

**SUMMARY OF DES MOINES CITY COUNCIL MEETING**  
**April 3, 2000 4:30 P.M.**

**PROCLAMATIONS - 4:00 P.M.:**

- (a) Administrative Professionals Week
- (b) Fair Housing Month
- (c) Helene Neville
- (d) Team In Training
- (e) Youth in Government Day
- (f) National Youth Service Day
- (g) Boys and Girls Club Week
- (h) Volunteer Week

**SPECIAL PRESENTATIONS - 4:00 P.M.:**

Reita Dumas - Traffic Safety Committee

**INVOCATION:** Pastor Dennis Coon, First United Methodist Church

00-895 1. ROLL CALL: **Present: Daniels, Brooks, Coleman, Flagg, McPherson, and Vlassis. Absent: Hensley.**

00-896 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by McPherson to adopt. Motion Carried 6-1.**

00-897 3. APPROVING CONSENT AGENDA - items 3 through 77: **Moved by McPherson to adopt the balance of the consent agenda. Motion Carried 6-1.**

**LICENSES AND PERMITS:**

Approving

00-898 4. Communication from Legal Department regarding April 3, 2000 License and Permit Agenda. **Moved by McPherson to receive and file. Motion Carried 6-1.**

Class "B" Beer Licenses

00-899 5. K O Restaurant, Inc., KO Xayavongvane, President dba Ko Restaurant, 1254 East 14th Street; Renewal - Expires 4-14-00 - Application submitted 2-22-00. **Moved by McPherson to adopt. Motion Carried 5-1-1. Nays: Flagg. Absent: Hensley.**

Class "C" Beer Licenses

00-900 6. William A. Tegeler, Inc., Robert F. Tegeler, President dba Army Post Amoco, 849 Army Post Road; Renewal - Expires 4-19-00 (With Sunday Sales) - Application submitted 3-20-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-901 7. Coastal Mart, Inc., Dan J. Hill, President dba Coastal Mart #1028, 3625 Ingersoll; Renewal - Expires 4-29-00 (With Sunday Sales) - Application submitted 2-11-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-902 8. Coastal Mart, Inc., Dan J. Hill, President dba Coastal Mart #1060, 5901 Fleur Drive; Renewal - Expires 4-29-00 (With Sunday Sales) - Application submitted 2-11-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-903 9. Coastal Mart, Inc., Dan J. Hill, President dba Coastal Mart #1087, 1516 Southeast 1st Street; Renewal - Expires 4-29-00 (With Sunday Sales) - Application submitted 2-11-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-904 10. Git N Go Convenience Stores, Inc., Dennis Flora, President dba Git N Go #1, 3725 Hubbell; Renewal - Expires 4-30-00 (With Sunday Sales) - Application submitted 2-11-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-905 11. Git N Go Convenience Stores, Inc., Dennis Flora, President dba Git N Go #5, 2716 Indianola; Renewal - Expires 4-24-00 (With Sunday Sales) - Application submitted 2-11-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-906 12. Kwik Shop, Inc., Harry Waguespack, President dba Kwik Shop #556, 2930 Hickman; Renewal - Expires 4-23-00 (With Sunday Sales) - Application submitted 3-20-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-907 13. Jasjit Singh Nat dba Nat Food Mart, 3804 Hubbell Avenue; New Application (With Sunday Sales) - Application submitted 3-7-00. **Moved by McPherson to adopt. Motion Carried 5-1-1. Nays: Flagg. Absent: Hensley.**

00-908 14. Phrasimmaly Philavanh dba New Oriental Food Store, 515 East Grand; Renewal - Expires 4-6-00 (With Sunday Sales) - Application submitted 2-22-00. **Moved by McPherson to adopt. Motion Carried 5-1-1. Nays: Flagg. Absent: Hensley.**

00-909 15. QuikTrip Corporation, Chester Cadieux, President dba QuikTrip #559, 5701 Fleur Drive; Renewal - Expires 4-18-00 (With Sunday Sales) - Application submitted 2-28-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

