

SUMMARY OF DES MOINES CITY COUNCIL MEETING

DES MOINES CITY COUNCIL MEETING

May 15, 2000 4:30 P.M.

SPECIAL PRESENTATIONS - 4:00 P.M.

(a) Corporation for Economic Development in Des Moines

(b) Annual Excellence in Preservation Awards

PROCLAMATIONS 4:00 P.M.

(a) Howard University Week

(b) Small Business Week 2000

INVOCATION: Tom Vlassis, Ward 1 Council Member

00-1360 1. ROLL CALL: **Present: Daniels, Brooks, Coleman, Hensley, McPherson, and Vlassis. Absent: Flagg.**

00-1361 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1362 3. APPROVING CONSENT AGENDA - items 3 through 60: **Moved by Coleman to adopt the balance of the consent agenda. Motion Carried 6-1.**

LICENSES AND PERMITS:

Approving

00-1363 4. Communication from Legal Department regarding May 15, 2000 License and Permit Agenda. **Moved by Coleman to receive and file. Motion Carried 6-1.**

Class "B" Beer Licenses

00-1364 5. Maria G Flores dba Colima, 1704 East Grand; New Application (With Sunday Sales) - Application submitted 4-3-00. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1365 6. S.A.O.C.C., Inc., Calvin Campbell, President dba The Depot, 3000 East 30th Street - Iowa State Fairgrounds; Renewal - Expires 5-24-00 (With Sunday Sales and Outdoor Service) - Application submitted 4-26-00. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1366 7. Des Moines Jaycees, Leslie Ritter, President dba Seniom Sed, 300 Locust; Renewal - Expires 5-30-00 (With Sunday Sales and Outdoor Service) - Application submitted 4-6-00.

Moved by Coleman to adopt. Motion Carried 6-1.

00-1367 8. Krane Speciality, Inc, George A. Kranovich, President dba Steer & Stein, 3000 East 30th Street - Iowa State Fairgrounds; Renewal - Expires 6-4-00 (With Sunday Sales and Outdoor Service) - Application submitted 4-14-00. **Moved by Coleman to adopt. Motion Carried 6-1.**

Class "C" Beer Licenses

00-1368 9. Git N Go Convenience Stores, Inc., Dennis Flora, President dba Git N Go Store #3, 100 Southwest Watrous; Renewal - Expires 6-4-00 (With Sunday Sales) - Application submitted 4-6-00. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1369 10. Git N Go Convenience Stores, Inc., Dennis Flora, President dba Git N Go Store #31, 2601 Southwest 9th Street; Renewal - Expires 6-15-00 (With Sunday Sales) - Application submitted 4-6-00. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1370 11. Kwik Trip, Inc., John J. Hansen, President dba Tobacco Outlet Plus #519, 3144 Southeast 14th Street; Renewal - Expires 6-21-00 (With Sunday Sales) - Application submitted 4-14-00. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1371 12. Phillips 66 Company, James J. Mulva, President dba West Grand 66, 6222 Grand Avenue; Renewal - Expires 6-9-00 (With Sunday Sales) - Application submitted 4-26-00. **Moved by Coleman to adopt. Motion Carried 6-1.**

Class "C" Beer-Wine Licenses

00-1372 13. TH Ent., Timothy Holmes, President dba J Benjamins, 5800 Franklin; Renewal - Expires 5-16-00 (With Sunday Sales) - Application submitted 4-21-00. **Moved by Coleman to adopt. Motion Carried 6-1.**

Class "C" Liquor Licenses

00-1373 14. RonBonj, Inc, Ronald Platt, Owner dba Bourbon Street, 500 Army Post Road; Renewal - Expired 5-7-00 (With Sunday Sales) - Application submitted 4-7-00. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1374 15. S & R Anderson, Inc., Ronald Anderson, President dba Hull Avenue Tavern, 834 Hull Avenue; New Application (With Sunday Sales) - Application submitted 5-4-00. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1375 16. R & F Mac, LTD, Robert MacManus, President dba Melrose Bar & Grill, 422 Indianola; Renewal - Expires 5-31-00 (With Sunday Sales) - Application submitted 5-2-00. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1376 17. Randall Bradley/Mark Miller, Partners dba Sudsuckers Sports Bar, 1511 East Army Post Road; Renewal - Expires 5-30-00 (With Sunday Sales and Outdoor Service) - Application submitted 4-26-00. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1377 18. I-80 Spaghetti Works Corporation, Brent Lambi, President dba Spaghetti Works/308 Court, 308 Court Avenue; Renewal - Expires 5-31-00 (With Sunday Sales and Outdoor Service) - Application submitted 4-21-00. **Moved by Coleman to adopt. Motion Carried 6-1.**

