

SUMMARY OF DES MOINES CITY COUNCIL MEETING

February 7, 2000 4:30 P.M.

PROCLAMATIONS - 4:00 P.M.:

(A) American Heart Association of Iowa's Dress Red Day

(B) Brotherhood/Sisterhood Week

(C) Domestic Violence Seminar "Women Don't Have to Take it No More"

INVOCATION: Pastor Charles Anderson, First Lutheran Church

00-268 1. ROLL CALL: **Present: Daniels, Brooks, Coleman, Flagg, Hensley, McPherson, and Vlassis.**

00-269 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-270 3. APPROVING CONSENT AGENDA - items 3 through 68: **Moved by Vlassis to adopt the balance of the consent agenda. Motion Carried 7-0.**

LICENSES AND PERMITS:

Approving

00-271 4. Communication from Legal Department regarding February 7, 2000 License and Permit Agenda. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

Class "B" Beer Licenses

00-272 5. Eugene Hiskey dba Rainbow Cleaning Machine, 4347 Merle Hay Road; Renewal - Expires 2-15-00 (With Sunday Sales) - Application submitted 1-17-00. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Class "C" Beer Licenses

00-273 6. Casey's Marketing Company, Robert J. Hood, President dba Casey's General Store, 2150 East Army Post Road; New Application (With Sunday Sales) - Application submitted 9-10-99. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-274 7. Manjit Singh dba Citgo Gas C Store, 4600 Fleur Drive; New Application (With Sunday Sales) - Application submitted 1-6-00. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Flagg.**

00-275 8. Git N Go Convenience Stores, Inc., Dennis Flora, President dba Git N Go #27, 1240 Keo Way; Renewal - Expires 2-19-00 (With Sunday Sales) - Application submitted 12-22-99. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-276 9. Krause Gentle Corporation, William A. Krause, President dba Kum & Go #440, 821 East Euclid; Renewal - Expires 2-26-00 (With Sunday Sales) - Application submitted 12-3-99. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-277 10. Jasjit Singh Nat dba Nat Food Mart, 1443 2nd Avenue; New Application (With Sunday Sales) - Application submitted 1-11-00. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Flagg.**

00-278 11. American Drug Stores, Inc., Kevin H. Tripp, President dba Osco Drug #534, 3501 Ingersoll; Renewal - Expires 2-16-00 (With Sunday Sales) - Application submitted 12-22-99. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-279 12. Kwik Trip, Inc., John J. Hansen, President dba Tobacco Outlet Plus, 400 Euclid; Renewal - Expires 2-22-00 (With Sunday Sales) - Application submitted 12-17-99. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Class "B" Wine Licenses

00-280 13. Git N Go Convenience Stores, Inc., Dennis Flora, President dba Git N Go #27, 1240 Keo Way; Renewal - Expires 2-19-00 - Application submitted 12-22-99. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-281 14. American Drug Stores, Inc., Kevin H. Tripp, President dba Osco Drug #534, 3501 Ingersoll; Renewal - Expires 2-16-00 - Application submitted 12-22-99. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Class "C" Liquor Licenses

00-282 15. Cooney Beverage Co., Inc., Brian J. Cooney, President dba Cooney's, 3719 Beaver; Renewal - Expires 2-12-00 (With Sunday Sales) - Application submitted 1-11-00. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-283 16. Guanaguato, Inc., Juan Ayala, President dba El Aguila Mexican Restaurant, 3600 Beaver; Renewal - Expires 2-19-00 (With Sunday Sales) - Application submitted 1-11-00. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Flagg.**

00-284 17. Kay L. Walters dba El Paso, 2600 Dean Avenue; New Application (With Sunday Sales) - Application resubmitted 2-1-00. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-285 18. Faces, Ltd., Craig L. Conkling, President dba Faces, 416 E. Walnut; Renewal - Expires 2-19-00 (With Sunday Sales) - Application submitted 1-13-00. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-286 19. Judy J. Adams dba Firehouse Lounge, 1930 Southeast 6th Street; Renewal - Expires 2-19-00 (With Sunday Sales) - Application submitted 1-13-00. **Moved by Vlassis to adopt. Motion Carried 7-0.**

WITHDRAWN00-287 20. Flanagan Corp., Timothy J. Flanagan, President dba Flanagan's, 2120 Ingersoll; New Application (With Outdoor Service) - Application submitted 1-20-00.

