

***** 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 '06-' 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

May 8, 2006 4:30 PM

PROCLAMATIONS- 4:15 PM

Methamphetamine Prevention Month
National Public Works Week

INVOCATION: Pastor Tony Thurston
College Avenue Christian Church

[06-870](#)

1. ROLL CALL: **Present: Cownie, Brooks, Hensley, Mahaffey, Kiernan and Vlassis**
Absent: Coleman. Council Member Coleman entered the meeting during Item 55.

[06-871](#)

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

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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.**

[06-872](#)

3. APPROVING CONSENT AGENDA – items 3 through 33: **Moved by Vlassis to adopt the balance of the consent agenda. Motion Carried 6-1.**

LICENSES AND PERMITS

[06-873](#)

4. [Approving](#) Alcoholic Beverage License applications for the following: **Moved by Vlassis to adopt. Motion Carried 6-1.**

RENEWAL APPLICATIONS

(A)	BREW HAUS LOUNGE	830 MCKINLEY AVE	C Liquor
(B)	COURT AVENUE BREWING CO.	309 COURT AVE	C Liquor
(C)	DONNAS LOUNGE	4424 SE 14TH ST	C Liquor
(D)	GIT N GO STORE #11	3940 E 29TH ST	C Beer
(E)	GIT N GO STORE #3	100 WATROUS AVE	C Beer
(F)	GIT N GO STORE #31	2601 SW 9TH ST	C Beer
(G)	JALAPENO PETE'S CANTINA	3000 E GRAND AVE	C Beer/Wine
(H)	LOCO JOES NICKEL ARCADE	6550 SE BLOOMFIELD RD	B Beer
(I)	NEW ORIENTAL FOOD STORE	515 E GRAND AVE	C Beer
(J)	NOAHS ARK RESTAURANT	2400 INGERSOLL AVE	C Liquor
(K)	OLYMPIC FLAME RESTAURANT	514 E GRAND AVENUE	C Beer/Wine
(L)	QUIKTRIP #516	1000 E UNIVERSITY AVE	C Beer
(M)	QUIKTRIP #535	1501 E GRAND AVE	C Beer
(N)	SNACO	3000 SW 9TH ST	C Beer
(O)	SOUTHGATE AMOCO	3401 SE 14TH ST	C Beer
(P)	STEER AND STEIN	3000 E GRAND AVE	B Beer
(Q)	TOBACCO OUTLET PLUS #519	3144 SE 14TH STREET	C Beer

OUTDOOR SERVICE APPLICATION

- (R) KENNY D'S 3925 E 14TH STREET C Liquor
Temporary outdoor service area on May 20-21, 2006. Pending approval of Building, Electrical, Fire and Zoning Departments.

SPECIAL EVENT APPLICATION

- (S) UPPER DECK CONCERTS 2201 GEORGE FLAGG PK B Beer
Five-day license in conjunction with concert on May 19, 2006. Pending approval of Building and Fire Departments.

PUBLIC IMPROVEMENTS

5. Ordering Construction of the following:

- [06-874](#) (A) [Fleur](#) Drive Resurfacing-Railroad Viaduct to M.L. King Jr. Parkway – Receiving bids, (5-16-06), and Setting date of hearing, (6-5-06). (Construction Estimate - \$503,000). ([Council Communication No. 06-251](#)) **Moved by Vlassis to adopt. Motion Carried 6-1.**
- [06-875](#) (B) [Bill](#) Riley Trail HMA Overlay – Receiving of bids, (5-16-06), and Setting date of hearing, (6-5-06). (Construction Estimate - \$206,766). ([Council Communication No. 06-250](#)) **Moved by Vlassis to adopt. Motion Carried 6-1.**
- [06-876](#) (C) [Restroom](#) Enclosure at Ewing and Easttown Parks – Receiving of bids, (5-23-06), Setting date of hearing, (6-5-06). (Construction Estimate - \$90,000). ([Council Communication No. 06-252](#)) **Moved by Vlassis to adopt. Motion Carried 6-1.**
- [06-877](#) (D) [2006](#) HMA Pavement Scarification & Resurfacing – Receiving of bids, (5-23-06), Setting date of hearing, (6-5-06). (Construction Estimate - \$1,262,750). ([Council Communication No. 06-254](#)) **Moved by Vlassis to adopt. Motion Carried 5-1. Nays: Brooks. Absent: Coleman.**
- [06-878](#) (E) [2006](#) Sidewalk Replacement Program – Contract 2 – Receiving of bids, (5-23-06), and Setting date of hearing, (6-5-06). (Construction Estimate - \$174,900). ([Council Communication No. 06-253](#)) **Moved by Vlassis to adopt. Motion Carried 6-1.**
- [06-879](#) 6. [Authorization](#) to submit Phase One Interchange Modification Report to the Illinois Department of Transportation (IDOT) for I-235/5th Avenue Interchange. ([Council Communication No. 06-246](#)) **Moved by Vlassis to adopt. Motion Carried 6-1.**

