



***** 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 '23-' 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 21, 2023
5:00 PM

PROCLAMATION - 4:45PM

Water and Wastewater Workers Week

CERTIFICATE OF RECOGNITION

Vote Smart

- [23-1156](#) 1. ROLL CALL: **Present: Cownie, Boesen, Gatto Mandelbaum, Voss and Westergaard. Absent: Sheumaker.**
- [23-1157](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Gatto to adopt. Second by Boesen. Motion Carried 6-1. Absent: Sheumaker.**
- [23-1158](#) 3. APPROVING CONSENT AGENDA * – items 3 through 30: **Moved by Gatto to adopt the balance of the Consent Agenda. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**

***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

[23-1159](#)

4. **Approving Alcoholic Liquor License applications for the following: Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**

NEW APPLICATIONS

(A) CONFLUENCE BREWING CO	1235 THOMAS BECK RD	Class C Liquor
(B) DRAKE UNIVERSITY TURNER	1310 25TH ST	Special Class C
(C) EITHER OR	6222 GRAND AVE	Class C Liquor

RENEWAL APPLICATIONS

(D) 5 DE MAYO MEXICANT	5118 SE 14TH ST	Class C Liquor
(E) AJS ON EAST COURT	419 E COURT AVE	Class C Liquor
(F) ALLEGED LEES	510 E GRAND AVE	Class C Liquor
(G) BEER CAN ALLEY	409 COURT AVE	Class C Liquor
(H) BERNARDOS BURRITOS	215 4TH ST	Class C Liquor
(I) CASEYS GENERAL STORE #2784	4151 MERLE HAY RD	Class B Retail
(J) CHEAP SEATS	2301 HUBBELL AVE	Class C Liquor
(K) CROATIAN FRATERNAL	6575 INDIANOLA AVE	Class C Liquor
(L) CVS PHARMACY #10162	3151 SE 14TH ST	Class E Liquor
(M) DOLLAR STORE #13488	3220 MLK JR PKWY	Class B Retail
(N) DRAKE UNIVERSITY-COURTSIDE	2601 FOREST AVE	Special Class C
(O) DRAKE UNIVERSITY-LEVITT	2507 UNIVERSITY AVE	Special Class C
(P) DZO	2611 INGERSOLL AVE	Class C Liquor
(Q) GIT N GO STORE #36	4164 EASTON BLVD	Class B Retail
(R) GRAND VIEW UNIVERSITY	2811 E 14TH ST	Class C Liquor
(S) GUCKENHEIMER SERVICES	1900 SCOTT AVE	Class C Liquor
(T) HY VEE MARKET CAFE #2	2540 E EUCLID AVE	Class C Liquor
(U) KUM & GO #0731	3104 UNIVERSITY AVE	Class E Liquor
(V) KUM & GO #120	6304 SW 9TH ST	Class B Retail
(W) KUM & GO #536	1300 KEOSAUQUA WAY	Class B Retail
(X) LINNS SUPERMARKET	3805 6TH AVE	Class B Retail
(Y) MARLE HAY LIQUOR & SMOKE	3408 MERLE HAY RD	Class E Liquor
(Z) OPEN SESAME	313 E LOCUST ST	Class C Liquor
(AA) PAL JOEYS	6224 GRAND AVE	Class C Liquor
(BB) SOUTHSIDE TOBACCO	2424 SW 9TH ST 1	Class E Liquor
(CC) TEQUILAS LIQUOR STORE	1434 DES MOINES ST	Class E Liquor
(DD) TOBACCO OUTLET PLUS #510	3409 SW 9TH ST	Class B Retail
(EE) UP/DOWN	500 E LOCUST ST	Class C Liquor
(FF) WAVELAND COFFEE SHOP	4704 UNIVERSITY AVE	Class C Liquor

