

SUMMARY OF DES MOINES CITY COUNCIL MEETING

DES MOINES CITY COUNCIL MEETING

May 18, 1998 4:30 P.M.

SPECIAL PRESENTATIONS - 4:00 P.M.:

- (A) Employee Suggestion Awards
- (B) Woodland Cemetery Preservation Association - Callanan Middle School
- (C) The Summer of Ride and Read

SPECIAL PRESENTATIONS - 4:30 P.M.:

- (a) Des Moines Choral Society
- (b) U.S. West Communications
- (c) Mayor's Charity Cruise '98

INVOCATION: Pastor Charles Pausley, Airport Baptist Church

98-1478 1. ROLL CALL: **Present: Daniels, Coleman, Flagg, Hensley, McPherson, Phillips and Vlassis.**

98-1479 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1480 ***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.**

98-1481 3. APPROVING CONSENT AGENDA - items 3 through 102: **Moved by Vlassis to adopt the balance of the Consent Agenda. Motion Carried 7-0.**

LICENSES AND PERMITS:

Approving

98-1482 4. Communication from Legal Department regarding May 18, 1998 License and Permit Agenda. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

Class "B" Beer Licenses

98-1483 5. The Depot, Inc., Calvin G. Campbell, President dba The Depot, 3000 East Grand - Iowa State Fairgrounds; Renewal - Expires 5-24-98 (With Sunday Sales and Beer Garden) - Application submitted 4-23-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1484 6. Fair Beverage Inc., Dan J. Hanian, President dba Old West Barbeque, Walnut & Rock Island - Iowa State Fairgrounds; New Application (With Sunday Sales and Beer Garden) - Application submitted 5-5-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Class "C" Beer Licenses

WITHDRAWN

98-1485 7. Git N Go Convenience Stores, Inc., Dennis Flora, President dba Git N Go Store #31, 2601 Southwest 9th Street; New Application (With Sunday Sales) - Application submitted 4-30-98.

98-1486 8. Kwik Shop, Inc., Steve Mostrom, Division Manager dba Kwik Shop #506, 5000 Southwest 9th Street; Renewal - Expires 6-5-98 (With Sunday Sales) - Application submitted 4-22-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1487 9. Kwik Shop, Inc., Steve Mostrom, Division Manager dba Kwik Shop #539, 1372 East 14th Street; Renewal - Expires 6-4-98 (With Sunday Sales) - Application submitted 4-22-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1488 10. Phillips 66 Company, James Mulva, President dba Phillips 66, 6222 Grand Avenue; Renewal - Expires 6-9-98 (With Sunday Sales) - Application submitted 4-17-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1489 11. Singh Food Market, Inc., Amrik Singh, President dba Singh's Citgo, 3804 Hubbell; Renewal - Expires 5-30-98 (With Sunday Sales) - Application submitted 4-23-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1490 12. Krueger Enterprises, Inc., Donald W. Krueger, President dba Southgate Amoco, 3401 Southeast 14th Street; Renewal - Expires 5-29-98 (With Sunday Sales) - Application submitted 4-23-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1491 13. Top Food Mart Corp., Pinder Singh, President dba Top Food Mart, 2701 Ingersoll; New Application (With Sunday Sales) - Application submitted 4-16-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1492 14. Vista Stores, LLC, Avry Davidovich, President dba Vista Store #1005, 3301 East Euclid; New Application (With Sunday Sales) - Application submitted 4-3-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Class "E" Beer Licenses

98-1493 15. Smitty's Big Town II, Inc., Clarence E. Smith, President dba Smitty's Super Valu, 1330 East University; Renewal - Expires 5-24-98 (With Sunday Sales) - Application submitted 4-23-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1494 16. Miner's Incorporated, James A. Miner, President dba Super One Foods, 100 Army Post Road; Renewal - Expires 6-3-98 (With Sunday Sales) - Application submitted 4-30-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1495 17. Miner's Incorporated, James A. Miner, President dba Super One Foods, 3400 East 33rd Street; Renewal - Expires 6-3-98 (With Sunday Sales) - Application submitted 4-30-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Class "C" Beer-Wine Licenses

98-1496 18. Des Moines Women's Club, Camille Valley, Executive Director dba Des Moines Women's Club, 1501 Woodland; Renewal - Expires 5-26-98 (With Sunday Sales) - Application submitted 4-29-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1497 19. KO Restaurant, L.L.C., KO Xayavongvane, Owner dba KO Restaurant, 1254 East 14th Street; New Application (With Sunday Sales) - Application submitted 3-20-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1498 20. 205 Corporation, Charles J. Celsi, President dba The Tavern South, 1106 Army Post Road; Renewal - Expires 6-30-98 (With Sunday Sales) - Application submitted 4-23-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Class "B" Liquor Licenses