Authorizing

00-1378 19. City Clerk to issue Cigarette Licenses. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1379 20. City Clerk to issue Coin-Operated Amusement Machine Licenses. **Moved by Coleman to adopt. Motion Carried 6-1.**

PUBLIC IMPROVEMENTS

21. S.E. 22nd Street & E. Park Avenue Sidewalks

00-1380 (A) Recommendation from City Manager. **Moved by Coleman to approve, receive and file and accept the recommendation of the City Manager. Motion Carried 6-1.**

00-1381 (B) Preliminary Resolution for construction. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1382 (C) Fixing values of Lots. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1383 (D) Adopting Preliminary Plat and Schedule, estimate of cost, and proposed plans and specifications. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1384 (E) Proposed Resolution of Necessity to Set Hearing (06-05-2000). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1385 22. Accepting completed construction of the 1998 Paving Program, Contract No. 1, Schedule No. 1998-01, contract with Manatt's, Inc., Bradford J. Manatt, President, 6333 NW Beaver Road, Johnston, and ordering preparation of final plat and assessment schedule. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1386 (A) Adopting and levying Final Assessment Schedule No. 1998-01. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1387 (B) Adopting and levying Final Assessment Schedule No. 1998-02. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1388 (C) Approving Report of Chief Civil Engineer showing construction progress, amounts due and funding availability, Manatt's, Inc., \$8,915.98 now due and \$59,279.59 remaining balance due at the end of thirty days. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1389 23. Authorizing City Engineer to proceed with sidewalk construction, waivers signed by two property owners, and Paving or Curb Replacement Program, waivers signed by seven property owners (call the City Clerk's Office for list). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1390 24. Approving Contract and Bond and permission to sublet M.L. King Jr. Parkway/Southwest Outfall Sewers, with McAninch Corporation, (Dwayne McAninch, President) \$1,837,608.16. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1391 25. Approving Private Construction Contract between Brook Run L.C. (Owner, and Sternquist Construction Inc., (Contractor) for Paving Improvements for the proposed Brook Run Village Plat #3 Subdivision. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1392 26. Approving partial payments on four (4) public improvement projects. (Call City Clerk's Office for listing). **Moved by Coleman to adopt. Motion Carried 6-1.**

SPECIAL ASSESSMENTS

00-1393 27. Approving Delinquent Sewer Rental and/or Solid Waste/ Stormwater Utility Fees for the month of April, 2000, for certification to Polk County, (call the City Clerk's Office for list). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1394 28. Authorizing Assessment Clerk to correct Delinquent Solid Waste/Stormwater Utility and/or Sewer Rental Credits Schedule, for April, 2000. **Moved by Coleman to adopt. Motion Carried 6-1.**

LAND/PROPERTY TRANSACTIONS

00-1395 29. Approving purchase of 1200 and 1206 Grand Avenue in the Western Gateway, from DMDC Property Corporation, \$216,879. ([Council Communication No. 00-216](#)). **Moved by Hensley to adopt. Motion Carried 5-1-1. Pass: Brooks. Absent: Flagg.**

00-1396 30. Form of Warranty Deed, Form of Temporary Easement for Property Adjustment and Future Title Work Compensation in conjunction with SW 34th Street Relocation from Cooper Homes, Inc., 3805 Wolcott Ave., for vacant land in the vicinity of SW 34th Street and McKinley Avenue - \$270. **Moved by Coleman to adopt. Motion Carried 6-1.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