SPECIAL EVENT APPLICATIONS

- (GG) APRES BAR CO 120 E 5TH ST 5 days
CLASS C LIQUOR LICENSE FOR A WEDDING ON SEPTEMBER 9, 2023.
- (HH) APRES BAR CO 120 E 5TH ST 5 days
CLASS C LIQUOR LICENSE FOR A WEDDING ON SEPTEMBER 3, 2023.
- (II) BEAVERDALE FALL FESTIVAL 2805 BEAVER AVE 5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR FESTIVAL ON
SEPTEMBER 15 - 16, 2023.
- (JJ) DES MOINES OKTOBERFEST 2251 GEORGE FLAGG PKWY 5 days
CLASS C LIQUOR LICENSE FOR EVENT ON SEPTEMBER 22 - 23, 2023.
- (KK) SA PRESENTS 2251 GEORGE FLAGG PKWY 5 days
CLASS C LIQUOR LICENSE FOR JORDAN DAVIS CONCERT ON SEPTEMBER
15, 2023.
- (LL) SODEXO LIVE! 1 LINE DR 5 days
CLASS C LIQUOR LICENSE FOR SAVANNA BANANAS ON AUGUST 25 - 26,
2023.
- (MM) TAI VILLAGE 4200 MLK JR PKWY 5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR FESTIVAL ON
SEPTEMBER 2 - 3, 2023.
- (NN) GOODSONS 2815 BEAVER AVE Class C Liquor
TEMPORARY FOR BEAVERDALE FALL FESTIVAL ON SEPTEMBER 15 – 16,
2023.
- (OO) RICOCHET 400 LOCUST ST Class C Liquor
TEMPORARY FOR TOUCHDOWN TAILGATE ON SEPTEMBER 9, 2023.

[23-1160](#)

5. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**

PUBLIC IMPROVEMENTS

[23-1161](#)

6. [Approving](#) Private Construction Contract between Sternquist Construction, Inc. and DR Horton – Iowa, LLC for paving improvements in the Woods of Copper Creek Plat 7. **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**

[23-1162](#)

7. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects. **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**

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

[23-1163](#)

(A) [E. 30th Street and E. University Avenue Intersection Improvements](#), Grimes Asphalt and Paving Corporation. **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**

[23-1164](#)

(B) [MacRae Park Improvements Phase 3](#), Minturn, Inc. **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**

SPECIAL ASSESSMENTS

[23-1165](#)

9. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Neighborhood Services), Schedule No. 2023-07. **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**

[23-1166](#)

10. [Deletion](#) of NAC – Emergency Assessment at 326 E. Granger Avenue. **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

[23-1167](#)

10-I [Recommendation](#) from Mayor T.M. Franklin Cownie to appoint Heather Ann Roe to the Zoning Board of Adjustment, Seat 1, to fill a vacancy with a term expiring April 1, 2026. **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**

COMMUNICATIONS FROM PLANNING AND ZONING

[23-1168](#)

11. [Regarding](#) request from Bounthieng J. Egkhounmuong and Manichanh Egkhounmuong (owners) for vacation of 461 lineal feet of the easternmost undeveloped Hart Avenue right-of-way in the vicinity of 1540 Hart Avenue, for assembly with adjoining parcels. **Moved by Gatto to receive and file the communication from the Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**

SETTING DATE OF HEARINGS

- [23-1169](#) 12. [On](#) a request from Southeast Polk Family Church (David L Harper, Officer) to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification for the property from Low Density Residential to Community Mixed Use, and to rezone property located in the vicinity of 4101 E. 42nd Street from “P2” Public, Civic, and Institutional District to Limited “MX3” Mixed Use District to allow the use of the eastern portion of the property for a new Animal Service - Boarding use, (9-11-23). **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**
- [23-1170](#) 13. [On](#) City-initiated request to amend the PlanDSM Creating Our Tomorrow Plan to adopt ReflectDSM: Honoring All Des Moines Histories (Historic Preservation Plan) and incorporate as an element, (9-11-23). **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**
- [23-1171](#) (A) [Receive](#) and file communication from the Historic Preservation Commission. **Moved by Gatto to receive and file the communication from the Historic Preservation Commission. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**

CITY MANAGER COMMUNICATIONS

- [23-1172](#) 14. [Submitting](#) travel and training request for T.M. Franklin Cownie. ([Council Communication No. 23-392](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**

APPROVING

- [23-1173](#) 15. [Extension](#) of Community Development Block Grant (CDBG) funding allocation for Improving Our Neighborhoods (ION) activity delivery costs, as included under the Neighborhood Based Service Delivery (NBSD) and Code Enforcement line item in the City's 2020 Annual Action Plan, through June 30, 2024. ([Council Communication No. 23-388](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**
- [23-1174](#) 16. [Preliminary](#) Commitment of \$500,000 in Community Development Block Grant (CDBG) Funds to 36 ON 6th, LLC for rehabilitation of the Klein Building at 3614 6th Avenue, resulting in upper-story affordable rental units. ([Council Communication No. 23-391](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**
- [23-1175](#) 17. [Agreement](#) with Ahlers & Cooney, PC to provide municipal nuisance code litigation/real estate counsel services for the Blitz on Blight Program. **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**

