



***** DES MOINES CITY COUNCIL MEETING REPORT *****

The City Council took the following action on items listed in the attached meeting agenda summary. Copies of ordinances, resolutions and other Council action may be obtained from the City Clerk's Office (515) 283-4209. The six-digit number beginning with '08-' preceding each item on the agenda is a roll call number assigned by the City Clerk. Please refer to this number when requesting information or copies.

SUMMARY OF DES MOINES CITY COUNCIL MEETING

January 28, 2008 4:30 P.M.

INVOCATION: Rabbi Aaron Schwarzbaum
Beth El Jacob Synagogue
954 Cummins Pkwy

- [08-085](#) 1. ROLL CALL: **Present: Cownie, Coleman, Hensley, Kiernan, Mahaffey, Meyer and Vlassis.**
- [08-086](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**

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***Note: These are routine items and will be enacted by one roll call vote without separate discussion unless someone, Council or public, requests an item be removed to be considered separately.**

- [08-087](#) 3. APPROVING CONSENT AGENDA – items 3 through 46: **Moved by Kiernan to adopt the balance of the consent agenda. Motion Carried 7-0.**

LICENSES AND PERMITS

08-088

4. Approving Alcoholic Beverage License applications for the following: **Moved by Kiernan to adopt. Motion Carried 7-0.**

NEW APPLICATIONS

(A)	ALBA RESTAURANT	519 DES MOINES ST	C Liquor
(B)	COURT SIDE ENTERTAIN	1014 E 14TH ST	C Liquor
(C)	MARIANAS	1305 UNIVERSITY AVE	B Beer
(D)	MEXICO LINDO	2811 SE 14 TH ST	C Liquor
(E)	SHOTZ & GRILL CORDOBA	2500 M. L. KING JR PKWY	C Liquor
(F)	SNAKE PIT LOUNGE	3100 MCKINLEY AVE	A Liquor

RENEWAL APPLICATIONS

(G)	BAN THAI RESTAURANT	215 E WALNUT ST	C Beer/Wine
(H)	I DI SCALA	644 18 TH ST	C Liquor
(I)	CASEYS GEN. STORE #2244	2150 E ARMY POST ROAD	C Beer
(J)	COONEYS TAVERN	3708 BEAVER AVE	C Liquor
(K)	CYCLES WALNUT TAP	2401 E WALNUT ST	C Liquor
(L)	DIAMOND JACKS	3000 E GRAND AVE	C Liquor
(M)	FLYING MANGO	4345 HICKMAN RD	C Liquor
(N)	GIT N GO STORE #18	6501 SE 14 TH ST	C Beer
(O)	GIT N GO STORE #27	1240 KEOSAUQUA WAY	C Beer
(P)	GIT N GO STORE #28	3274 E UNIVERSITY AVE	C Beer
(Q)	LA CRUZ #3	3900 E 14 TH ST	C Beer
(R)	MACCABEES DELI	1150 POLK BLVD	B Wine
(S)	NAT FOOD MART	1443 2 ND AVENUE	C Beer
(T)	PALMERS DELI & MARKET	2843 INGERSOLL AVE	C Liquor
(U)	PLAZA MEXICO MEXICAN	3841 E 14 TH ST	C Liquor
(V)	SAMBETTIS	1430 2 ND AVE	C Liquor
(W)	SCOOTER & BABS SPORTS	918 E EUCLID AVE	C Liquor
(X)	TOBACCO OUTLET #503	400 EUCLID AVENUE	C Beer

TRANSFER TO NEW LOCATION

- | | | | |
|-----|-------|------------------|--------|
| (Y) | DEPOT | 3000 E GRAND AVE | B Beer |
|-----|-------|------------------|--------|
- Temporary transfer to Cattle Barn from February 12-18, 2008 for the Beef Expo.

SPECIAL EVENTS APPLICATIONS

- | | | | |
|-----|-------------------|-----------------|--|
| (Z) | BALLET DES MOINES | 504 E LOCUST ST | Five (5) Day License Class C Liquor License in conjunction with Chocolate Affair on February 1, 2008. Pending approval of Vice, Building, Electrical, Fire and Zoning Departments. |
|-----|-------------------|-----------------|--|

- (AA) SKYWALK GOLF 19TH HOLE 555 WALNUT ST Five (5) Day License
Class B Beer License for Skywalk Golf Open, February 9, 2008 at the Kaleidoscope
at the Hub.