00-1397 31. Recommendation of Council Member Archie Brooks, for appointment of Lisa Fargo to the Park and Recreation Board, three-year term to expire June 30, 2003. **Moved by Coleman to adopt. Motion Carried 6-1.**

32. Approving recommendations of Council Member Archie Brooks for reappointments to the following:

00-1398 (A) Scott Parks to Urban Renewal Board commencing 1999 for a three year term to expire January 18, 2001. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1399 (B) Michael Simonson to Housing Appeals Board, three year term to expire March 16, 2003. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1400 (C) Jay Sowden to Mechanical Board of Examiners commencing 1999 for a three year term to expire April 2, 2001. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1401 (D) Marian Thomas to Traffic Safety Committee commencing 1999 for a three year term to expire December 31, 2002. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1402 33. Communication from Suzanne Engman submitting her resignation from Civil Service Commission, effective immediately. **Moved by Coleman to receive, file and accept with appreciation for service. Motion Carried 6-1.**

00-1403 34. Communication from Robert L. Saf submitting his resignation from the Electrical Board of Examiners, effective immediately. **Moved by Hensley to receive, file and accept with appreciation for service. Refer to staff for recommendation on equalizing length of terms for all Boards and Commissions. Motion Carried 6-1.**

00-1404 35. Communication from staff of Greater Des Moines Sister City Commission, informing Mayor and City Council of resignation of Mary Mauk and requesting that her seat be declared vacant. **Moved by Coleman to receive, file accept the resignation with appreciation for service. Motion Carried 6-1.**

00-1405 35-I Approving recommendation of Council Member Chris Coleman, for reappointment of George Robinson, to the Traffic Safety Committee, three-year term commencing in 1999, to expire 12-31-2002. **Moved by Coleman to adopt. Motion Carried 6-1.**

STREET CLOSINGS

00-1406 36. Approving closure of the following City Streets, **Moved by Coleman 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 6-1.**

(1) Lynelle Scheidel, 1305 41st St., requesting permission to close 41st Street from University Avenue to Forest Avenue on Saturday, June 3, 2000 from 4:00 to 8:00 P.M. for a potluck gathering.

(2) Kurt Schaeffer, 1435 NW 131st Street, Clive, IA, representing Dam To Dam, requesting permission to close Locust from 3rd to 4th from 5:00 to 11:00 A.M. and 3rd (west two lanes)

from Locust to Walnut from 5:00 A.M. to 1:00 P.M.(length of time exception) on Saturday, June 3, 2000 for the annual Dam To Dam Run.

00-1407 37. Approving exception regarding length of time request from Mo Dana, representing Des Moines Art Festival, 400 Locust, Suite 255, for the following streets. **Moved by Coleman 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 6-1.**

(1) On Wednesday, June 21, 2000 - Court Avenue Bridge from First Street to E. First Street from 9:00 A.M. until 6:00 A.M., Monday, June 26, 2000; Walnut Street Bridge from noon until 6:00 A.M., Monday, June 26, 2000.

(2) On Thursday, June 22, 2000 - First Street and E. First Street from Locust Street to Court Avenue from 7:00 A.M.; Locust Street Bridge from First Street to E. First Street from 9:00 A.M., and Riverside Drive from railroad bridge to Court Avenue from 9:00 A.M. until 6:00 A.M., Monday, June 26, 2000 inclusive.

CITY PLAN COMMISSION RECOMMENDATIONS

00-1408 38. Regarding approval of request from Shannon Viers, 425 E. Sheridan, for vacation and conveyance of a 15' x 50' strip of East Sheridan Avenue right-of-way adjoining applicant's property and vacation and conveyance of 25' x 130.5' strip of right-of-way directly east of the applicant's property. **Moved by Coleman to adopt and to refer to the City Manager and Legal Department for implementation. Motion Carried 6-1.**

