

SUMMARY OF DES MOINES CITY COUNCIL MEETING
DES MOINES CITY COUNCIL MEETING
May 1, 2000 4:30 P.M.

SPECIAL PRESENTATIONS - 4:00 P.M.

To Laura Isenstein, Library Director

PROCLAMATIONS - 4:00 P.M.:

(A) Christmas in April * Greater Des Moines Week

(B) Des Moines National Poetry Festival Week

INVOCATION: Tom Vlassis, Ward 1 Council Member

00-1246 1. ROLL CALL: **Present: Daniels, Brooks, Coleman, Flagg, Hensley, McPherson, and Vlassis.**

00-1247 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1248 3. APPROVING CONSENT AGENDA - items 3 through 53: **Moved by Hensley to adopt the balance of the consent agenda. Motion Carried 7-0.**

LICENSES AND PERMITS:

Approving

00-1249 4. Communication from Legal Department regarding May 1, 2000 License and Permit Agenda. **Moved by Hensley to receive and file. Motion Carried 7-0.**

Class "B" Beer Licenses

00-1250 5. Edelstein, Inc., Deena Edelstein, Owner, dba Duds N Suds, 2552 Hubbell; Renewal - Expires 5-18-00 (With Sunday Sales) - Application submitted 2-29-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1251 6. Martin J. Inc., Marty Scarpino, Owner, dba Dud N Suds, 2629 Beaver Avenue; New Application (With Sunday Sales) - Application submitted 2-29-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1252 7. S & L Food Services, Ronald H. Smith, President dba Mustard's, 2923 Southwest 9th Street; Renewal - Expires 5-13-00 (With Sunday Sales) - Application submitted 3-31-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

Class "C" Beer Licenses

00-1253 8. Randolph Investment Co., Sandra Coppola, President dba 4th Street Grocery, 210 - 4th Street; Renewal - Expires 5-28-00 (With Sunday Sales) - Application submitted 4-11-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1254 9. H & A Mini Mart Corporation, Anoop Singh, Owner, dba H & A Mini Mart, 5901 Fleur Drive; New Application (With Sunday Sales) - Application submitted 3-29-00. **Moved by Hensley to adopt. Motion Carried 6-1. Pass: Flagg.**

00-1255 10. Krueger Enterprises, Inc., Donald W. Krueger, President dba Southgate Amoco, 3401 Southeast 14th Street; Renewal - Expires 5-29-00 (With Sunday Sales) - Application submitted 3-31-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1256 11. Mora, Inc., Manuel Mora, President dba La Tapatia, 1700 East Grand Avenue; Renewal - Expires 5-1-00 (With Sunday Sales) - Application submitted 4-21-00. **Moved by Hensley to adopt. Motion Carried 6-1. Pass: Flagg.**

Class "B" Wine Licenses

00-1257 12. Shaner Hotel Group Properties Two Limited Partnership, Frederick J. Shaner, President, dba Savery Hotel & Spa, 401 Locust; Renewal - Expires 5-22-00 - Application submitted 4-11-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

Class "B" Liquor Licenses

00-1258 13. Shaner Hotel Group Properties Two Limited Partnership, Frederick J. Shaner, President, dba Savery Hotel & Spa, 401 Locust, Renewal - Expires 5-22-00 (With Sunday Sales) - Application submitted 4-11-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

Class "C" Liquor Licenses

00-1259 14. Donna's Lounge, LTD, Donna Keul, President dba 4424 Southeast 14th Street; Renewal - Expires 5-30-00 (With Sunday Sales) - Application submitted 4-17-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1260 15. Evy's Lounge, Inc., Evelyn Rogers, President dba Evy's, 1119 Grand Avenue; Renewal - Expires 5-20-00 (With Sunday Sales) - Application submitted 4-14-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1261 16. Wolsey Dublin Company, Dennis Rose, President dba Garfield's, 1111 Army Post Road; Renewal - Expires 5-16-00 (With Sunday Sales) - Application submitted 2-29-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1262 17. Gene's Place, Inc., Ronald Goodrich, President dba Gene's Place, 2117 East University; Renewal - Expires 5-9-00 (With Sunday Sales) - Application submitted 4-3-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1263 18. Noah's, Inc., Noah Lacona, President dba Noah's Ark Restaurant, 2400 Ingersoll; Renewal - Expires 5-8-00 - Application submitted 4-11-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