00-288 21. Fister Investments, Inc., Mark A. Nicola, President dba Murphy's, 6202 Douglas; Renewal - Expires 2-26-00 (With Sunday Sales) - Application submitted 1-13-00. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-289 22. Peter J. Leonetti dba Pally's, 508 Clifton; New Application (With Sunday Sales) - Application submitted 1-3-00. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-290 23. Garcia's, Inc., Agustin Arceo, President dba Plaza Mexico, 3841 East 14th Street; New Application (With Sunday Sales) - Application submitted 12-2-99. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Flagg.**

Class "E" Liquor Licenses

00-291 24. American Drug Stores, Inc., Kevin H. Tripp, President dba Osco Drug #534, 3501 Ingersoll; Renewal - Expires 2-16-00 - Application submitted 12-22-99. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Temporary Transfers

00-292 25. Platipus Productions, Ronald D. Boone, President dba Blues on Grand, 1501 Grand, requesting permission to transfer Class "C" Liquor License to Kirkwood Hotel Ballroom, 4th & Walnut for one day event on February 19, 2000 for Central Iowa Blues Festival. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Authorizing

00-293 26. City Clerk to issue Cigarette Licenses. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-294 27. City Clerk to issue Coin-Operated Amusement Machines Licenses. **Moved by Vlassis to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

00-295 28. Approving Professional Services Agreement with Veenstra & Kimm, Inc., H. R. Veenstra, President, West Des Moines, for Construction-Phase Services in conjunction with Closes Creek - 27th to 28th Streets - Storm Sewer Improvements - \$60,975. ([Council Communication No. 00-051](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-296 29. Approving execution of Iowa Department of Transportation (IDOT) Agreement for Traffic Safety Improvement Funding - 55th/56th Street Intersection at University Avenue. ([Council Communication No. 00-040](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-297 30. Resolution Ordering Construction of Des Moines Metropolitan Wastewater Reclamation Facility - Biosolids Facilities, Receiving of Bids, (3-7-2000), and Setting Date of Hearing, (3-20-2000). (Construction Estimate - \$10,783,000). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-298 31. Agreement with MidAmerican Energy for installation of electrical service for the sewer pumping station as a part of the Southeast Airport Trunk Sewer-Phase 2 Project. ([Council Communication No. 00-050](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-299 32. Approving contract and bond, and permission to sublet, for Closes Creek - 27th Street to 28th Street and Forest Avenue Storm Sewer Improvements, C.E. Contracting LTD. of Iowa, (Denny K. Edwards, Hampton, IA), subject to submission of insurance approved by Legal. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-300 33. Approving Private Construction Contract between Van Hauen & Associates, Inc., (Mark Van Hauen, President-Contractor) and Erickson Development, Inc., (Tim Erickson, President-Owner) for Sanitary Sewer Improvements to serve the proposed Three Lakes Estates Plat 3 Development located at Moonlight Drive and Star View Street - \$105,565. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-301 34. Approving Private Construction Contract between Van Hauen & Associates, Inc., (Mark Van Hauen, President-Contractor) and Erickson Development, Inc., (Tim Erickson, President-Owner) for Storm Sewer Improvements to serve the proposed Three Lakes Estates Plat 3 Development located at Moonlight Drive and Star View Street - \$84,478. **Moved by Vlassis to adopt. Motion Carried 7-0.**

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

00-302 (A) Elm Street Sanitary Sewer Cleaning & Televising, SW 1st Street to SW 5th Street, Hydro-Klean, Inc., \$19,715.40 is now due and \$6,467.63 remaining balance payable at the end of 30 days. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-303 (B) SE 14th Street and Southridge Mall South Exit Traffic Signalization, Iowa Signal & Electric Co., \$4,620.58 remaining balance payable at the end of 30 days. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-304 (C) E. 14th Street (U.S. 69) and Guthrie Avenue Intersection Improvements, Corell Contractor, Inc., \$32,534.86 remaining balance payable at the end of 30 days. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-305 36. Approving partial payment on four public improvement projects. (Call City Clerk's Office for listing). **Moved by Vlassis to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

WITHDRAWN00-306 37. Resolution levying assessments for costs of Nuisance Abatement-Emergency Orders (Community Development) Schedule No. 1900-47 and providing for the payment thereof.