SETTING DATE OF HEARINGS

00-1409 39. On recommended approval of request from Andrew Jacobs, to rezone property at 3835 University Avenue from "R-3" (Multiple Family Residential) to a "C-0" (Commercial-Residential District), subject to conditions, (6-5-00). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1410 40. Regarding recommended approval of request from Acanthus Lodge No. 632, A.F. and A.M., (Larry Bell, Officer), to rezone property at 4133 Urbandale Avenue, from R1-60 (One Family Low Density Residential), to a conditional R-3 (Multiple Family Residential), (6-5-00). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1411 41. On recommended denial of a request from Larry Brown and Joseph Domeier, dba The Art Store, to rezone property at 600 Martin Luther King Jr. Parkway, from "C-1" (Neighborhood Retail Commercial) to a Limited C-2 (General Retail and Highway Oriented Commercial), (6-5-00). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1412 42. On recommended denial of request from Evelyn McElvogue and Pamela Rockwell, to rezone property at 3105 & 115 Indianola Avenue, from R1-60 (One Family , Low Density Residential, to "C-2" (General Retail and Highway Oriented Commercial), (6-5-00). **Moved by**

Coleman to adopt. Motion Carried 6-1.

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

00-1413 43. Approving payment of \$514.69 to Jane McAllister of Ahlers, Conney, Dorweiler, Haynie, Smith & Allbee, P.C. for assistance to the City in conjunction with environmental matters with development of Kiwanis Nature Island at Riverview Park. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1414 43-I Authorization to retain services of Steven C. Reed, to provide legal services related to title examination. **Moved by Coleman to adopt. Motion Carried 6-1.**

CITY MANAGER COMMUNICATIONS

00-1415 44. Submitting out-of-state travel requests for Kevin Riper, Mark Durham, Dan Ritter, Annette Graeve, Ben Montijo, and Ellen Walkowiak. ([Council Communication No. 00-219](#)). **Moved by Coleman to adopt. Motion Carried 6-1.**

APPROVING

00-1416 45. Receipt of Communication from the City's Human Resources Director regarding insurance for retired employees and Supervisory, Professional and Management Employees' Pay Plan and Benefit Plans. ([Council Communication No. 00-212](#)). **Moved by Coleman to receive and file. Motion Carried 6-1.**

00-1417 46. Capital Improvement Program (CIP) funding for the design and planning stages of the Police Boat Ramp Project - \$50,000 and Crime Prevention Remodel Project - \$30,000. ([Council Communication No. 00-217](#)). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1418 47. Communication from Des Moines Arts Festival, Mo Dana, Executive Director to hang "AmerUs Group" Banner along the top of the amphitheater for display Thursday, June 22 thru Sunday, June 25, 2000. **Moved by Coleman to receive, file and approve. Motion Carried 6-1.**

00-1419 (A) Approving request for permission to erect scaffolding and to hang banners from across the Locust, Walnut and Court Avenue bridges, during the Des Moines Arts Festival, June 22-25. **Moved by Coleman to receive, file and grant permission. Motion Carried 6-1.**

00-1420 48. Communication from Iowa State Fair, requesting temporary head-in parking along north side of Dean Avenue, from E. 31st to E. 34th Street; temporary fencing to sidewalk along E. 31st Street and E. 30th Street fronting Dean; and "NO PARKING" signs in area east of E. 34th Street (Gate 7) and Grand Avenue, both north to University and south to Walnut, during the Fair. **Moved by Coleman to receive, file and grant the request. Motion Carried 6-1.**

00-1421 49. Four Supportive Housing Program (SHP) Grant Agreements with the U.S. Department of Housing and Urban Development (HUD) for a total grant award of \$1,486,521 of

1999 SHP funds, for implementation of the Primary Health Care Homeless Helpline (\$246,219), Primary Health Care Enhancement Project (\$768,327), West Des Moines Human Services Supportive Housing Program (\$261,975), and YMCA of Greater Des Moines Supportive Housing Program (\$210,000). ([Council Communication No. 00-221](#)). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1422 50. Contract with Iowa Department of Human Rights/Division of Community Action Agencies for the provision of payments for regulated gas or electricity, liquid propane/fuel oil delivery, furnace repair or replacement, shelter/ blankets/heaters, air conditioners/fans, deposits and reconnect fees to low-income persons from April 18, 2000 to December 31, 2000, contract budget of \$231, Contract No. Hardees-00-07-J. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1423 51. Agreement with Have Trunk Will Travel to provide a temporary elephant exhibit at the Blank Park Zoo for the months of June and July, 2000. ([Council Communication No. 00-224](#)) **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1424 52. 2001 AmeriCorps Grant Application to the Iowa Commission on Volunteer Services to assist the Park and Recreation Department staff in providing enhanced services to the citizens of Des Moines. ([Council Communication No. 00-225](#)). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1425 53. Prairie Meadows Operation Summertime Grant awards of \$4,000 for support of the Summer Playground program at Evelyn K. Davis Park and \$10,000 for the Youth-in-Parks program. ([Council Communication No. 00-226](#)). **Moved by Coleman to adopt. Motion Carried 6-1.**