Outdoor Services

00-1264 19. Temporary outdoor service for Nacho Business, Inc., Jim Stevens, Officer dba Nacho Mamma's, 216 Court Avenue; Event to be held on May 20 & 21, 2000 for Blues Challenge - Application submitted 4-21-00. Subject to submission of acceptable building, fire, electrical, and zoning inspections. **Moved by Hensley to adopt. Motion Carried 7-0.**

Authorizing

00-1265 20. City Clerk to issue Cigarette Licenses. **Moved by Hensley to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

21. Resolution Ordering Construction of the following:

00-1266 (A) Williams Street Bridge Over Four Mile Creek Deck Repair, Receiving of Bids, (5-16-00), and Setting Date of Hearing, (5-22-00), (Construction Estimate - \$88,674). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1267 (B) 60th Place and Waterbury Road Storm Water Improvements, Receiving of Bids, (5-16-00), and Setting Date of Hearing, (5-22-00), (Construction Estimate - \$212,000). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1268 22. Approving application for FY2000 Section 319 Water Quality Project Funding from Iowa Department of Natural Resources to obtain state financial assistance for construction of retention basin #10 as recommended by Southeast Annex Area Comprehensive Storm Water Study and Master Plan, July 1994. ([Council Communication No. 00-211](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1269 23. Approving Change Order No. 16 with M. Peterson Construction Company for additional work in conjunction with the 30th Street/31st Street Improvements-Kingman Blvd. to Forest Avenue Contract, not to exceed \$26,062.64. ([Council Communication No. 00-201](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1270 24. Approving Report of Chief Civil Engineer showing construction progress, amounts due and funding availability of the SE 14th Street and E. Army Post Road Intersection Improvements, Nuckolls Concrete Services, Inc., \$24,941.81 is now due and \$7,830.54 remaining balance payable at the end of 30 days. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1271 25. Approving partial payments on eleven public improvement projects. (Call City Clerk's Office for listing). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1272 26. Authorizing City Engineer to proceed with sidewalk construction, waiver signed by one property owner and paving or curb replacement program, waivers signed by two property owners, (call the City Clerk's Office for list). **Moved by Hensley to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

00-1273 27. Establishing Fair Market Value of the Frisbee Park properties acquired with FEMA Funds following the floods in 1993 and authorize staff to proceed with the sale of the lots. ([Council Communication No. 00-196](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

28. Structure Removal and Miscellaneous Removal Contracts for the following, as tabulated and auctioned on April 8, 2000, in conjunction with the Airport Expansion Project, ([Council Communication No. 00-206](#)).

00-1274 (A) 6560 SW 30th Street. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1275 (B) 2938 Army Post Road. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1276 (C) 6598 SW 28th Court. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1277 (D) 6720 SW 28th Court. **Moved by Hensley to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

00-1278 29. Approving Recognition of the Meredith Neighborhood Association in accordance to the Neighborhood Recognition Policy with boundaries of the City Limits to the north, Beaver Avenue to the east, Douglas and Aurora Avenues to the South and 50th Street and City Limits to the west. ([Council Communication No. 00-199](#)). **Moved by Vlassis to approve. Motion Carried 7-0.**

00-1279 (A) Communication from Neighborhood Revitalization Board recommending approval of the Meredith Neighborhood Association Recognition. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

00-1280 29-I Approving recommendation of Council Member Tom Vlassis, to reappoint Gloria Cano, to the Human Rights Commission, three-year term to expire the first Monday in April 2003. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1281 (A) Approving recommendation of At-Large Council Member George Flagg, for appointment of Richard S. Seely to the Architectural Advisory Committee, three-year term to expire February 15, 2003. **Moved by Hensley to adopt. Motion Carried 7-0.**

STREET CLOSINGS/STREET USE

00-1282 30. Approving closure of the following City Streets. **Moved by Hensley to approve the street closures listed, and approve any street closures continued to a future date, necessitated by inclement weather, upon approval of the City Clerk. Motion Carried 7-0.**

(1) LuGene Isleman, representing Jewish Family & Community Services, 910 Polk Boulevard, requesting permission to close Cummins Parkway from Windsor Drive to first driveway past 1012 Cummins Parkway on Sunday, May 7, 2000, from 9:00 to 11:30 A.M. for Israel Independence Day Celebration at Beth El Jacob Synagogue.