SPECIAL ASSESSMENTS

7. Approving deletion of NAC-Emergency Assessments for the following:

- [06-880](#) (A) [4000](#) 2nd Avenue. **Moved by Vlassis to adopt. Motion Carried 6-1.**
- [06-881](#) (B) [2535](#) Des Moines Street. **Moved by Vlassis to adopt. Motion Carried 6-1.**

LAND/PROPERTY TRANSACTIONS

- [06-882](#) 8. [Establishing](#) fair market value and authorizing acquisition of property at 4900 Hickory Road for the Tower Park Improvements Project, \$117,000. ([Council Communication 06-260](#)) **Moved by Vlassis to adopt. Motion Carried 6-1.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [06-883](#) 9. [Regarding](#) request from Public Works Director for vacation and conveyance of a dead-end segment of Hawthorne Street, south of Indianola Road in the vicinity of 1945 Hawthorne Street. **Moved by Vlassis to receive and file, and to refer to the City Manager for further processing in accordance with standard City property disposition procedures. Motion Carried 6-1.**

- [06-884](#) (A) [Receive](#) and file communication from Charles Punelli and Dale Hyman requesting permission to begin clearing and grading the adjoining portion of Hawthorne Street and a private driveway. **Moved by Brooks to receive and file, and to authorize the City Properties Administrator to grant the applicants a temporary license to begin clearing and grading the adjoining right-of-way at their risk and expense. Motion Carried 6-1.**

- [06-885](#) 10. [Regarding](#) request from Des Moines Public Schools for vacation and conveyance of a portion of the east/west alley adjoining the school property between Walker Street and Maple Street from E. 14th Street to Johnson Court, subject to conditions. **Moved by Vlassis to receive and file, and to refer to the City Manager for further processing in accordance with standard City property disposition procedures. Motion Carried 6-1.**

- [06-886](#) 11. [Regarding](#) request from Savannah Homes, Inc. for approval of preliminary subdivision for "Sawyer's Landing" on property east of the 3000 block of Bel Aire Road to allow for division of the property into 103 single-family parcels, subject to conditions. **Moved by Vlassis to receive and file. Motion Carried 5-1-1. Nays: Brooks. Absent: Coleman.**

SETTING DATE OF HEARINGS

- [06-887](#) 12. [On](#) vacation and lease of a portion of Birdland Park along the Des Moines River, to the Des Moines Power Boat Club, (5-22-06). **Moved by Vlassis to adopt. Motion Carried 6-1.**

- [06-888](#) 13. [On](#) City Council initiated proposal to rezone property in vicinity of 1900 SE 6th Street owned by the South Des Moines Little League, from the "R1-60" (One-Family Limited Density Residential) and "C-1" (Neighborhood Retail Commercial) to a Limited "RM" (Multiple Family Residential), (5-22-06). **Plan and Zoning Commission recommended DENIAL. Moved by Vlassis to adopt. Motion Carried 6-1.**

[06-889](#) 14. [On](#) partial release of easement on property owned by Union Pacific Railroad Company SW 1st Street and Granger Avenue, \$1, (5-22-06). **Moved by Vlassis to adopt. Motion Carried 6-1.**

[06-890](#) 15. [On](#) approval of the Fifth Amendment to the Land Lease Agreement for Parcel Distribution Facility with United Parcel Service at the Des Moines International Airport, (5-22-06). **Moved by Vlassis to adopt. Motion Carried 6-1.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