00-307 38. Approving Delinquent Sewer Rental and/or Solid Waste/ Stormwater Utility Fees for the month of January, 2000, for Certification to Polk County Treasurer (call the City Clerk's office for list). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-308 39. Authorizing Assessment Clerk to correct NAC-Emergency Orders Assessment Schedule No. 1900-45 in which a \$125 lien was placed on 719 SE 7th Street and the property owner has paid the charges in full to the Community Development Department. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-309 40. Authorizing Assessment Clerk to correct Delinquent Solid Waste/Stormwater Utility and/or Sewer Rental Credits Schedule, for January, 2000. **Moved by Vlassis to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

00-310 41. Establishing Fair Market Value and Authorizing acquisition of properties in conjunction with Martin Luther King, Jr. Parkway Project-Central Business District Arterial Loop By-Pass, from Burlington Northern & Santa Fe Railway Company, railroad right-of-way along Elm Street between SW 2nd and SW 9th Streets - \$771,800. **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Flagg.**

00-311 42. Offer to Purchase Real Estate and Acceptance, form of Warranty Deed in conjunction with Airport Expansion (Haverhill), from James L. Claman and Yvonne M. Claman, 2920 Littell Avenue - \$127,000. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-312 43. Certification of Title for 22 properties in conjunction with Airport Noise Compatibility Program, Phase II (call the City Clerk's office for list). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-313 44. Certification of Title for 61 properties in conjunction with Airport Noise Compatibility Program, Phase II (call the City Clerk's office for list). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-314 45. Release of Subdivision Bonds No. IAC 22076 and IAC 22077 in a total amount of \$30,617 from Merchants Bonding Company as security for completion of required improvements for EASTER LAKE ESTATES PLAT 1. ([Council Communication No. 00-049](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-315 46. Approval of Final Subdivision Plat entitled AIRPORT COMMERCE PARK SOUTH, in vicinity of relocated Army Post Road west of Fleur Drive. ([Council Communication No. 00-048](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-316 47. Approving Noise and Avigation Easements for two properties in conjunction with the Airport Noise Compatibility Program, Phase II. **Moved by Vlassis to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

00-317 48. Reappointment recommendation of Council Member Tom Vlassis of Angeline Anderson to the Des Moines Access Advisory Board for a four-year term to expire June 15, 2002. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-318 49. Communication from City Clerk advising of scrivener's error reference terms for City Plan Commission for: Frank Cownie - Term expired July 1, 1999 instead of July 1, 2000. **Moved by Vlassis to receive, file and approve. Motion Carried 7-0.**

00-319 (A) Recommendation of Council Member Chris Hensley, Ward III, for reappointment of Frank Cownie to the City Plan Commission, for a five-year term (commencing in 1999) to expire July 5, 2004. **Moved by Vlassis to adopt. Motion Carried 7-0.**

CITY PLAN COMMISSION RECOMMENDATIONS

00-320 50. Regarding approval of request from the City Manager for vacation and lease of a portion of Jefferson Avenue from the Des Moines River west to a point 400' east of the east right-of-way line of Ohio Street and for vacation only of a portion of Vermont Street lying north of Jefferson Avenue. **Moved by Vlassis to adopt and refer to the City Manager and Legal Department for implementation. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

51. On the City's Operating Budget:

00-321 (A) Amendment to the annual budget for the current fiscal year ending June 30, 2000 (3-6-00). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-322 (B) Proposed annual budget for the fiscal year ending June 30, 2001 (3-6-00). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-323 (C) Resolution specifying the use of Tax Credit Reimbursement from State of Iowa. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-324 52. On request from Hurd Real Estate Services, Inc. (Owner) to rezone property located at 4807 SE 14th Street from an "R1-80" One Family Residential District to a Limited "c-2" General Retail and Highway Oriented Commercial District, (2-21-00). **Moved by Vlassis to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

