



**\*\*\* 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 '22-' 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**

**August 22, 2022**  
**5:00 PM**

**PROCLAMATIONS – 4:45PM**

Future of Agriculture Day

- [22-1303](#) 1. ROLL CALL: **Present: Cownie, Boesen, Gatto, Mandelbaum, Sheumaker, Voss and Westergaard.**
- [22-1304](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1305](#) 3. APPROVING CONSENT AGENDA \* – items 3 through 35: **Moved by Gatto to adopt the balance of the Consent Agenda. Second by Boesen. Motion Carried 7-0.**

**\*Note: These are routine items and will be enacted by one roll call vote without separate discussion unless pursuant to Council rules, Council requests an item be removed to be considered separately.**

**LICENSES AND PERMITS**

22-1306

4. Approving Alcoholic Beverage License Applications for the following: **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

**NEW APPLICATIONS**

- |     |                 |                         |                |
|-----|-----------------|-------------------------|----------------|
| (A) | BOMB BAR        | 209 4TH ST              | Class C Liquor |
| (B) | GUSTO PIZZA BAR | 2301 INGERSOLL AVE #103 | Class C Liquor |

**RENEWAL APPLICATIONS**

- |      |                       |                        |                 |
|------|-----------------------|------------------------|-----------------|
| (C)  | 1908 DRAUGHT HOUSE    | 409 COURT AVE          | Class C Liquor  |
| (D)  | 4H BUILDING           | 3000 E GRAND AVE       | Class B Beer    |
| (E)  | 5 DE MAYO MEXICAN     | 5118 SE 14TH ST        | Class C Liquor  |
| (F)  | AIRPORT RAMADA        | 1810 ARMY POST RD      | Class B Liquor  |
| (G)  | ALLEGED LEES          | 510 E GRAND AVE        | Class C Liquor  |
| (H)  | BERNARDOS BURRITOS    | 215 4TH ST             | Class C Liquor  |
| (I)  | CASEYS STORE #2784    | 4151 MERLE HAY RD      | Class C Beer    |
| (J)  | CAVE DSM              | 1437 WALNUT ST         | Special Class C |
| (K)  | CHEAP SEATS           | 2301 HUBBELL AVE       | Class C Liquor  |
| (L)  | CONFLUENCE BREWING    | 1235 THOMAS BECK RD    | Class B Beer    |
| (M)  | CROATIAN FRATERNAL    | 6575 INDIANOLA AVE     | Class C Liquor  |
| (N)  | CVS PHARMACY #10162   | 3151 SE 14TH ST        | Class E Liquor  |
| (O)  | DOLLAR GENERAL #13488 | 3220 MLK JR PKWY       | Class C Beer    |
| (P)  | DRAKE UNIVERSITY      | 2507 UNIVERSITY AVE    | Special Class C |
| (Q)  | DSM FOOD MART         | 2829 EASTON BLVD       | Class C Beer    |
| (R)  | FRATERNAL ORDER       | 6567 BLOOMFIELD RD     | Class A Liquor  |
| (S)  | GAMEDAY LANES         | 3800 MERLE HAY RD #505 | Class C Liquor  |
| (T)  | GAS LAMP              | 1501 GRAND AVE         | Class C Liquor  |
| (U)  | GRAND VIEW            | 2811 E 14TH ST         | Class C Liquor  |
| (V)  | GUCKENHEIMER          | 1900 SCOTT AVE         | Class C Liquor  |
| (W)  | HY VEE MARKET CAFE #2 | 2540 E EUCLID AVE      | Class C Liquor  |
| (X)  | HY VEE MARKET CAFE #4 | 4605 FLEUR DR          | Class C Liquor  |
| (Y)  | KUM & GO #536         | 1300 KEO WAY           | Class C Beer    |
| (Z)  | LINNS SUPERMARKET     | 3805 6TH AVE           | Class C Beer    |
| (AA) | MARLE HAY LIQUOR      | 3408 MERLE HAY RD      | Class E Liquor  |
| (BB) | PAL JOEYS             | 6224 GRAND AVE         | Class C Liquor  |
| (CC) | SOUTHSIDE TOBACCO     | 2424 SW 9TH ST #1      | Class E Liquor  |
| (DD) | TEQUILAS LIQUOR STORE | 1434 DES MOINES ST #5  | Class E Liquor  |

(EE) TOBACCO OUTLET	3409 SW 9TH ST	Class C Beer
(FF) UP/DOWN	500 E LOCUST ST	Class C Liquor
(GG) VICKIES	2801 2ND AVE	Class C Liquor
(HH) WAVELAND COFFEE	4704 UNIVERSITY AVE	Class C Liquor

**SPECIAL EVENT APPLICATIONS**

(II) BEAVERDALE FALL FESTIVAL 2805 BEAVER AVE 5 days  
 CLASS B BEER PERMIT FOR THE FESTIVAL ON SEPTEMBER 16-17, 2022.

