

DES MOINES CITY COUNCIL MEETING
Excerpts from procedural rules of Des Moines City Council

September 24, 2012
4:30 PM

SPECIAL PRESENTATIONS – 4:00 PM

Certificate of Achievement for Excellence in Financial Reporting FY2010-11

PROCLAMATIONS – 4:05 PM

Grand View University Homecoming Weekend
Alpha Delta Kappa Month

INVOCATION: Council Member Hensley

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:
3. APPROVING CONSENT AGENDA * – items 3 through 30:

***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

4. Approving Alcoholic Beverage License Applications for the following:

NEW APPLICATIONS

(A)	BRECKS	207 4TH ST	C Liquor
(B)	CENTRAL CITY 2	1501 MICHIGAN ST	E Liquor
(C)	DUBLIN	2307 UNIVERSITY	C Liquor
(D)	GRAZIANO BROTHERS, INC	1601 S UNION ST	C Beer
(E)	HARTMANS	102 3RD ST	C Liquor
(F)	PROOF RESTAURANT	1301 LOCUST ST	C Liquor
(G)	WALGREENS #359	2545 E EUCLID AVE	E Liquor
(H)	WALGREENS #4714	4555 FLEUR DR	E Liquor
(I)	WALGREENS #5362	1330 E UNIVERSITY	E Liquor
(J)	WALGREENS #5721	3140 SE 14TH ST	E Liquor

(K)	WALGREENS #5777	2930 E UNIVERSITY	E Liquor
(L)	WALGREENS #5852	3030 UNIVERSITY	E Liquor
(M)	WALGREENS #7452	4415 DOUGLAS AVE	E Liquor
(N)	WALGREENS #7453	104 E EUCLID AVE	E Liquor
(O)	WALGREENS #7833	3501 INGERSOLL	E Liquor
(P)	WALGREENS #7968	6200 SE 14TH ST	E Liquor

RENEWAL APPLICATIONS

(Q)	ANDYS PLACE	5114 SW 9TH ST	C Liquor
(R)	ARAMARK @ NATIONWIDE	1100 LOCUST ST	C Liquor
(S)	BEST FOOD MART	4028 E 14TH ST	C Beer
(T)	BISTRO MONTAGE	2724 INGERSOLL	C Liquor
(U)	DM IZAAK WALTON LEAGUE	4343 GEORGE FLAGG	C Liquor
(V)	DES MOINES MARRIOTT HOTEL	700 GRAND AVE	B Liquor
(W)	DES MOINES MARRIOTT HOTEL	700 GRAND AVE	E Liquor
(X)	DES MOINES VALERO #202	821 E EUCLID AVE	C Beer
(Y)	DOS RIOS	316 COURT AVE	C Liquor
(Z)	EMBASSY SUITES HOTEL	101 E LOCUST ST	B Liquor
(AA)	FAREWAY STORE #900	100 E EUCLID AVE	E Liquor
(BB)	FAREWAY STORE #975	3000 SE 22ND ST	E Liquor
(CC)	GODFATHERS PIZZA	4119 UNIVERSITY	B Beer
(DD)	HEROES	216 COURT AVE	C Liquor
(EE)	HULL TAVERN TAP	834 E HULL AVE	C Liquor
(FF)	LA BAMBA MEXICAN	6101 GRAND AVE	C Liquor
(GG)	MONTANA MIKES	5030 NE 14TH ST	C Liquor
(HH)	SHOP N SAVE #1	2127 MLK JR PKWY	E Liquor
(II)	SMOKEYS TRIANGLE TAP	2506 POST	C Liquor
(JJ)	UNIVERSITY GROCERIES	2121 UNIVERSITY	E Liquor
(KK)	WASABI CHI ASIAN DINER	5418 DOUGLAS AVE	C Liquor
(LL)	WELLMANS PUB	2920 INGERSOLL	C Liquor

OUTDOOR SERVICE APPLICATIONS

(MM)	BLAZING SADDLE	416 E 5TH ST	C Liquor
Temporary in conjunction with Wing Ding on October 6, 2012. Pending approval of Building, Electrical, Fire and Zoning Departments.			

SPECIAL EVENTS APPLICATIONS

(NN)	EMBASSY CLUB-TEMPLE	1011 LOCUST ST	Five (5) Day License
Class C Liquor License for a wedding reception on October 6, 2012. Pending approval of Building, Fire and Zoning Departments.			
(OO)	GAS LAMP	1501 GRAND AVE	Five (5) Day License
Class C Liquor License for 2 nd Annual Pumpkin Bash on October 6, 2012. Pending approval of Building, Electrical, Fire and Zoning Departments.			