- [23-1176](#) 18. [First](#) Amendment to agreement with Iowa State University of Science and Technology (ISU) for application of technology-based solutions to assess property conditions. ([Council Communication No. 23-382](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**
- [23-1177](#) 19. [Execution](#) of a Contract (Cooperative Agreement) with the Iowa Civil Rights Commission. ([Council Communication No. 23-380](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**
- [23-1178](#) 20. [Submittal](#) of a joint application with Polk County for funding from the Fiscal Year 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) available through the Bureau of Justice Assistance and acceptance of a Memorandum of Understanding with Polk County. ([Council Communication No. 23-396](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**
- [23-1179](#) 21. [Approving](#) and authorizing the execution of agreement with Iowa Department of Natural Resources (IDNR) for the Federal Land and Water Conservation Fund (LWCF) program for Stone Park Pickleball and Basketball Courts Project. ([Council Communication No. 23-395](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**
- [23-1180](#) 22. [Ratification](#) of Iowa Department of Natural Resources (IDNR) Resource Enhancement and Protection (REAP) grant funding application seeking \$300,000 for Gray’s Lake Paddlecraft Marina Development. ([Council Communication No. 23-393](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**
- [23-1181](#) 23. [Approval](#) of Donation Agreements for Des Moines North Side Community Recreation Center. ([Council Communication No. 23-394](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**
- [23-1182](#) 24. [Receipt](#) of the 2022 Annual Report of the Greater Des Moines Public Art Foundation as required by agreement. **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**
- [23-1183](#) 25. [Third](#) Amendment to agreement for emergency medical ambulance billing and collection services with Digitech Computer, Inc. **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**
26. Release of fire escrow at the following locations:
- [23-1184](#) (A) [5411](#) SE 6th Street. **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**
- [23-1185](#) (B) [2945](#) Mahaska Avenue. **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**

27. Abatement of public nuisance as follows:

- [23-1186](#) (A) [1200](#) Lewis Avenue. **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**
- [23-1187](#) (B) [1450](#) E. Fleming Avenue. **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**
- [23-1188](#) 28. **Purchase** from Environmental Systems Research Institute (ESRI) Inc. (Jack Dangermond, President) of annual software maintenance and support services for Geographic Information System (GIS) for use by the Information Technology Department, \$445,000 for the initial three-year term. ([Council Communication No. 23-385](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**
- [23-1189](#) 29. **Purchase** of ballistic personal protective systems from Galls, LLC (R. Michael Andrews, CFO) and Streicher’s Inc. (Jeremy Jennings, President) and approving use of NASPO ValuePoint Agreement and State of Iowa Master Agreement for use by the Police Department, estimated annual cost \$126,500. ([Council Communication No. 23-397](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**
- [23-1190](#) 30. **Authorizing** Finance Director to draw checks on [registers](#) for the weeks of August 21, 28, and September 4, 2023; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of August 21, 28 and September 4, 2023; to draw checks for biweekly payroll due August 25 and September 8, 2023. **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**

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

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 31 THRU 36)

- [23-1191](#) 31. **On** conveyance of vacated alley right-of-way located north of and adjoining 810 Shaw Street to Antonio Ramos, \$50. **Moved by Mandelbaum to adopt. Second by Boesen. Motion Carried 6-1. Absent: Sheumaker.**
- [23-1192](#) 32. **On** conveyance of City-owned property at 1603 Clark Street and 1700 13th Street to Woods Bibbin Company LLC for rehabilitation of housing. ([Council Communication No. 23-389](#)) **Moved by Boesen to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**
- [23-1193](#) 33. **On** conveyance of City-owned property at 1617 22nd Street to Home Opportunities Made Easy, Inc. for rehabilitation of housing. ([Council Communication No. 23-390](#)) **Moved by Mandelbaum to adopt. Second by Boesen. Motion Carried 6-1. Absent: Sheumaker.**

[23-1194](#)

(A) **Approve** 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 1617 22nd Street. ([Council Communication No. 23-387](#)) **Moved by Mandelbaum to adopt. Second by Boesen. Motion Carried 6-1. Absent: Sheumaker.**

[23-1195](#)

34. **On** a request from Sundry Church (Anthony J Hodges, Officer) for property located at 4100 6th Avenue and 4112 6th Avenue to rezone the northern 50 feet of the property from “P2” Public, Civic and Institutional District and “N3b” Neighborhood District to Limited “N3b” Neighborhood District to allow the property to be subdivided and used for a one-household residential use. **Moved by Westergaard to adopt. Second by Gatto. Motion Carried 6-1. Absent: Sheumaker.**

[23-1196](#)

(A) **First** consideration of ordinance above. **Moved by Westergaard that this ordinance be considered and given first vote for passage. Second by Gatto. Motion Carried 6-1. Absent: Sheumaker.**