[06-891](#) 16. [Approving](#) payment of \$2,699.24 to Myers & Jenkins for representation in the U.S. Bankruptcy Court, ATA Holdings Corp., Delta Air Lines, Inc., et al. (Comair, Inc.) and Northwest Airlines Corporation, et al. bankruptcies and payment of \$85.50 to Barneby Thornburg, LLP for representation in the ATA Holding Corp. bankruptcy. **Moved by Vlassis to adopt. Motion Carried 6-1.**

[06-892](#) 17. [Approving](#) payments of \$5,000 to AMCO Insurance, \$1,902.85 to ServiceMaster Wausau and \$1,765 to Steven and Donna Bever for property damage due to sewer backups. **Moved by Vlassis to adopt. Motion Carried 6-1.**

[06-893](#) 18. [Approving](#) payment of \$74,780.37 to William Connelly for a workers' compensation claim. **Moved by Vlassis to adopt. Motion Carried 6-1.**

CITY MANAGER COMMUNICATIONS

[06-894](#) 19. [Submitting](#) out-of-state travel requests for Lori Neely, Frank Cownie, and Fred Tempel. ([Council Communication No. 06-261](#)) **Moved by Vlassis to adopt. Motion Carried 6-1.**

APPROVING

[06-895](#) 20. [Shelter](#) Plus Care (S+C) Grant Agreement with the United States Department of Housing and Urban Development (HUD) for continuation of the Anawim Housing Project. \$745,488. ([Council Communication No. 06-244](#)) **Moved by Vlassis to adopt. Motion Carried 6-1.**

[06-896](#) 21. [Certificate](#) of Consistency with City's 2005-2009 Consolidated Plan for Des Moines Area Community College (DMACC) and Home Opportunities Made Easy, Inc. (HOME, Inc.). ([Council Communication No. 06-263](#)) **Moved by Vlassis to adopt. Motion Carried 6-1.**

- [06-897](#) 22. [Issuance](#) of Certificate of Completion for Newens Dairy Loft-2300 University Avenue, University Place Lofts-2326 University Avenue and University Place Rowhome, 1156 23rd Street and authorizing payment of economic assistance. ([Council Communication No. 06-264](#)) **Moved by Vlassis to adopt. Motion Carried 4-1-1. Pass: Kiernan. Absent: Coleman. Council Member Hensley declares a conflict of interest and abstains from voting.**
- [06-898](#) 23. [Amendment](#) to Lease Purchase Agreement with Employers Mutual Casualty Company, the construction of a parking garage at 8th and Mulberry Street. ([Council Communication No. 06-245](#)) **Moved by Vlassis to adopt. Motion Carried 6-1.**
- [06-899](#) 24. [Schedule](#) and Notices of Funding Availability for the 2007 Action Plan of the City's 2009 Consolidated Plan. ([Council Communication No. 06-273](#)) **Moved by Vlassis to adopt. Motion Carried 6-1.**
- [06-900](#) 25. [Agreement](#) with Metro Waste Authority assuming obligations of 300 East Locust, L.P. property at 300 E. Locust Street as set forth in the Urban Renewal Development Agreement dated April 2, 2001. ([Council Communication No. 06-276](#)) **Moved by Vlassis to adopt. Motion Carried 6-1.**
- [06-901](#) 26. [Mutual](#) Benefit Bailment Agreement for loan of historical fire equipment for display at museum operated by the VFW Post 738, 2801 Dean Avenue. ([Council Communication No. 06-243](#)) **Moved by Vlassis to adopt. Motion Carried 6-1.**
- [06-902](#) 27. [Communication](#) from Downtown Community Alliance requesting approval on behalf of Historic East Village, Inc. to approve banner design for 40 banners in downtown Des Moines on East Locust Street in June 2006. **Moved by Vlassis to receive, file and approve banner design. Motion Carried 6-1.**
- [06-903](#) 28. [Revision](#) to the City of Des Moines Investment Policy. ([Council Communication No. 06-274](#)) **Moved by Vlassis to adopt. Motion Carried 6-1.**
- [06-904](#) 29. [Receipt](#) of Quarterly Financial Report ending March 2006. ([Council Communication No. 06-275](#)) **Moved by Vlassis to receive and file. Motion Carried 6-1.**
30. Bids from the following:
- [06-905](#) (A) [Various](#) vendors for fire fighting supplies to be used by the Fire Department for \$177,829.96. (Fifteen bids mailed, eight received). **Moved by Vlassis to adopt.**

Motion Carried 6-1.

