

SUMMARY OF DES MOINES CITY COUNCIL MEETING

May 4, 1998 4:30 P.M.

PROCLAMATIONS - 4:00 P.M.:

Bob Bixby Day

INVOCATION: Father Bob Harris, St. Anthony's Catholic Church

98-1346 1. ROLL CALL: **Present: Daniels, Coleman, Flagg, Hensley, McPherson, Phillips and Vlassis.**

98-1347 (A) Oral report of city Council Cable Television Sub-Committee. **Moved by Vlassis to authorize the City Manager and staff to begin franchise negotiations with McLeod USA and others for a 750 MHz system, possibly 960 MHz system, with fiber optic capability, for the future growth of Des Moines cable television systems; and further, to authorize the City Manager to begin negotiations with other cities in the County for a potential regional franchise in the area, and return to the Council with recommendations at the earliest possible date.**

98-1348 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1349 3. APPROVING CONSENT AGENDA - items 3 through 63: **Moved by Hensley to adopt the balance of the Consent Agenda. Motion Carried 7-0.**

LICENSES AND PERMITS:

Approving

98-1350 4. Communication from Legal Department regarding May 4, 1998 License and Permit Agenda. **Moved by Hensley to receive and file. Motion Carried 7-0.**

Class "B" Beer Licenses

98-1351 5. Edelstein, Inc., Deena Edelstein, President dba Duds N Suds, 2552 Hubbell; Renewal - Expires 5-18-98 (With Sunday Sales) - Application submitted 3-11-98. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1352 6. Des Moines Park and Recreation Foundation dba Gray's Lake Boat Racing, 1700 Fleur Drive; New 5 day Application for special event to be held on May 16 and 17, 1998 (With Sunday Sales and Beer Garden) - Application submitted 4-17-98, subject to acceptable Fire inspection. **Moved by Coleman to adopt. Motion Carried 7-0.**

WITHDRAWN

98-1353 7. Phranom Philavanh dba Laos Restaurant, 418 East 5th Street; New Application (With Sunday Sales) - Application submitted 3-6-98.

98-1354 8. S & L Food Services, Ronald H. Smith, President dba Mustard's Restaurant, 2923 Southwest 9th Street; Renewal - Expires 5-13-98 (With Sunday Sales) - Application submitted 4-16-98. **Moved by Hensley to adopt. Motion Carried 7-0.**

Class "C" Beer Licenses

98-1355 9. Git N Go Convenience Stores, Inc., Dennis Flora, President dba Git N Go Store #3, 100 Southwest Watrous; Renewal - Expires 6-4-98 (With Sunday Sales) - Application submitted 4-14-98. **Moved by Hensley to adopt. Motion Carried 7-0.**

Class "E" Beer Licenses

98-1356 10. QuikTrip Corporation, Chester Cadieux, President dba QuikTrip #535, 1501 East Grand; Renewal - Expires 6-26-98 (With Sunday Sales) - Application submitted 4-6-98. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1357 11. QuikTrip Corporation, Chester Cadieux, President dba Quik Trip #516, 901 East Grand; Renewal - Expires 6-16-98 (With Sunday Sales) - Application submitted 4-6-98. **Moved by Hensley to adopt. Motion Carried 7-0.**

Class "C" Beer-Wine Licenses

98-1358 12. T H Enterprises Ltd, Tim Holmes, President dba J Benjamins, 5800 Franklin; Renewal - Expires 5-16-98 (With Sunday Sales) - Application submitted 4-16-98. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1359 13. Easy Starts Restaurant, Inc., Peter Lidgis, President dba Olympic Flame Restaurant, 514 East Euclid; Renewal - Expires 5-13-98 - Application submitted 4-3-98. **Moved by Hensley to adopt. Motion Carried 7-0.**

