

DES MOINES CITY COUNCIL MEETING

April 10, 2006

Reception for Roosevelt Girls and Hoover Boys Basketball Champions – 3:30 to 4:00 P.M.

Municipal Housing Agency Governing Board – 3:45 P.M.

Special Presentations – 4:00 P.M.

Recognitions – 4:15 P.M.

Council Meeting - 4:30 P.M.

SPECIAL PRESENTATIONS – 4:00 P.M.

Administrative Professionals Week

Small Business Week

Fair Housing Month

Strong and Healthy Families Month

RECOGNITIONS – 4:15 P.M.

2006 State Basketball Champions

Roosevelt Girls

Hoover Boys

INVOCATION: Pastor Tony Thurston
College Avenue Christian Church

1. ROLL CALL:
2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:

* * * * *

***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.

3. APPROVING CONSENT AGENDA – items 3 through 54:

LICENSES AND PERMITS

4. [Approving](#) Alcoholic Beverage Applications for the following:

NEW APPLICATIONS

(A)	4TH STREET SUPPLY CO.	204 4TH ST	C Beer
(B)	CATERING BY JOHN MAHER	3631 SW 61ST ST	C
	Beer/Wine		
(C)	DAVIS CONCESSIONS	2601 HUBBELL AVE	B Beer
(D)	FEDERAL DISTRIBUTORS INC	3000 E GRAND AVE	C
	Beer/Wine		
(E)	JOHNNYS HALL OF FAME	302 COURT AVE	C Liquor
(F)	SANDS VOLLEYBALL CLUB	6214 GRAND AVE	C
	Liquor		
(G)	SPIKERS COURT	3200 DELAWARE AVE	B Beer
(H)	VERTIGO ROCK BAR	3701 INGERSOLL AVE	C Liquor

RENEWAL APPLICATIONS

(I)	63RD ST TEXACO	111 63RD ST	C Beer
(J)	ALL IN THE FAMILY LOUNGE	4413 FLEUR DR	C
	Liquor		
(K)	ALPINE TAP ROOM	2720 INGERSOLL AVE	C Liquor
(L)	BARATTAS RESTAURANT	2320 S UNION ST	C Liquor
(M)	DES MOINES ART CENTER REST.	4700 GRAND AVENUE	C Liquor
(N)	FAMOUS DAVES	4351 MERLE HAY RD	C Liquor
(O)	GREENWOOD LOUNGE	3707 INGERSOLL AVE	C Liquor
(P)	H & A MINI MART	5901 FLEUR DR	C Beer
(Q)	KUM & GO #114	2919 E 14TH ST	C Beer
(R)	KUM & GO #120	101 ARMY POST RD	C Beer
(S)	KUM & GO #130	2930 HICKMAN RD	C Beer
(T)	KUM & GO #142	4140 PARK AVE	C Beer
(U)	KUM & GO #194	4001 SW 9TH ST	C Beer
(V)	KUM & GO #743	3733 EASTON BLVD	C Beer

- (W) LAST STOP BEVERAGE SHOP 2839 E UNIVERSITY E
Liquor
- (X) QUIKTRIP #515 1421 INGERSOLL AVE C Beer
- (Y) SCORNOVACCAS PIZZA 1930 SE 14TH ST C Liquor
- (Z) TIM FLANAGANS RESTAURANT 2120 INGERSOLL AVE C
Liquor

OUTDOOR SERVICE APPLICATIONS

- (AA) COURT AVENUE BREWING CO 309 COURT AVE C Liquor
Temporary outdoor service area in conjunction with celebration on May 13, 2006.
- (BB) MARGARETS 3020 FOREST AVENUE C Liquor
Temporary outdoor service area in conjunction with Drake Relays effective April 26-30, 2006.
Pending approval of Fire Department.
- (CC) UNIVERSITY LIBRARY CAFE 3506 UNIVERSITY C
Liquor
Temporary outdoor service area in conjunction with Drake Relays effective April 25-30, 2006.
Pending approval of Fire Department.