54. Bids for the following:

00-1426 (A) Global Image Technologies, (Fort Collins, CO., Charles Weinbeck, President) for a document scanner to be used by the Engineering Department (Graphics Division), \$10,702.53. (Ten bids mailed-five received). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1427 (B) Star Equipment, LTD., (1401 2nd Avenue, Max Bowman, President) for a hydraulic hammer to be used by the Public Works Department (Street Maintenance), \$49,784.00. (Eighteen bids mailed-two received). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1428 (C) History Pays!, (4411 Ingersoll Avenue, James E. Jacobsen, President) for historic property documentation services to be used by the Community Development Department, \$25,490.00. (Five bids mailed-three received). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1429 (D) Holmes GMC, (11206 Hickman Road, Max Holmes, President) for a one-ton truck to be used by the Public Works Department, (Street Maintenance), \$24,228.00. (Six bids mailed-four received). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1430 (E) Primary and Secondary suppliers for annual contract for construction materials to be used by the Public Works Department, Payless Cashways, (Army Post Road, George Ownes, Manager) and Menards, (SE 14th Street, Bob Bates, Manager). (Ten bids mailed-two received). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1431 (F) Pomeroy Computer Resources, (1408 Locust Street), State of Iowa Contract No. CT25400000, (Municipal Code Section 2-86(c) for computer equipment to be used by the Information Technology Department, \$32,513.00. **Moved by Coleman to adopt. Motion Carried 6-1.**

54. Bids for the following:

00-1432 (G) Utility Equipment Co., (5615 NE 22nd Street, Mike Coryn, President) and Contech Construction Products, (5335 Merle Hay Road, Matthew McCants, President) for an annual contract for corrugated metal and polyvinyl pipe materials to be used by the Public Works Department (Sewer Maintenance). (Eight bids mailed-two received). (Call City Clerk's Office for price breakdown). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1433 55. Submitting Civil Service Entrance List for Laboratory Technician. **Moved by Coleman to receive and file. Motion Carried 6-1.**

00-1434 56. Receipt of Insurance for various City projects and functions for recording by the City Clerk. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-1435 57. Authorizing Finance Director to draw checks on registers of May 12, 2000 and May 19, 2000 for the bills of the Des Moines Municipal Housing Agency for the weeks beginning May 8, 2000 and May 15, 2000; and the biweekly payroll due employees on May 19, 2000. **Moved by Coleman to adopt. Motion Carried 6-1.**

ORDINANCES - FINAL CONSIDERATION

00-1436 58. 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 Coleman that this ordinance do now pass, [#13,821](#). Motion Carried 6-1.**

00-1437 59. 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 Coleman that this ordinance do now pass, [#13,822](#). Motion Carried 6-1.**

ORDINANCES - SECOND CONSIDERATION

00-1438 60. On vacation of the North/South alley south of Locust Street between 9th and 10th. **Moved by Coleman that this ordinance be considered and given second vote for passage. Motion Carried 6-1.**

00-1439 (A) Final consideration of ordinance above, (Waiver requested by applicant), requires 6 votes. **Moved by Coleman 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, [#13,823](#). Motion Carried 6-1.**

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

ORDINANCES - FIRST CONSIDERATION

00-1440 61. Amending Section 19-119 regarding peddlers and solicitation, to allow for neighborhood farmer's market on property zoned for retail sales and owned by non-profit corporation. **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**

00-1441 (A) Final consideration of ordinance above, (waiver requested by Council Member Vlassis), 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, [#13,824](#). Motion Carried 6-1.**

00-1442 62. Amending Section 38-26 of the Municipal Code, regarding ambulance service fees. ([Council Communication No. 00-228](#)). **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**

00-1443 63. Amending Chapter 114 of the Municipal Code regarding the following traffic regulation changes. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**

(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.