Class "C" Liquor Licenses

98-1360 14. Evelyn Rogers dba Evy's, 1119 Grand Avenue; Renewal - Expires 5-20-98 (With Sunday Sales) - Application submitted 4-8-98. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1361 15. Wolsey Dublin Company, Dennis Rose, President dba Garfield's Restaurant & Pub, 1111 East Army Post Road; Renewal - Expires 5-16-98 (With Sunday Sales) - Application submitted 3-27-98. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1362 16. Noah Lacona dba Noah's Ark Restaurant, 2400 Ingersoll: Renewal - Expires 5-18-98 - Application submitted 4-22-98. **Moved by Hensley to adopt. Motion Carried 7-0.**

Class "E" Liquor Licenses

98-1363 17. Hy Vee, Inc., Ronald D. Pearson, President dba 2540 East Euclid; Renewal - Expires 5-4-98 - Application submitted 3-27-98. **Moved by Hensley to adopt. Motion Carried 7-0.**

Class "H" Liquor Licenses

98-1364 18. Shaner Hotel Group LP, Frederick J. Shaner, President dba Savery Hotel and Spa, 401 Locust; Renewal - Expires 5-22-98 (With Sunday Sales) - Application submitted 3-30-98. **Moved by Hensley to adopt. Motion Carried 7-0.**

Refunds

98-1365 19. City Treasurer to issue refunds. **Moved by Hensley to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

98-1366 20. Authorization to proceed on various Park and Recreation Improvements, included in the 1998-99 Capital Improvement Program. ([Council Communication No. 98-182](#)). **Moved by Coleman to adopt. Motion Carried 7-0.**

WITHDRAWN

98-1367 21. Approving Professional Services Agreement with Camp Dresser and McKee, Inc. (Tom Furman, CEO, Kansas City, MO.) for services to create Stormwater Utility GIS Interface - \$38,000. ([Council Communication No. 98-188](#)).

22. Approving the following Change Orders:

98-1368 (A) No. 42 with Taylor Ball L.C.-Des Moines (Richard Haes, President, WDM) for additional work in conjunction with Intermodal Transportation Facility - \$14,756. ([Council Communication No. 98-184](#)). **Moved by Coleman to adopt. Motion Carried 7-0.**

98-1369 (B) No. 9 with The Weitz Company, Inc. (Jim Simmons, President) for construction of WRA Laboratory and Personnel Facilities Expansion - \$21,443. ([Council Communication No. 98-189](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1370 23. Approving Amendment No. 2 to Engineering Services Agreement with Veenstra & Kimm, Inc. (H.R. Veenstra, Jr., President, WDM) to provide additional out-of-scope professional engineering design services for WRA Southwest Outfall Relief Sewer, Phase 12 - \$29,960. ([Council Communication No. 98-187](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

24. Resolution Ordering Construction of the following:

98-1371 (A) Birdland Park Baseball Field, Receiving of Bids, (5-19-98), and Setting Date of Hearing, (6-1-98), (Construction Estimate - \$113,905). **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1372 (B) Sec Taylor Stadium Irrigation, Receiving of Bids, (5-19-98), and Setting Date of Hearing, (6-1-98), (Construction Estimate - \$15,000). **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1373 (C) Woodland Park, Receiving of Bids, (5-19-98), and Setting Date of Hearing, (6-1-98), (Construction Estimate - \$196,660). **Moved by Hensley to adopt. Motion Carried 7-0.**

25. Asphalt Stabilization Schedule No. 1998-39:

98-1374 (A) Fixing Values of Lots. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1375 (B) Adopting Preliminary Plat and Schedule Estimate of Cost and Proposed Plans and Specifications. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1376 (C) Proposed Resolution of Necessity for Notice to Property Owners of Hearing (6-1-98). **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1377 (D) Resolution ordering public hearing on Plans, Specifications and Estimate of Cost, (6-1-98). **Moved by Hensley to adopt. Motion Carried 7-0.**

26. Approving private construction contracts--Easter Lake Estates Plat 4, Easter Lake Drive and SE 30th, between McAninch Corporation, (Dwayne McAninch, President), Contractor, and The Legacy Group, Ltd. (Randy Walters, Managing Partner), Owners, for the following:

98-1378 (A) Sanitary Sewer. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1379 (B) Storm Sewer. **Moved by Hensley to adopt. Motion Carried 7-0.**

WITHDRAWN

98-1380 27. Approving private construction contract for Sanitary Sewer along South side of Hartford Avenue from Central Recycling, Inc., 1805 E. Hartford Avenue, East approximately 1,135 LF to existing sanitary sewer between Corell Contractor, Inc (Steve Corell, Pres.), Contractors, and Central Recycling, Inc. (Steve Corell, Pres.), Owners.

98-1381 28. Communications from various contractors requesting permission to sublet certain items on three public improvement projects. (Call City Clerk's Office for listing). **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1382 29. Approving partial payments for four public improvement projects. (Call City Clerk's Office for listing). **Moved by Hensley to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

98-1383 30. Approving Delinquent Sewer Rental and/or Solid Waste/ Stormwater Utility Fees for the month of April, 1998, for Certification to Polk County Treasurer (call the City Clerk's Office for list). **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1384 31. Authorizing Assessment Clerk to correct Delinquent Solid Waste/Stormwater Utility and/or Sewer Rental Credits Schedule, for April 1998. **Moved by Hensley to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

98-1385 32. Property Rehabilitation Contract with Teri Toye, regarding 1808 7th Street, continued from 4-20-98. **Moved by Vlassis to continue to 5-18-98. Motion Carried 7-0. Staff to continue to work with Ms. Toye.**

98-1386 33. Acquire Real Estate by Donation and Acceptance of Warranty Deed in conjunction with 30th/31st Street Realignment at University Avenue, Kingman Avenue to Forest Avenue, from Drake University, various locations - \$112. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1387 34. Offer to Purchase and Warranty Deed in conjunction with 30th Street/31st Street Realignment at University Avenue, from Florence E. Weichman, 3021 University Avenue - \$96,548. **Moved by Hensley to adopt. Motion Carried 6-1. Pass: Flagg.**

98-1388 35. Condemnation Commissioners' award of \$1,050 plus Sheriff's fees and jury expenses in conjunction with Merle Hay Road Sanitary Sewer, to Larry L. and Cynthia L. Bass. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1389 36. Condemnation Commissioners' award of \$750 plus Sheriff's fees and jury expenses in conjunction with Merle Hay Road Sanitary Sewer, to Rollie Junior Graham. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1390 37. Approving Noise and Avigation Easements for three properties in conjunction with the Airport Noise Compatibility Program, Phase II. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1391 38. Approving Final Subdivision Plat entitled Rothfus Lake Estates in the vicinity of SE 34th and Evergreen Avenue developed by Rothfus family. ([Council Communication No. 98-191](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

WITHDRAWN

98-1392 39. Approving Final Subdivision Plat entitled Grandview Terrace in vicinity of E. 30th and Sheridan Avenue developed by Bernard John Baker, III. ([Council Communication No. 98-192](#)).

BOARDS/COMMISSIONS/NEIGHBORHOODS

98-1393 40. Communication from the City of Ankeny advising that Jeanette Borich has been appointed to the Greater Des Moines Sister City Commission to represent City of Ankeny. **Moved by Hensley to adopt. Motion Carried 7-0.**

STREET CLOSINGS

98-1394 41. Approving closure of the following City Streets. **Moved by Hensley to adopt. Motion Carried 7-0.**

(1) Deb Burger, representing the Downtown Farmer's Market, 400 Locust Street, Suite 255, requesting permission to close Court Avenue from Fifth Street to Second Avenue, Fourth Street from Walnut Street south to the Old Depot every Saturday, from May 9, 1998 through October 31, 1998 from 7:00 A.M. until 12:00 Noon for the annual market place activities.