SPECIAL EVENT APPLICATIONS

- (DD) WINSTONS PUB & GRILLE 800 WALNUT ST C
Beer/Wine
In conjunction with Dig Downtown Event on April 21, 2006. Pending approval of Building, Electrical, Fire and Zoning Departments.
- (EE) WINSTONS PUB & GRILLE 800 WALNUT ST C
Beer/Wine
In conjunction with Dig Downtown Event on May 19, 2006. Pending approval of Building, Electrical, Fire and Zoning Departments.
- (FF) WINSTONS PUB & GRILLE 800 WALNUT ST C
Beer/Wine
In conjunction with Dig Downtown Event on June 9, 2006. 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) [SW](#) 8th Street Viaduct over M.L. King, Jr. Parkway Rehabilitation – Receiving of bids, (4-18-06) and Setting date of hearing (5-8-06). (Construction Estimate - \$1,952,667).

[\(Council Communication No. 06-168\)](#)

- (B) [Crivaro](#) Park Water Playground – Receiving of bids, (4-25-06) and Setting date of hearing (5-8-06). (Construction Estimate - \$600,000).

[\(Council Communication No. 06-164\)](#)

- (C) [2006](#) Sanitary Sewer Repair Program – Contract 2 – Receiving of bids, (4-25-06) and Setting date of hearing (5-8-06). (Construction Estimate - \$120,000).

[\(Council Communication No. 06-174\)](#)

- (D) [E. 14th/E. 15th](#) Street (U.S. 69) Traffic Signal Upgrade-Court Avenue to Walker Street – Receiving of bids, (4-25-06), and Setting Date of Hearing, (5-8-06). (Construction Estimate - \$197,521.85).

[\(Council Communication No. 06-176\)](#)

- (E) [Parking](#) Facility Pedestrian Wayfinding Signs – Receiving of bids, (4-18-06) and Setting Date of Hearing, (5-8-06). (Construction Estimate - \$80,310).

[\(Council Communication No. 06-178\)](#)

8. [Approving](#) Iowa Department of Transportation Agreement for pavement removal, levee removal/reconstruction and other work to facilitate archaeological investigation for the Southeast Connector from SW 2nd to Water Streets.

[\(Council Communication No. 06-182\)](#)

9. [Approving](#) Change Order No. 4 with Visu-Sewer Clean & Seal, Inc. for additional work on the 2004 Sanitary Sewer Lining Program – Contract 1, not to exceed \$58,700.

(Council Communication No. 06-165)

10. [Approving](#) Private Construction Contract between Elder Corporation and Bullseye Investments, LLC for street improvements in SE 14th Street at McKinley Avenue.

11. Approving completion and recommending acceptance of the following Private Construction Contracts:
 - (A) [The](#) Underground Company, Ltd. and Clarke Company, Ltd. for sanitary sewer improvements in Woods on the River Plat 9.
 - (B) [The](#) Underground Company, Ltd. and Clarke Company, Ltd. for storm sewer improvements in Woods on the River Plat 9.
 - (C) [Sternquist](#) Construction, Inc. and Clarke Company, Ltd. for street improvements in Woods on the River Plat 9.
 - (D) [Machin](#) L.C. and BKM Properties, L.C. for sanitary sewer improvements at Williams Street Town Homes.
 - (E) [McAninch](#) Corporation and Greater Des Moines Foundation for grading improvements for Greater Des Moines Softball Park Contract 1.
 - (F) [Elder](#) Corporation and 3031 Grand Condominiums LLC for storm sewer improvements at 3031 Grand Avenue.
 - (G) [Central](#) Iowa Mechanical and East Village Partners, LLC by Soho Development, LLC for storm sewer improvements at Soho Lofts.

SPECIAL ASSESSMENTS

12. [Approving](#) deletion of NAC-Emergency Assessments at various locations.

13. Approving the following:
 - (A) [Delinquent](#) Sewer Rental and/or Solid Waste/Stormwater Utility Fees for March 2006.
 - (B) [Delinquent](#) Sewer Rental and/or Solid Waste/Stormwater Utility Credits for March 2006.

LAND/PROPERTY TRANSACTIONS

14. [Real](#) Estate documents for property at 3401 Hull Avenue and 3325 Hubbell Avenue for the Gay Lea Wilson Trail Project – Phase III, \$500 plus closing costs.

[\(Council Communication No. 06-187\)](#)

15. [Establishing](#) fair market value and authorizing acquisition of property at 6116 Boston Avenue for the Federal Emergency Management Agency (FEMA) 2006 Buyout Program/Frisbee Park Proceeds Project, \$102,300.