98-1499 21. Ackerman Investment Company, James R. Brocken, President dba Best Western Starlite Village, 929 3rd Street; Renewal - Expires 6-1-98 (With Sunday Sales) - Application submitted 5-1-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Class "C" Liquor Licenses

98-1500 22. PMJ, Inc., James D. Daughenbaugh, President dba Carl's Place, 1620 Woodland; Renewal - Expires 6-5-98 (With Sunday Sales) - Application submitted 4-29-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1501 23. Civic Center of Greater Des Moines, Jeffery L. Chelesvig, Manager dba Civic Center of Greater Des Moines, 221 Walnut; Renewal - Expires 6-5-98 (With Sunday Sales) - Application submitted 4-24-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1502 24. The Cloud, Inc., Michelle Scaglione, President dba The Cloud, 2006 Forest; Renewal - Expires 5-30-98 (With Sunday Sales) - Application submitted 4-30-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

WITHDRAWN

98-1503 25. WPK, Inc., Wahnetta P. Knapp, President dba Connie's, 3839 Merle Hay Road; Renewal - Expires 6-8-98 (With Sunday Sales) - Application submitted 4-27-98.

98-1504 26. Donna's Lounge, LTD, Donna J. Keul, President dba Donna's Lounge, 4424 Southeast 14th Street; Renewal - Expires 5-30-98 (With Sunday Sales) - Application submitted 4-23-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1505 27. TJJS, Inc., Terry J. Stanley, President dba The Dugout, 210 Indianola; Renewal - Expires 6-2-98 (With Sunday Sales and Beer Garden) - Application submitted 4-29-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1506 28. Cristobal Miranda and Jose O. Henriquez dba El Bohemio, 2300 Hickman Road; Renewal - Expires 5-24-98 (With Sunday Sales) - Application submitted 4-22-98. **Recommendation of Vice Control Unit to Deny. Moved by Flagg to adopt the denial. Motion Carried 7-0.**

98-1507 29. NJB, Inc., Norma J. Brodersen, President dba Hickman Pub, 2335 Hickman Road; Renewal - Expires 6-2-98 (With Sunday Sales) - Application submitted 5-5-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1508 30. Connie Derry dba Hideaway Lounge, 4845 Merle Hay Road; Renewal - Expires 5-30-98 (With Sunday Sales) - Application submitted 4-22-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1509 31. J.O. Shaff, CEO dba J. Scott Limited, 400 Locust; New Application (With Sunday Sales) - Application submitted 5-7-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1510 32. Tony Tak Hing Wong dba King Ying Low Restaurant, 223 4th Street; Renewal - Expires 6-3-98 (With Sunday Sales) - Application submitted 5-6-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1511 33. R & F Mac Ltd, Robert A. MacManus, President dba Melrose Bar & Grill, 422 Indianola; Renewal - Expires 5-31-98 (With Sunday Sales) - Application submitted 4-29-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1512 34. Mercy Hospital Medical Center, Thomas A. Reiting, President dba Mercy Hospital Medical Center, 400 University; Renewal - Expires 5-31-98 - Application submitted 4-23-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

WITHDRAWN

98-1513 35. Racing Corner, Inc., Peggy D. Fousett, President dba Racing Corner, 2956 East Grand; New Application (With Sunday Sales) - Application submitted 4-29-98.

98-1514 36. I-80 Spaghetti Works Inc., Brent Lambi, President dba Spaghetti Works/Julio's, 308 -310 Court Avenue; Renewal - Expires 5-31-98 (With Sunday Sales and Beer Garden) - Application submitted 4-16-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1515 37. M & R Investments, Inc., Randall Bradley, President dba Sudsuckers, 1511 East Army Post Road; Renewal - Expires 5-30-98 (With Sunday Sales and Beer Garden) - Application submitted 4-29-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Class "E" Liquor Licenses

98-1516 38. Miner's Incorporated, James A. Miner, President dba Super One Foods, 100 Army Post Road; Renewal - Expires 6-3-98 - Application submitted 4-30-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1517 39. Miner's Incorporated, James A. Miner, President dba Super One Foods, 3400 East 33rd Street; Renewal - Expires 6-3-98 - Application submitted 4-30-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Class "F" Liquor Licenses

98-1518 40. Younkers Inc., R. Brad Martin, Officer dba Younker's Tea Room, 7th and Walnut; Renewal - Expires 5-31-98 (With Sunday Sales) - Application submitted 4-14-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Authorizing