(JJ) CHRISTIANIS EVENTS 120 E 5TH ST 5 days  
 CLASS C LIQUOR LICENSE FOR AN EVENT ON SEPTEMBER 10, 2022.

(KK) DES MOINES BEERGARDEN 2251 GEORGE FLAGG 14 days  
 SPECIAL CLASS C LIQUOR LICENSE (BBER/WINE) FOR A CONCESSION STAND ON  
 AUGUST 31 – SEPTEMBER 13, 2022.

(LL) GREATER DM PARTNERSHIP 1205 LOCUST ST 5 days  
 CLASS C LIQUOR LICENSE FOR WORLD FOOD & MUSIC FESTIVAL ON SEPTEMBER 16-  
 18, 2022.

(MM)GREATER DM PARTNERSHIP 1119 LOCUST ST 5 days  
 CLASS C LIQUOR LICENSE FOR WORLD FOOD & MUSIC FESTIVAL ON SEPTEMBER 16-  
 18, 2022.

(NN) GREATER DM PARTNERSHIP 1330 GRAND AVE 5 days  
 CLASS C LIQUOR LICENSE FOR WORLD FOOD & MUSIC FESTIVAL ON SEPTEMBER 16-  
 18, 2022.

(OO) STAR BAR 2843 INGERSOLL AVE 5 days  
 SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR INGERSOLL LIVE ON AUGUST  
 27, 2022.

(PP) TAI VILLAGE 4200 MLK JR PKWY 5 days  
 CLASS B BEER PERMIT FOR ANNUAL EVENT ON SEPTEMBER 3-4, 2022.

(QQ) YOUR PRIVATE BAR 504 E LOCUST ST 5 days  
 CLASS C LIQUOR LICENSE FOR A WEDDING ON AUGUST 27, 2022.

**OUTDOOR SERVICE APPLICATIONS**

(RR) EXILE BREWING 1514 WALNUT ST  
 TEMPORARY FOR MUSIC FESTIVAL ON AUGUST 27, 2022.

(SS) GOODSONS 2815 BEAVER AVE (BEER TENT)  
TEMPORARY FOR BEAVERDALE FALL FESTIVAL ON SEPTEMBER 16, 2022.

(TT) LUA BREWING 1525 HIGH ST  
TEMPORARY FOR OKTOBERFEST ON SEPTEMBER 17, 2022.

(UU) RICOCHET 400 LOCUST ST #105  
TEMPORARY FOR TOUCHDOWN TAILGATE ON SEPTEMBER 10, 2022.

- [22-1307](#) 5. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

#### **PUBLIC IMPROVEMENTS**

- [22-1308](#) 6. [Approving](#) and authorizing the execution of the Iowa Department of Transportation (IDOT) Agreement for the Carlisle Trail Connection Project. ([Council Communication No. 22-381](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

- [22-1309](#) 7. [Approving](#) and authorizing the execution of Iowa Department of Transportation (IDOT) Cooperative Agreement for E. 30th Street and E. University Avenue Intersection Improvements. ([Council Communication No. 22-387](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

- [22-1310](#) 8. [Approving](#) Professional Services Agreement with Barr Engineering Company for professional services for George Flagg Parkway and Fleur Drive Floodgate Closure, not to exceed \$348,700. ([Council Communication No. 22-383](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

- [22-1311](#) 9. [Approving](#) exception to the City's Request for Proposal process for good cause and approving Professional Services Agreement with Foth Infrastructure and Environment, LLC for professional services for E. Army Post Road Trunk Sewer, not to exceed \$300,000. ([Council Communication No. 22-384](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

- [22-1312](#) 10. [Approving](#) Supplemental Agreement No. 1 to the Professional Services Agreement with Foth Infrastructure and Environment, LLC for additional design and construction phase services for Fleur Drive Reconstruction, Phase 3 from Watrous Avenue to McKinley Avenue, not to exceed \$42,028. ([Council Communication No. 22-388](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