(2) Vince Valdez, representing the Des Moines Police Department, 106 East First Street, requesting permission to close Elm Street from SW First Street to SW Third Street on Saturday, May 16, 1998 from 12:00 Noon until 5:00 P.M. for Law Enforcement Recognition Week's annual live demonstrations.

SETTING DATE OF HEARINGS

98-1395 42. On Second Amendment to the Restated Urban Revitalization Plan for City-Wide Urban Revitalization Area, to encourage rehabilitation of existing structures between 8th, 9th, Center to Pleasant, and encourage rehabilitation and expansion of existing Community Shopping Centers, (5-18-98). **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1396 43. On lease with Git-N-Go Convenience Stores, Inc., for property in vicinity of SW Ninth and Bell, 15-year term, \$950 annually, (5-18-98). **Moved by Hensley to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

98-1397 44. Approving payment of \$6,225.27 to Jerald B. Stewart for lump sum payment of disability benefits, plus interest under workers' compensation law for injuries in course of his employment. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1398 45. Approving payment of \$37,500 for a full and complete release in favor of the City to Robert Saylor and his attorney, Charles A. Coppola for an injury. **Moved by Hensley to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

98-1399 46. Submitting out-of-state travel requests for Eric A. Anderson, Russell Underwood, Matthew Rosen, and Lyle Schwery. ([Council Communication No. 98-178](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

APPROVING

98-1400 47. Communication from City Clerk, submitting report on City Council meeting/meal expenses for April, 1998. **Moved by Hensley to receive and file. Motion Carried 7-0.**

98-1401 47-I Resolution co-sponsoring and expressing support for the "Americans Discuss Social Security Conference". **Moved by Coleman to adopt. Motion Carried 7-0.**

98-1402 48. Amendment Four to Contract No. LIHEAP-2298-07J, increasing contract budget by \$12,300. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1403 49. Annual Performance Report for Program Year 1997 Comprehensive Housing Affordability Strategy (CHAS). ([Council Communication No. 98-177](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1404 50. License Agreement with JJFPCI, L.C. to conduct grading, site preparation, footing and foundation work on Disposition Parcel No. 11A, (2100 Dixon Street-Guthrie Avenue Business Park). ([Council Communication No. 98-179](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1405 51. License Agreement with Houghton Properties to conduct grading and site preparation work, on Disposition Parcel No. 10A, (1900 Dixon Street-Guthrie Avenue Business Park). ([Council Communication No. 98-180](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1406 52. Approving three-year lease with Court Avenue Brewing Co., L.L.C. for use of vacated area for sidewalk cafe. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1407 (A) Permanent Beer Garden application for 309 Court Avenue; application submitted 4-9-98. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1408 53. Approving exception regarding length of time request from Jim Stevens, representing Nacho Mamas, 216 Court Avenue, request to close Court Avenue from Third Street to the alley at Mid Block from 6:00 P.M. (3:00 P.M. for set-up) to 12:00 Midnight, Saturday, May 16, 1998. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1409 (A) Approving temporary extension of current Beer Garden for the above (Central Iowa Blues Society Challenge). **Moved by Hensley to adopt. Motion Carried 7-0.**

54. Bids for the following:

98-1410 (A) O'Halloran International, Inc., (1780 E. Sheridan, Jim O'Halloran, President) for four (4) cab and chassis with four (4) compaction bodies to be used by the Public Works Department (Sanitation), \$235,520. (Seven bids mailed-two received). **Moved by Coleman to adopt. Motion Carried 7-0.**

98-1411 (B) Motorola Communications and Electronics, Inc., (Urbandale, IA,) State of Iowa Contract 1199F (Municipal Code Section 2-86(c) for ten (10) Motorola mobile radios and options to be used by the Police Department, \$16,185. **Moved by Coleman to adopt. Motion Carried 7-0.**

98-1412 (C) ADS Environmental Services, (Indianapolis, IN) for fifteenth (15) ultrasonic depth sensors and fifteen (15) velocity sensors that are compatible with existing flow monitoring system, (Municipal Code Section 2-86(6) provides for non-competitive purchase available from a single source to be used by the Engineering Department (Wastewater Reclamation Facility), \$24,410.40. **Moved by Coleman to adopt. Motion Carried 6-1. Pass: Flagg.**