98-1519 41. City Clerk to issue Cigarette Licenses. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1520 42. City Clerk to issue Coin Operated Amusement Machine Licenses. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Transfers

98-1521 43. Temporary transfer of Class "B" Beer Permit No. 24570 for Calvin Campbell, President dba Campbell's Concessions, Iowa State Fairgrounds from 4-H Building to Bill Riley Stage for World Pork Expo to be held June 2, thru June 6, 1998. **Moved by Vlassis to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

44. Resolution Ordering Construction of the following:

98-1522 (A) Asbestos Removal-1403-1407 Forest Avenue, Receiving of Bids, (5-26-98), and Setting Date of Hearing, (6-1-98). (Construction Estimate - \$9,500). **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1523 (B) Fire Station No. 7 Reroofing, Receiving of Bids, (6-2-98), and Setting Date of Hearing, (6-15-98). (Construction Estimate - \$35,000). **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1524 (C) 1998 Pavement Replacement Program, Receiving of Bids, (6-2-98), and Setting Date of Hearing, (6-15-98). (Construction Estimate - \$396,820). **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1525 (D) Merle Hay Road Sanitary Sewer-North of Meredith Drive, Receiving of Bids, (6-2-98), and Setting Date of Hearing, (6-15-98). (Construction Estimate - \$423,660). **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1526 45. Approving Private Construction Contract for Storm Sewer Improvements at Fitz Gold Company, 1801 DeWolf Street, between McAninch Corporation, Dwayne McAninch, President, Contractors and Fred Nesbit Distributing Company, Fred Nesbit, President, Owner - \$4,708. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1527 46. Approving Private Construction Contract for PCC Paving Improvements for the proposed Easter Lake Estates Plat 4, Phase I & II, located at Easter Lake Drive and SE 30th Street, between Eco-Tech Contractors, Inc., Steve Gillotti, President, Contractor, and The Legacy Group, Ltd., Randy Walters, Managing Partner - \$211,848. **Moved by Vlassis to adopt. Motion Carried 7-0.**

47. Approving Private Construction Contracts for Airport Commerce Park West Plat 2, located at SW 63rd Street and Park Avenue between McAninch Corporation, Dwayne McAninch, President, Contractor and Airport Commerce Park, L.C., William C. Knapp, Owner for the following:

98-1528 (A) Sanitary Sewer Improvements. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1529 (B) Storm Sewer Improvements. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1530 48. Approving Professional Services Agreement with Black & Veatch, (P. J. Adam, C.E.O.) to perform a study of the Grit Handling Facilities at WRA Wastewater Treatment Plant not to exceed \$47,000. [\(Council Communication No. 98-195\)](#). **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1531 49. Approving Professional Services Agreement with Camp Dresser and McKee, Inc., (Tom Furman, Chief Executive Officer) for services to create a Stormwater Utility GIS Interface for compensation not to exceed \$38,000. [\(Council Communication No. 98-211\)](#). **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1532 50. Report of the Chief Civil Engineer showing construction progress, amounts due and funding availability of the Seventh and Grand Parking Garage Renovation, Speciality Construction Services, Inc., \$59,798.03 remaining balance is now due and payable at end of 30 days. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1533 51. Petition from area property owners, regarding proposed paving of SW 12th Place from Army Post Road to 1/2 block north. **Moved by Vlassis to receive, file and refer to City Manager and City Engineer for review and recommendation. Motion Carried 7-0.**

98-1534 52. Approving partial payments on nine public improvement projects. (Call City Clerk's Office for listing). **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1535 53. Communications from various contractors requesting permission to sublet certain items on five public improvement projects. (Call City Clerk's Office for listing). **Moved by Vlassis to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

98-1536 54. Resolution Levying Assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 1998-44 and providing for payment. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1537 55. Approving Deficit Assessment Schedule No. 1998-41, spreading and levying deficit balance of \$1,475.65 at 1225 E 27th Court, for improvements to a single family dwelling, for certification to Polk County Treasurer. **Moved by Vlassis to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

98-1538 56. Oral request of Council Member Tom Vlassis to discuss rehabilitation of property at 1808 7th Street. **Moved by Vlassis to adopt programs as outlined. Ms. Toye to provide clear title and work with Community Development Department to find non-profit organization to purchase and rehabilitate property, or in the alternative, request extension of time. Motion Carried 7-0.**