(2) Sheila Cassady, representing Christ the King School, 701 Wall Avenue, requesting permission to close SW 7th Street at Wall Avenue to just north of school driveway on Tuesday, May 30, 2000 from 10:00 A.M. to 2:00 P.M. for School Relay Day.

(3) Steve S. Gude, 3111 40th Place, requesting permission to close 40th Place from Adams to Ashby on Saturday, June 10, 2000 (Rain Date June 11, 2000) from 3:00 to 8:45 P.M. for a neighborhood block party.

(4) Jim Kelley, 1306 46th Street, requesting permission to close 1300 block of 46th Street from Carpenter to Forest on Saturday, August 5, 2000 (Rain Date August 6, 2000) from 4:00 to 10:00 P.M. for 9th Annual Block Party.

31. Approving exception regarding length of time request from the following:

00-1283 (A) Jim Stevens, representing Nacho Mamma's, 216 Court Avenue, request to close Court Avenue from 3rd Street to 2nd Street on Saturday, May 20, 2000 from 3:00 P.M. until 1:30 A.M. for the Blues Challenge. **Moved by Hensley to approve the street closures listed, and approve any street closure continued to a future date, necessitated by inclement weather, upon approval of the City Clerk.**

00-1284 (B) Chris Bolten, representing Des Moines Park & Recreation Department, 3226 University Avenue, request to close E. 1st Street from Locust Street to Grand Avenue on Saturday, June 10, 2000 from 9:00 A.M. until 5:00 P.M. for the 3 on 3 Basketball Tournament. **Moved by Hensley to approve the street closures listed, and approve any street closure continued to a future date, necessitated by inclement weather, upon approval of the City Clerk.**

00-1285 32. Approving request from Kelly Egenberger, representing Downtown Partnership, Inc., 400 Locust Street, Suite 255, to close Court Avenue from 1st Street to 5th Street (2nd and 3rd Streets to be open to north/south traffic with flashing lights and appropriate signage) and 4th Street from Walnut to the Depot on Saturdays starting May 13, 2000 and ending October 28,

2000 from 7:00 A.M. to 12:00 P.M. for the Farmers Market. **Moved by Hensley to approve the street closures listed, and approve any streets closures continued to a future date, necessitated by inclement weather, upon approval of the City Clerk. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

00-1286 33. On lease agreement with E-Z-Go Division of Textron, Inc., for rental of golf carts for a three-year period, and allowing for one three-year extension, (5-15-00). ([Council Communication No. 00-207](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

34. On proposed issue of General Obligation Bonds for Essential and General Corporate Purposes for the following: (5-15-00), (call City Clerk's Office for a synopsis of funding), ([Council Communication No. 00-194](#)).

00-1287 (A) Miscellaneous Infrastructure Improvements, \$14,420,976. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1288 (B) Neighborhood and Economic Development Improvements, \$7,500,000. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1289 (C) Fire Protection Improvements, \$438,341. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1290 (D) Park Improvements, \$696,775. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1291 (E) Municipal Facility Improvements, \$918,908. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1292 (F) Fire Protection Improvements, \$975,000. **Moved by Hensley to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

00-1293 35. Approving full and complete settlement of bodily injury, property damage and subrogation claims resulting from incident on March 7, 2000 to Robert Pasutti and Sharon Pasutti and Pekin Insurance in amount of \$17,821.72. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1294 36. Approving payment of \$27,500 to Gary Rebel for a special case settlement for workers' compensation for injury suffered in course and scope of employment. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1295 37. Approving payment of \$434.20 to Lawrence McLellan of the Sullivan and Ward Law Firm for representation and assistance regarding environmental problems encountered in

conjunction with East 14th Street and East Euclid Avenue Sanitary Sewer Project. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1296 38. Approving payment of \$2,705 to Spiegel & McDiarmid Law Firm for consulting and legal services in connection with the Riverpoint West Redevelopment and related matters. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1297 39. Approving payment of \$964.58 to Guy R. Cook of Grefe & Sidney, P.L.C. for representation of Officer Joseph Morgan in case of Joyce Wilson and Val Wilson, Jr.- Administrators of Estate of Jerome LeRoy Mozee vs. City of Des Moines, Joseph Morgan and Terry Mitchell. **Moved by Hensley to approve payment. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

00-1298 40. Submitting traffic regulation changes as follows, ([Council Communication No. 00-198](#)). **Moved by Hensley to receive, file and refer to Legal Department for preparation of proper legislation. Motion Carried 6-1. Nays: Brooks. (Council Member Brooks votes "NO" on item 1 only).**

(1) Removal of Parking Restriction--North Side of Pleasant Street from 8th Street to 9th Street.