98-1413 (D) Hewlett-Packard Co., (Wilmington, DE) for hardware maintenance and support agreement, and software support agreement for period ending April 14, 1999, (Municipal Code Section 2-86(6) provides for non-competitive purchase available from a single source to be used by the Engineering Department (Wastewater Reclamation Facility), at a total cost of \$13,410. **Moved by Coleman to adopt. Motion Carried 7-0.**

98-1414 (E) Bid awarded to Sirchie Finger Print Laboratories, Inc., (Youngville, NC, John Carrington, President) for forensic evidence drying and storage cabinet to be used by the Police Department (Identification Section), \$16,100. Bid from Misonix, Inc. did not meet specifications. (Seven bids mailed-four received). **Moved by Coleman to adopt. Motion Carried 7-0.**

98-1415 (F) Bid awarded to Capital City Equipment Company, (5515 NW 2nd Avenue, Mark Kruse, President) for skid-steer rubber tired loader for use with four (4) compaction bodies to be used by the Public Works Department (Street Maintenance), \$26,260. Bid from Aggregate Equipment and Supply did not meet specifications. (Eight bids mailed-seven received). **Moved by Coleman to adopt. Motion Carried 7-0.**

98-1416 (G) Bid awarded to Refuse & Recycling Equipment Sales, Inc., (Indianola, IA, Al Holsapple, President) for four (4) compaction bodies to be used by the Public Works Department (Sanitation), \$37,500. Bid from Eddy-Walker Equipment Co. did not meet specifications. (Six bids mailed-six received). **Moved by Coleman to adopt. Motion Carried 7-0.**

98-1417 55. Receipt of Insurance for various City projects and functions for recording by the City Clerk. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1418 56. Authorizing Finance Director to draw warrants on register of May 8, 1998, and the bills of the Des Moines Municipal Housing Agency for the weeks beginning May 4, 1998 and May 11, 1998, and the biweekly payroll due employees on April 24, 1998. **Moved by Hensley to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

98-1419 57. Amending Chapter 27 of the Municipal Code regarding various traffic regulation changes. **Moved by Hensley that this ordinance do now pass, [#13,602](#). Motion Carried 7-0.**

(1) Lengthen Handicapped Parking area-East Side of E. 13th Street South of Grandview Avenue.

(2) One-Sided Parking Restriction-East Side of S.W. 60th Street South of Leland Avenue to the Dead End.

(3) Corner Clearance-South Side of Leyden Avenue East of E. 38th Street.

(4) No Parking Any Time-North Side of Locust St. West of Fourth Street to Fifth Street.

(5) Corner Clearance-East Side of 57th Street North of Madison Avenue.

98-1420 58. On rezoning of property at 5601 SE 14th St, from "C-2" (General Retail and Highway Oriented Commercial), and "R1-80" (One Family Residential) to a "PUD", (Planned Unit Development), Home Depot Store, and continue to 6-22-98 at request of applicant. **Moved by Hensley to continue to 6-22-98. Motion Carried 7-0.**

98-1421 59. On rezoning of property at 1314 E. 14th, from "R-3" (Multiple Family Residential) to Ltd. "C-1" (Neighborhood Retail Commercial). **Moved by Hensley that this ordinance do now pass, [#13,603](#). Motion Carried 7-0.**

98-1422 60. Amending Chapter 27 of the Municipal Code regarding the following traffic regulation changes. **Moved by Hensley that this ordinance do now pass, [#13,604](#). Motion Carried 7-0.**

(1) Define Handicapped Loading areas on Third Street and Grand Avenue Adjacent to Civic Center Court Apartments.

(2) Corner Clearance-West Side of Southeast Seventh Street North and South of Scandia Avenue.