Class "B" Wine Licenses

00-910 16. Coastal Mart, Inc., Dan J. Hill, President dba Coastal Mart #1028, 3625 Ingersoll; Renewal - Expires 4-29-00 - Application submitted 2-11-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-911 17. Coastal Mart, Inc., Dan J. Hill, President dba Coastal Mart #1087, 1516 Southeast 14th Street; Renewal - Expires 4-9-00 - Application submitted 2-11-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-912 18. Git N Go Convenience Stores, Inc., Dennis Flora, President dba Git N Go #5, 2716 Indianola; Renewal - Expires 4-24-00 - Application submitted 2-11-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-913 19. QuikTrip Corporation, Chester Cadieux, President dba QuikTrip #559, 5701 Fleur Drive; Renewal - Expires 4-18-00 - Application submitted 2-28-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

#### Class "C" Beer-Wine Licenses

00-914 20. Java Joe's Coffee House, Inc., Cyndy Coppola, Owner dba Java Joes Coffee House, 214-216 4th Street; Renewal - Expires 4-15-00 (With Sunday Sales) - Application submitted 3-10-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-915 21. Taylor WS, Inc., Ricci Silvestrini, President dba Silvestrini's Pizza, 3015 Merle Hay Road #1; Renewal - Expires 4-20-00 (With Sunday Sales) - Application submitted 3-7-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

#### Class "C" Liquor Licenses

00-916 22. F.B.M., Inc., Frank A. Baedaro, President dba Alpine Tap Room, 2720 Ingersoll; Renewal - Expires 4-20-00 - Application submitted 2-11-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-917 23. Plik Corporation, Michael E. Hines, President dba Greenwood Lounge, 3707 Ingersoll; Renewal - Expires 4-23-00 - Application submitted 3-14-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-918 24. Iowa Cubs Club of Des Moines, Michael Gartner, Chairman dba Iowa Cubs Club of Des Moines, 350 Southwest 1st Street; Renewal - Expires 4-8-00 (With Sunday Sales and Outdoor Service) - Application submitted 3-3-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-919 25. Denny L. Ray dba Looney Toons, 210 Indianola Rd; New Application (excludes Outdoor Service) - Application submitted 2-21-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-920 26. Double R. Sports, Inc., DaLynn P. Williams, President dba R & R Lounge, 1018 E. 12th Street; New Application (With Sunday Sales) - Application submitted 3-20-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-921 27. Service America Corporation, John T. Dee, President dba Sec Taylor Stadium, 350 Southwest 1st Street; New Application (With Sunday Sales and Outdoor Service) - Application submitted 3-20-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

#### Class "E" Liquor

00-922 28. Hy-Vee Inc., Ronald D. Pearson, President dba Hy Vee #3, 3221 Southeast 14th Street; Renewal - Expires 4-20-00 - Application submitted 2-24-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-923 29. Service America Corporation, John T. Dee, President dba Sec Taylor Stadium, 350 Southwest 1st Street; New Application - Application submitted 3-20-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

#### Outdoor Service

00-924 30. Peggy's Tavern, Inc., Mike Simpson, Treasurer dba Peggy's Tavern, 3020 Forest, requesting permission for temporary outdoor service on 4-27-00 thru 4-30-00 for Drake Relays. Subject to submission of acceptable building, electrical, and fire inspections. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-925 31. Michael Kelly dba West End Lounge, 2309 Forest, requesting temporary outdoor service on 4-26-00 thru 4-30-00 for Drake Relays. Subject to submission of acceptable fire inspections. **Moved by McPherson to adopt. Motion Carried 6-1.**

#### Authorizing

00-926 32. City Clerk to issue Cigarette Licenses. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-927 33. City Clerk to issue Coin-Operated Amusement Machine Licenses. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-928 34. City Treasurer to issue refunds. **Moved by McPherson to adopt. Motion Carried 6-1.**

### **PUBLIC IMPROVEMENTS**

00-929 35. Resolution Authorizing Mailing and Publication of Notice of Intent to Continue a Previously Approved Public Improvement Project to construct Grandshire Area Sanitary Sewer, to acquire property for the project, and Setting Date of Hearing, (5-15-00). **Moved by Brooks to adopt. Motion Carried 6-1.**