[\(Council Communication No. 06-185\)](#)

16. [Establishing](#) fair market value and authorizing acquisition of property at 2217 Forest Avenue for the Forest Avenue Urban Renewal Project, \$70,000.

[\(Council Communication No. 06-186\)](#)

17. [Establishing](#) fair market value and authorizing acquisition of property for the Agrimergent Technology Park Project, \$495,500.

[\(Council Communication No. 06-188\)](#)

18. [Authorization](#) to proceed with acquisition of necessary right-of-way and easements for the Arlington East-Phase 3 Storm Sewer Project.

BOARDS/COMMISSIONS/NEIGHBORHOODS

19. [Recommendation](#) of Council Member Michael Kiernan to appoint Lisa Dlouhy to Seat 1 on the Human Rights Commission for a three-year term commencing April 1, 2006 to expire April 1, 2009.

20. NUMBER NOT USED.

- 20-I. Reappointments to the Zoning Board of Adjustment for a five-year term commencing April 1, 2006 to expire April 1, 2011 for the following:

- (A) Recommendation from Mayor Frank Cownie of Peter Sand to Seat 1.
 - (B) Recommendation from Council Member Christine Hensley of Jeffrey Clayton to Seat 6.
21. Recommendations of Council Member Tom Vlassis for reappointment of the following:
- (A) [Judi](#) Isaacson to the Citizen Odor Board, Seat 8 for a three-year term commencing April 1, 2006 to expire April 1, 2009.
 - (B) [Brian](#) Millard to the Plan and Zoning Board, Seat 9 for a five-year term commencing July 1, 2006 to expire July 1, 2011.
 - (C) [LeAnn](#) Walker to the Zoning Board of Adjustment, Seat 4 for a five-year term commencing April 1, 2006 to expire April 1, 2011.
22. [Communication](#) from Anthony J. Montgomery advising of his resignation from the Housing Appeals Board effective immediately.

SETTING DATE OF HEARINGS

23. [On](#) vacation of dead-end segment of SE 27th Court extending south of E. Railroad Avenue, (4-24-06).
24. [On](#) vacation and conveyance of permanent easement to Brownstones on Grand, L.L.C. for subsurface rights located in one foot strip of street right-of-way adjacent to block encompassed by 2nd Avenue, Watson Powell, Jr. Parkway, 3rd Street and Grand Avenue, \$2,200, (4-24-06).
25. [On](#) request from Jeff and Julie Ries to rezone property at 334 East Park Avenue from “R1-70” (One-Family Low-Density Residential) to “C-1” (Neighborhood Retail Commercial) for a retail shop for youth all-terrain vehicles and motorcycles. **Plan and Zoning Commission recommends DENIAL**, (4-24-06).
26. [On](#) request from BKM Renovators, L.C. to rezone property at 3725 East University Avenue from “C-1” (Neighborhood Retail Commercial District) and “R1-60” (One Family Low Density Residential District) to “C-2” (General Retail

and Highway-Oriented Commercial District) for development of site for mini-warehousing, subject to conditions, (4-24-06).

27. [On](#) request from Larry Hibbs to rezone property at 9450 County Line Road (recently annexed) from “A-1” (Agricultural) to “C-1” (Neighborhood Retail Commercial) to allow development of property for a mixed-use center having office/retail and multiple-family residential use, subject to conditions, (4-24-06).
28. [On](#) request from Rueter Corp. regarding voluntary annexation of approximately 36 acres of land in Warren County, located west of County Highway R63 and south of Iowa Highway 5, (5-22-06).
29. [On](#) License Agreement to Edmundson Art Foundation Inc., d/b/a The Des Moines Art Center for installation of underground fiber optic cable from The Des Moines Art Center across Greenwood Park to be used for installation of two video cameras near Greenwood Pond, \$420, (4-24-06).
30. On the following Bond Issue items, (4-24-06):
 - (A) [Resolution](#) electing classifications and procedures for proposed Bond projects.
 - (B) [Essential](#) Corporate Purposes-1, not to exceed \$18,270,000.
 - (C) [Essential](#) Corporate Purposes-2, not to exceed \$11,825,000.
 - (D) [General](#) Corporate Purposes-3, not to exceed \$925,000.
 - (E) [General](#) Corporate Purposes-4, not to exceed \$965,000.
 - (F) [General](#) Corporate Purposes-5, not to exceed \$945,000.
 - (G) [General](#) Corporate Purposes-6, not to exceed \$910,000.
 - (H) [General](#) Corporate Purposes-7, not to exceed \$615,000.
 - (I) [General](#) Corporate Purposes-8, not to exceed \$940,000.
 - (J) [General](#) Corporate Purposes-9, not to exceed \$915,000.
 - (K) [General](#) Corporate Purposes-10, not to exceed \$985,000.

