

SUMMARY OF DES MOINES CITY COUNCIL MEETING

January 5, 1998 4:30 P.M.

SPECIAL PRESENTATIONS - 4:00 P.M.:

Award of Financial Reporting Achievement--

Government Finance Officers Association

Mary Jane Seidner - Budget Analyst

Mark Durham - City Comptroller

INVOCATION: Michael McPherson

Ward II Council Member

98-1 1. ROLL CALL: **Present: Daniels, Flagg, Hensley, McPherson, Phillips and Vlassis.**

98-2 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 6-0.**

98-3 3. APPROVING CONSENT AGENDA - items 3 through 74: **Moved by Hensley to adopt the balance of the Consent Agenda. Motion Carried 6-0.**

LICENSES AND PERMITS:

Approving

98-4 4. Communication from Legal Department regarding January 5, 1998 License and Permit Agenda. **Moved by Hensley to receive and file Motion Carried 6-0.**

Class "B" Beer Licenses

98-5 5. Ailien Nguyen dba A Dong Restaurant, 1905-07 Cottage Grove; Renewal - Expires 1-10-98 (With Sunday Sales) - Application submitted 12-10-97. **Moved by Hensley to adopt. Motion Carried 5-1. Nays: McPherson.**

98-6 6. Sparta Inc., James P. Frangos, President dba Coney Island #2, 3700 Southwest 9th Street; Renewal - Expires 1-20-98 - Application submitted 12-19-97. **Moved by Hensley to adopt. Motion Carried 5-1. Nays: McPherson.**

Class "C" Beer Licenses

98-7 7. Git N Go Convenience Stores, Inc., Dennis Flora, President dba Git N Go Store #24, 4200 University; Renewal - Expires 1-17-98 (With Sunday Sales) - Application submitted 12-19-97. **Moved by Hensley to adopt. Motion Carried 5-1. Nays: McPherson.**

WITHDRAWN 8. Krause Gentle Corporation, William A. Krause, President dba Kum & Go #552, 4944 Douglas; Renewal - Expires 1-26-98 (With Sunday Sales) - Application submitted 11-17-97.

98-8 9. La Cruz, Inc., Laura Cruz, President dba La Cruz, Inc., 4007 Southeast 13th Street; New Application (With Sunday Sales) - Application submitted 11-12-97. **Moved by Hensley to adopt. Motion Carried 5-1. Nays: McPherson.**

Class "E" Beer Licenses

98-9 10. Git N Go Convenience Stores, Inc., Dennis Flora, President dba Git N Go Store #27, 1240 Keo; Renewal - Expires 2-19-98 (With Sunday Sales) - Application submitted 12-15-97. **Moved by Hensley to adopt. Motion Carried 5-1. Nays: McPherson.**

98-10 11. Git N Go Convenience Stores, Inc., Dennis Flora, President dba Git N Go Store #18, 6501 Southeast 14th Street; Renewal - Expires 2-6-98 (With Sunday Sales) - Application submitted 12-11-97. **Moved by Hensley to adopt. Motion Carried 5-1. Nays: McPherson.**

98-11 12. American Drug Stores, Inc., Richard Davis, General Manager dba Osco Drug #533, 4415 Douglas; New Application (With Sunday Sales) - Application submitted 9-26-97. **Moved by Hensley to adopt. Motion Carried 5-1. Nays: McPherson.**

98-12 13. QuikTrip Corporation, Chester Cadieux, President dba QuikTrip #542, 865 42nd Street; Renewal - Expires 2-5-98 (With Sunday Sales) - Application submitted 12-11-97. **Moved by Hensley to adopt. Motion Carried 5-1. Nays: McPherson.**

98-13 14. QuikTrip Corporation, Chester Cadieux, President dba QuikTrip #524, 3030 Ingersoll; Renewal - Expires 2-2-98 (With Sunday Sales) - Application submitted 12-11-97. **Moved by Hensley to adopt. Motion Carried 5-1. Nays: McPherson.**