ORDINANCES - SECOND CONSIDERATION

98-1423 61. On vacation of right-of-way easement for a portion of SW 56th Street south of Park Avenue. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

98-1424 62. On vacation of Clay Street right-of-way and adjoining north/south alley in vicinity of SW First Street. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

* * * * * END CONSENT AGENDA * *
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ORDINANCES - FIRST CONSIDERATION

98-1425 63. Amending Chapter 17 of the Municipal Code regarding control of deer within the City limits. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

****Council considered Hearing Items 71 through 75 next****

98-1426 64. Amending Chapter 27 of the Municipal Code regarding the following traffic regulation changes. **Moved by Phillips that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Daniels.**

(1) Four-Way Stop-S.W. 14th Street and Geil Avenue.

(2) Removal of Commercial Loading Zone-East Side of Sixth Avenue North of Douglas Avenue.

(3) One-Sided Parking Restriction-South Side of Twana Dr. from a Point East of 38th St. to Beaver Avenue.

COMMUNICATIONS/REPORTS

98-1427 65. From Lawrence White, 2422 Drake Park, to speak regarding Civil Rights Ordinance amendment and environment in City Council Chambers. **Mr. White spoke to Council--no motion made.**

98-1428 66. From Rachel Mitchell, 3012 SE 17th Street, to speak regarding speed bumps and "Children at Play" signs at SE 17th and Pleasantview Drive. **Moved by Phillips to receive and file; refer to City Manager and Traffic Safety Committee for review and recommendation. Motion Carried 7-0.**

98-1429 67. From John L. Maxfield and Joe Jefferson, to speak regarding golf balls at Grandview Golf Course. **Moved by McPherson to receive, file and grant the request to speak; refer to City Manager and Legal for a report at the May 18 Council meeting. Parks Department to continue corrective action. Motion Carried 7-0.**

98-1430 68. From Terri Cole, to speak regarding fire on April 26, 1997. **Moved by Phillips to receive, file and grant the request to speak; refer to City Manager for a recommendation, as appropriate. Motion Carried 7-0.**

98-1431 69. From Linda Railey, 4118 Maryland Pike, regarding sidewalk snow removal. [\(Council Communication No. 98-193\)](#). **Moved by Flagg to receive, file and adopt the recommendation in Council Communication No. 98-193. Motion Carried 7-0.**

98-1432 70. From James Ollenberg, 689-18th, to speak regarding concern for the indigent in Des Moines. **Moved by Hensley to defer to 5-18-98. Motion Carried 7-0.**

****Council considered Item 76 though end of agenda next****

HEARINGS (Opened at 6:20 P.M.) (Items 71 thru 75)

71. On the proposed issue of General Obligation Bonds for the following, [\(Council Communication No. 98-181\)](#):

98-1433 (A) \$12,500,000 (Essential Corporate Purposes). **Moved by McPherson to adopt. Motion Carried 6-1. Nays: Flagg.**

98-1434 (1) Authorization for additional action. **Moved by McPherson to adopt. Motion Carried 6-1. Nays: Flagg.**

98-1435 (B) \$1,000,000 (Essential Corporate Purposes) **Moved by McPherson to adopt. Motion Carried 6-1. Nays: Flagg.**

98-1436 (1) Authorization for additional action. **Moved by McPherson to adopt. Motion Carried 6-1. Nays: Flagg.**

98-1437 (C) \$875,000 (Essential Corporate Purposes) **Moved by McPherson to adopt. Motion Carried 6-1. Nays: Flagg.**

98-1438 (1) Authorization for additional action. **Moved by McPherson to adopt. Motion Carried 6-1. Nays: Flagg.**

98-1439 (D) \$990,000 (General Corporate Purposes) **Moved by McPherson to adopt. Motion Carried 6-1. Nays: Flagg.**

98-1440 (1) Authorization for additional action. **Moved by McPherson to adopt. Motion Carried 6-1. Nays: Flagg.**