00-325 53. Approving Execution of Release and Assignment to United Pacific Insurance Company in conjunction with AccessAir Holdings, Inc. **Moved by Vlassis to adopt. Motion Carried 6-0. Council Member Brooks declares a conflict of interest, and abstains from voting.**

00-326 54. Approving payment of \$4,093.50 to Nyemaster, Goode, McLaughlin, Voigts, West, Hansell & O'Brien, P.C. for services relating to collective bargaining. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-327 55. Approving payment of \$6,233.63 to Ahlers, Cooney, Dorweiler, Haynie, Smith & Allbee, P.C. for representing City with respect to general matters for period December 15, 1998 through January 4, 2000. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-328 56. Approving payment of \$120,000 to Richard Townsend, Jr. for a special case settlement subject to approval by the Iowa Workers' Compensation Commissioner. **Moved by Vlassis to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

00-329 57. Submitting out-of-state travel requests for Donna Boetel-Baker and Steve Lahm. ([Council Communication No. 00-042](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

APPROVING

00-330 58. Tax Abatement applications for additional value added by improvements during 1999. (340 applications on file in City Clerk's Office). ([Council Communication No. 00-039](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-331 59. Resolution denying application for Tax Abatement (Jim Hall property at 2814 SE 14th Street); improvements do not qualify under City-wide Urban Revitalization Plan. **Moved by Brooks to continue to May 31, 2000. Motion Carried 6-1. Absent: Hensley.**

00-332 60. Amendment to loan agreement with Skaters Choice, L.L.C., and approving an increase in loan amount from \$50,000 to \$65,000 in conjunction with Capitol Gateway East Ice Pavilion at 323 E. Locust Street. ([Council Communication No. 00-055](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-333 61. Amendment One to the Beacon of Life Project, transferring \$7,575 of unspent Emergency Shelter Grant (ESG) funds from the Our Community Kitchen Project to the Beacon of Life Project. ([Council Communication No. 00-041](#)). **Moved by Coleman to adopt. Motion Carried 7-0.**

00-334 62. Selection of Merrill Lynch (David H. Komansky, Chairman and CEO, 400 Locust) as Senior Managing Underwriter for Parking System Revenue Bonds. ([Council Communication No. 00-044](#)). **Moved by Vlassis to adopt. Motion Carried 6-1. Pass: Flagg.**

00-335 63. Intergovernmental 28D Agreement to allow Senior Police Officer Richard Shuett to be temporarily assigned to IA DOT as statewide instructor for new software laptop technology effective, February 8, 2000 to February 8, 2001. ([Council Communication No. 00-057](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-336 64. Liquor Concession Agreement with Embassy Suites Hotel for public and private social events at the Simon Estes Riverfront Amphitheater. ([Council Communication No. 00-056](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

65. Bids for the following:

00-337 (A) All Makes Office Equipment, (510 Murphy Street, Larry Kavich, President) for office furniture to be used by the Police Department (Research and Development), \$12,131.58. (Seven bids mailed-three received). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-338 (B) Charles Gabus Ford, Inc., (4545 Merle Hay Road, Charles Gabus, President) for a replacement one-ton truck to be used by the Public Works Department (Street Maintenance), \$27,826.27. (Nine bids mailed-three received). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-339 (C) Road Machinery and Supply Co., (100 Sheridan avenue, Glen Karr, President) for two (2) replacement industrial loaders to be used by the Public Works Department (Street Cleaning), \$165,918. (Seven bids mailed-five received). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-340 66. Receipt of Insurance for various City projects and functions for recording by the City Clerk. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-341 67. Report of Civil Service Commission for February 1, 2000 for Promotional List for Truck Driver. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

00-342 68. Authorizing Finance Director to draw checks on registers of February 4, 2000 and February 11, 2000, to draw checks for bills of the Des Moines Municipal Housing Agency for the weeks beginning January 31, 2000 and February 7, 2000, and to draw checks for biweekly payroll due employees on February 11, 2000. **Moved by Vlassis to adopt. Motion Carried 7-0.**