Class "C" Beer-Wine Licenses

98-14 15. Mr. V's Inc., Joseph Vivone, President dba Mr. V's, 206 Indianola Road; Renewal - Expires 1-21-98 - Application submitted 12-11-97. **Moved by Hensley to adopt. Motion Carried 5-1. Nays: McPherson.**

Class "A" Liquor Licenses

98-15 16. Highland Park American Legion Post, Bill Olsen, Commander dba American Legion Post #374, 3712 2nd Avenue; Renewal - Expires 1-14-98 - Application submitted 12-10-97. **Moved by Hensley to adopt. Motion Carried 5-1. Nays: McPherson.**

Class "B" Liquor Licenses

98-16 17. Des Moines International Partnership, Vincent Kopacek, Partner dba Best Western Airport Inn, 1810 Army Post Road; Renewal - Expires 1-10-98 (With Sunday Sales) - Application submitted 12-11-97. **Moved by Hensley to adopt. Motion Carried 5-1. Nays: McPherson.**

Class "C" Liquor Licenses

98-17 18. Christopher's Inc., Evelyn Giudicessi, President dba Christopher's Dining Room & Lounge, 2816 Beaver Avenue; Renewal - Expires 1-16-98 (With Sunday Sales) - Application submitted 12-11-97. **Moved by Hensley to adopt. Motion Carried 5-1. Nays: McPherson.**

98-18 19. Sharon K. Rushing dba Cheers, 2102 Southeast 14th Street; Renewal - Expires 1-10-98 (With Sunday Sales) - Application submitted 12-11-97. **Moved by Hensley to adopt. Motion Carried 5-1. Nays: McPherson.**

98-19 20. John E. McCaughey dba Johnny Mac's Lounge, 2301 Hubbell; New Application (With Sunday Sales) - Application submitted 12-12-97. **Moved by Hensley to adopt. Motion Carried 5-1. Nays: McPherson.**

Class "E" Liquor Licenses

98-20 21. Hy Vee, Inc., Ronald D. Pearson, President dba Hy Vee Food & Drugstore #4, 4707 Fleur Drive; Renewal - Expires 1-24-98 - Application submitted 12-12-97. **Moved by Hensley to adopt. Motion Carried 5-1. Nays: McPherson.**

98-21 22. American Drug Stores, Inc., Richard Davis, General Manager dba Osco Drug #533, 4415 Douglas Avenue; New Application submitted 9-26-97. **Moved by Hensley to adopt. Motion Carried 5-1. Nays: McPherson.**

Authorizing

98-22 23. City Clerk to issue Cigarette Licenses. **Moved by Hensley to adopt. Motion Carried 6-0.**

98-23 24. City Clerk to issue Coin-Operated Amusement Machine Licenses. **Moved by Hensley to adopt. Motion Carried 6-0.**

Gamerrooms

98-24 25. 215 Group L.C., Scott Formaro, President dba Energy Night Club, 215 East 2nd Street; Renewal - Expired 12-31-97 - Application submitted 12-2-97. **Moved by Hensley to adopt. Motion Carried 6-0.**

Refunds

98-25 26. City Treasurer to issue refunds. **Moved by Hensley to adopt. Motion Carried 6-0.**

Name Change

98-26 27. Communication from Betty Lloyd requesting permission to change name for Class "C" Liquor License No. LC-28848 and Cigarette License No. 97/98-17 from R & K Bar and Grill, 607 Southeast 30th Street to B & K Bar and Grill. **Moved by Hensley to adopt. Motion Carried 6-0.**

PUBLIC IMPROVEMENTS

98-27 28. Approving authorization to proceed with design and construction for Euclid Avenue and East 14th Street Detention Basin and Storm Sewer - \$1,481,000. ([Council Communication No. 98-004](#)). **Moved by McPherson to adopt. Motion Carried 6-0.**