11. Approving Private Construction Contracts for the following:

- [22-1313](#) (A) [Sternquist](#) Construction, Inc. and Hubbell Realty Company for Paving Improvements in Grover Woods Plat 3. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1314](#) (B) [Elder](#) Corporation and HOA Development LLC for Storm Sewer Improvements in 317 E. 6<sup>th</sup> Street. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1315](#) (C) [The](#) Underground Company, Ltd. and Pinnacle on Fleur, LLC for Sanitary Sewer Improvements in 2710 Fleur Drive. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1316](#) 12. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

#### SPECIAL ASSESSMENTS

- [22-1317](#) 13. [Deletion](#) of NAC – Emergency Assessment at 845 Shawnee Avenue. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

#### LAND/PROPERTY TRANSACTIONS

- [22-1318](#) 14. [Acceptance](#) of real estate documents from the James R. Scavo 2013 Revocable Trust, Anna P. Scavo 2013 Revocable Trust, and Rose M. Scavo 2013 Revocable Trust for voluntary acquisition of property located in the vicinity of SE 5<sup>th</sup> Street and E. Titus Avenue for the relocation of Allen Park, and dedication of the property as parkland. ([Council Communication No. 22-382](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1319](#) 15. [Approving](#) City Council initiation of vacation of alley right-of-way located west of and adjoining 1830 Lincoln Avenue. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

#### BOARDS/COMMISSIONS/NEIGHBORHOODS

WITHDRAWN

- [22-1320](#) 16. ~~[Approve](#) expansion of the McKinley School/Columbus Park Neighborhood boundaries in accordance with the Neighborhood Recognition Policy. ([Council Communication No. 22-376](#))~~

- [22-1321](#) 17. [Recommendation](#) from Mayor T.M. Franklin Cownie to appoint Timothy Hickman to the Library Board of Trustees, Seat 2, for the term ending on June 30, 2023. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1322](#) 18. [Recommendation](#) from Council Member Mandelbaum to appoint Shannon Henson to the Housing Appeals Board, Seat 6, for the term ending on March 16, 2023. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

**COMMUNICATIONS FROM PLANNING AND ZONING**

- [22-1323](#) 19. [Regarding](#) request from Pinnacle on Fleur, LLC (Jenna Kimberley, Officer) for review and approval of a Preliminary Plat “Pinnacle on Fleur” on 2.79 acres of property in the vicinity of 2710 Fleur Drive, for development of 23 townhome lots. **Moved by Gatto to receive and file. Second by Boesen. Motion Carried 7-0.**
- [22-1324](#) 20. [Regarding](#) request from David and Mindi Gascho (Owners) for review and approval of a Preliminary Plat “Broadway Meadows” on 5.08 acres of property in the vicinity of 4393 E. Broadway Avenue, for development of three (3) lots for one-household residential uses. **Moved by Gatto to receive and file. Second by Boesen. Motion Carried 7-0.**

**SETTING DATE OF HEARINGS**

- [22-1325](#) 21. [On](#) vacation of a portion of Locust Street and 7<sup>th</sup> Street right-of-way adjoining 700 Locust Street and conveyance of a Permanent Easement for Building Encroachment to Lawmark, LP, \$1,200, (9-12-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1326](#) 22. [On](#) conveyance of an easement for an existing Gas and Regulator Station on City property located at 106 SE 1<sup>st</sup> Street to MidAmerican Energy Company, (9-12-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1327](#) 23. [On](#) conveyance of excess City property located in the block bounded by SE 23<sup>rd</sup> Street on the west, SE 24<sup>th</sup> Street on the east, Maury Street on the south and Dean’s Lake on the north to Kemin Holdings, LC, \$566,636, (9-12-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1328](#) 24. [On](#) request from Iowa Laborers' Education & Training Trust Fund (Edward Ely, Officer) for the following regarding property located at 4580 Hubbell Avenue, to receive and file the Large Scale Development Plan, to amend the PlanDSM Creating Our Tomorrow Plan to revise the future land use classification from Industrial to Community Mixed-Use, to amend the Baker “PUD” Conceptual Plan to remove approximately 6.9 acres to be rezoned to Limited “MX3” Mixed-Use District, and to rezone the property from Baker “PUD” District to “MX3” Mixed-Use District, to allow Assembly - Place of Worship and Assembly and Entertainment (Commercial) use, (9-12-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

## LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [22-1329](#) 25. [Approving](#) payment to Conner Investments, LLC for a property damage claim. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1330](#) 26. [Approving](#) payment to Terry Dotts for a workers' compensation claim. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

## CITY MANAGER COMMUNICATIONS

- [22-1331](#) 27. [Submitting](#) travel and training requests for Carl Voss and Linda Westergaard. ([Council Communication No. 22-390](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

## APPROVING

- [22-1332](#) 28. [Amended](#) and Restated Urban Renewal Development Agreement with the District Developer, LLC to develop the master planned mixed-use redevelopment of 10 blocks of private and City-owned property in the vicinity of E. 4<sup>th</sup> and E. Market Streets. ([Council Communication No. 22-389](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 6-0. Mayor Cownie abstains from voting based on an appearance of a conflict of interest.**
- [22-1333](#) 29. [Intergovernmental](#) 28E Agreement with the Central Iowa Traffic Safety Task Force. ([Council Communication No. 22-385](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 6-1. Nays: Sheumaker.**
- [22-1334](#) 30. [Use](#) of various City facilities as poll sites for the General Election on Tuesday, November 8, 2022. **Moved by Gatto to approve, City Clerk will notify the Parks and Recreation Department to arrange access to the buildings. Second by Boesen. Motion Carried 7-0.**
- [22-1335](#) 31. [Senior](#) Bond Issuance Certificate of Des Moines Metropolitan Wastewater Reclamation Authority Participating Community. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1336](#) 32. [Request](#) for outdoor special event (2<sup>nd</sup> Annual Beaverdale Car Show) in accordance with "Franklin Junior High School" PUD Conceptual Plan for property at 4801 Franklin Avenue. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1337](#) 33. [Communication](#) from the Greater Des Moines Partnership on behalf of the Downtown Neighborhood Association, requesting approval of placement for up to 40 banners to be displayed on banner poles in downtown Des Moines beginning the first week of September 2022. **Moved by Gatto to receive, file and approve. Second by Boesen. Motion Carried 7-0.**

34. Purchases from the following:

[22-1338](#)

- (A) [Exception](#) to the procurement ordinance competitive bidding requirement for good cause and approving procurement of a portable, single-sided 17' X 10' LED movie screen and trailer and supplemental agreement with Insane Impact, LLC for use by the Parks and Recreation Department. ([Council Communication No. 22-377](#)) **Moved by Voss to adopt. Second by Gatto. Motion Carried 7-0.**

[22-1339](#)

- (B) [Mail](#) Services, LLC (Shayne Huston, CEO/President) for mail processing services for fiscal years 2023, 2024 and 2025 per State of Iowa Master Agreement for use by the Finance Department, estimated annual cost \$190,000. ([Council Communication No. 22-378](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1340](#)

- (C) [Keltex](#) Inc. (Kelly Milligan, President) for mounting hardware for in-vehicle computers per State of Iowa Master Agreement for use by the Police Department, \$90,866.10. ([Council Communication No. 22-386](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 6-1. Nays: Sheumaker.**

[22-1341](#)

- (D) [Bound](#) Tree Medical, LLC (Brian Laduke, President) for medical and pharmaceutical supplies per Iowa Emergency Medical Services Association (IEMSA) contract and agreement for use by the Fire Department, estimated annual cost not to exceed \$325,000. ([Council Communication No. 22-379](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1342](#)

- 35. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of August 22, 29 and September 5, 2022; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of August 22, 29 and September 5, 2022; to draw checks for biweekly payroll due August 26 and September 9, 2022. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

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



**HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 36 THRU 42)**

[22-1343](#)

36. **On** vacation of a segment of SE 3<sup>rd</sup> Street and E. Market Street right-of-way and to correct the vacation of portions of street and alley right-of-way, all located north of E. Martin Luther King, Jr. Parkway and west of SE 6<sup>th</sup> Street as part of the Market District Redevelopment Project. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 6-0. Mayor Cownie abstains from voting based on an appearance of a conflict on interest.**

[22-1344](#)

- (A) **First** consideration of ordinance above. **Moved by Gatto that this ordinance be considered and given first vote for passage. Seconded by Boesen. Motion Carried 6-0. Mayor Cownie abstains from voting based on an appearance of a conflict of interest.**

[22-1345](#)

- (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, #[16,167](#). Seconded by Boesen. Motion Carried 6-0. Mayor Cownie abstains from voting based on an appearance of a conflict of interest.**

[22-1346](#)