(2) Corner Clearance Parking Restriction--West Side of 60th Street North of Cummins Parkway.

00-1299 41. Submitting out-of-state travel requests for Lance Ripperger, Russell Schafnitz, Judy A. Bradshaw, Jim Buck, Jim Zahn, and Kristin Tuttle. ([Council Communication No. 00-185](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

APPROVING

00-1300 42. Submission of Resident Services Delivery Grant to United States Department of Housing and Urban Development to provide self sufficiency program for residents of Public Housing and Section 8 subsidized housing. ([Council Communication No. 00-191](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1301 43. Renewal of Service Coordinator Grant to the United States Department of Housing and Urban Development (HUD) to provide Service Coordinators for elderly/disabled public housing clients in the amount of \$96,500. ([Council Communication No. 00-190](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1302 44. Community Housing Development Corporation (CHDC) Certification of Consistency with the City's EZ/EC Strategic Plan and 2000 HUD Consolidated Plan for a HUD Section 202 loan for construction of 37 very low income senior citizen apartment units to be constructed at 1711 and 1719 6th Avenue. ([Council Communication No 00-200](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1303 45. Letter of Proposal from Boys and Girls Clubs of Central Iowa seeking to manage programs and services provided at Logan and Southeast Community Centers. ([Council Communication No. 00-205](#)). **Moved by Hensley to receive and file. Motion Carried 7-0.**

00-1304 46. Agreement for Employee Assistance Program, with Employee and Family Resources, to provide assessment and referral counseling for City employees and family members for an annual fee of \$24,000. ([Council Communication No. 00-189](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1305 47. Procurement of machinery analyzer, (\$13,499) and three year maintenance agreement, (\$3,600) for use at Wastewater Reclamation Facility from Computational Systems, Inc. ([Council Communication No. 00-210](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

48. Bids for the following:

00-1306 (A) Elder Corporation, (5088 E. University Avenue, Jerry Elder, President) for hauling and dumping clay soil for Gray's Lake Park improvements to be used by the Park and Recreation Department, \$27,000. (Seven bids mailed-four received). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1307 (B) Aladdin Uniform, (500 SE 18th Street, DM, Steve Launspach, President) for an annual contract with two (2) renewal option for uniform rental and service to be used by the Public Works Department (Solid Waste Division), \$12,000. (Four bids mailed-two received). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1308 (C) Rieman Music, (6501 Douglas Avenue, Paul Rieman, President) and A to Z Enterprises, (Bagley, IA, Douglas Zook, President) for an annual contract with two (2) renewal options for sound and light service to be used by the Park and Recreation Department for two music concerts, \$21,841. (Seven bids mailed-three received). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1309 (D) Musco Lighting Corporation (Oskaloosa, Joe Crookham, President) for replacement lamps for light fixtures to be compatible with existing light fixtures to be used by the Park and Recreation Department, (Sec Taylor Stadium) (Municipal Code Section 2-86(a)(6) sole source and non-competitively bid), \$17,440. ([Council Communication No. 00-192](#)). **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Flagg.**

00-1310 (E) Des Moines Steel Fence (5158 NW Beaver Avenue, DM, Doug Ayers, President) for 260 fence posts, caps and installation at City owned properties (Gateway West area) to be used by the Park and Recreation Department pursuant to Municipal Code section 2-88(b) for operating emergency, \$10,335. (Six bids mailed-three received). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1311 49. Authorizing Finance Director to draw checks on register of May 5, 2000 and to draw checks for the bills of the Des Moines Municipal Housing Agency for the week beginning

May 1, 2000; and to draw checks for biweekly payroll due employees on May 5, 2000. **Moved by Hensley to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

00-1312 50. Amending Chapter 27 of the Municipal Code regarding parking meter fees, and fees for various parking garages. **Moved by Hensley that this ordinance do now pass, [#13,815](#). Motion Carried 5-2. Nays: Flagg and McPherson.**

00-1313 51. On request from City of Des Moines to rezone property located at 3400 and 3800 Army Post Road from "C-2" General Retail and Highway Oriented Commercial District and "PBP" Planned Business Park District to a "M-3" Limited Industrial District. **Moved by Hensley that this ordinance do now pass, [#13,816](#). Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