29. Resolution Ordering Construction of the following:

98-28 (A) Waveland Lodge Air Conditioning, Receiving of Bids, (1-20-98), and Setting Date of Hearing, (1-26-98), (Construction Estimate - \$33,000). **Moved by Hensley to adopt. Motion Carried 6-0.**

98-29 (B) Waveland Lodge Restroom Renovation, Receiving of Bids, (1-20-98), and Setting Date of Hearing, (1-26-98), (Construction Estimate - \$65,000). **Moved by Hensley to adopt. Motion Carried 6-0.**

98-30 (C) Sherman Hill Historic Lighting - Phase I, (I.D.O.T. Agreement), Setting Date of Hearing, (1-19-98), (Construction Estimate - \$100,000). **Moved by Hensley to adopt. Motion Carried 6-0.**

98-31 30. Approving Permit (Underground Gas Utilities) from MidAmerican Energy Company to construct, maintain, operate, and remove Underground Gas Main and equipment, in conjunction with MidAmerican Energy Project/Blank Park Zoo. **Moved by Hensley to adopt. Motion Carried 6-0.**

98-32 31. Approving Hazard Mitigation Grant program administered by Iowa Emergency Management Division (IEMD), for obtaining federal/state financial assistance. **Moved by Hensley to adopt. Motion Carried 6-0.**

98-33 (A) Resolution to provide local matching funds for the Hazard Mitigation Program with Federal Emergency Management Agency (FEMA), in the amount of \$431,244 for the total project, or \$215,622 as the 50% of local match. **Moved by Hensley to adopt. Motion Carried 6-0.**

32. Report of the Chief Civil Engineer showing construction progress, amounts due and funding availability of the following:

98-34 (A) Fire Station No. 2 Reroofing, \$1,296.75 is now due and remaining balance of \$3,518.25 is to be paid at the end of 30 days. **Moved by Hensley to adopt. Motion Carried 6-0.**

98-35 (B) Fleur Drive Bridge over the Raccoon River and Railroad Bridge Deck Overlay, \$10,194.87 is now due and remaining balance of \$18,894.28 is to be paid at the end of 30 days. **Moved by Hensley to adopt. Motion Carried 6-0.**

98-36 (C) Martin Luther King Jr., Parkway Demolition Contract No. 1 East/West, \$8,322.25 remaining balance is now due and payable at the end of 30 days. **Moved by Hensley to adopt. Motion Carried 6-0.**

98-37 33. Approving partial payments on four public improvement projects. (Call City Clerk's Office for listing). **Moved by Hensley to adopt. Motion Carried 6-0.**

LAND/PROPERTY TRANSACTIONS

98-38 34. Warranty Deed and Offer to Purchase, 2512 Littell Avenue, from Michael Alan and Becky Russell, in conjunction with Airport Expansion - \$106,079. **Moved by Hensley to adopt. Motion Carried 6-0.**

98-39 35. Warranty Deed and Offer to Purchase, 6810 SW 16th Street, from Rogene A. Hollingsworth and Richard S. Hollingsworth, in conjunction with Airport Noise Compatibility Program, Phase I - \$57,149.40. **Moved by Hensley to adopt. Motion Carried 6-0.**

98-40 36. Quit Claim Deed granted to the Iowa Department of Transportation (IDOT) for property located at 63rd Street/SW 63rd Street from Raccoon River to Hickman. **Moved by Vlassis to defer to 1-19-98 for report from City Manager and Legal regarding future plans for widening 63rd Street north of University, and information regarding ownership of right-of-way property along 63rd Street. Motion Carried 6-0.**

98-41 37. Temporary Easement for Construction, Permanent Easement for Sanitary Sewer Right-of-Way, Compensation for Future Title Work and Tenant Contract in conjunction with Merle Hay Road Sanitary Sewer, North of Meredith Drive, from Mid-America Development Company,

Robert E. Savage and Stanley C. Verploeg, 5475 Meredith Drive - \$225. **Moved by Hensley to adopt. Motion Carried 6-0.**