COMMUNICATIONS/REPORTS

00-1444 64. From Kathie Swift, Marketing Director for Iowa State Fair requesting waiver of fees assessed for barricade use and parking meter suspension in conjunction with Street Use Permit for the Iowa State Fair Parade. **Moved by Coleman to receive, file and refer to City Manager for a recommendation at the first meeting in June. Motion Carried 6-1.**

****Council considered Hearings next****

00-1445 65. From Angela Connolly representing Polk County Board of Supervisors regarding recommendation of the Criminal Justice Task Force to encourage all local police departments to use their citation powers in lieu of arrests to reduce jail overcrowding. **Moved by Vlassis to**

receive, file and discuss; refer to City Manager for review and recommendation by the first meeting in June. Motion Carried 6-1.

HEARINGS (Opened at 5:31 P.M.) (Items 66 thru 77)

66. On proposed issue of year 2000 General Obligation Bonds for Essential and General Corporate Purposes for the following: (call City Clerk's Office for a synopsis of funding). [\(Council Communication No. 00-222\)](#).

00-1446 (A) Miscellaneous Infrastructure Improvements, \$14,420,976. **Moved by Coleman to adopt. Motion Carried 5-2. Absent: Flagg and Vlassis.**

00-1447 (1) Authorization for additional action. **Moved by Coleman to adopt. Motion Carried 5-2. Absent: Flagg and Vlassis.**

00-1448 (B) Neighborhood and Economic Development Improvements, \$7,500,000. **Moved by Coleman to adopt. Motion Carried 5-2. Absent: Flagg and Vlassis.**

00-1449 (1) Authorization for additional action. **Moved by Coleman to adopt. Motion Carried 5-2. Absent: Flagg and Vlassis.**

00-1450 (C) Fire Protection Improvements, \$438,341. **Moved by Hensley to adopt. Motion Carried 5-2. Absent: Flagg and Vlassis.**

00-1451 (1) Authorization for additional action. **Moved by Hensley to adopt. Motion Carried 5-2. Absent: Flagg and Vlassis.**

00-1452 (D) Park Improvements, \$696,775. **Moved by McPherson to adopt. Motion Carried 5-2. Absent: Flagg and Vlassis.**

00-1453 (1) Authorization for additional action. **Moved by McPherson to adopt. Motion Carried 5-2. Absent: Flagg and Vlassis.**

00-1454 (E) Municipal Facility Improvements, \$918,908. **Moved by McPherson to adopt. Motion Carried 5-2. Absent: Flagg and Vlassis.**

00-1455 (1) Authorization for additional action. **Moved by McPherson to adopt. Motion Carried 5-2. Absent: Flagg and Vlassis.**

00-1456 (F) Fire Protection Improvements, \$975,000. **Moved by Hensley to adopt. Motion Carried 5-2. Absent: Flagg and Vlassis.**

00-1457 (1) Authorization for additional action. **Moved by Hensley to adopt. Motion Carried 5-2. Absent: Flagg and Vlassis.**

00-1458 67. On recommended approval of request from Oaks Development Inc., to rezone property in the 3100 block of E. Payton, from "R1-80" (One Family Residential) to a Limited "R1-60" (One Family, Low Density Residential). **Moved by Brooks to adopt, subject to the "no build" condition numbers C(7) not to be applied to the one lot adjoining the north boundary of the property immediately west of SE 31st Street. Motion Carried 6-1.**

00-1459 (A) First consideration of ordinance above, (requires 6 votes due to sufficient protest). **Moved by Brooks that this ordinance be considered and given first vote for passage, subject to the ordinance being first amended to provide that the "no build" condition in section 2(c)(7) shall not apply to the one lot adjoining the north boundary of the property immediately west of SE 31st Street. Motion Carried 6-1.**

