*** 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 '26-' 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
1200 Locust Street
Des Moines, Iowa 50309

August 3, 2026
5:00 PM
Amended 8-3-26 at 2:45 PM

I. **CLOSED SESSION – 4:00 PM**

26-0861 (A) Roll Call. **Present: Boesen, Simonson, Voss, Barron, Westergaard, Mandelbaum and Gatto.**

26-0862 (B) Recess, and reconvene in closed session pursuant to Section 21.5, subsection 1, paragraph C, of the Iowa Code, to discuss as necessary strategy with counsel in matters that are presently in litigation or where litigation is imminent, where its disclosure would be likely to prejudice or disadvantage the position of the City. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried upon roll call 7-0.**

26-0863 (C) Closed Session.

26-0864 (D) Terminate closed session and reconvene in open session. **Moved by Simonson to adopt. Second by Gatto. Motion Carried 7-0.**

26-0865 (E) Motion to adjourn. **Moved by Gatto to adjourn at 4:31 PM. Second by Simonson. Motion Carried 7-0.**

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SPECIAL RECOGNITION – 4:45 PM

Des Moines Hoover Boys Soccer Team - 3A State Championship win

26-0866 1. ROLL CALL: **Present: Boesen, Simonson, Voss, Barron, Westergaard, Mandelbaum and Gatto.**

26-0867 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0868 3. APPROVING CONSENT AGENDA * – items 3 through 53: **Moved by Gatto to adopt the balance of the Consent Agenda. Second by Voss. 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

26-0869 4. Approving Alcoholic Beverage License Applications for the following: **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

NEW APPLICATIONS

(A)	DRAKE UNIVERSITY STADIUM	2719 FOREST AVE	Special Class C
(B)	LA ESCONDIDA SPORTS BAR	6550 BLOOMFIELD RD	Class C Liquor
(C)	PRIME SPOT	2355 E UNIVERSITY AVE	Class B Retail

RENEWAL APPLICATIONS

(D)	1833 SALOON	1833 HUBBELL AVE	Class C Liquor
(E)	AIR LANES	4200 FLEUR DR	Class C Liquor
(F)	AJS ON EAST COURT	419 E COURT AVE	Class C Liquor
(G)	BAR NICO	428 E LOCUST ST	Class C Liquor
(H)	BEECHWOOD LOUNGE	416 E WALNUT ST	Class C Liquor
(I)	BLACKBIRD HOSPITALITY	713 WALNUT ST	Class C Liquor
(J)	CAVE DSM	1437 WALNUT ST	Special Class C
(K)	CROATIAN FRATERNAL SLAVIC	6575 INDIANOLA AVE	Class C Liquor
(L)	DES MOINES ART CENTER	4700 GRAND AVE	Class C Liquor
(M)	DRAKE UNIVERSITY	2615 CARPENTER AVE	Special Class C
(N)	DRAKE UNIVERSITY	2875 UNIVERSITY AVE	Class C Liquor
(O)	DRAKE UNIVERSITY	1310 25TH ST	Special Class C
(P)	DRAKE UNIVERSITY	2601 FOREST AVE	Special Class C
(Q)	EITHER OR	6222 GRAND AVE	Class C Liquor
(R)	EL PALOMINO	3116 E 14TH ST	Class B Retail
(S)	EL PATIO MEXICAN	611 37TH ST	Class C Liquor

(T)	FRESKO	909 LOCUST ST	Class C Liquor
(U)	GIT N GO STORE #26	2140 E PARK AVE	Class B Retail
(V)	GIT N GO STORE #36	4164 EASTON BLVD	Class B Retail
(W)	GIT N GO STORE #7	3000 MERLE HAY RD	Class B Retail
(X)	HY VEE FAST & FRESH #5	1113 E ARMY POST RD	Class E Liquor
(Y)	HY-VEE FAST & FRESH #4	4701 FLEUR DR	Class E Liquor
(Z)	INGERSOLL TAP	2837 INGERSOLL AVE	Class C Liquor
(AA)	MAVERIK #5361	3104 UNIVERSITY AVE	Class E Liquor
(BB)	MEGA SAVER	6304 SW 9TH ST	Class B Retail
(CC)	NEW DISCOUNT MARKET	3207 DOUGLAS AVE	Class B Retail
(DD)	PINTS PUB N PATIO	319 COURT AVE	Class C Liquor
(EE)	SECRET ADMIRER	110 SW 5TH ST	Class C Liquor
(FF)	SORIANO LATINO GROCERY	2300 HICKMAN RD	Class B Retail
(GG)	SUPER QUICK	303 SE 30TH ST	Class E Liquor
(HH)	TEQUILA RESTAURANT	2824 EASTON BLVD	Class C Liquor
(II)	TEQUILAS LIQUOR STORE	1434 DES MOINES ST 5	Class E Liquor
(JJ)	THAI FLAVORS	1254 E 14TH ST	Special Class C
(KK)	TOADS TAVERN	3002 STATE AVE	Class C Liquor
(LL)	TOP IT OFF LIQUID CATERING	4530 E 46TH ST	Class C Liquor
(MM)	W-TAO SUSHI	400 WALNUT ST 101A	Class C Liquor
(NN)	ZOMBIE BURGER	300 E GRAND AVE #100	Class C Liquor