00-1314 52. On rezoning of properties in the general vicinity between Cleveland Avenue to Interstate 235 and E. Riverside Drive to E. 14th Street, from "R-3" (Multiple Family Residential) to "R1-60" (One Family, Low Density Residential). **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

00-1315 53. On vacation of a portion of Jefferson Avenue and Vermont Streets, adjacent to the west bank of the Des Moines River, in the Central Place Urban Renewal Area. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

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

ORDINANCES - FIRST CONSIDERATION

00-1316 54. Amending Chapter 8 of the Municipal Code regarding permit fees for building construction (dampers), regulated by the Mechanical Code. [\(Council Communication No. 00-195\)](#). **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

00-1317 (A) Final consideration of ordinance above. **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, [#13,817](#).**

00-1318 55. Amending Chapter 27 of the Municipal Code regarding the following traffic regulation changes. **Moved by McPherson that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

(1) Two-sided parking restriction--Martin Luther King Jr. Parkway from Euclid to Lynner Drive.

(2) Two-sided parking restriction--E. 30th Street north of Ovid Avenue.

00-1319 (A) Final consideration of ordinance above. **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, [#13,818](#). Motion Carried 7-0.**

COUNCIL REQUESTS

00-1320 56. From Council Member McPherson to discuss blocking off the road extension under the University Avenue Bridge to prevent traffic use. **Moved by McPherson to receive, file and direct staff to place temporary barricades for a three-month period, and to evaluate effectiveness; also consider increased lighting in this area. Motion Carried 7-0.**

00-1321 57. From Council Member Archie Brooks regarding junk and debris in neighborhoods. **Moved by Brooks to receive, file and refer to City manager and Legal for review and recommendation. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

00-1322 58. Request from Raheem Inc., 1155 18th Street, to speak regarding Spring-In to Clean-Up from University to Clark and 9th to 15th Street. **Moved by Vlassis to receive, file and grant the request to speak; refer to City Manager to coordinate efforts for container pick up. Motion Carried 7-0.**

00-1323 59. Request from Kingg Kutt, Inc., 1155 18th St., regarding inner City cab and ride service. **Moved by Vlassis to receive., file and grant the request to speak. Motion Carried 7-0.**

****Council considered Item 73 through Board of Health Next****

HEARINGS (Opened at 5:10 P.M.) (Items 60 thru 72)

00-1324 60. On Airport Loan Agreement with Meredith Corporation and issuance of not to exceed \$1,000,000 Aviation System Revenue Capital Loan Notes. [\(Council Communication No. 00-208\)](#) **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1325 (A) Authorization for additional action. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1326 (B) Approving form of Loan Agreement. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1327 61. On proposed issuance of not to exceed \$45,000,000 in Public Parking System Revenue Bonds. ([Council Communication No. 00-194](#)). **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Flagg.**

00-1328 (A) Authorization for additional actions. **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Flagg.**

00-1329 62. On resolution denying sale of the east 1/2 of the alley and approving sale of the west 1/2 of the alley adjoining 707 SE 9th Street, continued from 4-24-00. **Moved by Brooks to adopt. City Manager and Legal to begin the process to vacate and convey the eastern portion to Mr. Lester, 3116 South Union. Motion Carried 7-0.**

00-1330 63. On request from Des Moines University, (Stephen Dangle Vice-President), to rezone property at 3200 Grand Avenue, from "R1-80"(One Family Residential) to "R-4" (Multiple Family Residential). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1331 (A) First consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

00-1332 (B) Final consideration of ordinance above, (wavier requested by applicant), 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, [#13,819](#). Motion Carried 7-0.**

00-1333 64. On proposed vacation and sale of the North/South alley south of Locust Street between 9th and 10th Streets, to the Graham Group (George Milligan, President), \$104,544. **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Flagg.**

00-1334 (A) First consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Nays: Flagg.**

00-1335 65. On request from TKG Southeast Plaza, Two, L.L.C, (E. Stanley Kroenke, Agent), to rezone property at 5211 SE 14th Street from "R1-80" (One Family Residential) and "PUD" (Planned Unit Development), to PUD--to be named Des Moines Commons PUD. **Moved by Brooks to adopt. Motion Carried 7-0.**

00-1336 (A) First consideration of ordinance above. **Moved by Brooks that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