00-1460 (B) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **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, subject to the ordinance being first amended to provide that the "no build" condition in Section 2(c)(7) shall not apply to the one lot adjoining the north boundary of the property immediately west of SE 31st Street. [#13,825](#). Motion Carried 6-1.**

68. Items regarding Grandshire Area Sanitary Sewer, Schedule No. 1995-07:

00-1461 (A) Hearing on adoption of Proposed Resolution of Necessity. ([Council Communication No. 00-229](#)). **Moved by Brooks to adopt. Motion Carried 6-1.**

00-1462 (B) Authorization for Right of Way. **Moved by Brooks to adopt. Motion Carried 6-1.**

00-1463 (C) Amendment No. 3 to Engineering Services Agreement with Veenstra & Kimm, Inc., (H. R. Veenstra, Jr., President, 3000 Westown Parkway, West Des Moines) for plan and specification modifications and for easement acquisition services, compensation not to exceed \$44,468. **Moved by Brooks to adopt. Motion Carried 6-1.**

00-1464 (D) Petitions in favor of and in objection to the project. **Moved by Brooks to receive and file. Motion Carried 6-1.**

00-1465 69. On proposed 13th Amendment to the Capitol East Urban Renewal Plan, to add additional acquisition parcels, on E Walnut, E 16th and Dean Avenue and to revise Property Disposition Block Map. ([Council Communication No. 00-213](#)). **Moved by Brooks to adopt. Motion Carried 5-2. Absent: Coleman and Flagg.**

00-1466 (A) Recommendation from City Plan and Zoning Commission. **Moved by Brooks to receive and file. Motion Carried 5-2. Absent: Coleman and Flagg.**

00-1467 70. On adoption of the Municipal Code of the City of Des Moines, 2000. **Moved by Hensley to adopt. Motion Carried 6-1. Absent:**

00-1468 (A) First consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 5-2. Absent: Coleman and Flagg.**

00-1469 (B) Recommendation from City Plan and Zoning Commission. **Moved by Hensley to receive and file. Motion Carried 5-2. Absent: Coleman and Flagg.**

00-1470 71. 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. **Moved by Vlassis to adopt. Motion Carried 5-2. Absent: Flagg and Coleman.**

00-1470-I (A) Approving form and execution of Lease Agreement. **Moved by Vlassis to adopt. Motion Carried 5-2. Absent: Flagg and Coleman.**

00-1471 72. On recommendation of Vice Control Unit to deny issue of Class "C" Liquor License to Sandi's Hitching Post Inc., Sandi K. Thompson, President dba Sandi's Hitching Post, 607 SE 30th Street; New Application (with Sunday Sales) - Application submitted 4-12-00. **Moved by Coleman to deny the license due to lack of good reputation, pursuant to Section 5 of the Des Moines Municipal Code and Chapter 123 of the Code of Iowa, and the rules and regulations thereof. Motion Carried 5-1-1. Nays: Brooks. Absent: Flagg.**

00-1472 73. On Outdoor Warning Siren Replacement: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Brown Brothers Inc., Electrical Contractors, (Kimberly Constable, President, 107 E. 5th Street, DM), \$545,000; approving contract and bond, permission to sublet, and Change Order No. 1. ([Council Communication No. 00-218](#)). **Moved by Hensley to adopt. Motion Carried 6-1.**

00-1473 74. On 2000 Sidewalk Replacement Program: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Double T. Asphalt Co. Inc, (Kathleen B. Burris, President, 6050 SE Vandalia Road, DM), \$152,802.50. **Moved by Brooks to adopt. Motion Carried 6-1.**

00-1474 75. On Des Moines Metropolitan Wastewater Reclamation Authority, Wastewater Reclamation Facility Process Control System Replacement: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Brown Bros., Inc., Electrical Contractors, (Kimberly J. Constable, 107 E. 5th Street, DM), \$2,557,600. **Moved by Brooks to adopt. Motion Carried 6-1.**

00-1475 (A) Approving contract and bond, and permission to sublet. **Moved by Brooks to adopt. Motion Carried 6-1.**