36. Resolution Ordering Construction of the following:

00-930 (A) Outdoor Warning Siren Replacement, Receiving of Bids, (4-18-00), and Setting Date of Hearing, (4-24-00), (Construction Estimate - \$300,000). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-931 (B) E. Euclid Avenue Detention Basin and Storm Sewer, Receiving of Bids, (4-20-00), and Setting Date of Hearing, (5-1-00), (Construction Estimate - \$3,594,096). **Moved by McPherson to adopt. City Manager to contact D.O.T. regarding placement of signals at E. 14th and Douglas. Motion Carried 6-1.**

00-932 (C) M. L. King, Jr. Parkway/Southwest Outfall Sewers, Receiving of Bids, (4-20-00), and Setting Date of Hearing, (5-1-00), (Construction Estimate - \$2,319,617.03). **Moved by Coleman to adopt. Council requests future fact sheets on M. L. King Jr. Parkway, reflect budget information. Motion Carried 6-1.**

00-933 37. Approving Supplemental Agreement No. 1 with Veenstra & Kimm, Inc., (H.R. Veenstra, Jr., President) for design services in conjunction with Combined Sewer Overflow Metering Installation not to exceed \$44,200. ([Council Communication No. 00-138](#)). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-934 38. Approving Private Construction Agreement between Chas Goering Plumbing, Inc., (Kenneth R. Goering, President, DM, Contractor,) and Systems Capital Inc., (Joseph R. Thomas, Vice Pres, Bloomington, MN, Owner) for construction of Storm Sewer Improvements in the west border area of 30th Street, south of Forest Avenue, to service the McDonald's Restaurant at 3002 Forest Avenue. **Moved by McPherson to adopt. Motion Carried 6-1.**

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

00-935 (A) E. University Avenue at Williams Street Intersection Improvements, Eco-Tech Contractors, Inc., \$1,197.39 remaining balance is now due and payable at end of 30 days. (IDOT) **Moved by McPherson to adopt. Motion Carried 6-1.**

00-936 (B) Franklin Avenue Library Renovation, Bergstrom Construction, \$1,343.87 is now due and \$10,128.60 remaining balance is due and payable at end of 30 days. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-937 (C) SW 22nd Street Levee Crossing at Fleur Drive, Eco-Tech Contractors, Inc., \$279.30 is now due and \$2,237.53 remaining balance is due and payable at end of 30 days. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-938 39-I Approving partial payments on four public improvement projects. (Call City Clerk's Office for listing). **Moved by McPherson to adopt. Motion Carried 6-1.**

## **SPECIAL ASSESSMENTS**

00-939 40. Approving Delinquent Sewer Rental and/or Solid Waste/ Stormwater Utility Fees for the month of March, 2000, for certification to Polk County Treasurer, (call the City Clerk's office for list). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-940 41. Authorizing Assessment clerk to correct Delinquent Solid Waste/Stormwater Utility and/or Sewer Rental Credits Schedule, for March, 2000. **Moved by McPherson to adopt. Motion Carried 6-1.**

## **LAND/PROPERTY TRANSACTIONS**

00-941 42. Approving Establishing Fair Market Value and authorizing Acquisition of Property in conjunction with the Indianola Avenue Connector Project from Allen Management Corporation, 25 Dunham Avenue - \$365,000. **Moved by McPherson to adopt. Motion Carried 4-2-1. Nays: Flagg and Brooks. Absent: Hensley.**

00-942 43. Approving Establishing Fair Market Value and authorizing acquisition of property for the Allied Insurance Campus Project within the Riverpoint Capitol-Center Development Area Urban Renewal Project. **Moved by Coleman to adopt. Motion Carried 5-1-1. Nays: Flagg. Absent: Hensley.**

00-943 44. Agreement with the City of Des Moines, Polk County, David Wetsch and West Summit Developers, Ltd., to reissue condemnation check to West Summit Developers, Inc. (property owners agree to resolve the title issues), for property at 3800 Army Post Road. ([Council Communication No. 00-129](#)). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-944 45. Accept Quit Claim Deed and Release for Mineral Rights in conjunction with relocation of Army Post Road, Extension of Runway 5/23, Relocation of Highway 28 and various other Airport purposes, from Burlington Northern and Santa Fe Railway Company, area south of Army Post Road - \$2,500. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-945 46. Permanent Easement for Storm Sewer Right-of-Way, Temporary Easement for Construction and Future Title Work Compensation in conjunction with E. Euclid Avenue Detention Basin Project, from General Manufacturing Co., and Goodyear Tire & Rubber Company, 1600 Euclid Avenue - \$29,593. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-946 47. Approving Final Subdivision Plat entitled Southern Meadows Plat 2 in vicinity north of Indianola Avenue and east of SE 6th Street. ([Council Communication No. 00-128](#)). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-947 48. Approving Final Subdivision Plat entitled Three Lakes Estates Plat 3 in vicinity east of Three Lakes Parkway and south of East Army Post Road. ([Council Communication No. 00-130](#)). **Moved by Brooks to defer action to April 24, 2000. Motion Carried 6-1.**