[23-1197](#)

(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, #16,274. Second by Gatto. Motion Carried 6-1. Absent: Sheumaker.**

[23-1198](#)

35. **On** appeal of Midwest Radio, Inc. (Rich Eychaner, Owner) on a denial of Type 2 Design Alternatives for a site plan on property located at 3839 Merle Hay Road. **Moved by Voss to APPROVE the proposed Type 2 Design Alternative in form requested by Midwest Radio, Inc. and described above, and to make the following findings of fact in support of approval of the proposed Type 2 Design Alternative: a. Under Municipal Code Section 135-2.8.3.A.9, a commercial center is permitted driveway access one (1) per every three-hundred (300) ft of primary and non-primary frontage. b. 3839 Merle Hay Road contains a commercial building that is used for various purposes including office, retail, restaurant, and bar uses. c. Midwest Radio, Inc. provides the reason for maintaining the three (3) existing access driveways is to prevent accessibility concerns to and from the building, but also assist patrons in locating the main entrance to access the offices on the elevated levels of the building. d. The above-stated facts specific to the site reduce the accessibility concerns from Midwest Radio, Inc. with no changes to the existing three (3) existing access driveways. e. Midwest Radio, Inc.’s proposal for the Type 2 Design Alternative to the requirements of Section 135-2.8.3.A.9 are for full waiver, resulting in the retention of the middle of three (3) existing access driveways along Merle Hay Road, based on preference to meet accessibility needs. f. Midwest Radio, Inc. has met the burden required to demonstrate that the requested design alternative meets the criteria for approval and that the result of the design alternatives would equal or exceed the result of strict compliance with Section 135-2.8.3.A.9 of the Planning and Design Ordinance. g. Midwest Radio, Inc. has shown that the requested design alternative is consistent with all relevant purpose and intent statements of the**

Planning and Design Ordinance and with the general purpose and intent of the comprehensive plan. h. Midwest Radio, Inc. has shown that the requested design alternative will not have a substantial or undue adverse effect on the public health, safety, and general welfare. i. Said Type 2 Design Alternative, in form requested by Midwest Radio, Inc., should be, and hereby, approved for the above-stated reasons and incorporated into the approved Site Plan for the Property. Second by Gatto. Motion Carried 6-1. Absent: Sheumaker.

[23-1199](#)

36. **On** appeal of Larry Keul on a denial of Type 2 Design Alternatives for a site plan on property located at 4424 SE 14th Street. **Moved by Gatto to APPROVE the proposed Site Plan and Type 2 Design Alternatives in form requested by Larry Kuel and described above, and to make the following findings of fact in support of approval of the proposed Type 2 Design Alternatives:** a. Appeal concerning Municipal Code Sections 135-2.6.3.A.9 and 135-6.12.2.B: i. Under Municipal Code Sections 135-2.6.3.A.9 and 135-6.12.2.B, a commercial cottage is permitted driveway access through the following hierarchy: they are permitted driveway access through an improved alley; if no improved alley exists or is planned, they are allowed one driveway off each non-primary street; if no alley or nonprimary street exists, they are allowed one driveway off a primary street with approval of city engineer. ii. The subject property is located on a corner lot (intersection of Emma Avenue and Southeast 14th Street). Southeast 14th Street is the primary street for this site. Emma Avenue is the non-primary street. iii. Larry Kuel provides the reason for maintaining the three (3) existing access driveways is to prevent accessibility concerns to and from the site. iv. Larry Kuel's proposal for the Type 2 Design Alternative to the requirements of Sections 135-2.6.3.A.9 and 135-6.12.2.B are for full waiver, resulting in preservation of the two (2) accesses off of Southeast 14th Street and an one (1) access off of Emma Avenue for a total of 3 access drives into the site, and it is based on a preference to address accessibility needs. b. Appeal concerning Municipal Code Sections 135-7.5.3, 135-7.7.2, and 135-7.9: i. Municipal Code Sections 135-7.5.3, 135-7.7.2, and 135-7.9 defines various landscaping requirements for all proposed site plans as defined above. These requirements include a mix of street trees (trees placed within the right-of-way), landscaped buffering of parking lots from public rights of way, and landscaping within the interior of parking lots. ii. Larry Kuel's proposal for the Type 2 Design Alternative to the requirements of Sections 135-7.5.3, 135-7.7.2, and 135-7.9 are for full waiver, resulting in preservation of the existing paved parking lot with no street trees, no interior parking lot islands, and no establishment of a pavement setback on the site, and based on needs to keep existing parking lot and provide adequate parking without impacting street parking around site. c. Larry Kuel has met the burden required to demonstrate that the requested design alternatives meet the criteria for approval and that the result of the design alternatives would equal or exceed the result of strict compliance with Sections 135-2.6.3.A.9, 135-6.12.2.B, 135-7.5.3, 135-7.7.2, and 135-7.9 of the Planning and Design Ordinance. d. Larry Kuel has shown that the requested design alternatives are consistent with all relevant purpose and intent statements of the Planning and Design Ordinance and with the general purpose and intent of the comprehensive plan. e. Larry Kuel has shown that the requested design alternatives will not have a substantial or undue adverse effect on the public health, safety, and general welfare. f. Said Type 2 Design Alternatives, in form requested by