98-42 38. Approving Subdivision Plat entitled SOMMERSET II in vicinity of S.E. 3rd & S.E. 5th, and ratifying action under resolution and Roll Call No. 97-965 of March 24, 1997. **Moved by Hensley to adopt. Motion Carried 6-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

98-43 39. Communication from James Johnson, Building Code and Board of Appeals requesting seat of John Pulley be declared vacant, due to residency. **Moved by Hensley to declare seat vacant. Motion Carried 6-0.**

98-44 40. Approving recommendation of Council Member At-Large George Flagg, for appointment of Klark Jessen to the Historic District Commission, to fill unexpired term of Bennett Webster to expire March 28, 1998 and a full three-year term to expire March 28, 2001. **Moved by Hensley to adopt. Motion Carried 6-0.**

98-45 41. Communication from Velma Turner submitting her resignation from the Public Housing Board, effective immediately. **Moved by Hensley to receive, file and accept with deep regret. Motion Carried 6-0.**

CITY PLAN COMMISSION RECOMMENDATIONS

98-46 42. Regarding Architectural Advisory Committee's recommendation for Airport Canopy Plan. **Moved by Hensley to receive and file. Motion Carried 6-0.**

98-47 43. Regarding request from Jodine Kingery, for sale of City property at 2822 E. 35th Street. **Moved by McPherson to adopt and refer to the City Manager and Legal Department for implementation. Motion Carried 6-0.**

SETTING DATE OF HEARINGS

98-48 44. On application from Curnes Homes Ltd., to rezone property at 1651 E. McKinley from "R1-80" (One Family Residential) to "R1-60" (One Family, Low Density Residential) and to find application in conformance with the Des Moines 2000 Land Use Plan, (1-19-98). **Moved by Hensley to adopt. Motion Carried 6-0.**

98-49 45. On appeal from Paul Santillan, 649 18th Street, regarding Historic District Commission Certificate of Appropriateness, (1-19-98). **Moved by Hensley to adopt. City Manager to provide transcript of Historic District commission meeting minutes regarding this appeal. Motion Carried 6-0.**

98-50 46. On application from Quik Trip for rezoning of 2330 E. 14th Street, from "R1-60" (One Family, Low Density Residential), to "C-1" (Neighborhood Retail Commercial) and to find this

in conformance with the Des Moines 2000 Land Use Plan, (1-19-98). **Moved by Hensley to adopt. Motion Carried 6-0.**

98-51 47. On application from Andrew Lee, to rezone property at 614 37th from "R1-60" (One Family, Low Density Residential) to "C-0" (Commercial Residential) and to find application in conformance with the Des Moines 2000 Land Use plan, (1-19-98), City Plan Commission recommends DENIAL. **Moved by Hensley to adopt. Motion Carried 6-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

98-52 48. Approving payment of \$13,500 to Denise Weir, Broadlawns Medical Center, and Attorney Maggie Moss for bodily injury and property damage resulting from an accident on December 9, 1996. **Moved by Hensley to adopt. Motion Carried 6-0.**

98-53 49. Approving payment of \$2,160 to Ahlers, Cooney, Dorweiler, Haynie, Smith & Allbee, P.C. in representing City in connection with development proposals with respect to the Airport Industrial Park areas. **Moved by Hensley to adopt. Motion Carried 5-1. Pass: Flagg.**

98-54 50. Approving payment of \$380 to Ahlers, Cooney, Dorweiler, Haynie, Smith & Allbee, P.C. for services relating to formation of the Hiatt Square Urban Renewal Area. **Moved by Hensley to adopt. Motion Carried 5-1. Pass: Flagg.**

CITY MANAGER COMMUNICATIONS

98-55 51. Submitting traffic regulation changes for the following, ([Council Communication No. 98-006](#)). **Moved by Hensley to receive, file and refer to Legal Department for preparation of proper legislation. Motion Carried 6-0.**

(1) Request for Bus Loading Zone by Day Care for Exceptional Children--South Side of Woodland Avenue at 24th Street

(2) Request for Corner Clearance--Intersection of Eighth and School Streets.