## **BOARDS/COMMISSIONS/NEIGHBORHOODS**

00-948 49. Official recognition of the Merle Hay Neighborhood Association. ([Council Communication No. 00-122](#)). **Moved by Vlassis to approve. Motion Carried 6-1.**

00-949 (A) Neighborhood Revitalization Board recommendation. **Moved by Vlassis to receive and file. Motion Carried 6-1.**

00-950 50. Appointment recommendation from At Large Council Member Chris Coleman to the Des Moines Traffic Safety Committee of Mark Barkley for a three-year term (commencing in 1999) to expire December 31, 2002. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-951 51. Approving recommendation of At Large Council Member Chris Coleman, for appointment of Tim J. Gracey, to the Des Moines Access Advisory Board, four-year term to expire June 15, 2004. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-952 52. Appointment recommendation from Council Member Mike McPherson, Ward II, to the Des Moines Commission on Human Rights of Ralph Fetters, Jr. for a three year term (commencing in 1999) to expire April 8, 2002. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-953 52-I Approving recommendation of Mike McPherson, for appointment of Charles (Chuck) G. Bloyer, to the Zoning Board of Adjustment, five-year term to expire April 4, 2005. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-954 53. Reappointment recommendation from At Large Council Member George E. Flagg, to the Electrical Board of Examiners for Charles Meier, two-year term to expire April 1, 2002. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-955 54. Reappointment recommendation of At Large Council Member George E. Flagg to the Des Moines Traffic Safety Committee for Johanna Schmitt for a three-year term (commencing in 1997) to expire December 31, 2000 **Moved by McPherson to adopt. Motion Carried 6-1.**

00-956 55. Reappointment recommendation of At Large Council Member George E. Flagg to the Board of Plumbing Examiners for Joe Miklus for a two-year term (commencing in 1999) to expire April 2, 2001. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-957 56. Resignation from Andy Vilks from the Neighborhood Revitalization Board effective immediately. **Moved by McPherson to receive, file and accept the resignation with appreciation for service. Motion Carried 6-1.**

00-958 57. Resignation from Maxine Bechtel from the Des Moines Commission on Human Rights effective immediately. **Moved by McPherson to receive, file and accept the resignation with appreciation for service. Motion Carried 6-1.**

## **STREET CLOSINGS**

00-959 58. Approving closure of the following City Streets. **Moved by McPherson to approve the street closures listed, and approve any street closures continued to a future date, necessitated by inclement weather, upon approval of the City Clerk; and approve waiver of fees for item (2). Motion Carried 6-1.**

(1) Torchlight Foundation, Preston Muhammad, 2105 Forest Avenue, requesting permission to close 21st Street from 1404 21st Street to Forest Avenue on Saturday, April 29, 2000 (Rain Date of May 6, 2000), from 1:00 P.M. to 7:00 P.M. for a community block party to celebrate the Year of the Family.

(2) Woodland Heights Organization, George Nichols, 2608 Woodland Avenue, requesting permission to close Pleasant Street at 25th Street and 24th Street northbound at Woodland Avenue on Saturday, May 6, 2000, from 7:00 A.M. to 12:00 Noon for Neighborhood SCRUB day and request for waiver of all fees.

(3) Drake Relays On The Road, Al Gross, 5407 SW 20th Street, requesting permission to close 25th Street from Carpenter Avenue to just south of Forest Avenue on Saturday, April 29, 2000, from 8:00 A.M. to 11:00 A.M. for finish line of 8K and Half Marathon Race.