SPECIAL EVENT APPLICATIONS

(OO) APRES BAR CO — 1415 WOODLAND AVE — 5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR AN EVENT ON AUGUST 22, 2026.

(PP) APRES BAR CO — 519 PARK ST — 5 days
CLASS C LIQUOR LICENSE FOR CANDLELIGHT CONCERT ON AUGUST 15, 2026.

(QQ) APRES BAR CO — 100 LOCUST ST — 5 days
CLASS C LIQUOR LICENSE FOR A PRIVATE EVENT ON AUGUST 15, 2026.

(RR) APRES BAR CO — 100 LOCUST ST — 5 days
CLASS C LIQUOR LICENSE FOR CANDLELIGHT CONCERT ON AUGUST 23, 2026.

(SS) BUD TENT — 3000 E GRAND AVE — 14 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR THE IOWA STATE FAIR ON AUGUST 13 - 23, 2026.

(TT) GREATER DM PARTNERSHIP — 1330 GRAND AVE — 5 days
CLASS C LIQUOR LICENSE FOR WORLD FOOD AND MUSIC FESTIVAL ON AUGUST 28 – 30, 2026.

(UU) GREATER DM PARTNERSHIP 1119 LOCUST ST 5 days
CLASS C LIQUOR LICENSE FOR WORLD FOOD AND MUSIC FESTIVAL ON AUGUST 28 – 30, 2026.

(VV) GREATER DM PARTNERSHIP 1205 LOCUST ST 5 days
CLASS C LIQUOR LICENSE FOR WORLD FOOD AND MUSIC FESTIVAL ON AUGUST 28 – 30, 2026

(WW) IA STATE FAIR GRANDSTAND 3000 E GRAND AVE 14 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR THE IOWA STATE FAIR ON AUGUST 13 - 23, 2026.

(XX) IOWA WINE GROWERS 3000 E GRAND AVE 14 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR THE IOWA STATE FAIR ON AUGUST 13 - 23, 2026.

(YY) NEW NORTHWESTERN 75 E LOCUST ST 5 days
CLASS C LIQUOR LICENSE FOR VIBES IN THE VILLAGE ON AUGUST 22, 2026.

(ZZ) STAR BAR 2811 INGERSOLL AVE 5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR INGERSOLL LIVE ON AUGUST 29, 2026.

(AAA) THIRSTY PIGS 2251 GEORGE FLAGG 5 days
CLASS C LIQUOR LICENSE FOR CLAY WALKER CONCERT ON AUGUST 27, 2026.

TRANSFER TO NEW LOCATIONS

(BBB) WELLMANS PUB 2811 INGERSOLL AVE Class C Liquor
PERMANENT FROM 2920 INGERSOLL AVENUE.

26-0870 5. City Clerk to approve Cigarette/Tobacco/Nicotine/Vapor Permits for the following: **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Nays: Voss.**

NEW APPLICATION

(A) IOWA CAMPGROUND GENERAL 3000 E UNIVERSITY AVE
(B) PRIME SPOT 2355 E UNIVERSITY AVE #104

RENEWAL APPLICATIONS

(C) CIV PLUS SOUTH 4814 SW 9TH ST #101
(D) TIENDA LA CHAPINA 3800 6TH AVE
(E) UNIVERSITY MARKET 2231 E UNIVERSITY AVE

26-0871 6. City Clerk to approve Device Retail Permit for Babas Vape N Smoke #2 at 1901 Beaver Avenue. **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Nays: Voss.**