APPROVING

98-56 52. Communication from Downtown Partnership submitting banner design on behalf of the Civic Center of Greater Des Moines to be displayed on the twelve poles surrounding the Civic Center, March through June, to promote performance of Miss Saigon. **Moved by Hensley to approve banner design as submitted. Motion Carried 6-0.**

98-57 53. Approving the Public Housing Management Assessment Program (PHMAP) Scoring Results. ([Council Communication No. 98-009](#)). **Moved by Hensley to adopt. Motion Carried 6-0.**

98-58 54. Acceptance and consent to assignment and assumption under which Glenborough Properties L.P. will assume all obligations under Commercial Development Revenue Bonds (Capitol Center III Project), south of Walnut between E. 5th and E. 6th. **Moved by Hensley to adopt. Motion Carried 6-0.**

98-59 55. Amendment to Capitolview South Affordable Housing Program to allow Real Estate Commission for a Selling Agent to market and sell 819 SE 9th Street. ([Council Communication No. 98-012](#)) **Moved by Hensley to adopt. Motion Carried 6-0.**

WITHDRAWN

98-60 56. Amendment to Children and Families of Iowa Weed and Seed Tutoring Contract to extend from December 30, 1997 to September 30, 1998 and to reduce Personal Services by \$2,396 and increase Contract Services by \$2,396.

57. Bids for the following:

98-61 (A) Karl Chevrolet, (Ankeny, Karl Moyer, President) for a one-ton dump truck to be used by the Park and Recreation Department, \$23,715.68. (Seven bids mailed-two received). **Moved by Hensley to adopt. Motion Carried 6-0.**

98-62 (B) Low compliant bids for miscellaneous lawn equipment to be used by the Park and Recreation Department (Cemeteries and Golf Courses) from Tri-State West (Hugh Stafford, President), Great American Outdoor Co., Urbandale, IA), Club Car, Inc., Timothy Goranson, Manager). (Call City Clerk's Office for equipment and price breakdowns.) **Moved by Hensley to adopt. Motion Carried 6-0.**

98-63 (C) Pigott, Inc., (3815 Ingersoll, Richard Pigott, President) for Herman Miller office partitions and furniture to be used by Engineering for renovation of the City Clerk's Department. (State of Iowa Contract, Municipal Code Section 2-86(b), \$21,821.80. **Moved by Hensley to adopt. Motion Carried 6-0.**

98-64 (D) Dewey Ford, Inc., (444 East 4th Street, Mark Vukovich, President) for additional ten police patrol vehicles to be used by the Police Department due to funding from 1997 Law Enforcement Grant to change Purchase Order No. 68836 from 29 to 39 vehicles at an additional cost of \$203,370. **Moved by Hensley to adopt. Motion Carried 6-0.**

98-65 58. Receipt of Insurance for various City projects and functions for recording by the City Clerk. **Moved by Hensley to adopt. Motion Carried 6-0.**

98-66 59. Authorizing Finance Director to draw warrants on registers of January 9, 1998 and January 16, 1998; and the bills of the Des Moines Municipal Housing Agency for the weeks beginning January 5, 1998 and January 12, 1998, and the biweekly payroll due employees on January 16, 1998. **Moved by Hensley to adopt. Motion Carried 6-0.**

ORDINANCES - FINAL CONSIDERATION

98-67 60. Amending Chapters 7 and 23 of the Municipal Code regarding ownership and use of service dogs and assistive animals. **Moved by Hensley that this ordinance do now pass, [#13,551](#). Motion Carried 6-0.**

98-68 61. Amending Chapter 26 of the Municipal Code to provide exemption for governmental entities and agencies for license fee, insurance, and bond requirements for issuance of communications licenses. **Moved by Hensley that this ordinance do now pass, [#13,552](#). Motion Carried 6-0.**