98-1441 (E) \$960,000 (General Corporate Purposes) **Moved by McPherson to adopt. Motion Carried 6-1. Nays: Flagg.**

98-1442 (1) Authorization for additional action. **Moved by McPherson to adopt. Motion Carried 6-1. Nays: Flagg.**

98-1443 (F) \$950,000 (General Corporate Purposes) **Moved by McPherson to adopt. Motion Carried 6-1. Nays: Flagg.**

98-1444 (1) Authorization for additional action. **Moved by McPherson to adopt. Motion Carried 6-1. Nays: Flagg.**

98-1445 (G) \$900,000 (General Corporate Purposes) **Moved by McPherson to adopt. Motion Carried 6-1. Nays: Flagg.**

98-1446 (1) Authorization for additional action. **Moved by McPherson to adopt. Motion Carried 6-1. Nays: Flagg.**

98-1447 (H) \$1,000,000 (General Corporate Purposes) **Moved by McPherson to adopt. Motion Carried 6-1. Nays: Flagg.**

98-1448 (1) Authorization for additional action. **Moved by McPherson to adopt. Motion Carried 6-1. Nays: Flagg.**

98-1449 (I) \$390,000 (General Corporate Purposes) **Moved by McPherson to adopt. City Manager to provide Council with a breakdown of items to be funded, to match roll calls for items 71A-I on the May 18 agenda. Motion Carried 6-1. Nays: Flagg.**

98-1450 (1) Authorization for additional action. **Moved by McPherson to adopt. Motion Carried 6-1. Nays: Flagg.**

98-1451 72. (A) On issuance of not to exceed \$6,725,000 of Public Parking Revenue Bonds ([Council Communication No. 98-190](#)). **Moved by Hensley to continue the Hearing to 5-18-98. Motion Carried 7-0.**

98-1452 (1) Authorization for additional action. **Moved by Hensley to continue to 5-18-98. Motion Carried 7-0.**

98-1453 (B) On issuance of not to exceed \$25,175,000 in Public Parking System Revenue Refunding Bonds. **Moved by Hensley to continue to 5-18-98. Motion Carried 7-0.**

98-1454 (1) Authorization for additional action. **Moved by Hensley to continue to 5-18-98. Motion Carried 7-0.**

98-1455 73. On proposed lease to the Iowa Air National Guard, to enlarge their leasehold, (property located south of relocated SW 42nd/Watrous Avenue), 4525 SW 34th. ([Council Communication No. 98-186](#)). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Daniels.**

98-1456 74. On vacation and conveyance of a portion of the North/South alley in vicinity of SE 28th and Maury Street, to Dennis Modde, \$500 plus costs. **Moved by Phillips to adopt. Motion Carried 6-1. Absent: Daniels.**

98-1457 (A) First consideration of ordinance above. **Moved by Phillips that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Daniels.**

98-1458 75. On 1997 Sanitary Sewer Repair Contract No. 1: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest

responsible bidder as The Underground Company, Ltd. (Duane J. Burkhardt, President, 2407 SW 9th, DM), \$159,060. **Moved by Phillips to adopt. Motion Carried 6-1. Absent: Daniels.**

98-1459 (A) Approving contract and bond. **Moved by Phillips to adopt. Motion Carried 6-1. Absent: Daniels.**

* * END HEARINGS at 6:50 P.M. * *

****Council considered Items 64-70 next****

CITY MANAGER RECOMMENDATIONS

76. Consideration of Gateway Project, ([Council Communication No. 98-185](#)).

98-1460 (A) Architectural Advisory Committee recommendation regarding eastern portion of Gateway. **Moved by Coleman to receive and file. Motion Carried 5-1-1. Nays: Flagg. Pass: McPherson.**

98-1461 (B) Library Board of Trustees recommendation regarding eastern portion of Gateway. **Moved by Coleman to receive and file. Motion Carried 5-1-1. Nays: Flagg. Pass: McPherson.**