(4) Iowa Cubs, Sam Bernabe, 350 SW 1st Street, requesting permission to close S.W. 1st Street from south end of bridge at intersection of SE 1st and Scott Street to Y intersection at S.W. 1st Street and Riverside Drive on Friday, April 7, 2000 and Saturday, April 8, 2000 from approximately 10:00 P.M. to 10:08 P.M. for after game fireworks display. Subject to submission of approval by Fire Department.

00-960 59. Approving exception regarding length of time request from Randa LaJeune, representing Sherman Hill Association, 755 20th Street, request to close 20th Street from 6:00 A.M. until 6:00 P.M. on Saturday, May 6, 2000 (Rain Date of May 13, 2000) for a Neighborhood SCRUB Day and request for waiver of fees. **Moved by Vlassis to approve the street closures listed, and approve any street closures continued to a future date, necessitated by inclement weather, upon approval of the City Clerk; and approve waiver of all fees. Motion Carried 6-1.**

60. NUMBER NOT USED.

#### **SETTING DATE OF HEARINGS**

00-961 61. On proposed vacation of a portion of the Mulberry Street right-of-way between 13th and 16th Streets, (4-17-00). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-962 62. On proposed vacation of a portion of the Army Post Road right-of-way east of SW 42nd Street, for inclusion in the Airport grounds, (4-17-00). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-963 63. On recommendation for approval of application from Capitol Park Neighborhood Association for rezoning from "R-3" (Multiple Family Residential) to "R1-60" (One Family,



Low Density Residential) for properties in the general vicinity between Cleveland Avenue to Interstate 235 and E. Riverside Drive to E. 14th Street, to decrease residential densities in accordance with proposed "Capitol Park Neighborhood Action Plan", excluding block from 9th to 12th Streets, Garfield to University Avenue, (4-24-00). **Moved by McPherson to set hearing date for 4-24-00. Motion Carried 6-1.**

#### **LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS**

00-964 64. Approving payment of \$4,896.01 to Brown, Winick, Graves, Baskerville, Schoenebaum, P.L.C. for representation of Jeffrey Aldrich and Judy Stanley in Smithson, et al. v. City of Des Moines. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-965 65. Approving payment of \$178 to Davis, Brown, Koehn, Shors & Roberts, P.C. for representation of Debra Richardson and Michael McBride in Smithson, et al. v. City of Des Moines. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-966 66. Approving payment of \$1,376.64 to George LaMarca of LaMarca & Landry, P.C. for representation of Officer Greg Dickel in case of Thomas, et al. v. Dickel, et al., Case No. CL 73934. **Moved by McPherson to approve payment. Motion Carried 6-1.**

00-967 67. Approving payment of \$24,385.20 to Austin W. Herrick for payment of Workers' Compensation Claim for injury in course and scope of employment. **Moved by McPherson to adopt. Motion Carried 6-1.**

#### **CITY MANAGER COMMUNICATIONS**

00-968 68. Submitting traffic regulation changes as follows, ([Council Communication No. 00-123](#)). **Moved by McPherson to receive, file and refer to Legal Department for preparation of proper legislation. Motion Carried 6-1.**

(1) Corner Clearance Parking Restriction - West Side of Mar Ella Trail South of Franklin Avenue.

(2) Corner Clearance Parking Restriction - West Side of East 17th Court South of Kinsey Avenue and North Side of Kinsey Avenue East of East 17th Court.

00-969 69. Submitting out-of-state travel requests for Michael Armstrong, Garey Bryan, Richard Glade, David Seybert, Dave Knutzen, Dave Burford, Dennis Allen, Robert Utter, Loren Lodge and Council Member Mike McPherson. ([Council Communication No. 00-125](#)). **Moved by McPherson to adopt. Motion Carried 6-1.**

#### **APPROVING**

00-970 70. Approving City of Des Moines Legislative Update for the 78th Iowa General Assembly (Report available on Monday). **Moved by McPherson to receive and file the report. Motion Carried 6-1.**