98-69 62. On rezoning of property at 2009 E. 38th Court from "U-1" (Flood Plain) to "R1-60" (One Family, Low Density Residential). **Moved by Hensley that this ordinance do now pass, [#13,553](#). Motion Carried 6-0.**

98-70 63. Amending Chapter 2 of the Municipal Code regarding creation of a new Information Technology Department to replace the Data Processing Division of the Finance Department. **Moved by Hensley that this ordinance do now pass, [#13,554](#). Motion Carried 6-0.**

98-71 64. Amending Chapter 2 of the Municipal Code regarding duty of City board and commission members to abstain from participating in matters which the member has direct financial interest. **Moved by Hensley that this ordinance do now pass, [#13,555](#). Motion Carried 6-0.**

98-72 65. Amending Chapter 15 of the Municipal Code regarding increase in golf fee for Junior Badges for 1998, no other fee increases recommended for 1998. **Moved by Hensley that this ordinance do now pass, [#13,556](#). Motion Carried 6-0.**

98-73 66. On vacation of Franklin Avenue right-of-way west of Sixth Avenue, (Neighborhood Finance Corporation). **Moved by Hensley that this ordinance do now pass, [#13,557](#). Motion Carried 6-0.**

98-74 67. Amending Chapter 17 of the Municipal Code regarding nuisances subject to enforcement by administrative hearing procedure or civil action. **Moved by Hensley that this ordinance do now pass, [#13,558](#). Motion Carried 6-0.**

98-75 68. On rezoning of property at 614 SE Fourth Street, from "R1-60" (One-Family, Low Density Residential) to "M-1" (Light-Industrial). **Moved by Hensley that this ordinance do now pass, [#13,559](#). Motion Carried 6-0.**

98-76 69. On vacation of a portion of the Davis Avenue right-of-way in the vicinity of 2301 SW 9th Street. **Moved by Hensley that this ordinance do now pass, [#13,560](#). Motion Carried 6-0.**

98-77 70. On establishing the Southeast Airport Trunk Sewer System Benefited District. **Moved by Hensley that this ordinance do now pass, [#13,561](#). Motion Carried 6-0.**

ORDINANCES - SECOND CONSIDERATION

98-78 71. Amending Chapter 15 of the Municipal Code regarding creation and appointment of advisory committees to the City Park and Recreation Board, to allow residents and non-residents. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 5-1. Nays: Flagg.**

98-79 72. Amending Chapter 27 of the Municipal Code regarding the following traffic regulation changes. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 6-0.**

(1) Parking in respect to geographical layout of New Meredith Corporation Complex Area.

(2) To update list of Four-Way Stop Intersections.

98-80 73. Amending Chapter 27 of the Municipal Code to expand Parking Meter Districts from two to three. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 6-0.**

98-81 (A) Amending Chapter 27 of the Municipal Code realigning boundaries of the new Parking Meter Districts. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 6-0.**

98-82 74. Amending and expanding the Riverpoint Capitol-Center Development Area tax increment financing (TIF) district to include the Sixth Avenue Area. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 6-0.**

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

ORDINANCES - FIRST CONSIDERATION

98-83 75. Amending Chapter 8 of the Municipal Code regarding changes to the qualification of master and journeyman electricians, and to the present electrical code to allow schedule 40 PVC electrical service entrances under specific conditions. [\(Council Communication No. 98-010\)](#). **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 6-0.**

98-84 (A) Final consideration of ordinance above, (waiver requested by Community Development Department, Permit and Development Center), requires 6 votes. **Moved by Vlassis that the rule requiring that ordinances 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, [#13,562](#).**

Motion Carried 6-0.