WITHDRAWN

[08-089](#) 5. ~~City~~ Clerk to issue Cigarette Licenses.

[08-090](#) 6. City Clerk to issue Coin Operated Machine Licenses. **Moved by Kiernan to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

7. Approving residential paving on portions of SW 5th Street from Broad Street to Virginia Avenue, E. 21st Street from Milton Avenue to dead end north, and Maine Street from University Avenue to Indiana Avenue:

[08-091](#) (A) Communication from City Manager recommending proposed street paving using special assessments. (Council Communication No. 08-043) **Moved by Kiernan to approve, receive and file and accept the recommendation of the City Manager. Motion Carried 7-0.**

[08-092](#) (B) Preliminary resolution for construction. **Moved by Kiernan to adopt. Motion Carried 7-0.**

[08-093](#) (C) Fixing values of lots. **Moved by Kiernan to adopt. Motion Carried 7-0.**

[08-094](#) (D) Adopting preliminary plat and schedule, estimate of costs and proposed plans and specifications. **Moved by Kiernan to adopt. Motion Carried 7-0.**

[08-095](#) (E) Proposed Resolution of Necessity, Notice to property owners of Hearing and Setting Date of Hearing, (2-25-08). **Moved by Kiernan to adopt. Motion Carried 7-0.**

[08-096](#) 8. Approving Private Construction Contract between Elder Corporation and Greater Des Moines Habitat for Humanity for storm sewer improvements in E. 33rd Street and Dubuque Avenue, \$15,000. **Moved by Kiernan to adopt. Motion Carried 7-0.**

[08-097](#) 9. Communication from Rochon Corporation of Iowa, Inc. requesting permission to sublet certain items on M. L. King Jr. Park Shelter & Congregate Meal Site public improvement project. **Moved by Kiernan to adopt. Motion Carried 7-0.**

10. Approving completion and recommending acceptance of the following Private Construction Contracts:

- [08-098](#) (A) [McAninch](#) Corporation and Jerry's Homes, Inc. for sanitary sewer improvements, Carman Estates Plat 6 – Phase 1. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-099](#) (B) [Elder](#) Corporation and Des Moines Independent Community School District for storm sewer improvements, 5912 University Avenue. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-100](#) (C) [CAC](#) Incorporated and Hubbell Realty Company for storm sewer improvements, 1250 31st Street. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-101](#) (D) [Elder](#) Corporation and East Village Square Apartments L.P. for storm sewer improvements, East Village Square Apartments. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-102](#) (E) [Eco-Tech](#) Construction, LLC and Savannah Homes for storm sewer improvements, Sawyers Landing Phase 2. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-103](#) (F) [Eco-Tech](#) Construction, LLC and Savannah Homes for paving improvements, Sawyers Landing Phase 2. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-104](#) (G) [Elder](#) Corporation and Bullseye Investments, LLC for street improvements, SE 14th Street at McKinley Avenue. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-105](#) (H) [Neumann](#) Brothers, Inc. and Des Moines Independent Community School District for paving improvements, 2820 E. 24th Street. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-106](#) (I) [Eco-Tech](#) Construction, LLC and Court Avenue Child Care LLC for alley paving improvements, 1408 E. Court Avenue. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-107](#) (J) [The](#) Weitz Company, LLC and Drake University for paving improvements, Clark Street at 28th Street. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-108](#) 11. [Accepting](#) completed construction and approving final payment for Crivaro Park & Bates Park Playground Improvements, Rocky Hurst Construction. **Moved by Kiernan to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [08-109](#) 12. [Levying](#) assessments for cost of Nuisance Abatement-NAC Emergency Orders (Community Development) Schedule No. 2008-02. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-110](#) 13. [Approving](#) deletion of NAC-Emergency Assessments at various locations. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-111](#) 14. [Approving](#) Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility Fees for December 2007. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-112](#) 15. [Approving](#) Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility Credits for December 2007. **Moved by Kiernan to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [08-113](#) 16. [Approving](#) acceptance of real estate documents for property located at 2525 Delaware Avenue from Oscar A. Carlson. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- 08-114 17. NUMBER NOT USED.
- [08-115](#) 18. [Approving](#) acceptance of real estate documents for property located in vicinity of E. 33rd Street and Dubuque Avenue from Habitat for Humanity, Inc. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-116](#) 19. [Establishing](#) fair market value for multiple properties for the Southeast Connector Project-SW 2nd Street to SE 6th Street Phase. ([Council Communication No. 08-042](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-117](#) 20. [Release](#) of Subdivision Bond No. IAC 35078 from Merchants Bonding Company in amount of \$4,668 as security for completion of required sidewalk improvements for Park Place Estates Plat 2. ([Council Communication No. 08-030](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-118](#) 21. [Release](#) of Subdivision Bond No. IAC 5432 from Merchants Bonding Company in amount of \$21,929 as security for completion of required sidewalk improvements for Southern Woods Plat No. 1. ([Council Communication No. 08-031](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-119](#) 22. [Approving](#) termination of lease agreement and release of easement for ingress and egress in a portion of vacated north/south alley in the vicinity of 309 Court Avenue. ([Council Communication No. 08-038](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**

