Facilities Operations Division, \$75,000. ([Council Communication No. 21-312](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

WITHDRAWN

[21-1144](#) (G) ~~[Conley](#) Group, Inc. (Tom Conley, President) for an increase in funding for fiscal year 2022 for security services at various City buildings, additional estimated annual amount \$300,000.~~

[21-1145](#) (H) [Interstate](#) Power Systems ((Travis Penrod, President) for an increase in funding for repair and maintenance services for three (3) additional standby generator units, estimated annual cost \$100,000 for the remaining renewal term of contract. ([Council Communication No. 21-311](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[21-1146](#) (I) [Arbor](#) Masters (Heather Dirksen, President) as primary supplier and Wright Outdoor Solutions (Jennifer Anderson, General Manager) as secondary supplier for a three-year with two (2) additional one-year renewal options to furnish Emerald Ash Borer (EAB) Management Services; tree and stump removal for use by the Public Works Department, estimated annual cost \$712,221.67. (Eight (8) potential bidders, three (3) received). **Moved by Gatto to adopt. Motion Carried 7-0.**

[21-1147](#) 55. [Accepting](#) proposal of Cale America, Inc. d/b/a Flowbird for multi-space parking meter system and approving the agreement for the same, not to exceed \$3,245,367.40. ([Council Communication No. 21-320](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[21-1148](#) 56. [Request](#) by KG Store 543, LLC (Gerard Haberman) for city-initiated vacation of a segment of 16<sup>th</sup> Street south of High Street. **Moved by Gatto to adopt. Motion Carried 7-0.**

[21-1149](#) 57. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of July 19 and 26 and August 2, 2021; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of June 19 and 26 and August 2, 2021; to draw checks for biweekly payroll due July 30, 2021. **Moved by Gatto to adopt. Motion Carried 7-0.**

**ORDINANCES - FINAL CONSIDERATION**

- [21-1150](#) 58. Amending Sections 60-3, 60-5, 60-7, 60-10, 60-11, 60-12, 60-15, 60-19, 60-30, 60-31, 60-32, 60-33, 60-34, 60-35, 60-40, 60-41, 60-42, 60-43, 60-44, 60-45, 60-50, 60-60, 60-76, 60-85, 60-104, 60-128, 60-144, 60-170, 60-183, 60-192 and 60-193, relating to the housing code. **Moved by Gatto that this ordinance do now pass, [#16,027](#). Motion Carried 7-0.**

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

**HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 59 THRU 71)**

- [21-1151](#) 59. On the proposition to authorize a lease purchase in the principal amount of not-to-exceed \$75,000, for the purpose of acquiring certain items of equipment consisting of three Nissan Leaf Electric Vehicles. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [21-1152](#) 60. On vacation of segments of 42nd Street right-of-way and conveyance of easements for bus shelter encroachment on City-owned property to Des Moines Area Regional Transit Authority (DART), \$440. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**

- [21-1153](#) 61. On the application for voluntary annexation by ILEX Group, Inc. of .94 acres in the vicinity of NE 14<sup>th</sup> Street and NE Broadway. **Moved by Westergaard to adopt. Motion Carried 7-0.**

- [21-1154](#) 62. On request from Larson Enterprises (John Fitzgerald, Officer) for property located at 1600 East Army Post Road to amend PlanDSM Creating Our Tomorrow Plan to revise the future land use classification from Business Park to Community Mixed Use and to rezone the property from EX Mixed Use District to CX Mixed Use District, to allow an expansion of the existing Large Format Retail use. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [21-1155](#) (A) First consideration of ordinance above. **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- [21-1156](#) (B) Final consideration of ordinance above (waiver requested by Neighborhood Services Department Director), 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, [#16,028](#). Motion Carried 7-0.**

- [21-1157](#) 63. [Continuing](#) hearing on request from Oscar and Enrique Zenteno to amend the PlanDSM: Creating our Tomorrow future land use classification for 2354 E Grand Avenue from Neighborhood Mixed Use to Community Mixed Use District and to rezone from MX1 Mixed Use District to MX3 Mixed Use District to allow ongoing operation of a Minor Vehicle/Maintenance Repair use on the property. Plan and Zoning Commission recommends denial (Continued from June 14, 2021) (Continued to August 9, 2021). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [21-1158](#) 64. [On](#) Grandview Golf Course Cart Path Repairs: Resolution approving plans, specifications, form of contract documents, engineer's estimate receive and file bids, and designating of lowest bidder as Inroads, LLC (Joseph J. Manatt, CEO), \$217,026. ([Council Communication No. 21-333](#)) **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [21-1159](#) (A) [Approval](#) of contract and bond. **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [21-1160](#) 65. [On](#) Gray's Parkway from SW 11<sup>th</sup> Street to SW 12<sup>th</sup> Street: Resolution approving plans, specifications, form of contract documents, engineer's estimate receive and file bids, and designating of lowest responsible bidder as Absolute Concrete Construction, Inc. (Sonny E. Hall, President), \$869,869. ([Council Communication No. 21-337](#)) **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
- [21-1161](#) (A) [Approval](#) of contract and bond and permission to sublet. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
- [21-1162](#) 66. [On](#) 2021 HMA Residential Paving Program Contract 3 LOSST: 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), \$885,110.25. ([Council Communication No. 21-329](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**
- [21-1163](#) (A) [Approval](#) of contract and bond and permission to sublet. **Moved by Boesen to adopt. Motion Carried 7-0.**
- [21-1164](#) 67. [On](#) 2021 Sewer Repair Contract 1: Resolution approving plans, specifications, form of contract documents, engineer's estimate receive and file bids, and designating of lowest responsible bidder as On Track Construction, LLC, (Matthew Runge, President), \$1,687,000. ([Council Communication No. 21-330](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**
- [21-1165](#) (A) [Approval](#) of contract and bond and permission to sublet. **Moved by Boesen to adopt. Motion Carried 7-0.**