98-1462 (C) Urban Renewal Board recommendation regarding eastern portion of Gateway. **Moved by Coleman to receive and file. Motion Carried 5-1-1. Nays: Flagg. Pass: McPherson.**

98-1463 (D) City Plan Commission recommendation regarding eastern portion of Gateway. **Moved by Coleman to receive and file. Motion Carried 5-1-1. Nays: Flagg. Pass: McPherson.**

WITHDRAWN(E) Historic District Commission recommendation regarding eastern portion of Gateway. **Will be submitted after their review, in 60-75 days.**

98-1464 (F) Park and Recreation Board recommendation regarding eastern portion of Gateway. **Moved by Coleman to receive, file and refer to the City Manager. Motion Carried 5-1-1. Nays: Flagg. Pass: McPherson.**

98-1465 (G) Neighborhood Revitalization Board recommendation regarding eastern portion of Gateway. **Moved by Coleman to receive and file. Motion Carried 5-1-1. Nays: Flagg. Pass: McPherson.**

98-1466 (H) Traffic Safety Committee recommendation regarding eastern portion of Gateway. **Moved by Coleman to receive and file. Motion Carried 5-1-1. Nays: Flagg. Pass: McPherson.**

98-1467 (I) Communication from Des Moines Development Corporation, pledging \$6,000,000 toward the Gateway Project efforts. **Moved by Coleman to receive, file and accept with gratitude. Motion Carried 5-1-1. Nays: Flagg. Pass: McPherson.**

98-1468 (J) City Manager recommendation for entire Gateway Project. **Moved by Coleman to receive, file and approve the recommendations as outlined in Council Communication No. 98-185; and to amend to direct City Manager to recommend a committee of project "Shareholders" who will provide oversight and recommendations to the Council, rather than formation of a public/private entity; said recommendation to be on May 18 agenda. Motion Carried 5-1-1. Nays: Flagg. Pass: McPherson.**

APPROVING

98-1469 77. Update on proposed annexation for areas northeast, southeast and south of the current City boundaries. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

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.

98-1470 1. Request of Council Member Mike McPherson to discuss remodeling of historic City Park structures. SPONSOR: McPherson. **Moved by McPherson to receive, file discuss and refer to Park Board to develop and recommend a policy and review process to the Council, for use in the future for such issues. Motion Carried 7-0.**

98-1471 2. Communication from City Manager regarding development of Gray's Lake and Court Avenue areas. SPONSOR: Mayor Daniels. **Moved by Hensley to adopt the recommendation and authorize the City Manager to create an advisory team as outlined in the City Manager's letter to Council dated May 1, 1998. Motion Carried 6-1. Absent: Coleman.**

[City Manager's letter attached](#)

98-1472 3. Approving resolution in support of Physical Infrastructure Assistance Program Application to State of Iowa, Department of Economic Development for Accessair Holdings, Inc. SPONSOR: Hensley. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Coleman.**

A G E N D A

BOARD OF HEALTH

May 4, 1998

98-1473 MOTION TO CONVENE. **Moved by Vlassis that the city Council adjourn and convene as a Board of Health. Motion Carried 6-1. Absent: Coleman.**

COMMUNICATION

98-1474 1. Regarding demolition cost reserve escrowed for 1702 Army Post Road. **Moved by Vlassis to receive and file and to direct that Corporation Counsel bring legal action within one hundred eighty days of receipt of notice if owners have not demolished or renovated the structure. Motion Carried 6-1. Absent: Coleman.**

AUTHORIZING

98-1475 2. Court authority to abate the public nuisance at the following location 2515 24th (vacant), Titleholder: Leona M. Gardner n/k/a Leona M. Carlson; Contract Buyers: James P. Blake, Christine R. Blake; Legal Interest Holder: Bruce Barron. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Coleman.**

98-1476 3. Release of demolition cost reserve held under claim number 14L16357 regarding property known as 3118 Columbia owned by Sharon M. Hergenrader. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Coleman.**

98-1477 MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 9:10 P.M.**