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

****Council considered Items 88, 71 and 73 next****

ORDINANCES - FIRST CONSIDERATION

00-343 69. Amending Chapter 2 of the Municipal Code regarding annual purchase agreements for contracts for demolition and repair services. ([Council Communication No. 00-052](#)). **Moved by Hensley that this ordinance be considered and given first vote for passage. City Manager to report on impact of this ordinance. Motion Carried 7-0.**

00-344 (A) Final consideration of ordinance above, (waiver requested by City Manager), requires 6 votes. **Moved by Hensley to 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, [#13,787](#). Motion Carried 7-0.**

COUNCIL REQUESTS

00-345 70. From Council Member Archie Brooks regarding a development plan for the area south of Easter Lake. **Moved by Brooks to receive, file and refer to City Manager for a report back on February 21, 2000. Motion Carried 6-1. Absent: Flagg.**

00-346 (A) Communication from Plan and Zoning Commission. **Moved by Brooks to receive and file. Motion Carried 7-0.**

00-347 71. From Council Member Christine Hensley to discuss Fleur Drive Gateway Beautification Project, including a status report, recommendations, and acceptance of a challenge grant. **Moved by Hensley to receive, file and discuss; accept the challenge grant with appreciation, and refer to City Manager to develop an RFP for redevelopment plans. Motion Carried 7-0.**

00-348 72. From Council Member Archie Brooks regarding a culvert located at 2338 S.E. 6th Street. **Moved by Brooks to receive, file and refer to the City Manager for a report on February 21, 2000. Motion Carried 6-1. Absent: Flagg.**

00-349 73. From Council Member George Flagg regarding handicap accessibility matters. **Moved by Flagg to receive, file and discuss, and refer to City Manager. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

00-350 74. From President of Public Library Board of Trustees submitting findings and recommendations of the Public Library of Des Moines' Facilities Needs Assessment. **Moved by Vlassis to receive, file and accept the report. Motion Carried 6-1. Absent: Flagg.**

****Council Member Flagg left the meeting at 7:35****

00-351 75. Request from Ronald Smith, 2665 Boyd, to speak regarding a lot that FEMA has designated a "flood way". **Moved by Brooks to receive, file and grant the request to speak; refer to City Manager for a report in March. Motion Carried 6-1. Absent: Flagg.**

00-352 76. George Jordan of 7500 S.E. Bloomfield Road submitting petition for proposed sanitary sewer easements east of S.E. 14th Street from South of County Line Road to North of Bloomfield Road (Hillock Estates). **Moved by Brooks to receive, file and refer to City Manager and City Engineer. Motion Carried 6-1. Absent: Flagg.**

INFORMAL HEARINGS (Opened at 5:57 P.M.) (Item 77)

00-353 77. To receive citizen input regarding the Capital Improvement Program (CIP). **Moved by Vlassis to receive and file all information and comments and refer to City Manager for review. No written nor verbal comments received. Motion Carried 7-0.**

HEARINGS (Opened at 5:58 P.M.) (Items 78 thru 86)

00-354 78. On certificates of Occupancy and Housing Inspection Certificates for structures owned by James O. Boyt, at 512 1/2, 524 and 526 E. Grand. **Moved by Brooks to continue two weeks, to 2-21-00. Staff to recommend action to be taken. Motion Carried 5-2. Nays: Coleman and Hensley.**

79. On the following items regarding proposed Walgreen's property at 2927 Brattleboro Avenue:

00-355 (A) Vacation and conveyance of the North/South alley right-of-way north and east from Brattleboro, between 29th and 31st Streets, to Drake University. **Moved by Hensley to adopt and to set the cash component of the consideration to be paid for alley at \$100. Motion Carried 6-1. Nays: Daniels.**

00-356 (B) First consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Nays: Daniels.**

00-357 (C) Final consideration of ordinance above, (waiver requested by Drake University) requires 6 votes. **Moved by Hensley 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, [#13,788](#). Motion Carried 6-1. Nays: Daniels.**