- [06-906](#) (B) [Clarke](#) Mosquito Control and Scott's Helicopter Service for mosquito control products and application services (Cooperative effort with West Des Moines, Polk County and Urbandale). (Seven bids mailed, four received). ([Council Communication No. 06-278](#)) **Moved by Vlassis to adopt. Motion Carried 6-1.**
- [06-907](#) 31. [Civil](#) Service Entrance Lists for Public Works Sanitation Administrator, Department Systems Coordinator, Family Self-Sufficiency Coordinator and Traffic Control Supervisor. **Moved by Vlassis to receive and file. Motion Carried 6-1.**
- [06-908](#) 32. [Authorizing](#) Finance Director to draw checks on the registers for the weeks of May 8 and May 15, 2006 and to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of May 8 and May 15, 2006; and to draw checks for biweekly payroll due May 12, 2006. **Moved by Vlassis to adopt. Motion Carried 6-1.**

ORDINANCES - FINAL CONSIDERATION

- [06-909](#) 33. [On](#) vacation of City-owned street and alley rights-of-way adjacent to and in the vicinity of 1101 E. 6th Street. **Moved by Vlassis that this ordinance do now pass, #14,561. Motion Carried 6-1.**

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

COMMUNICATIONS/REPORTS

- [06-910](#) 34. [From](#) Sherman & Associates requesting City consideration of an amendment to the Metro Lofts project (100 2nd Avenue) to change development from approximately 70 condominiums with underground parking, to an estimated 105 unit apartment with underground parking similar to the Vine Street Lofts at 101 2nd Avenue. ([Council Communication No. 06-270](#)) **Moved by Hensley to receive and file, and to authorize the City Manager to negotiate with Sherman & Associates for an amendment to the Urban Renewal Development Agreement for Metro Lofts consistent with the Council Communication, for further consideration by the City Council. Motion Carried 6-1.**
- [06-911](#) 35. [Receive](#) and file communication from Urban Design Review Board and approve Conceptual Development Plan for the Court Avenue Lofts and the 4th Street Condominiums ([Council Communication No. 06-268](#)) **Moved by Hensley to adopt. Motion Carried 6-1.**

Council considered Items 52 thru 55 next

HEARINGS (OPEN AT 5:05 P.M.) (ITEMS 36 THRU 51)

- [06-912](#) 36. On application for Certificate of Public Convenience and Necessity to Operate Limousine Services for Brad L. Davidson, Party Shuttles, L.L.C. ([Council Communication No. 06-247](#)) **Moved by Brooks to adopt. Motion Carried 7-0.**
- [06-913](#) 37. On conveyance of a permanent underground electric line easement for construction of a pad-mounted transformer serving Blank Park Zoo to Mid-American Energy Company, **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-914](#) 38. On conveyance of permanent water main easement across city-owned property at University Avenue and Keosauqua Way (Good Park) to Des Moines Water Works, **Moved by Hensley to adopt. Motion Carried 7-0.**
- [06-915](#) 39. On conveyance of permanent electric line easement across city-owned property at Robert D Ray Drive to MidAmerican Energy Company, \$1. **Moved by Brooks to adopt. Motion Carried 7-0.**
- [06-916](#) 40. On conveyance of city-owned property at 6108 Welker Avenue to David and Anne Dalrymple, \$250. ([Council Communication No. 06-249](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [06-917](#) 41. On vacation and conveyance of east/west alley between Walnut Street and Court Avenue from the north/south alley, east to 4th Street to Kirkwood Commons, LLC, \$32,900. ([Council Communication No. 06-248](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [06-918](#) (A) First consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [06-919](#) (B) Final consideration of ordinance above, (waiver requested by the 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, #14,500. Motion Carried 7-0.**
42. Items regarding 4250 Grandview Avenue:
- [06-920](#) (A) Recommendation from Plan and Zoning Commission to amend the Des Moines 2015 Community Character Land Use Plan to designate the property as One-Family Low Density Residential. **Moved by Mahaffey to adopt and approve the proposed amendment. Motion Carried 7-0.**