- (L) [General](#) Corporate Purposes-11, not to exceed \$665,000.
- (M) [General](#) Corporate Purposes-12, not to exceed \$790,000.
- (N) [General](#) Corporate Purposes-13, not to exceed \$465,000.
- (O) [General](#) Corporate Purposes-14, not to exceed \$640,000.

[\(Council Communication No. 06-205\)](#)

- 31. [On](#) Supplement No. B5 to the Governmental Lease-Purchase Master Agreement with Banc of America Leasing & Capital, LLC, for acquiring one Police vehicle and hardware and software enhancement to the City's Tidemark computer system, \$195,000, (4-24-06).

[\(Council Communication No. 06-179\)](#)

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- 32. [Approving](#) payment of \$1,509.13 to Ahlers, Cooney, Dorweiler, Haynie, Smith & Allbee, P.C. for bond counsel services related to Supplement No. B4 of the Master Lease Program.
- 33. [Approving](#) payment of \$87.50 to Ahlers & Cooney, P.C. for outside counsel specializing in the field of environmental law.
- 34. [Approving](#) employment of Hall & Associates to provide professional consultation and representation services related to the combined sewer system and combined sewer overflows related to the NPDES Permit at a fee not to exceed \$250 per hour, for a total fee not to exceed \$25,000.
- 35. [Approving](#) payment of \$3,786.50 to Myers & Jenkins for representation in the UAL Corporation, ATA Holdings Corp., Delta Air Lines, Inc., et al. (Comair, Inc.) and Northwest Airlines Corporation, et al. Bankruptcies.

CITY MANAGER COMMUNICATIONS

36. [Submitting](#) out-of-state travel requests for Mark Wessels, Chris Wellman, Robert Schulte, Maurice Cheatem, Debra Christopher, Richard Clark, Frank Cownie, Christopher Coleman, and William Stowe.

[\(Council Communication No. 06-199\)](#)

APPROVING

37. [Neighborhood](#) Finance Corporation Program changes in the Phase XI Private Placement Offering.

[\(Council Communication No. 06-204\)](#)

38. [Agreement](#) to commit funds to Community Housing Development Corporation for development of a single family home at 1317 Clark Street.

[\(Council Communication No. 06-203\)](#)

39. [Environmental](#) Certification and Request for the Release of Funds from the U.S. Department of Housing and Urban Development (HUD) for an Economic Development Initiative-Special Purpose (EDI-SP) Grant to Children and Families of Iowa.

[\(Council Communication No. 06-193\)](#)

40. [Grant](#) Agreements with HUD for awards to Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME) and Emergency Shelter Grant (ESG) funding and implementation of 2006 HUD Consolidated Plan for the period of January 1, 2006 to December 31, 2006.

[\(Council Communication No. 06-190\)](#)

- (A) [Reprogramming](#) of prior years Community Development Block Grant (CDBG) funding to balance Program Year (PY) 2006 funding shortfall.

[\(Council Communication No. 06-191\)](#)

41. [Predevelopment](#) Program Loan to RE Properties, LLC (Tim Rypa, Zack Eubank, Managing Members) for proposed renovations to 512-526 E. Grand Avenue, not to exceed \$12,125.

[\(Council Communication No. 06-189\)](#)

42. Authorizing the execution of Federal Aviation Administration AIP Grant Agreements for the following projects:

(A) [2006](#) Airport Noise Contour Update, \$147,500.

[\(Council Communication No. 06-198\)](#)

(B) [2006](#) Master Plan Update and Runway 13R-31L Benefit Cost Analysis, \$546,000.

[\(Council Communication No. 06-172\)](#)

43. [Budget](#) Revision Request for reallocation of funds from Project Safe Neighborhood Grant received in September 2003.