98-1539 57. Revised Fair Market Value in conjunction with Martin Luther King, Jr. Parkway - Central Business District Arterial Loop By-Pass (CBD Loop), from Gilcrest Holding Company, L.C., and Philip Sumner Worth, 107 SW 4th Street, 201 SW 8th Street (acquisition), 226 Elm Street (leasehold) - \$3,145,000. ([Council Communication No. 98-205](#)). **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Coleman and Flagg.**

98-1540 (A) City Council discussion regarding differences between Commercial Property Assessed Value and Fair Market Value. **Moved by Hensley to direct the City Manager to contact County Assessor to arrange a meeting of the Conference Board. Motion Carried 7-0.**

98-1541 (B) City Council discussion regarding feasibility of preparing preliminary appraisals on proposed property acquisitions. **Moved by Hensley to direct City Manager to report on estimate of costs associated with this proposal. Motion Carried 7-0.**

WITHDRAWN

98-1542 58. Approving Final Subdivision Plat entitled Grandview Terrace in vicinity of E. 30th and Sheridan Avenue developed by Bernard John Baker, III.

98-1543 59. Approving agreement with Clarke Company Ltd., for City acquisition of street right-of-way, to extend E. Marion Street to Evergreen Avenue. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1544 (A) Acquisition of right-of-way necessary for opening of East Marion Street, south of Evergreen Avenue. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1545 60. Release of City Liens against Polk County Tax Sale Properties, 1319 10th Street, to clear title objection. **Moved by Flagg to defer to the 6-1-98 City Council meeting. City Manager to report on procedures used for releasing liens. Motion Carried 7-0.**

61. Approving the following, regarding 30th Street/31st Street Realignment at University Avenue, Kingman Avenue to Forest Avenue:

98-1546 (A) Offer to Purchase and Warranty Deed, from David G. Khodai, 3019 University Avenue - \$25,059. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1547 (B) Backslope and Property Adjustment Easement and Release, from Casey Properties, Inc., 1414 30th Street - \$210. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1548 (C) Backslope and Property Adjustment Easement and Release, from Michael J. Hanback and Glenda Hanback, 3023 Kingman Boulevard - \$3,425. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1549 (D) Backslope and Property Adjustment Easement and Release, Warranty Deed and Compensation for future Title Work, from Michael W. and Annette M. Thompson, 3100 Kingman Boulevard - \$1,281. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1550 62. Temporary Easement for Construction, Permanent Easement for Storm Water and Surface Water Flowage, Permanent Easement for Surface Water Flowage in conjunction with Park Avenue Widening at SW 56th Street, from Monarch Cement Company, 5101 Park Avenue - \$2,660. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1551 63. Backslope and Property Adjustment Easement and Release, Quit Claim Deed and Compensation for Future Title Work in conjunction with 1995 Paving Program No. 1 - East 22nd Street, Dean Avenue to Maple Street, from Stephanie Berry, 2200 Lyon Street - \$9,066. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1552 64. Backslope and Property Adjustment Easement and Release, Offer to Purchase, Warranty Deed and Compensation for Future Title Work in conjunction with 1995 Paving Program No. 1 - East 22nd Street, Dean Avenue to Maple Street, from Brothers Five Limited Partnership, 2121 E. Walnut - \$9,438. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1553 65. Corrected Permanent Easement for Storm Sewer Right-of-Way in conjunction with 1995 Paving Program No. 1 - E. 34th Street/SE 34th Street, Dean Avenue to Railroad Tracks, from Leslie A. and Yvonne A. Norman, for vacant lot located in block of Scott Avenue - \$0. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1554 66. Approving Noise and Avigation Easements in conjunction with Airport Noise Compatibility Program, Phase II, from Carolyn Tew, 1019 Southdale Drive - \$2,000. **Moved by Vlassis to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

98-1555 67. Appointment recommendation of Mayor Preston A. Daniels of Voneelya Marie Simmons to the Historic District Commission to fill the unexpired term of Will Page expiring October 18, 1998. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1556 68. Request from Pat Blunck, Chair, Greater Des Moines Sister City Commission to declare Richard Murphy's seat vacant. **Moved by Vlassis to receive, file and declare seat vacant. Motion Carried 7-0.**

98-1557 69. Recommendation of Council Member Mike McPherson, Ward II, for the appointment of Michael David Thomas to the Des Moines Commission on Human Rights for a three-year term to expire April 2, 2001. **Moved by McPherson to adopt. Motion Carried 7-0.**