PUBLIC IMPROVEMENTS

26-0872 7. Approving and authorizing execution of the Iowa Department of Transportation (IDOT) Traffic Safety Improvement Program (TSIP) Agreement for the Forest Avenue Improvements from Beaver Avenue to 19th Street project. (Council Communication No. 26-269) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0873 8. Approving the Fiscal Year 2028 Traffic Safety Improvement Program (TSIP) Application to the Iowa Department of Transportation (Iowa DOT) for the 31st Street and Woodland Avenue mini-roundabout project. (Council Communication No. 26-263) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0874 9. Approving the Fiscal Year 2028 Traffic Safety Improvement Program (TSIP) Application to the Iowa Department of Transportation (Iowa DOT) for the 31st Street and Cottage Grove Avenue mini-roundabout project. (Council Communication No. 26-264) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0875 10. Authorizing submittal of Federal Surface Transportation Block Grant (STBG) Program and Surface Transportation Block Grant Set-Aside Program Fiscal Years (FY) 2030 and 2031 applications to the Des Moines Area Metropolitan Planning Organization (MPO). (Council Communication No. 26-266) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0876 11. Acceptance of proposal from MidAmerican Energy Company to install new streetlights for the Gray's Station Roadway Improvements at SW 16th Street and Tuttle Street project, estimated at $369,869.40. (Council Communication No. 26-268) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0877 12. Approving exception to Request for Proposal (RFP) process for good cause and approving Professional Services Agreement with Kirkham Michael & Associates, Inc. for professional services for Leetown Creekway Box Culvert Phase 3, not to exceed $251,000. (Council Communication No. 26-267) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0878 13. Accepting completed construction and approving final payment for Birdland and Ashworth Pool Building Repairs, TNT Tuckpointing and Building Restoration, LLC. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

26-0879 14. Levying assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2026-08. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0880 15. Levying assessments for fees, fines, penalties, costs and interest imposed in Public Works tree removal, Schedule No. 2026-03. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0881 16. Deletion of rental inspection assessment at 1019 25th Street. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

26-0882 17. Dedicating portions of City-owned property in the vicinity of Harriet Street and SE 14th Street as parkland and naming of the park as Harriet Street Park. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0883 18. Partially releasing subdivision bond for Three Lakes Estates Plat 13. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0884 19. Partially releasing subdivision bond for Ruby Rose Ridge Plat 1. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0885 20. Partially releasing subdivision bond for Ruby Rose Ridge Plat 2. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0886 21. Releasing subdivision bond for Ruby Rose Ridge Plat 3. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

26-0887 22. Communication from Kameron Middlebrooks advising of his resignation from the Des Moines Civil and Human Rights Commission, Seat 6, effective immediately. **Moved by Gatto to receive, file and accept resignation with appreciation for his service. Second by Voss. Motion Carried 7-0.**

26-0888 23. Recommendation from Council Member Mandelbaum to appoint Blake Clyde to the Des Moines Civil and Human Rights Commission Seat 6, with a term expiring April 3, 2028. **Moved by Mandelbaum to adopt. Second by Gatto. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

26-0889 24. On request from Adrian L. Strain, and Laura J. Strain (Owners) to amend the PlanDSM Creating Our Tomorrow Comprehensive Plan to revise the future land use classification from Business Park to Low Density Residential of 4027 SW 56th Street and to rezone the property from "EX" Mixed-Use District to Limited "N2b" Neighborhood District to allow reconstruction of a one-household dwelling unit, (8-24-26). **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0890 25. On request from Greater Des Moines Habitat for Humanity, Inc (Ryan Doyle, Officer) to revise the future land use classification of the property from Low Density Residential to Medium Density Residential, and to rezone 6100 Hickman Road from "N3b" Neighborhood District to "RX1" Mixed-Use District to allow the construction of four (4) new rowhome buildings containing a total of twenty-two (22) dwelling units, (8-24-26). **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0891 26. On approving amended and substituted lease agreement with Joppa with option to purchase City property generally located at 2501 Maury Street, (8-24-26). **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

26-0892 27. Approving retention of outside counsel and ratifying the retention agreement. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0893 28. Approving payment to Michael Anderson for a workers' compensation claim. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0894 29. Approving payment to Michael and Susan Klus for a property damage claim. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0895 30. Approving payment to James and Sharon Nelson for a property damage claim. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0896 31. Approving payment to Progressive as subrogee of Andrew Troe for a property damage claim. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

APPROVING

26-0897 32. 2026 Continuum of Care (CoC) grant program competitive application to the United States Department of Housing and Urban Development (HUD). (Council Communication No. 26-283) **Moved by Gatto to approve. Second by Voss. Motion Carried 7-0.**