00-1476 76. On 2000 ACC Pavement Milling and Resurfacing: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Des Moines Asphalt & Paving Co., (Robert G. Horner, President, 903 SE 22nd Street, DM), \$655,500. **Moved by Vlassis to adopt. Motion Carried 6-1.**

00-1477 (A) Approving contract and bond. **Moved by Vlassis to adopt. Motion Carried 6-1.**

00-1478 77. On John Pat Dorrian Recreation Trail Improvements - Phase 2: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Grimes Asphalt and Paving Corporation, (J.M. Younker, President, Grimes,), \$95,680. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-1479 (A) Approving contract and bond, and permission to sublet. **Moved by McPherson to adopt. Motion Carried 6-1.**

* * END HEARINGS at 7:04 P.M. * *

****Council considered Item 65 next--then balance of agenda****

APPROVING

00-1480 78. Authorizing completion and distribution of Preliminary Official Statement relating to the issuance of \$19,545,000 Public Parking System Revenue Bonds, Series 2000A, and \$9,625,000 Public Parking System Revenue Bonds, taxable series 2000B, (Bond Sale approval on 5-24-00 at 4:30 P.M.) ([Council Communication No. 00-227](#)). **Moved by Hensley to adopt. Motion Carried 5-2. Absent: Flagg and Vlassis.**

00-1481 79. First Amendment to Memorandum of Understanding with Des Moines Development Corporation (DMDC) to delete references to specific contributions and to allow contribution credits for interest and financing costs incurred in conjunction with the Gateway Project. ([Council Communication No. 00-215](#)). **Moved by Brooks to adopt. Motion Carried 6-1.**

00-1482 80. Approving purchase of and authorizing the closing of property from the Allied Gateway Campus Project, in the Metro Center Urban Renewal Area. **Moved by Hensley to adopt. Motion Carried 6-1.**

00-1483 (A) Resolution authorizing purchase of properties from the Graham Group, Inc., for the Allied Gateway Campus Project, and for other development in the Metro Center Urban Renewal Area and approving sale of vacated alley property to the Graham Group, Inc. ([Council Communication No. 00-220](#)). **Moved by Hensley to adopt. Motion Carried 6-1.**

00-1484 81. Authorizing a \$150,000 grant as an incentive to attract a retail anchor business to the Eastgate Shopping Center (Northeast corner of E. 14th Street and Euclid Avenue). ([Council Communication No. 00-223](#)). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-1485 82. 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, continued from 5-1-00. **Moved by McPherson to approve. Motion Carried 6-1.**

00-1486 (A) Approving execution of Special Warranty Deed. **Moved by McPherson to**

approve. Motion Carried 6-1.

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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.

00-1487 1. Communication from Council Member Archie Brooks regarding Interim Paving of Kenyon Avenue from SE 14th Street west to the existing paving, and request to begin before the school year ends. SPONSOR: Brooks. **Moved by Brooks to authorize staff to proceed with interim paving of Kenyon from SE 14th west to existing paving. Motion Carried 6-1.**

A G E N D A

BOARD OF HEALTH May 15, 2000

00-1488 MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene as a Board of Health. Motion Carried 6-1.**

AUTHORIZING

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

00-1489 (A) 1701 E. Emma (vacant) Titleholder: First National Acceptance Company. **Moved by Vlassis to adopt. Motion Carried 6-1.**

00-1490 (B) 707 Forest (vacant) Titleholder: U.S. Bank Trust National Association. **Moved by Vlassis to adopt. Motion Carried 6-1.**

00-1491 (C) 2903 SE 14th (vacant) Titleholder: Mae Heaberlin; Contract Buyer: M.L.E. Investment Co. **Moved by Vlassis to adopt. Motion Carried 6-1.**

00-1492 2. Authorizing release of demolition cost reserve escrowed under claim number 14M56839 regarding the property known as 657 38th owned by Martin G. and Patricia A. Borgen. **Moved by Vlassis to adopt. Motion Carried 6-1.**

00-1493 MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 7:24 P.M.**

DES MOINES-CITY OF SKYWALKS