Larry Kuel, should be, and hereby, approved for the above-stated reasons and incorporated into the approved Site Plan for the Property. Landscaping requirements for the Site Plan shall be so approved in form as the presented Landscaping Plan, per City Staff comment and review. Second by Westergaard. Motion Carried 5-1-1. Nays: Mandelbaum. Absent: Sheumaker.

****END HEARINGS AT 5:29 PM****

INFORMAL HEARING

- [23-1200](#) 37. [Authorization](#) to proceed with acquisition of the necessary property interests for the Central Place Levee Trail Phase 1 Project. ([Council Communication No. 23-383](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 6-1. Absent: Sheumaker.**

APPROVING II

- [23-1201](#) 38. [Directing](#) advertisement for sale and approving electronic bidding procedures and [official statement](#) for \$72,630,000 General Obligation Bonds, Series 2023A. (Bonds will be sold at a special meeting on Wednesday, October 4th at 4:30 PM) **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**

- [23-1202](#) 39. [Directing](#) advertisement for sale and approving electronic bidding procedures and [official statement](#) for \$21,755,000 Stormwater Management Utility Revenue Bonds Series 2023B. (Bonds will be sold at a special meeting on Wednesday, October 4th at 4:30 PM) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 6-1. Absent: Sheumaker.**

- [23-1203](#) 40. [Honorary](#) street naming of Streets in the vicinity of 13th Street and Grand Avenue as “World Record Way” to recognize the finish line location for record setting performances of the Drake Relays One Mile Road Race process initiation. **Moved by Voss to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Sheumaker.**

ORDINANCES FIRST CONSIDERATION

- [23-1204](#) 41. [Continuing](#) and expanding the boundaries of the Downtown Des Moines Self-Supported Municipal Improvement District (SSMID) beginning July 1, 2024 and providing for the continuation of an operation fund and the levy of an annual tax in connection therewith, requires six votes. ([Council Communication No. 23-381](#)) **Moved by Mandelbaum that this ordinance be considered and given first vote for passage. Second by Boesen. Motion Carried 6-1. Absent: Sheumaker.**

[23-1205](#)

- (A) **Final** consideration of ordinance above (waiver requested by Cody Christensen, Development Services Director), requires six votes. **Moved by Mandelbaum 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, #16,275. Second by Boesen. Motion Carried 6-1. Absent: Sheumaker.**

[23-1206](#)

42. **Amending** Chapter 114 of the Municipal Code regarding Traffic Regulation Changes as follows: (**Council Communication No. 23-384**) **Moved by Westergaard that this ordinance be considered and given first vote for passage. Second by Gatto. Motion Carried 6-1. Absent: Sheumaker.**

- (A) Traffic Control Modifications – 21st Street and Carpenter Avenue.
- (B) Parking Restriction – Hull Avenue between E. 40th Court and E. 41st Court.
- (C) Code Correction – Addition of the intersection of 8th Street and Mulberry Street and 9th Street to the section relating to pedestrian safety and use of medians.
- (D) Parking Modification - Walnut Street between 13th Street and 15th Street.
- (E) New Pedestrian Signal – E. 17th Street and E. University Avenue.
- (F) Corner Clearance Parking Restrictions:
 - (1) E. 26th Street and Garden Street.

[23-1207](#)

- (G) 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, #16,276. Second by Gatto. Motion Carried 6-1. Absent: Sheumaker.**

REQUEST TO SPEAK

[23-1208](#)

43. **Request** to speak as follows: **Moved by Gatto to receive and file. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.**

- (A) Don Baney – did not speak.
- (B) Adam Callanan
- (C) Bridget Botkin – did not speak.
- (D) Jolene Prescott
- (E) Bobby Dineen – did not speak.
- (F) David Hellstern

[23-1209](#)

MOTION TO ADJOURN. Moved by Voss to adjourn at 5:50 PM. Second by Gatto. Motion Carried 6-1. Absent: Sheumaker.

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