26-0898 33. Memorandum of Understanding (MOU) with Rebuilding Together Greater Des Moines, Inc. d/b/a Rebuilding Together to support homeowners using the Improving Our Neighborhoods (ION) homeowner renovation program. (Council Communication No. 26-261) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0899 34. Preliminary terms of an Urban Renewal Development Agreement with DMCRE2, LLC for the renovation of 206 8th Street into a 157-room Marriott Le Meridien hotel. (Council Communication No. 26-271) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0900 35. First amendment to Amended and Restated Urban Renewal Development Agreement with Townhall Associates, LP for the historic renovation of 1601 6th Avenue into a mixed-use residential and commercial development, and the new construction of a mixed-use residential and commercial building at 1605, 1609, and 1619 6th Avenue. (Council Communication No. 26-274) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0901 36. Acceptance of FY25 Homeland Security Grants in support of the statewide Weapons of Mass Destruction (WMD), $266,000 and Explosive Ordnance Detection (EOD), $278,767 response teams. (Council Communication No. 26-276) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0902 37. Submitting an application for funding through the 2026 Community Oriented Policing Services (COPS) Law Enforcement Mental Health and Wellness Act (LEMHWA) grant program. (Council Communication No. 26-279) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0903 38. Application for funding through the FY2026 Invited to Apply – National Integrated Ballistic Information (NIBIN) Modernization Program available through the Department of Justice and Memorandum of Understanding with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), $300,000. (Council Communication No. 26-278) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0904 39. Application for the Firehouse Subs Public Safety Foundation Grant for vertical shoring posts and accessories. (Council Communication No. 26-277) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0905 40. Negotiation and execution of master services agreement with Bound Tree Medical, LLC using Iowa Emergency Medical Services Association (IEMSA) contract for the purchase of EMS supplies and medication. (Council Communication No. 26-284) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0906 41. Procurement and execution of contract with Ramaker and Associates, Inc. for Cemetery Information Management System (CIMS) software to be used by the Parks and Recreation Department, not to exceed $264,148. (Council Communication No. 26-280) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0907 42. Authorizing future trail and parks closures by Director of Parks and Recreation Department. (Council Communication No. 26-281) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0908 43. Approving use of various City Facilities as polling sites for the Polk County General Election on Tuesday, November 3, 2026. **Moved by Gatto to approve. City Clerk will notify the Parks Department to arrange access to the buildings. Second by Voss. Motion Carried 7-0.**

26-0909 44. 28E Agreement with the Iowa State Fair Authority for temporary traffic signals. (Council Communication No. 26-265) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0910 45. Amendments to the Schedule of Fees regarding Chapter 61 as it relates to the Property Maintenance Code and Vacant Property Registry. (Council Communication No. 26-260) **Moved by Gatto to approve. Second by Voss. Motion Carried 7-0.**

26-0911 46. Purchase of Rapid7 Managed Threat Complete subscription for $174,500 annually, for a period of up to five (5) years, from Insight Public Sector (Jack Azagury, President and CEO) using Omnia Contract and a Short Form Agreement. (Council Communication No. 26-282) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0912 47. Agreement with Iowa Department of Homeland Security and Emergency Management (HSEM) for award of 2025 Cybersecurity Risk Reduction Grant and Memorandum of Agreement with HSEMD and State of Iowa, Department of Management (DOM) for HSEMD to retain such grant funding for use by the DOM. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0913 48. First Amendment to agreement with Housby Mack Inc. related to supplying Mack Truck Chassis with equipment, related accessories and service. **Moved by Gatto to approve. Second by Voss. Motion Carried 7-0.**

26-0914 49. Receiving and filing the annual report and final audit report for 2025 from the Greater Des Moines Public Art Foundation. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

50. Abatement of public nuisances at the following:

26-0915 (A) 1817 College Avenue. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0916 (B) 1328 E. 15th Street. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0917 51. Receive and file Quarterly Treasurer's Report as of June 30, 2026. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0918 52. Authorizing Finance Director to draw checks on registers for the weeks of August 3, 10, and 17, 2026; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of August 3, 10, and 17, 2026; to draw checks for biweekly payroll due August 7 and 21, 2026. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

26-0919 53. On vacation of street right-of-way adjacent to the realigned 41st Street and Beaver Avenue intersection. **Moved by Gatto that this ordinance do now pass, #16,570. Second by Voss. Motion Carried 7-0.**

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HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 54 THRU 61)