[\(Council Communication No. 06-175\)](#)

44. [Memorandum](#) of Understanding with Iowa Department of Natural Resources for U.S. Forest Service-Inner City Forestry “Revitalizing Neighborhood Forestry in Des Moines” Grant, \$35,000.

[\(Council Communication No. 06-200\)](#)

45. [Agreement](#) with Virginia Regan to preserve the City’s right to take a tax deed on the vacant lot at 1315 Harrison Avenue intended for redevelopment of housing.

[\(Council Communication No. 06-195\)](#)

46. [Professional](#) Services Contract with ETC Institute, (Olathe, KS), for development and implementation of the 2006 Citizen Satisfaction Survey, not to exceed \$10,500.

[\(Council Communication No. 06-181\)](#)

47. [Annual](#) renewal of Agreement with Employee and Family Resources, Inc. for provision of Employee Assistance Program services, \$24,000.

[\(Council Communication No. 06-196\)](#)

48. [Memorandum](#) on Continuing the Partnership between City of Des Moines and Cherkasy, Ukraine.

[\(Council Communication No. 06-194\)](#)

49. [Receipt](#) of 2005 Polk County Assessor Annual Report.
50. [Communication](#) from Downtown Community Alliance requesting approval on behalf of the Iowa Events Center to approve banner design for 30 banners in downtown Des Moines on Locust Street and Fifth Avenue during April and May.
51. [Exception](#) to procurement ordinance competitive bidding requirements, and approving payment of \$28,500 to Thorpe Water Development Company for emergency repair of sanitary sewer main at 2911 Capitol Street.

[\(Council Communication No. 06-202\)](#)

52. Bids from the following:
 - (A) [Optical](#) Systems Technology for night sight rifle scopes to be used by the Metro STAR Unit, per US General Services Administration (GSA) Schedule 84 Contract GS-07F-9099D, \$31,278.84.
 - (B) [Stivers](#) Ford for one replacement 11,000 GVW truck w/dump body to be used by the Park & Recreation Department Horticulture Maintenance Division, per State of Iowa Contract CT2963-06, \$27,256.

[\(Council Communication No. 06-201\)](#)

- (C) [Pomeroy](#) IT Solutions for CISCO Systems Network Equipment to upgrade the Police/Fire Mobile Data System, per State of Iowa Contract, \$26,280.
- (D) [Motorola](#) for radio communications equipment to upgrade the 911 Dispatch Center, per State of Iowa Contract, \$37,849.
- (E) [Des Moines Asphalt & Paving Co.](#) and [Grimes Asphalt & Paving Corp.](#) for an annual contract with two (2) additional one-year renewal options to furnish hot mix asphalt materials to be used by the Public Works Department, \$900,000. (Two bids mailed, two bids received).
- (F) [Action](#) Target for installation of a firing range target control system to be used by the Des Moines Police Academy, \$120,000. (Six bids mailed, two received).
- (G) [Brown](#) Traffic Products for item 3 on bid tabulation form, \$2,175; Leotek Electronics for items 1, 2, 4, 6 and 9 on bid tabulation form, \$30,080.64; General Traffic Controls for item 10 on bid tabulation form, \$7,712.64;

Transtar Inc. for items 5, 7, 8 and 11 on bid tabulation form, \$31,006.96; to be used by the Signal Shop. (Seven bids mailed, six received).

- (H) [Iowa](#) Outdoor Products for items 1 and 5 on bid tabulation form, \$46,800.71; TNT Landscaping for items 2 and 4 on bid tabulation form, \$63,300; Perficut Lawn & Landscape for item 3 on bid tabulation form, \$13,102.50; to be used at various City Park locations. (Twelve bids mailed, six received).

53. Civil Service Lists for the following:

- (A) [Entrance](#) List for Intermediate Clerk Typist, Senior Accountant, WRF Accounting and Inventory Coordinator, Police Officer, Housing Services Occupancy and Program Enforcement Administrator and Contractual Compliance Officer.
- (B) [Entrance](#) List for Custodial Worker and Wastewater Maintenance System Specialist and Promotional List for Police Major.

- 54. [Authorizing](#) Finance Director to draw checks on the registers for the weeks of April 10 and April 17, 2006 and to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of April 10 and April 17, 2006; and to draw checks for biweekly payroll due April 14, 2006.