(PP) UNDERGROUND 401 E 5TH ST Five (5) Day License
Class B Beer License in conjunction with Wing Ding on October 6, 2012. Pending
approval of Building, Electrical, Fire and Zoning Departments.

5. [City](#) Clerk to issue Cigarette Licenses.
6. [City](#) Clerk to issue Coin Operated Machine Licenses.

PUBLIC IMPROVEMENTS

7. Ordering construction of the following:
 - (A) [Inter](#)-Urban Trail Bridge Repair: Receiving of bids, (10-9-12), Setting date of hearing, (10-22-12), Construction estimate, \$279,090.

([Council Communication No. 12-516](#))
 - (B) [PCC](#) Overlay – E. 18th Street from E. Walnut Street to Dean Avenue: Receiving of bids, (10-9-12), Setting date of hearing, (10-22-12), Construction estimate, \$134,500.

([Council Communication No. 12-514](#))
8. [Approving](#) Professional Services Agreement with System Works, LLC for design and construction phase services on the MSC Commissioning, not to exceed \$174,000.

([Council Communication No. 12-515](#))

SPECIAL ASSESSMENTS

9. [Levying](#) assessments for costs of Nuisance Abatement – NAC Emergency Orders (Community Development), Schedule No. 2012-05.
10. [Approving](#) deletion of paving assessment at Lot 983 Four Mile.
11. [Approving](#) deletion of rental inspection assessment at 308 Court Avenue.

BOARDS/COMMISSIONS/NEIGHBORHOODS

12. [Recommendation](#) from Council Member Bob Mahaffey to appoint Michael Young to the Access Advisory Board, Seat 5, for a four-year term commencing June 15, 2012 to expire June 15, 2016.
13. [Appointment](#) of Matthew Anderson to replace William Stowe as an Alternate Member to the Metropolitan Planning Organization (MPO), effective immediately.
14. [Rescinding](#) the Fire Chief as the City's Representative to the Polk County Emergency Management Commission, appointing the Mayor as the City's Representative to the Commission and approving the Members of the City Council and the Fire Chief as the City's Alternate Representatives.

[\(Council Communication No. 12-523\)](#)

15. [Communication](#) from Matt Rosen, Chair of the Sister Cities Commission, declaring Seat 2 vacant.

COMMUNICATIONS FROM PLANNING AND ZONING

16. [Regarding](#) request from City Engineer to vacate east/west and north/south alleys located in the block bounded by E. 1st Street, E. Court Avenue, E. 2nd Street and the Norfolk Southern Railway to allow an expansion of the Police Department Evidence Storage Facility at 25 E. 1st Street.

SETTING DATE OF HEARINGS

17. [On](#) proposed Fourth (2013) Year Action Plan of the 2010-2014 U.S. Department of Housing and Urban Development (HUD) Consolidated Plan, (11-5-12).

[\(Council Communication No. 12-508\)](#)

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

18. [Approving](#) payment to Belin McCormick Law Firm of \$480 for legal services and reimbursement of printing costs of \$3,175 for U.S. Supreme Court Petition for Certiorari, total \$3,655.

CITY MANAGER COMMUNICATIONS

19. [Submitting](#) travel and training requests for Jack Beardsley, David Knutzen and Douglas Romig.

[\(Council Communication No. 12-522\)](#)

APPROVING

20. [Community](#) Development Block Grant (CDBG) Disaster Recovery Loan and contract documents with FFS Apartments, LLC for development of Franklin Field Senior Apartments at 5250 Franklin Avenue, \$3,000,000.

[\(Council Communication No. 12-504\)](#)

21. [Submittal](#) of grant request to Polk County Housing Trust Fund for the Minor Home Repair Program and authorizing the City Manager to execute and implement, \$175,000.

[\(Council Communication No. 12-511\)](#)

22. [Initial](#) LIHEAP (Low-Income Home Energy Assistance Program) contract with the Iowa Department of Human Rights/Division of Community Action Agencies for energy-related assistance for low-income persons from October 1, 2012 to September 30, 2013.