- [06-921](#) (B) [Hearing](#) on request from Triad Development, LLC (purchaser) represented by M Thongvanh (partner) for approval to rezone 4250 Grandview Avenue from “A (Agricultural) to Limited “R1-60” (One-Family Low-Density Residential). **Moved by Mahaffey to adopt and approve the rezoning, subject to final passage of rezoning ordinance. Motion Carried 7-0.**
- [06-922](#) (C) [First](#) consideration of ordinance above. **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [06-923](#) (D) [Final](#) consideration of ordinance above, (waiver requested by purchaser of property requires 6 votes. **Moved by Mahaffey that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to 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, #14,5. Motion Carried 7-0.**
- [06-924](#) (E) [Hearing](#) on request from Frank and Christine Holt for voluntary annexation of approximately 10.5 acres in the vicinity of 4250 Grandview Avenue. ([Council Communication No. 06-267](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [06-925](#) 43. [On](#) amendment to the approved “R-6” Preliminary and Final Development Plans for “White Oak Park and Hidden Valley Plat No. 2” to remove all open space easement designation on private properties to allow construction of a fence on the rear portion of 3706 SE 22nd Street and other affected lots. **Moved by Brooks to adopt. Motion Carried 7-0.**
- [06-926](#) 44. [On](#) request from Bernard J. Baker, III to amend the Timberbrook Terrace PUD Conceptual Plan for 3325 E. Douglas Avenue to allow creation of a development parcel on lot previously identified as an outlot to allow for retail development. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [06-927](#) 45. [On](#) request from KN Butler LLC (owner) for approval to amend the Butler Mansion PUD Conceptual Plan for 2633 Fleur Drive to allow construction of a building addition and street parking to the existing mansion used for commercial offices. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [06-928](#) (A) [Adopting](#) informal recommendation of the Landmark Review Board to issue Certificate of Appropriateness for alterations to the Butler Mansion. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [06-929](#) 46. [On](#) transfer of ownership of City-owned property at 2143 High Street to the Des Moines Metropolitan Wastewater Reclamation Authority (WRA), \$1. **Moved by Hensley to adopt. Motion Carried 7-0.**

- [06-930](#) 47. [On](#) Crivaro Park Water Playground: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Sande Construction and Supply Co., Inc., (Ronald G. Sande, President), \$806,200. ([Council Communication No. 06-255](#)) **Moved by Brooks to adopt. City Manager to provide a report regarding the schedule for closing Allen Park. Motion Carried 7-0.**
- [06-931](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Brooks to adopt. Motion Carried 7-0.**
- [06-932](#) 48. [On](#) SW 8th Street Viaduct over M.L. King, Jr. Parkway Rehabilitation: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Cramer and Associates, Inc., (Robert Cramer, President/CAO), \$1,855,979. ([Council Communication No. 06-256](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [06-933](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [06-934](#) 49. [On](#) Parking Facility Pedestrian Wayfinding Signs: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as KWS, INC., (Rich Muller, President), \$98,250. ([Council Communication No. 06-257](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [06-935](#) (A) [Approving](#) contract and bond. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [06-936](#) 50. [On](#) E. 14th/E. 15th Street (U.S. 69) Traffic Signal Upgrade – Court Avenue to Walker Street – Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Baker Electric, Inc., (Britt Baker, CEO), \$187,428. ([Council Communication No. 06-258](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [06-937](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [06-938](#) 51. [On](#) 2006 Sanitary Sewer Repair Program – Contract 2: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Van Hauen & Associates, Inc., (Mark Van Hauen, CEO/Vice President), \$117,000. ([Council Communication No. 06-259](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**

- [06-939](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Kiernan to adopt. Motion Carried 7-0.**