- [08-120](#) 23. [Approving](#) tax abatement applications (208) for additional value added by improvements made during 2007. ([Council Communication No. 08-029](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [08-121](#) 24. [Recommendation](#) from Mayor Frank Cownie to reappoint Council Member Bob Mahaffey to the Aging Resources of Central Iowa Board, for a one-year term commencing January 1, 2008 to expire December 31, 2008. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-122](#) 25. [Communication](#) from William Horstman advising of his resignation from the Housing Appeals Board, Seat 2, effective immediately. **Moved by Kiernan to receive, file, and accept resignation with appreciation for his service. Motion Carried 7-0.**
- [08-123](#) 26. [Communication](#) from James Martin advising of his resignation from the Plan and Zoning Commission, Seat 15, effective immediately. **Moved by Kiernan to receive and file and accept resignation with appreciation for his service. Motion Carried 7-0.**
- [08-124](#) (A) [Recommendation](#) from Council Member Brian Meyer to appoint Jo Anne Corigliano to the Plan and Zoning Commission, Seat 15, for a five-year term commencing July 1, 2003 to expire July 1, 2008. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-125](#) 27. [Attendance](#) Reports for the various City Boards and Commissions for 2007. **Moved by Coleman to receive and file, and express our appreciation to all, especially those with perfect attendance; refer to the City Clerk to send a letter to the Board Chairs and staff regarding process for reporting excessive absences. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [08-126](#) 28. [Regarding](#) recommendation for **DENIAL** of request from SUD Des Moines, LLC, 1165 2nd Avenue, to vacate and convey a portion of 2nd Avenue right-of-way, west of and adjoining the subject property, to allow for inclusion of a 20-foot pylon sign for the central Post Office. **Moved by Vlassis to receive and file. Motion Carried 7-0.**
- [08-127](#) 29. [Regarding](#) request from Prairie Hills at Des Moines, LLC for approval of preliminary subdivision plat for “Prairie Hills Des Moines” at 2680 E. Payton Avenue, to allow for 21 single-family lots and a large lot for multiple-family development, subject to conditions. **Moved by Kiernan to receive and file. Motion Carried 7-0.**
- [08-128](#) 30. [Regarding](#) request from James Ellis for approval of preliminary subdivision plat for “Deer Ridge Valley”, at 3301 Stanton Avenue, to allow property to be divided into 19 lots for single-family residential development, subject to conditions. **Moved by Kiernan to receive and file. Motion Carried 7-0.**

- [08-129](#) 31. [Regarding](#) proposed 2008-1 Omnibus Amendment to the City’s Urban Revitalization Plans, extending the duration of all plans for three years, in conformance with the Des Moines’ 2020 Community Character Plan. **Moved by Kiernan to receive and file. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [08-130](#) 32. [On](#) conveyance of vacated east/west High Street right-of-way abutting 3024 High Street to Chinh Dao, \$1, (2-11-08). **Moved by Kiernan to adopt. Motion Carried 7-0.**

- [08-131](#) 33. [On](#) conveyance of underground electric line easement across a portion of 11015 Beardsley Street for WRA Southern Tier Pump Station Project to MidAmerican Energy Company, \$1, (2-11-08). **Moved by Kiernan to adopt. Motion Carried 7-0.**

- [08-132](#) 34. [On](#) conveyance of underground electric line easement across a portion of Glendale Cemetery to MidAmerican Energy Company, \$1, (2-11-08). **Moved by Kiernan to adopt. Motion Carried 7-0.**