00-358 (D) Rezoning of property from R-3 (Multiple Family Residential) to "C-1" (Neighborhood Retail Commercial District). **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Daniels.**

00-359 (E) First consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Nays: Daniels.**

00-360 (F) Final consideration of ordinance above, (waiver requested by Drake University) requires 6 votes. **Moved by Hensley 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, [#13,789](#). Motion Carried 6-1. Nays: Daniels.**

00-361 80. On 2000-1 Omnibus Amendments to the City's Urban Revitalization Plans to extend the City-wide tax abatement Program for five years, to December 31, 2005. **Moved by McPherson to adopt. Motion Carried 5-1-1. Nays: Brooks. Pass: Flagg.**

00-362 (A) Communication from Chair of Neighborhood Revitalization Board. **Moved by McPherson to receive and file. Motion Carried 7-0.**

00-363 (B) Communication from President of Des Moines Neighbors. **Moved by McPherson to receive and file. Motion Carried 7-0.**

00-364 81. On 8th Amendment to the restated Urban Revitalization Plan for the City-Wide Urban Revitalization Area, to encourage rehabilitation and redevelopment of the Locust Mall by adding the property to the Downtown West Urban Revitalization Area "A", and to encourage commercial development of the west 1/2 of the Hotel Fort Des Moines block by removing property from the Hotel Fort Des Moines Block Historic Urban Revitalization Area. **Moved by Hensley to adopt. Motion Carried 6-1. Pass: Flagg.**

00-365 82. On recommended approval of application from Randolph Jones, to rezone property at 2721 and 2725 34th Street, from "R1-60" (One Family Residential) to Ltd "R-2" (One and Two Family Residential), to allow for a two unit, 3 bedroom, 2 story townhouse with 2-car attached garages (continued from 1-24-00). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-366 (A) First consideration of ordinance above. **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

00-367 (B) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by Vlassis that the rule requiring that ordinances must be considered, and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#13,790](#).**

00-368 83. On proposed lease of property in vicinity of 227 SW 63rd Street, to Eller Media, Inc., 10-year term ending August 31, 2009, annual rental of \$2,000, for the first 5 years, and \$2,200 for the second five years. **Moved by Coleman to adopt. Motion Carried 5-2. Nays: Hensley and Brooks.**

00-369 84. On Union Park Carousel Pavilion: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Larson

& Larson Construction, L.L.C., (Jeffrey C. Larson, 2882 106th, Suite 220), \$223,800. ([Council Communication No. 00-047](#)) **Moved by McPherson to adopt. Motion Carried 7-0.**

00-370 (A) Approving contract and bond, and permission to sublet. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-371 85. Continuing hearing on application from The Six Incorporated, 1969 Trust (Owner) to rezone property located at 1107 S.W. 63rd Street to 2-21-00. **Moved by Flagg to continue the public hearing until February 21, 2000, at 5:30 P.M. Motion Carried 7-0.**

00-372 86. Closing the public hearing on proposed vacation, sale and lease of portion of Vine Street--Van Vleet, Inc., (no specific proposal has been received). **Moved by Flagg to close the public hearing. The City Manager to bring this matter back before the City Council when there is a specific proposal from Van Vleet, Inc., to be considered. Motion Carried 6-1. Absent: Vlassis.**

* * END HEARINGS at 7:00 P.M. * *

****Council considered Item 74, and 70 thru 76 next; then 87 thru end of agenda****

CITY MANAGER RECOMMENDATIONS

00-373 87. Regarding purchase of Geographical Information System (GIS) hardware from Project Impact Grant Funds. ([Council Communication No. 00-045](#)). **Moved by Coleman to adopt. Motion Carried 6-1. Absent: Flagg.**

APPROVING

00-374 88. Presentation by Parks Department regarding status of Grays Lake Park Project: ([Council Communication No. 00-054](#)). **Moved by Hensley to receive and file; accept donations with appreciation, and approve recommendation contained in the Council Communication No. 00-054. Motion Carried 6-1. Absent: Brooks.**

00-375 (A) Professional Service Agreement with Capitol Resources to coordinate and manage fundraising. ([Council Communication No. 00-053](#)). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Brooks.**