(B) Final consideration of ordinance above. **Moved by Brooks that the rule requiring that ordinances must be considered, and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#13,820](#). Motion Carried 7-0.**

00-1338 66. On appeal of Hearing Officer's decision regarding vehicle impound appeal of Darell Eugene Conder, 3936 Bowdoin. **Moved by Coleman to uphold the decision. Motion Carried 7-0.**

00-1339 67. On Parks Building Reroofing: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Academy Roofing Co., (John L. McDermott, President, Ankeny), \$19,500. ([Council Communication No. 00-203](#)) **Moved by McPherson to adopt. Motion Carried 7-0.**

00-1340 (A) Approving contract and bond. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-1341 68. On Blank Park Zoo Fencing of Elephant Exhibit: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Midwest Fence & Gate Co., (Lief Glesne, President, Fort Dodge), \$9,640.40. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1342 (A) Approving contract and bond. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1343 69. On John Pat Dorrian Recreation Trail Improvements - Phase 2: Resolution to REJECT all bids and close the hearing, (two bids received--over estimate) **Moved by McPherson to adopt. Motion Carried 7-0.**

00-1344 (A) Resolution Ordering Construction of the project above, receiving of bids (5-8-00) and setting date of hearing (5-15-00) (Construction Estimate- \$92,800). **Moved by McPherson to adopt. Motion Carried 7-0.**

00-1345 70. On Laurel Hill Park Improvements: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Buchanan Builders, Inc., (Todd Buchanan, President, Urbandale), \$126,195. **Moved by Brooks to adopt. Motion Carried 7-0.**

00-1346 (A) Approving contract and bond, and permission to sublet. **Moved by Brooks to adopt. Motion Carried 7-0.**

00-1347 71. On E. Euclid Avenue Detention Basin and Storm Sewer Improvements: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as KRI Company, (Warren Rogness, President, Ames), \$3,332,988.60. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-1348 (A) Approving contract and bond, and permission to sublet. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-1349 72. On M.L. King Jr. Parkway/Southwest Outfall Sewers: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest

responsible bidder as McAninch Corporation, (Dwayne McAninch, President, WDM), \$1,837,608.16. **Moved by Hensley to adopt. Motion Carried 7-0.**

* * END HEARINGS at 5:32 P.M. * *

APPROVING

00-1350 73. Donation from Mid-Iowa Environmental Corporation (Lucille Leopold, President) for removal of asbestos from basement of Drake Municipal Observatory. ([Council Communication No 00-197](#)). **Moved by Hensley to approve and accept with appreciation. Motion Carried 7-0.**

00-1351 74. First Amendment to contract with Nationwide for Redevelopment of Allied Gateway Campus extending time period from May 1, 2000 to May 15, 2000. ([Council Communication No. 00-209](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1352 75. Execution of a new Service Agreement with Metro Waste Authority for joint operation of a program for disposal of recyclable materials, and City's designation of Full Membership status in the Authority. ([Council Communication No. 00-186](#)). **Moved by Coleman to adopt. Motion Carried 7-0.**

00-1353 76. Agreement to purchase land for private redevelopment with Ben's Keystone Construction to redevelop disposition parcels 146A, 147A, 148, 149 and 150 in Logan Urban Renewal Area, ([Council Communication No. 00-187](#)). **Moved by McPherson to defer to next meeting (5-15-00). Council requests a map of project area and staff to address question of storage since some units have no garages. Motion Carried 7-0.**

WITHDRAWN 00-1354 (A) Approving execution of Special Warranty Deed.

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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.

00-1355 1. Conditionally approving the subdivision plat SOUTHERN MEADOWS PLAT 2, and ratifying the action under Roll Call 00-946. **Moved by Brooks to adopt. Motion Carried 7-0.**

A G E N D A **BOARD OF HEALTH** **May 1, 2000**

00-1356 MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene as a board of Health. Motion Carried 7-0.**

AUTHORIZING

1. Authorizing Engineering Department to take necessary action to demolish and remove structures located on the following properties, [\(Council Communication No. 00-204\)](#):

00-1357 (A) 808 SE 28th. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-1358 (B) 1036 18th Street. **Moved by Vlassis to adopt. Motion Carried 7-0.**

****Council considered Hearing Items next, then adjourned****

00-1359 MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 5:32 P.M. Motion Carried 7-0.**

DES MOINES-CITY OF SKYWALKS