- [08-133](#) 35. [On](#) intent to acquire property located at the southwest corner of SE 7th Street and Raccoon Street and authorize acquisition of private property interest from multiple property owners for the SE Connector Project – SE 6th Street to SE 14th Street, (2-11-08). **Moved by Kiernan to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT – CLAIM SETTLEMENTS & BILLINGS

- [08-134](#) 36. [Approving](#) additional payment of \$378.59 to Paul Davis Restoration for property damage claim (September 7, 2007) as the result of a sewer backup. **Moved by Kiernan to adopt. Motion Carried 7-0.**

- [08-135](#) 37. [Approving](#) additional payment of \$3,500 to Service Master West for property damage claim (1400 Cummins Parkway) as the result of a sewer backup. **Moved by Kiernan to adopt. Motion Carried 7-0.**

- [08-136](#) 37-I [Approving](#) payment of \$16,677.95 to Richard Lyman of the Public Works Department for a worker’s compensation claim. **Moved by Kiernan to adopt. Motion Carried 7-0.**

- [08-137](#) 38. [Approving](#) payment of \$8,572 to Hall & Associates for services related to Combined Sewer System and Combined Sewer Overflows related to the NPDES Permit. **Moved by Kiernan to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- [08-138](#) 39. [Submitting](#) travel requests for T. M. Franklin Cownie, Cody Christensen, Robert Kraft, Allen McKinley, Julie Ostrander, Diane Rauh, and Tom Turner. ([Council Communication No. 08-033](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**

APPROVING

- [08-139](#) 40. [Des](#) Moines Public Schools request to use skywalk system as fire exit for Walnut Street School. ([Council Communication No. 08-039](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-140](#) 41. [Prairie](#) Meadows 2007 Community Betterment Grant Agreement for the Park and Recreation Department’s Woodland Cemetery Restoration Program. ([Council Communication No. 08-045](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-141](#) 42. [Pledging](#) contribution to Des Moines Art Center “Hands on Des Moines” Campaign. ([Council Communication No. 08-026](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-142](#) 43. [Receive](#) and file Quarterly Treasurer’s Report as of December 31, 2007. **Moved by Kiernan to receive and file. Motion Carried 7-0.**
- [08-143](#) 44. [Bid](#) from Colorfx for printing of annual performance reports to be used by City Manager’s Office, \$55,063. (nine bids mailed, five received). **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-144](#) 45. [Civil](#) Service Entrance Lists for Administrative Analyst, Building Specialist, Plumbing Specialist, and Wastewater Maintenance System Specialist, and Promotional List for Fleet Service Master Mechanic II. **Moved by Kiernan to receive and file. Motion Carried 7-0.**
- [08-145](#) 46. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of January 21, January 28, and February 4, 2008; to draw checks for the bills of the [Des Moines Municipal Housing](#) Agency for the weeks of January 21, January 28, and February 4, 2008; and to draw checks for the biweekly payroll due February 1, 2008. **Moved by Kiernan to adopt. Motion Carried 7-0.**

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

Council considered Item 47 next

ORDINANCES – FIRST CONSIDERATION

- [08-146](#) 47. [Amending](#) Chapter 78 of the Municipal Code regarding transient merchants and sales of food and merchandise from temporary facilities. ([Council Communication No. 08-034](#)) **Moved by Meyer that this ordinance be considered and given first vote for passage; refer to the City Manager to receive input and to include the requirement that applicants provide proof of an Iowa Health Inspection License. Motion Carried 7-0.**

****Council considered Item 60 next****

- [08-147](#) 48. [Amending](#) Chapters 10, 78 and 102 of the Municipal Code regarding permits and licenses for street use, temporary outdoor service, peddlers and transient merchants as related to street use events. ([Council Communication No. 08-035](#)) **Moved by Kiernan that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

****Council considered Items 50 and 51 next****

COMMUNICATIONS/REPORTS

- [08-148](#) 49. [Request](#) to speak from the Youth Advisory Board. **Moved by Vlassis to receive and file comments and support the forum on February 5th at 5:30 P.M. in the City Council Chambers. Motion Carried 7-0.**