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

ORDINANCES - FIRST CONSIDERATION

- 55. [Amending](#) Chapter 114 of the Municipal Code to add a school passenger loading and unloading area on 10th Street north of Walnut, adjacent to the downtown Walnut Street School building.

[\(Council Communication No. 06-167\)](#)

COMMUNICATIONS/REPORTS

- 56. [From](#) Lawrence Williams, 2513 Lexington Avenue, Kansas City, MO, to speak regarding ice cream trucks in Des Moines.

***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 57 THRU 69)

57. [On](#) the 17th Amendment to the Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area, to encourage redevelopment and revitalization of the Eastgate Commercial Center, Downtown and Neighborhood Retail Districts by providing tax abatement for improvements.

(A) ~~[Second](#) amendment to agreement with Eastgate Plaza, LLC for redevelopment of the Shops at Eastgate (northeast corner of E. 14th St. and Euclid Avenue).~~

[\(Council Communication No. 06-197\)](#)

58. [On](#) request from Fleur Properties, LLC for an amendment to the design standards of the approved PUD conceptual plan "Airport Crossroads Conceptual Plan" located west of Fleur Drive, north of County Line Rd., **(Plan and Zoning Commission recommends DENIAL)**.

(A) [Alternate](#) Resolution: To Approve Amendment.

59. [On](#) long term lease agreement with Federal Express Corporation for occupancy of newly constructed Cargo Building No. 32, ten-year term with two five-year options, \$204,336 annually plus maintenance and parking fees.

[\(Council Communication No. 06-208\)](#)

60. [On](#) conveyance of permanent easement for water main right-of-way and temporary easement for construction on south side of Locust Street between 2nd Avenue and the Des Moines River Bridge for Des Moines River Outfall and Overflow 2 Project to Board of Water Works Trustees, \$1.

61. [On](#) conveyance of remaining vacated east/west alley between 27th and 28th Streets, south of Cottage Grove, to Terri A. Fristo, \$50 and Pablo Cerda-Fernandez and Sara R. Cerda, \$75.

[\(Council Communication No. 06-184\)](#)

62. [On](#) 20-year License to Use City-Owned Property for installation, display and maintenance of a sculpture owned by the Des Moines Art Center in Long Look Garden, between City Hall and the Des Moines River.

[\(Council Communication No. 06-177\)](#)

63. [On](#) vacation and conveyance of City-owned street and alley rights-of-way located adjacent to 1101 E. 6th Street to Des Moines Independent School District, to correct scrivener's error.

(A) [First](#) consideration of ordinance above.

64. On request from Forget Properties L.L.C. to rezone property at 4411 SE 14th Street from "R1-70" (One-Family Low-Density Residential) to Limited "C-2" (General Retail and Highway-Oriented Commercial) to allow retail and commercial development with no allowance of residential use, subject to conditions.

(A) [Recommendation](#) from the Plan and Zoning Commission to revise the future land use designation from Low Density Residential to Commercial: Auto-Oriented Community Commercial.

(B) [Hearing](#) on rezoning.

(C) [First](#) consideration of ordinance above.

(D) [Final](#) consideration of ordinance above, (waiver requested by applicant), requires 6 votes.

65. On request from Dominic Formaro to rezone property at 3004 E. 38th Street from "R1-70" (One-Family Low-Density Residential) to "C-1" (Neighborhood Retail Commercial), subject to conditions.

(A) [Recommendation](#) from the Plan and Zoning Commission to revise the future land use designation from Low Density Residential to Commercial: Pedestrian-Oriented Neighborhood Node.

(B) [Hearing](#) on rezoning.

(C) [First](#) consideration of ordinance above.

(D) [Final](#) consideration of ordinance above, (waiver requested by property owner), requires 6 votes.

66. [On](#) Voluntary Annexation of approximately 10 acres of land in unincorporated Warren County, located west of County Highway R63 between Blue and Carpenter Streets, LeMar Koethe.

[\(Council Communication No. 06-207\)](#)

67. [On](#) 2005-06 Paving Program: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Grimes Asphalt & Paving Corporation, (J.M. Yonker, President), \$581,347.30.

[\(Council Communication No. 06-169\)](#)

- (A) [Approving](#) contract and bond and permission to sublet.