COUNCIL REQUESTS

98-85 76. From Council Member at Large George E. Flagg regarding Capital Expenditures. **Moved by Vlassis to discuss, receive, file and refer to City Manager for a projection on costs of such projects and the affect on the City's bonding capacity, by the first meeting in February, (2-2-98). Motion Carried 5-1. Absent: Vlassis.**

98-86 77. Oral request of Mayor Preston Daniels to discuss annexation. **Moved by Hensley to discuss, and refer to City Manager to prepare an annexation proposal that is aggressive without going beyond our ability to fulfill obligations, including status and history of our last annexation process; all for a possible election this year. Motion Carried 6-0.**

HEARINGS (Opened at 5:37 P.M.) (Items 78 thru 80)

98-87 78. On Supplemental Agreement No. 5, to extend term of existing lease agreement to June 25, 2030, with U.S. Government Airport Leasehold, for the Iowa Air National Guard. ([Council Communication No. 98-005](#)). **Moved by Hensley to adopt. Motion Carried 6-0.**

98-88 79. Recommendation from City Plan Commission regarding amendments to the Des Moines 2000 Land Use Plan for 3300 E. Euclid Avenue. **Moved by McPherson to adopt. Motion Carried 6-0.**

98-89 (A) On application from B.J. Baker III, to rezone property at 3300 E. Euclid from R2-A (General Residential), U-1 (Flood Plain), and "C-2" (General Retail and Highway-Oriented Commercial) to a PUD, and approving Conceptual Plan GRANDVIEW PLAZA P.U.D., (continued from 12-22-97). **Moved by McPherson to adopt. Motion Carried 6-0.**

98-90 (B) First consideration of ordinance above. **Moved by McPherson that this ordinance be considered and given first vote for passage. Motion Carried 6-0.**

98-91 (C) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by McPherson that the rule requiring that ordinances 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, [#13,563](#). Motion Carried 6-0.**

98-92 80. On application from Dan Lyons to rezone property located at 1938 SE 6th Street from "C-1" Neighborhood Retail Commercial District to "C-1A" Neighborhood Commercial Reuse District. **Moved by Phillips to adopt. Motion Carried 6-0.**

98-93 (A) First consideration of ordinance above. **Moved by Phillips that this ordinance be considered and given first vote for passage. Motion Carried 6-0.**

* * END HEARINGS at 5:40 P.M. * *

APPROVING

98-94 81. Co-sponsorship with Salisbury House Foundation for submission of application to Iowa Department of Transportation for Transportation Enhancement Funds for Salisbury House Historic Restoration Project. ([Council Communication No. 98-002](#)). **Moved by Flag to approve. Motion Carried 6-0.**

98-95 82. Amended and Extended Lease Agreement with Central Construction and Demolition Recycling, Inc. to conduct landfill operations, (White Landfill No. 4) vicinity of 15th Street and Aurora Avenue. ([Council Communication No. 98-011](#)). **Moved by McPherson to adopt. Motion Carried 6-0.**

98-96 83. Final Design Plans provided by The Fred Nesbit Distributing Company, Inc. and Fitz-Gold, L.L.C. for Disposition Parcel No. 30A (vicinity of Mattern Avenue East of DeWolf Street-1901 DeWolf Street).([Council Communication No. 98-007](#)). **Moved by McPherson to adopt. Motion Carried 6-0.**

84. The following in conjunction with Redevelopment Proposal for Guthrie Avenue Business Park Urban Renewal Area; Houghton Properties-Disposition Parcel 10A (South of Thompson Avenue between vacated Dixon Court and Dixon Street-1900 Dixon Street), ([Council Communication No. 98-008](#)):

97-97 (A) Agreement to purchase land for private redevelopment. **Moved by McPherson to approve. Motion Carried 6-0.**

98-98 (B) Evidence of Financing and Final Design Plans. **Moved by McPherson to approve. Motion Carried 6-0.**

98-99 (C) Execution of Special Warranty Deed. **Moved by McPherson to approve. Motion Carried 6-0.**

98-100 85. Adoption of new Job Specifications for position of Right-of-Way Administrator, SPM Range 35, (continued from 12-22-97). (Council Communication No. 98-001). **Moved by Vlassis to adopt. Motion Carried 5-1. Nays: Flag.**