****Council considered Hearing Items 52 thru 57 next****

- [08-149](#) 50. [From](#) Don Beck, 716 62nd Street, to speak regarding Pleasant Drive from 56th Street to 63rd Street being designated as a Snow Route. **Moved by Hensley to receive and file comments; refer to City Manager and Public Works for further study and recommendation back to City Council. Motion Carried 7-0.**

- [08-150](#) 51. [Recommendations](#) from Neighborhood Revitalization Board regarding Fairground Neighborhood mediation. ([Council Communication No. 08-044](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**

****Council considered Items 58, 59, 61, Ex. 1 and Board of Health next****

***Note: If the City Council completes all items above before 5:00 PM, they will skip the Hearing Items, and continue the agenda starting with the next item following the Hearings. At 5:00 PM, they will return to this point in the agenda to consider the Hearing Items and then continue with all the remaining items on the agenda.**

HEARINGS (OPEN AT 5:19 P.M.) (ITEMS 52 THRU 57)

- [08-151](#) 52. **On** request from Foods Inc. (Dahl's) to rezone 3425 Ingersoll Avenue from "NPC" (Neighborhood Pedestrian Commercial) and "R1-60" (One-Family Low-Density Residential) to "PUD" (Planned Unit Development). ([Council Communication No. 08-037](#)) **Moved by Hensley to close the public hearing on the proposed rezoning; to continue the public hearing on the proposed Conceptual Plan until February 11, 2008; and, to direct the City staff to work with the applicant and the neighborhood to amend the proposed Conceptual Plan to incorporate the changes discussed by the City Council. Motion Carried 7-0.**
- [08-152](#) (A) **First** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [08-153](#) 53. **On** vacation and conveyance of an air space easement adjoining 707 8th Street to Principal Life Insurance Company for \$30. ([Council Communication No. 08-041](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-154](#) (A) **First** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [08-155](#) (B) **Final** consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#14,741](#). Motion Carried 7-0.**
- [08-156](#) 54. **On** vacation and conveyance of an easement for air space above a portion of 13th Street right-of-way between Locust and Walnut Street, and above a portion of Walnut Street right-of-way between 12th Street and 13th Street to Nationwide Mutual Insurance Company for \$400. ([Council Communication No. 08-040](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-157](#) (A) **First** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [08-158](#) (B) **Final** consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#14,742](#). Motion Carried 7-0.**

55. On items regarding property at 3915 Fleur Drive, Wakonda Townhomes:

[08-159](#)

(A) [To](#) amend the Des Moines 2020 Community Character Land Use Plan future land use designation from Park/Open Space to Low/Medium Density Residential. **Moved by Hensley to adopt, and approve the proposed amendment. Motion Carried 7-0.**

[08-160](#)

(B) [Hearing](#) on rezoning from “R1-80” (One Family Residential) to Ltd. “PUD”, subject to conditions. **Moved by Hensley to adopt and approve the rezoning, subject to final passage of the rezoning ordinance; refer to the City Manager to monitor the traffic flow in the area. Motion Carried 7-0.**

[08-161](#)

(C) [First](#) consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[08-162](#)

(D) [Final](#) consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#14,743](#). Motion Carried 7-0.**

[08-163](#)

56. [On](#) Supplement C-1 to the City’s Master Lease-Purchase Agreement for purchase of various vehicles and equipment for the Public Works Department, not to exceed \$750,000. **Moved by Kiernan to adopt. Motion Carried 7-0.**

[08-164](#)

(A) [Authorization](#) for additional actions. **Moved by Kiernan to adopt. Motion Carried 7-0.**

[08-165](#)

(B) [Authorizing](#) execution and delivery. **Moved by Kiernan to adopt. Motion Carried 7-0.**

[08-166](#)

57. [On](#) 3-year lease agreement with Drake University for a building at 1222-24th Street, (former post office), to house the Des Moines Police Department Traffic Unit. ([Council Communication No. 08-024](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