[\(Council Communication No. 12-499\)](#)

23. [Agreement](#) with Waterfront Lodging, Inc. for the undergrounding of overhead electric lines on Market Street between 2nd Avenue and Water Street.

[\(Council Communication No. 12-510\)](#)

24. [28E](#) Agreement with Iowa Department of Commerce, Alcohol Beverage Division, for participation in tobacco retailer compliance program.

[\(Council Communication No. 12-502\)](#)

25. [Adoption](#) of updated “Snow and Ice Control Policy”.
- [\(Council Communication No. 12-501\)](#)
26. [FY2012](#) Official Financial Report for City Streets to Iowa Department of Transportation (IDOT).
- [\(Council Communication No. 12-512\)](#)
27. Number not used.
28. Bids from the following:
- (A) [UltraMax](#) Ammunition (Roger Braunstein, President) and Sunset Law Enforcement (Mike Bright, President) for ammunition to be used by the Police Department, \$195,858.00. (Fifteen bids mailed, seven received).
- [\(Council Communication No. 12-503\)](#)
- (B) [Eagle](#) Compressors (Anthony Gonzalez, President) for SCBA (Self Contained Breathing Apparatus) cylinder re-filling systems per GSA Contract to be used by the Fire Department, \$98,583.88.
- [\(Council Communication No. 12-506\)](#)
- (C) [Triplett](#) Companies (Michael Triplett, President) for office furniture per US Communities Contract to be used by the Fire Department, \$79,906.02.
- [\(Council Communication No. 12-509\)](#)
- (D) [Midwest](#) Inverter (Kevin Jones, Owner/President) sole area-wide distributor for emergency lighting system repair services at the Center Street Park & Ride, \$29,260.
- [\(Council Communication No. 12-513\)](#)
- (E) [Kaldenburg’s](#) PBS Landscaping (Matt Kaldenburg, President) for tree planting and installation to be used by the Public Works Department, \$120,839. (Thirteen bids mailed, four received).
29. [Civil](#) Service Entrance Lists for Budget Analyst and Public Safety RMS Administrator and Promotional Lists for Fire Lieutenant and Senior Electrical Inspector.

30. [Authorizing](#) Finance Director to draw checks on registers for weeks of September 24 and October 1, 2012; to draw checks for the bills of the Des Moines Municipal Housing Agency for weeks of September 24 and October 1, 2012; and to draw checks for biweekly payroll due October 5, 2012.

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

***Note: If the City Council completes all items above before 5:00 PM, they will skip the Hearing Items, and continue the agenda starting with the next item following the Hearings. At 5:00 PM, they will return to this point in the agenda to consider the Hearing Items and then continue with all the remaining items on the agenda.**

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

31. ~~[On](#) appeal from Michael Garcia, 305 E. Livingston, regarding recommended denial of a Taxicab License.~~
32. [On](#) Application of Certificate of Public Convenience and Necessity by Crown Cab Co., Margarsa Jana, to operate a taxicab service with five vehicles.

[\(Council Communication No. 12-519\)](#)

33. [On](#) conveyance of an overhang electric line easement to MidAmerican Energy Company upon City-owned property located along the eastern edge of Guthrie Avenue Detention Basin, \$100 and to **continue to the October 8, 2012 Council Meeting at 5:00 PM.**

[\(Council Communication No. 12-518\)](#)

34. On appeal by Conlin Properties from the decision of the Historic Preservation Commission regarding the property at 826 18th Street, **continued from September 10, 2012 Council Meeting:**

[\(Council Communication No. 12-505\)](#)

(A) [Affirming](#) the decision.

Or

(B) [ALTERNATE RESOLUTION](#): Reversing in part the decision.

35. On 2012 ADA Sidewalk Ramp Program – Contract 2: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating lowest responsible bidder as MPS Engineers, P.C., (Umesh G. Shetye, President), \$429,680.

(Council Communication No. 12-521)

(A) Approval of contract and bond.

36. On Cheatom Park Basketball Court: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating lowest responsible bidder as T K Concrete, Inc., (Tony J. Ver Meer, President), \$56,975.

(Council Communication No. 12-520)

(A) Approval of contract and bond.

END HEARINGS AT _____PM

APPROVING

37. Direct City Manager to develop an alternative safety project for Hubbell Avenue from Easton Boulevard to E. 33rd Street, and rescind prior Council direction for the Hubbell Avenue Restriping project.

(Council Communication No. 12-517)

MOTION TO ADJOURN.

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