- [21-1166](#) 68. On 34<sup>th</sup> Street and Urbandale Sidewalk and Intersection Improvements: Resolution approving plans, specifications, form of contract documents, engineer's estimate receive and file bids, and designating of lowest responsible bidder as TK Concrete, Inc. (Tony J. Ver Meer President), \$824,994. ([Council Communication No. 21-331](#)) **Moved by Gray to adopt. Motion Carried 7-0.**
- [21-1167](#) (A) Approval of contract and bond and permission to sublet. **Moved by Gray to adopt. Motion Carried 7-0.**
- [21-1168](#) 69. On MacRae Park Slope Stabilization Retaining Walls at EMC Overlook: Resolution approving plans, specifications, form of contract documents, engineer's estimate receive and file bids, and designating of lowest responsible bidder as Progressive Structures, LLC, (Travis Augustyn, Manager), \$1,488,035. ([Council Communication No. 21-336](#)) **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
- [21-1169](#) (A) Approval of contract and bond and permission to sublet. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
- [21-1170](#) 70. On demolition of DICO Buildings at 200 SW 16<sup>th</sup> Street: Resolution approving plans, specifications, form of contract documents, engineer's estimate receive and file bids, and designating of lowest responsible bidder as Earth Services & Abatement, LLC, DBA Iowa Demolition (Kristian Mitchell, Co-President), \$731,894. ([Council Communication No. 21-309](#)) **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
- [21-1171](#) (A) Approval of contract and bond and permission to sublet. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
- [21-1172](#) (B) Approving exception to Request for Proposal (RFP) process for good cause and approving Professional Services Agreement (PSA) with Impact7G, for the demolition of DICO Buildings-Asbestos abatement, hazardous materials removal, and demolition oversight, not to exceed \$100,000. ([Council Communication No. 21-335](#)) **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
- [21-1173](#) 71. Ashworth Pool and Northwest Pool Painting Improvements: Reject all bids and close the hearing on the plans, specifications, form of contract documents, engineer's estimate. ([Council Communication No. 21-332](#)) **Moved by Gray to adopt. Motion Carried 7-0.**

\*\*\*\* END OF HEARINGS 6:03 P.M. \*\*\*\*

## COUNCIL'S REQUEST

- [21-1174](#) 72. From the City Council's Personnel Subcommittee (Cownie, Boesen and Voss) to consider receipt and approval of the City Council Personnel Committee's annual review and compensation review for the Council's direct reports. **Moved by Boesen to adopt. Motion Carried 7-0.**

## COMMUNICATIONS/REPORTS

- [21-1175](#) 73. Requests to speak as follows: **Moved by Boesen to receive and file. Cora Egherman, Charla Davidson, Shirley Evans, Ronald Merryfield, Edward Young, Carrie Walters and Lori Palm did not speak. Motion Carried 6-1. Absent: Gatto.**

- (A) Diane Hussey.
- (B) Cora Egherman.
- (C) James McEvoy.
- (D) Chris Morse.
- (E) Diane Thacker.
- (F) Connie Wright.
- (G) Charla Davidson.
- (H) Shirley Evans.
- ~~(I) Brenda McDonald.~~ Withdrawn
- (J) RJ Miller.
- (K) Robert Gamble.
- ~~(L) Peter Renda.~~ Withdrawn
- (M) Ronald Meeryfield.
- (N) Jolene Prescott.
- (O) Edward Young.
- (P) Carrie Walters.
- (Q) Lori Palm.
- (R) Rev. Emily E. Ewing.
- ~~(S) Robert Boyle.~~ Withdrawn
- (T) Brandi Webber.

- [21-1176](#) MOTION TO ADJOURN. **Moved by Cownie to adjourn at 6:34 PM. Motion Carried 7-0.**