98-101 86. Appointment of Council Member Ward I, Thomas Vlassis, as Mayor Pro Tem for the 1998 Calendar Year, effective January 5, 1998. **Moved by Phillips to approve the recommendation of Mayor Daniels for the appointment hereinabove stated, until the first regular meeting of the City Council in January 1999, or as soon thereafter as possible. Motion Carried 6-0.**

87. Reappointment and salary recommendations for the following City Council employees:

98-102 (A) City Manager. **Moved by Vlassis to adopt effective January 1, 1998, including write down (forgiveness) of \$7,000 on current outstanding balance of relocation loan. Motion Carried 6-0.**

98-103 (B) Corporation Counsel. **Moved by Vlassis to adopt effective January 1, 1998. Motion Carried 6-0.**

98-104 (C) City Clerk. **Moved by Vlassis to adopt effective January 1, 1998. Motion Carried 6-0.**

98-105 88. Recommendation of City Manager and Corporation Counsel regarding Procedural Rule 11 of the City Council Rules. **Moved by McPherson to adopt the recommendation of the City Manager and Corporation Counsel that no change be enacted. Motion Carried 6-0.**

98-106 89. Reappointment of City Solicitors and Assistant City Attorneys. **Moved by McPherson to adopt. Motion Carried 6-0.**

98-107 90. Reappointment of Chief Deputy City Clerk. **Moved by McPherson to adopt. Motion Carried 6-0.**

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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.

98-108 1. Receipt of Water Works 1998 Budget and oral request of Mayor Daniels to discuss process to make Des Moines Water Works a City Department. SPONSOR: Mayor Daniels. **Moved by Flagg to receive and file the budget.**

98-109 (A) City Council discussion regarding operation and budget process of Des Moines Water Works. **Moved by Flagg to refer to City Manager and legal to prepare a report by January 19 on abolishing the Water Works Board and on moving the current Water Works operation into the City as a department, including a timeline for notice, and process to hold a City election.**

98-110 2. Oral request of Council Member Tom Vlassis, to discuss C.Q.I. team process to evaluate the City's Permit and Development process. SPONSOR: Vlassis. **Moved by Vlassis to discuss, and refer to City Manager and Legal for implementation. Motion Carried 6-0.**

98-111 3. Approving Class "C" Liquor License for The Embers, Inc., Richard J. Roush, Secretary dba Jesse's Embers, 3301 Ingersoll; New Application - Application submitted 12-31-97. SPONSOR: Flagg. **Moved by Hensley to adopt. Motion Carried 5-1. Nays: McPherson.**

A G E N D A

BOARD OF HEALTH

January 5, 1998

98-112 MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene as a Board of Health. Motion Carried 6-0.**

AUTHORIZING

1. Court authority to abate the public nuisance at the following locations:

98-113 (A) 1817 College, vacant, Titleholders: Steven Rottler, JoDee Rottler. **Moved by Vlassis to adopt. Motion Carried 6-0.**

98-114 (B) 1603 Lynn, vacant, Titleholder: Edith E. Johnson, Deceased, Heirs of Titleholder: Eugenia Key Griffith, Marjorie Russell, Delbert Russell; Legal Interest Holders: General Finance Loan Company a/k/a General Finance Corporation of Iowa n/k/a American General Finance, Inc., Becky Holtz, John Holtz. **Moved by Vlassis to adopt. Motion Carried 6-0.**

98-115 (C) 830 19th, vacant, Titleholders: James A. Farabi, Delores C. Farabi. **Moved by Vlassis to adopt. Motion Carried 6-0.**

98-116 (D) 1229 7th (Front) (vacant), Titleholder: Zachary M. Abild. **Moved by Vlassis to adopt. Motion Carried 6-0.**

98-117 2. Release of demolition cost reserve held under claim number 20G59577 regarding property known as 2808 Kingman owned by Robert S. Smiley, Jr. **Moved by Vlassis to adopt. Motion Carried 6-0.**

98-118 MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 7:30 P.M.**