26-0920 54. On request from NMDP Holdings, LLC (Adam R. Petersen, Officer) regarding two (2) irregular parcels in the vicinity of 1111 SE 30th Street, and one (1) irregular parcel located at 3400 Granger Avenue to amend PlanDSM Creating Our Tomorrow Comprehensive Plan to revise the future land use classification of the property from Business Park to Industrial, and to rezone the property from Limited "I2" Industrial District, and "EX" Business Park District, to Limited "I2" Industrial District to allow expansion of an existing "Fabrication and Production – Intensive" use. **Moved by Gatto to approve. Second by Voss. Motion Carried 7-0.**

26-0921 (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.**

26-0922 (B) Final consideration of ordinance above (waiver requested by the applicant), 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, #16,571. Second by Voss. Motion Carried 7-0.**

26-0923 55. On request from Nelson Construction Services, LLC (Alexander Grgurich, Officer) regarding multiple parcels located in the vicinity of 1310 E. Diehl Avenue to amend PlanDSM Creating Our Tomorrow Comprehensive Plan to revise the future land use classification of the property from Community Mixed Use and Low Density Residential within a Neighborhood Node and a Regional Node to Community Mixed Use and High Density Residential within a Neighborhood Node and a Regional Node, and to rezone the property from "N3a" Neighborhood District, "MX3-V" Mixed-Use District, and "MX3" Mixed-Use District, to Limited "NX3" Neighborhood Mix District, to allow the construction of a multiple-household senior living apartment building. **Moved by Gatto to approve. Second by Simonson. Motion Carried 7-0.**

26-0924 (A) First consideration of ordinance above. **Moved by Gatto that this ordinance be considered and given first vote for passage. Second by Simonson. Motion Carried 7-0.**

26-0925 (B) Final consideration of ordinance above (waiver requested by the applicant), 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, #16,572. Second by Simonson. Motion Carried 7-0.**

26-0926 56. On the proposed 38th Amendment to the Urban Renewal Plan for the Metro Center Urban Renewal Area. (Council Communication No. 26-273) **Moved by Mandelbaum to adopt. Second by Gatto. Motion Carried 7-0.**

26-0927 57. On the proposed First Amendment to the Urban Renewal Plan for the Carpenter Urban Renewal Area. (Council Communication No. 26-272) **Moved by Barron to adopt. Second by Gatto. Motion Carried 7-0.**

26-0928 58. On the proposition to authorize a lease-purchase agreement with Ziegler Inc. for the lease-purchase of a tractor with boom mower for use in City operations. (Council Communication No. 26-275) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0929 59. On the proposition to authorize a lease agreement with Industrial Scientific for the lease of atmospheric monitoring devices and services for use by the Public Works Department, and to continue to the August 24, 2026 meeting. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

26-0930 60. On request from Heart of America (Chris Whalen, Officer) for an appeal of the Plan & Zoning Commission's decision regarding a Public Hearing Site Plan for Type 2 Design Alternatives for property located in the vicinity of 100 SW 11th Street. **Moved by Simonson to approve the Type 2 Design Alternatives in the form requested by Heart of America described above and to make the following findings of fact and objections regarding the Type 2 Design Alternatives as proposed by Heart of America:**
a. The Property is located at 100 Southwest 11th Street, adjacent to Southwest 11th Street to the east and Martin Luther King Jr. Parkway to the south.
b. The Property is zoned DX2.
c. The Property is irregularly shaped with a long and narrow overall orientation. It is surrounded by roads and a railway and cannot be assembled with other property. The Property's shape and isolation limit the options for development and make traditional urban formats typical of downtown challenging.
d. City Code Section 135-2.3.3.A.2 requires a minimum of 95% primary frontage coverage in the DX2 District.
•Heart of America has requested a waiver of this requirement.
e. City Code Section 135-2.3.3.A.3 requires a primary frontage build-to-zone of 0-5 feet.