00-376 (B) Approving Construction Schedule, Phase I Budget, and bridge plank donor campaign information; creating Donor Agreements for donated construction, and creating agreement with Greater Des Moines Foundation as receiver of private gifts. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Flagg.**

00-377 (C) Supplemental Agreement No. 3 with RDG Crose Gardner Shukert, Inc., (Jon F. Crose, Partner, 414 61st Street) to provide schematic design of pedestrian bridge at Grays Lake Park in conjunction with Grays Lake Park Master Plan. ([Council Communication No. 00-046](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Brooks.**

00-378 (D) Communication from Plan and Zoning Commission. **Moved by Hensley to receive and file. Motion Carried 6-1. Absent: Brooks.**

****Council considered Item 73 and Hearings next****

00-379 89. Amendment to ACCENT Neighborhood Action Plan as element to Des Moines 2000 Land Use Plan to include extension of E. 26th Street between Garfield and Easton Boulevard. **Moved by McPherson to adopt. Motion Carried 6-1. Absent: Flagg.**

00-380 90. Sale of vacant Airport property near SW 34th and Stanton, to Cooper Homes, Inc., \$29,100, subject to Cooper Homes selling or granting necessary fee and temporary easement interest in two small parcels necessary for construction of relocated SW 34th Street, subject to receipt of offer to purchase, approved by the Legal Department. ([Council Communication No. 00-043](#)). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Flagg.**

00-381 91. Resolution to approve Spirit of Des Moines Business Recognition Program. ([Council Communication No. 00-038](#)). **Moved by Coleman to approve. Motion Carried 6-1. Absent: Flagg.**

00-382 92. Issuance of a permit to Dykon Company for explosive demolition of the Monarch Cement Plant, 5200 Park Avenue. ([Council Communication No. 00-058](#)). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Flagg.**

00-383 93. Appointment of Eric Anderson and Jim Grant (Alternate) as City of Des Moines' representative to the Joint Planning Board with Warren County. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Flagg.**

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EXTRA ITEMS

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

00-384 1. Approving recommendation of Council Member Flagg for appointment of Ralph Moisa Jr. to the Neighborhood Revitalization Board, 3-year term expires 6-30-2002. SPONSOR: Flagg. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

00-385 2. Request of Council Member Brooks, to allow Terry Goepferich, 7 SW Davis, to speak regarding 100 foot setback requirements for parking in residential areas. SPONSOR: Brooks. **Moved by Brooks to receive, file and grant the request to speak; refer to City Manager, Legal and Planning Commission, for review and recommendation. Motion Carried 6-1. Absent: Flagg.**

00-386 3. Discussion regarding Access Air. SPONSOR: Hensley. **Moved by Coleman to authorize City Manager to talk with airline officials about possible financial aid, for a recommendation to the Council, as appropriate. Motion Carried 5-1. Absent: Flagg. Council Member Brooks declares a conflict of interest, and abstains from voting.**

A G E N D A

BOARD OF HEALTH

February 7, 2000

00-387 MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene as a Board of Health. Motion Carried 6-1. Absent: Flagg.**

AUTHORIZING

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

00-388 (A) 2411 Elizabeth, vacant, Titleholders, John Mann, Frances E. Mann; Contract Buyer, Donnie Mann. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

00-389 (B) 1408 Hutton, vacant, Titleholder: Unknown Heirs of Vera Rowland; Contract Buyers, Freddie Lee, Evelyn J. Lee. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

00-390 (C) 2621 Raccoon, vacant, Titleholder: James A. Farabi, Delores C. Farabi; Legal Interest Holder; Brian R. Kay, as Guardian and Next Best Friend of Rachel E. Kay, A Minor. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

00-391 (D) 710 SE 27th, vacant, Titleholders: Jolanta Bankowsak, Albert Wald. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

00-392 2. Release of demolition cost reserve held under claim number 02-459795 regarding property known as 3146 8th owned by Sonny J. Elliott. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

00-393 MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 8:40. Motion Carried 6-1. Absent: Flagg.**

DES MOINES-

CITY OF SKYWALKS