00-971 71. Tax Abatement applications for additional value added by improvements made during 1999 for two properties located at 1330 E. University Avenue and 2321 - 33rd Street. ([Council Communication No. 00-136](#)). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-972 72. Designating Spectrum Resources, Inc., (Jerald Brantley, Executive Director), as a Community Housing Development Organization, (CHDO), for HOME Funding. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-973 73. Police Department grant application to the Governor's Alliance on Substance Abuse, for continuation of the "Youth at Risk" program. ([Council Communication No. 00-121](#)). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-974 (A) Police Department Grant Application to the Governors Alliance on Substance Abuse, to continue the "Rock In Prevention" program at 15 Des Moines Schools. ([Council Communication No. 00-139](#)). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-975 74. Gray's Lake Park Donated Construction Services Agreement. ([Council Communication No. 00-126](#)). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-976 75. Low compliant bid awarded to Elliott Equipment Company, (NW 54th Avenue, Gene Elliott, President) for eight (8) replacement refuse compaction truck bodies to be used by the Public Works Department (Solid Waste), \$257,401. ([Council Communication No. 00-124](#)). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-977 76. Authorizing Finance Director to draw checks on register of April 7, 2000, and to draw checks for the bills of the Des Moines Municipal Housing Agency for the week beginning April 3, 2000, and to draw checks for biweekly payroll due employees on April 7, 2000. **Moved by McPherson to adopt. Motion Carried 6-1.**

#### **ORDINANCES - FINAL CONSIDERATION**

00-978 77. On amending the prior ordinances creating the separate tax increment financing (TIF) districts for the Riverpoint Capitol-Center Development Area and the Capitol-Center Development Area Urban Renewal Projects to merge the two TIF districts into a single TIF district for the Metro Center Urban Renewal Project. **Moved by Vlassis to defer for 2 weeks; City Manager to give status report on this development area and others in the City. Motion Carried 6-1.**

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

#### **ORDINANCES - FIRST CONSIDERATION**

00-979 78. To allow refund of building, electrical, mechanical and plumbing permit fees for emergency repair work funded, in part, with grants from the Federal Home Loan Bank Affordable Housing Program. ([Council Communication No. 00-120](#)) **Moved by Flagg that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**

00-980 (A) Final consideration of ordinance above, (waiver requested by Community Development Director), requires 6 votes. **Moved by Flagg 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, [#13,807](#). Motion Carried 6-1.**

00-981 79. Amending Chapter 8 of the Municipal Code--to include exception which would allow Electrical Board to reinstate individuals whose license and certificates of competency have expired, without re-examination. ([Council Communication No. 00-131](#)). **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Failed 2-3-1-1. Yeas: Brooks and Vlassis. Nays: Daniels, Coleman, and McPherson. Pass: Flagg. Absent: Hensley.**

00-982 80. Amending Chapter 15 of the Municipal Code regarding Blank Park Zoo fees for 2000. ([Council Communication No. 00-127](#)). **Moved by Brooks that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**

00-983 (A) Final consideration of ordinance above, (waiver requested by Parks and Recreation Department), requires 6 votes. **Moved by Brooks 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, [#13,808](#). Motion Carried 6-1.**

## COUNCIL REQUESTS

00-984 81. Request from Mayor Daniels, to discuss the City's Cable TV Channel and our ability to develop programming utilizing City staff. **Moved by Vlassis to discuss and refer to the City Manager for a recommendation to purchase the necessary equipment--present the Council with two proposals--for the entire package or for a scaled-down version. Motion Carried 6-1.**

**\*\*Council considered Hearing Items 88 and 89 next\*\***

00-985 82. Request from Council Member McPherson, to rename a vacated portion of E. 18th Street south of Guthrie as "Moss Drive". **Moved by McPherson to discuss and approve the honorary naming of the street, authorize the City to provide signage, and to arrange a ceremony to dedicate the naming to Moss Drive. Motion Carried 6-1.**

## COMMUNICATIONS/REPORTS

00-986 83. From Southside Revitalization Partnership, regarding their organization and planned activities. **Moved by Brooks to grant the request to speak. Motion Carried 5-2. Absent: Hensley and McPherson.**

00-987 84. From Laurel Hill Neighborhood Task Force, requesting to speak regarding property at 126 SE 33rd Court. **Moved by Brooks to receive, file and grant the request to speak; refer to City Manager and Legal for review and recommendation. CCI and the City to join forces to address the issue of contract sales. Motion Carried 6-1.**

00-988 85. From John and Lori Leporte, 4525 SE 16th Street, regarding Grandshire Sanitary Sewer Project. **Moved by Brooks to receive, file and grant the request to speak; refer to City Manager and City Engineer to perform analysis of systems in the area to determine feasibility of removing their section from the proposed project. Motion Carried 6-1.**