68. [On](#) Easter Lake Drive Turn Lane at Indianola Avenue: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Elder Corporation, (Jared R. Elder II, President), \$108,565.00.

[\(Council Communication No. 06-171\)](#)

- (A) [Approving](#) contract and bond and permission to sublet.

69. [On](#) SE 14th Street & Hartford Avenue Turn Lane Modifications: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Elder Corporation, (Jared R. Elder II, President), \$165,979.99.

[\(Council Communication No. 06-170\)](#)

- (A) [Approving](#) contract and bond and permission to sublet.

END HEARINGS AT _____ P.M.

APPROVING

70. [Job](#) description and salary range for the Des Moines Human Rights Commission Director.

71. [Use](#) Variance granted by the Board of Adjustment to Sonja Roberts to allow property at 696 18th Street to continue to be used for professional office use without an owner residing on the premise.

[\(Council Communication No. 06-210\)](#)

72. [Contract](#) with Wellmark Blue Cross and Blue Shield of Iowa (John Forsythe, CEO) for health insurance coverage for City employees with a retiree option July 1, 2006 through June 30, 2007.

[\(Council Communication No. 06-192\)](#)

EXTRA ITEMS

These extra items are filed after 5:00 P.M. on the Wednesday preceding a Council meeting and have been included upon the Amended Agenda by the City Clerk, with sponsorship of the Mayor or a City Council Member who shall deem the item of sufficient urgency to warrant immediate Council action - said statement of urgency from the City Manager and/or appropriate Department Director shall be placed on file with the City Clerk.

1. Request from Council Members Christine Hensley and Michael Kiernan to discuss the City's appointments to the Central Iowa Employment and Training Consortium, (CIETC) Board.

BOARD OF HEALTH

MOTION TO CONVENE.

AUTHORIZING

1. The Legal Department to proceed with court action for authority to abate the public nuisance at the following locations:
 - (A) [212](#) Arthur Avenue, Titleholder: Michael Ford.

- (B) [1615](#) Franklin Avenue, Titleholder: Anna M. Buckner.
- (C) [3017](#) Mahaska Avenue, Titleholders: Tammy Ewurs a/k/a Tammy Thoren and Richard Thoren.
- (D) [2422](#) Woodland Avenue, Titleholder: Carrie Oliver.
- (E) [1321](#) 5th Avenue, Titleholders: Shawn Foutch and Meg E. Foutch.
- (F) [1914](#) 8th Street (garage), Titleholders: Vern Scheuermann and Margaret Scheuermann.
- (G) [2412](#) SW 9th Street, Titleholders: Scott E. Thomas and Stephanie Thomas; Mortgage Holder: NSC Mortgage Services, LLC; Mechanic Lien Holder: John Irvin d/b/a Capitol City Painting Maintenance Contractor.
- (H) [1225](#) E. 12th Street, Titleholders: Peggy McGuigan, Mike McGuigan, Reike Plecas and Cassandra E. Plecas; Mortgage Holder: Cornerstone Credit Union.
- (I) [1423](#) 22nd Street, Titleholders: Travis L. Goodwin and Melisa Goodwin; Contract Buyer: William C. Lee; Mortgage Holder: Chase Home Finance Inc.
- (J) [718](#) SE 26th Court, Titleholder: Renea M. Fisher; Mortgage Holder: Caldwell Banker Mortgage.
- (K) [105](#) E. 29th Court, Titleholders: Dillayna D. Audas a/k/a Dillayna Thomas; Mortgage Holder: Ameriquet Mortgage Company.

2. The Engineering Department to cause the removal of the following structures:

- (A) [2808](#) Cottage Grove Avenue, Titleholders: Jack A. Stuart and Mary Stuart.
- (B) [2932](#) Dubuque Avenue, Titleholders: Dina Ross and Mary Ross.
- (C) [125](#) E. Olinda Avenue, Titleholders: Kevin Heglin and Paula Preston; Mortgage Holder: Bank One National Association, as Trustee.
- (D) [1512](#) 23rd Street, Titleholder, Rick Prettyman d/b/a Forest Avenue Renewal, Inc. (continued from 3-20-06).
- (E) [1548](#) 23rd Street (garage), Titleholder: Nathan Amadeo (continued from 3-20-06).

MOTION TO ADJOURN AT _____ P.M.



All-America City
1949 1976 1981 2003