•Heart of America has requested approval to allow a setback of 140 feet along Southwest 11th Street.
f. City Code Section 135-2.3.3.A.4 requires a non-primary frontage build-to-zone of 0-15 feet.
•Heart of America has requested approval to allow a setback of 45 feet along Martin Luther King Jr. Parkway.
g. City Code Section 135-2.3.3.B.10 requires an overall minimum height of 3 stories.
•Heart of America has requested approval to allow a 1-story building.
h. City Code Section 135-2.3.3.C.17 requires a minimum of 30 feet in depth on all full height floors of primary frontages.
•Heart of America has requested a waiver of this requirement.
i. City Code Section 135-2.3.3.D.19 requires a minimum of 70% transparency measured between 2 feet and 10 feet on the ground floor of primary frontages.
•Heart of America has requested approval to allow 3% transparency along Southwest 11th Street.
j. City Code Section 135-2.3.3.D.20 requires a minimum of 18% transparency and limits blank walls pursuant to City Code Section 135-3.8.
•Heart of America has requested approval to allow 15% transparency and blank walls.
k. City Code Section 135-2.3.3.D.21 requires a principal entrance to be located on the primary frontage façade.
•Heart of America has requested waiver of this requirement.
l. City Code Section 135-2.3.3.A.8 prohibits surface parking within the DX2 District
•Heart of America has requested waiver of this requirement.
m. City Code Section 135-2.22.3.D prohibits a drive-through facility at the location of the Property.
•Heart of America has requested a waiver of this requirement.
n. Heart of America 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 Chapter 135 of the Planning and Design Ordinance.
o. Heart of America 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.
p. Heart of America has shown that the requested design alternatives will not have a substantial or undue adverse effect on the public health, safety, and general welfare.
q. Said Type 2 Design Alternatives, in the form requested by Heart of America, should be, and hereby is, approved for the above-stated reasons and incorporated into the approved Site Plan for the Property.
Second by Gatto. Motion Carried 6-1. Nays: Barron.

26-0931 61. On Skywalk Exterior Improvements Phase 1: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating lowest responsive, responsible bidder as Minturn, Inc. (Clinton M. Rhoads, President), $1,045,700. (Council Communication No. 26-270) **Moved by Gatto to adopt. Second by Simonson. Motion Carried 7-0. Motion by Mandelbaum to approve without add-alternate no. 1 (Skywalk 4E-5E over 5th Avenue). Second by Barron. FAILED 2-5. Nays: Boesen, Simonson, Voss, Westergaard and Gatto.**

26-0932 (A) Approval of contract and bond. **Moved by Gatto to adopt. Second by Simonson. Motion Carried 7-0.**

**** END OF HEARINGS AT 6:22 PM ****

ORDINANCES - FIRST CONSIDERATION

26-0933 62. Amending Chapter 114 of the Municipal Code regarding Traffic Regulation Changes as follows: (Council Communication No. 26-262) **Moved by Gatto that this ordinance be considered and given first vote for passage. Second by Westergaard. Motion Carried 7-0.**

(A) Turn Prohibition – Intersection of Hull Avenue and Oxford Street.
(B) Corner Clearance Parking Restrictions:
  (1) SE 30th Street and Easter Lake Drive.
  (2) Lay Street and E. Sheridan Avenue.
  (3) Luster Lane and Southview Drive.
  (4) Northwest Drive and Merle Hay Road.

26-0934 (C) 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, #16,573. Second by Westergaard. Motion Carried 7-0.**

APPROVING

26-0935 63. Receive and file request from Broadlawns Medical Center (Denise Cundy, Officer) for vacation of approximately 2,792 square feet of right-of-way in the vicinity of 1826 Hickman Road, which includes segments of north/south alleyway and a portion of excess Francis Avenue right-of-way, to allow the vacated area to be assembled with adjoining parcels to facilitate construction of a parking lot. **Moved by Barron to adopt Alternative B. Receive and file the communication from the Plan and Zoning Commission and refer to the Engineering Department, Real Estate Division. Second by Mandelbaum. Motion Carried 7-0.**

26-0936 64. Consideration of a request from Joppa Village Project, represented by James Hagberg, to demolish the former Chesterfield School at 2501 Maury Street pursuant to Section 58-70 of the Historic Preservation Ordinance. (Council Communication No. 26-259) **Moved by Gatto to approve the request to demolish the former Chesterfield School located at 2501 Maury Street, subject to all conditions and requirements set forth in City of Des Moines Municipal Code § 58-70(d). Second by Voss. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

26-0937 65. Request to speak from the following: **Moved by Gatto to receive and file comments. Second by Barron. Motion Carried 7-0.**

(A) Kathy Byrnes
(B) Alejandro Bermudez – did not speak.
(C) Robert Carter – did not speak.
(D) Laurie Jones

EXTRA ITEM

26-0938 1. Approval of the appointment of Deputy City Manager. **Moved by Gatto to adopt. Second by Simonson. Motion Carried 7-0.**

26-0939 MOTION TO ADJOURN. **Moved by Gatto to adjourn at 6:41 PM. Second by Voss. Motion Carried 7-0.**

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