**\*\*Council considered Extra Item 1 next\*\***  
**\*\*Council Member Flagg left the meeting at 6:25 P.M.\*\***

00-989 86. From Peter R. Pacha, 1726 E. Walnut, regarding responsibility of renters. **Moved by Brooks to receive, file and refer to City Manager and Legal. Motion Carried 5-2. Absent: Flagg and Hensley.**

00-990 87. From Francis E. Cumpton Jr, (Pres.), Valley High Manor Neighborhood Association, requesting two outlots be renamed "Nellie M. Stewart Park". **Moved by Brooks to refer to Park Board for review and recommendation. Motion Carried 5-2. Absent: Flagg and Hensley.**

#### **HEARINGS (Opened at 5:38 P.M.) (Items 88 and 89)**

00-991 88. On Plan and Zoning Commission recommendation to approve request from Samann, L.C., represented by Steven R. Smith, to rezone property at 3400 6th Avenue from "R1-60" (One Family, Low Density Residential District) to "C-1" (Neighborhood Retail Commercial District), with the condition that the applicant landscape and beautify the property and agree not to extend parking into the adjoining residentially zoned property. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-992 (A) First consideration of ordinance above. **Moved by McPherson that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**

00-993 (B) 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, [#13,809](#). Motion Carried 6-1.**

00-994 89. On appeal from Christopher Coleman, 1216 West Street, regarding Administrative Hearing Officer's vicious animal declaration. **Moved by Vlassis to uphold the declaration. Motion Carried 5-1-1. Nays: Brooks. Absent: Hensley.**

**\* \* END HEARINGS at 5:52 P.M. \* \***

**\*\*Council considered Item 82 thru 87 and balance of agenda next\*\***

## **CITY MANAGER RECOMMENDATIONS**

00-995 90. Recommendation from City Manager for the restructuring of the City of Des Moines' Boards and Commissions. ([Council Communication No. 00-132](#)) **Moved by Vlassis to approve and refer to Legal for preparation of proper legislation. Motion Carried 5-2. Absent: Flagg and Hensley.**

00-996 (A) City Council discussion regarding scheduling of City Council meetings for 2001, and coordination of this schedule with the City's Board and Commissions scheduling. **Moved by Coleman to refer this to the Team Owners of the City Council Agenda Team, for review and recommendation regarding scheduling of meetings for 2001. Motion Carried 4-1-2. Nays: Brooks. Absent: Hensley and Flagg.**

## **APPROVING**

00-997 91. Adoption of Municipal Housing Agency Improvement Plan for submission to HUD. ([Council Communication No. 00-133](#)). **Moved by Vlassis to approve. Motion Carried 5-2. Absent: Flagg and Hensley.**

00-998 92. City of Des Moines Municipal Housing Agency Five-year and One-year plan for submission to HUD. ([Council Communication No. 00-134](#)). **Moved by Brooks to approve. Motion Carried 5-2. Absent: Flagg and Hensley.**

00-999 93. Municipal Housing Agency's Office Warehouse and Maintenance Facility Plan. ([Council Communication No. 00-135](#)). **Moved by Brooks to approve. Motion Carried 4-1-2. Nays: Vlassis. Absent: Flagg and Hensley.**

00-1000 94. Des Moines Area Metropolitan Planning Organizations's (MPO's) proposed Fiscal Year 2001 Unified Planning Work Program and Budget. ([Council Communication No. 00-137](#)). **Moved by Brooks to adopt. Motion Carried 5-2. Absent: Flagg and Hensley.**

\* \* \* \* \*

## **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.**

00-1001 1. Request of Council Member George Flagg, to discuss a proposed meat plant in Southeast Des Moines. SPONSOR: Flagg. **Moved by Flagg to receive, file and discuss. The**

**Council can take no action on a proposal until it has been reviewed in accordance with the Good Neighbor Policy adopted by the Council. Motion Carried 6-1.**

**00-1002 MOTION TO ADJOURN. Moved by Vlassis to adjourn at 6:54 P.M. Motion Carried 5-2. Absent: Flagg and Hensley.**

***DES MOINES-CITY OF SKYWALKS***