37. **On** vacation of north-south alley right-of-way located east of and adjoining 413 Euclid Avenue and conveyance to Euclid Foresight, LLC, \$800. **Moved by Westergaard to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1347](#)

- (A) **First** consideration of ordinance above. **Moved by Westergaard that this ordinance be considered and given first vote for passage. Seconded by Boesen. Motion Carried 7-0.**

[22-1348](#)

- (B) Final consideration of ordinance above, requires six votes. **Moved by Westergaard 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, #[16,168](#). Seconded by Boesen. Motion Carried 7-0.**

[22-1349](#)

38. **On** conveyance of excess City-owned property located west of and adjoining 1626 Dixon Street to Liberty Holdings, Inc, \$25,875. **Moved by Westergaard to adopt. Second by Gatto. Motion Carried 7-0.**

[22-1350](#)

39. **On** request from Roll-Offs of Des Moines, Inc. (Anthony & Gregory S. Holt, Owners) to correct rezoning of property in the vicinity of 20 E. 18th Street, from “I2” Industrial District to Limited “I2” Industrial District, to allow a Junk or Salvage Yard Use. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

[22-1351](#)

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

[22-1352](#)

- (B) **Final** consideration of ordinance above (waiver requested by Anthony Holt), 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, #16,169. Second by Voss. Motion Carried 7-0.**

[22-1353](#)

40. **On** request from Drake Neighborhood Association (Lori Calhoun, Officer) to amend PlanDSM Creating Our Tomorrow Plan to revise the future land use classification from Medium Density Residential to Park/Open Space, and to rezone the property located in the vicinity of 2400 block of Cottage Grove Avenue to “P1” Public, Civic, and Institutional District, to allow development of the open space with a garden, swing, and neighborhood entrance sign. **Moved by Sheumaker to adopt. Second by Mandelbaum. Motion Carried 7-0.**

[22-1354](#)

- (A) **First** consideration of ordinance above. **Moved by Sheumaker that this ordinance be considered and given first vote for passage. Second by Mandelbaum. Motion Carried 7-0.**

[22-1355](#)

- (B) **Final** consideration of ordinance above (waiver requested by applicant), requires six votes. **Moved by Sheumaker 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, #16,170. Second by Mandelbaum. Motion Carried 7-0.**

[22-1356](#)

41. **On** request from Mercy Hospital Medical Center (Diane Cummings, Officer) for review and approval of an 8th amendment to the Mercy Hospital Center PUD Conceptual Plan located at 1111 6th Avenue, to allow modifications to the western parking ramp area. **Moved by Sheumaker to adopt. Second by Gatto. Motion Carried 7-0.**

[22-1357](#) 42. On 2022 HMA Resurfacing Program Contract 1: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating the lowest responsive, responsible bidder as OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving (Kevin Bragg, President), \$1,489,296.25 ([Council Communication No. 22-380](#))  
**Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1358](#) (A) Approval of contract and bond and permission to sublet. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

**\*\*END HEARTINGS AT 5:19 PM\*\***

## **APPROVING II**

[22-1359](#) 43. Expenditures of ARPA Funds. **Moved by Voss to adopt. Seconded by Sheumaker. Motion Carried 7-0.**

## **ORDINANCES FIRST CONSIDERATION**

[22-1360](#) 44. Amending Chapter 114, Article XVI, Division 9 by repealing and reenacting parts relating to traffic and vehicle regulations. **Moved by Gatto that this ordinance be considered and given first vote for passage. Seconded by Boesen. Motion Carried 7-0.**

[22-1361](#) (A) Final consideration of ordinance above (waiver requested by the Engineering Department), 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, #[16,171](#). Seconded by Boesen. Motion Carried 7-0.**

## **COMMUNICATIONS/REPORTS**

[22-1362](#) 45. Requests to speak as follows: **Moved by Gatto to receive and file. Second by Boesen. Motion Carried 7-0.**

- (A) RJ Miller
- (~~B~~) ~~Joecelyn Hernandez~~
- (~~C~~) ~~Hibo Jama~~
- (D) Lori Ann Young
- (E) Carrie Gosnell
- (~~F~~) ~~Jolene Prescott~~

- (G) Sam Davis
- (H) Veola Perry
- (I) Lal Muani – Did not speak.
- (J) Del Marion

[22-1363](#)

**MOTION TO ADJOURN. Moved by Gatto to adjourn at 5:46 PM. Second by Boesen. Motion Carried 7-0.**

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