****END HEARINGS AT 7:40 P.M.****

****Council considered Item 48 next****

CITY MANAGER RECOMMENDATIONS

- [08-167](#) 58. [Communication](#) from the City Manager regarding the land use plans for Sherman Hill Neighborhood in the vicinity of the Kingsway Cathedral at 901 19th Street. ([Council Communication No. 08-036](#)) **Moved by Meyer to receive and file the communication, and to direct the City Manager to proceed with implementation of the recommendations made therein; continue to work with the Sherman Hill and Drake Neighborhood Association. Motion Carried 7-0.**
- [08-168](#) 59. [Communication](#) from City Manager regarding a request from Vision Fuels Des Moines LLC, represented by Dan Cornelison, CEO for an extension on the time allowed under the Amended and Restated Urban Renewal Agreement for Sale of Land for Private Redevelopment for closing on the purchase of approximately 164 acres of City-owned land located south of Vandalia Road in the SE Agribusiness Park. ([Council Communication No. 08-027](#)) **Moved by Kiernan to receive and file, and to direct the City Manager to negotiate the appropriate amendment to the Urban Renewal Agreement for future consideration by the City Council. Motion Carried 6-1. Nays: Cownie.**
- [08-169](#) 60. [Preliminary](#) Terms of Agreement with DART Commission for Uniform Regional Funding of Mass Transit Operations and use of City Park and Ride Funds. **Moved by Hensley to adopt. Motion Carried 7-0.**

Council considered Item 49 next

APPROVING

61. Recommendations from the City Council Employee Evaluation Sub-Committee regarding the following:
- [08-170](#) (A) [City](#) Manager. **Moved by Vlassis to approve the recommendation as contained in the Sub-Committee's letter, with salary increase to be retroactive to January 1, 2008. Motion Carried 7-0.**
- [08-171](#) (B) [City](#) Attorney. **Moved by Vlassis to approve the recommendation as contained in the Sub-Committee's letter, with salary increase to be retroactive to January 1, 2008. Motion Carried 7-0.**
- [08-172](#) (C) [City](#) Clerk. **Moved by Vlassis to approve the recommendation as contained in the Sub-Committee's letter, with salary increase to be retroactive to January 1, 2008. Motion Carried 7-0.**
- [08-173](#) (D) [Human](#) Rights Director **Moved by Vlassis to approve the recommendation as contained in the Sub-Committee's letter, with salary increase to be retroactive to January 1, 2008. 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.

- [08-174](#) 1. [Approving](#) execution of Special Warranty Deed to Nelson Development 15, L.L.C. for Disposition Parcel No. 02-3, 230 E. Grand Avenue, in the Metro Center Urban Renewal Project. SPONSOR: Meyer. **Moved by Meyer to adopt. Motion Carried 7-0.**

BOARD OF HEALTH

- [08-175](#) MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene as a Board of Health. Motion Carried 7-0.**

AUTHORIZING

1. The Legal Department to proceed with court action seeking authority to abate the public nuisance at the following locations:
- [08-176](#) (A) [1670](#) County Line Road, (structure), Titleholder: Easter Lake Estates, Inc. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-177](#) (B) [623](#) SE 6th Street, (structure), Titleholders: Sheila R. Hascall (deceased) and Harvey Hascall, Jr. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-178](#) (C) [4315](#) SE 14th Street, Lot 2, (structure-trailer house), Titleholders: P&H Properties and Phyllis M. Rogers, Contract Buyers: Bonnie and David England. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-179](#) (D) [4315](#) SE 14th Street, Lot 3, (structure-trailer house), Titleholders: P&H Properties and Phyllis M. Rogers, Contract Buyers: Bonnie and David England. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-180](#) (E) [4315](#) SE 14th Street, Lot 17, (structure-trailer house), Titleholders: P&H Properties and Phyllis M. Rogers, Contract Buyers: Bonnie and David England. **Moved by Kiernan to adopt. Motion Carried 7-0.**

COMMUNICATION

- [08-181](#) 2. [Communication](#) regarding demolition cost reserve being held by GAB Robins North America, Inc. for the fire-damaged structure located at 2905 Cleveland. **Moved by Mahaffey to receive and file and to direct the City Attorney bring legal action within one hundred eighty days (180 days) of receipt of notice if owners have not demolished or renovated the structure. Motion Carried 7-0.**
- [08-182](#) 3. [Communication](#) regarding demolition cost reserve being held by Nationwide Insurance Company for the fire-damaged structure located at 2000 SW 1st Street. **Moved by Hensley to receive and file and to direct the City Attorney bring legal action within one hundred eighty days (180 days) of receipt of notice if owners have not demolished or renovated the structure. Motion Carried 7-0.**
- [08-183](#) MOTION TO ADJOURN. **Moved by Meyer to adjourn at 8:50 P.M. Motion Carried 7-0.**

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All-America City
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