****END HEARINGS AT 5:28 P.M. ****

****Council considered Items 56 thru balance of agenda next****

APPROVING

- [06-940](#) 52. [Directing](#) the sale of Series A, B & C General Obligation Bonds for the FY 2006 Capital Improvement Program, \$38,875,000, (bonds will be sold on May 31st at 11:00 AM and a special Council meeting will be held on May 31st at 4:00 PM in the St Etienne Conference Room). ([Council Communication No. 06-272](#)) **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Coleman.**
- [06-941](#) 53. [Donation](#) Agreement with The Bright Foundation for use in design and construction of Grandview Golf Course clubhouse, \$750,000 over five years. ([Council Communication No. 06-262](#)) **Moved by Mahaffey to adopt. Motion Carried 6-1. Absent: Coleman.**
- [06-942](#) 54. [Assignment](#) of Tax Sale Certificates for 800-24th Street and 651-27th Street to Keystone Construction, L.C. ([Council Communication No. 06-271](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Coleman.**
- [06-943](#) (A) [Request](#) from Keystone Construction, L.C. for waiver of demolition fees for tax sale certificates. **Moved by Hensley to receive and file, and to waive the demolition costs on the two parcels, subject to receipt of tax deed by Keystone Construction, L.C. Motion Carried 6-1. Absent: Coleman.**
- [06-944](#) 55. [One-year](#) agreement with Erin Olson-Douglas, 3819 Lincoln Place Drive, Des Moines, IA, for a study of downtown development, not to exceed \$94,000 with an option to extend for up to three months. ([Council Communication No. 06-277](#)) **Moved by Brooks to adopt. Motion Carried 7-0.**
- [06-945](#) 56. [Economic](#) Development Loan Agreement with Eastgate Plaza, LLC for redevelopment of the Shops at Eastgate (northeast corner of E. 14th Street and Euclid Avenue). ([Council Communication No. 06-265](#)) **Moved by Mahaffey to adopt. Motion Carried 6-1. Pass: Vlassis.**
57. Items regarding expansion of Nationwide/Allied Gateway Campus, south of Locust Street between 10th and 13th Streets, and the extension of Skywalk System: ([Council Communication No. 06-269](#))
- [06-946](#) (A) [First](#) consideration of ordinance amending Chapter 102 of the Municipal Code regarding boundaries of the Skywalk District and the development criteria for vertical

access facilities. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- [06-947](#) (B) **Final** consideration of ordinance above, (waiver requested by City Manager), requiring 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, #14,500. Motion Carried 7-0.**
- [06-948](#) (C) **First** consideration of ordinance amending Chapter 102 of the Municipal Code regarding the Skywalk System Plan Map. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [06-949](#) (D) **Final** consideration of ordinance above, (waiver requested by City Manager), requiring 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, #14,500. Motion Carried 7-0.**
- [06-950](#) (E) **Approving** Urban Renewal Development Agreement with Nationwide Mutual Insurance Company and Preliminary Development Plan for addition to the existing Nationwide office building. **Moved by Hensley to adopt. 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.

- [06-951](#) 1. Approving recommendation for Council Member Chris Coleman to serve as the City representative on the MPO Executive Committee. SPONSOR: Mayor Cownie. **Moved by Vlassis to adopt. Motion Carried 7-0.**

BOARD OF HEALTH

[06-952](#) MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene a Board of Health. Motion Carried 7-0.**

AUTHORIZING

1. The Legal Department to proceed with court action for authority to abate the public nuisance at the following locations:

[06-953](#) (A) [1916 9th Street](#), Titleholder: Georgia A. Hasan. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[06-954](#) (B) [1181 10th Street](#), Titleholders: Tara Carson, Sheila Hatcher, Tyna Price, Rodney Price and Venita L. Bates a/k/a Venita L. Price. **Moved by Vlassis to adopt. Motion Carried 7-0.**

2. The Engineering Department to cause the removal of the following structures:

[06-955](#) (A) [2750 Kinsey](#) (garage), Titleholder: M.G. Davis Trustee of the M. G. Daviston Trust. **(Deferred from April 24th meeting). Moved by Mahaffey to adopt. Motion Carried 7-0.**

WITHDRAWN

[06-956](#) (B) ~~[6201 SW 7th Street](#), Titleholders: David M. Schmitz, Marquita R. Schmitz, Robert Anderson and David A. Zaborac.~~

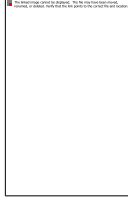
[06-957](#) (C) [1151 27th Street](#), Titleholder: Pat Andres d/b/a Big Horn Properties; Contract Buyer: Brenda Zapata; Mortgage Holders: American Family Financial Services and Commercial Federal Bank. **Moved by Kiernan to adopt. Motion Carried 7-0.**

COMMUNICATION

[06-958](#) 3. [Communication](#) regarding demolition cost reserve being held by Safeco Insurance for fire-damaged structure located at 1405 23rd Street. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

[06-959](#) MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 5:56 P.M. Motion Carried 7-0.**

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