****Council considered Hearing Items 114 through 127 next****

STREET CLOSINGS

98-1558 70. Approving request to close Grand Avenue from East First Street to East Fourth Street, East First Street from Grand Avenue to Locust Avenue, East Second Street from Walnut Street to Grand Avenue on Sunday, May 31, 1998 from 9:00 A.M. to 1:00 P.M. for the "Mayor's Charity Cruise", and to have City Hall Parking Lot cleared of City vehicles on May 31, 1998. **Moved by Vlassis to adopt. Motion Carried 7-0.**

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

98-1559 (A) Scott Formaro, representing 215 Group L.L., 208 Court Avenue, requesting to close Court Avenue in front of 208 Court Avenue, from 5:00 P.M. to 12:00 Midnight on Friday, Saturday, and Sunday, June 5, 6, and 7, 1998 for grand opening. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1560 (B) Mo Dana, representing Des Moines Arts Festival, 400 Locust Street, #255, requesting to close various streets in downtown area (Call City Clerk's Office for listing), from 8:00 A.M. Friday, June 26 to 5:00 P.M. Sunday, June 28, 1998 for Des Moines Arts Festival. **Moved by Coleman to adopt. Motion Carried 6-1. Absent: Daniels.**

98-1561 (C) Jane Foreman, representing Principal Financial Group, 801 Grand Avenue, Suite 3600, requesting to close East Second Street from Firestone Driveway to Civil Rights Commission Driveway from 7:30 A.M. to 2:30 P.M., Tuesday, July 7, 1998 for tenant luncheon. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1562 (D) Joe Coppola, representing Court Avenue District Association, 216 Fourth Street, requesting permission to close Fourth Street from Court Avenue to Walnut Street from 1:00 P.M. to 10:00 P.M., Saturday, June 6, 1998 for a block party. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1563 72. Approving closure of the following City Streets: **Moved by Coleman to adopt. Motion Carried 6-1. Absent: Daniels.**

(1) Marilyn Heaps-Nelson, 4322 Allison Avenue, requesting permission to close Allison Avenue from 42nd Street to 44th Street, on Saturday, June 27, 1998 from 4:00 P.M. until 8:00 P.M. for a neighborhood potluck gathering.

(2) James Kelley, 1306 46th Street, requesting permission to close the 1300 Block of 46th Street from Carpenter Avenue to Forest Avenue on Saturday, August 2, 1998 from 4:00 P.M. until 9:00 P.M. for the annual neighborhood block party.

(3) Dan Dusenbery, 2511 Kenway Drive, requesting permission to close Kenway Drive from Beavercrest Drive to Maryland Pike on Saturday, June 27, 1998 from 4:00 P.M. until 10:00 P.M. for a neighborhood party.

(4) Rodney Hillebo, representing Electric Engineering and Equipment Company, 1201 Walnut Street, requesting permission to close Walnut Street from 12th Street to 13th Street on Friday, July 10, 1998 from 10:00 A.M. to 2:00 P.M. for a customer appreciation event.

CITY PLAN COMMISSION RECOMMENDATIONS

98-1564 73. Regarding Architectural Advisory Committee's recommendation on City Hall remodeling of Human Resources and Economic Development Areas. **Moved by Hensley to receive and file. Motion Carried 6-1. Absent: Daniels.**

98-1565 74. Regarding request from R. L. Minear, Principal Mutual Life Insurance Company, for vacation and conveyance of the north/south alley right-of-way between 10th and 11th Street north of Grand, and a portion of Grand Avenue right-of-way. **Moved by Vlassis to adopt and refer to the City Manager and Legal Department for implementation. Motion Carried 7-0.**

APPROVING

98-1566 75. Resolution directing advertisement for sale of \$19,400,000 in General Obligation Bonds, Series 1998D, (bond sale and item approval will be 6-1-98). [\(Council Communication No. 98-198\)](#). **Moved by Hensley to adopt. Motion Carried 5-1-1. Pass: Flagg. Absent: Daniels.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

98-1567 76. Approving payment of \$18,572.81 on behalf of former City Firefighter John J. Rennenger as compromise of medical payment subrogation rights. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1568 77. Approving payment of \$10,060 to Jean Hughes and Kathy Hughes, and their Attorney, R. Ronald Pogge in settlement of Polk County District Court Lawsuit CL 71041, Hughes, et al. v. Barbarossa & Sons and the City of Des Moines. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1569 78. Approving payment of \$2,312.98 to Jane McAllister of Ahlers, Cooney, Dorweiler, Haynie, Smith & Allbee, P.C. for assistance in resolution of certain environmental matters in conjunction with development of Kiwanis Nature Island at Riverview Park. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1570 79. Approving payment of \$683.70 to Austin, Gaudineer & Comito, L.L.P. for representation of John Leporte in case of Robert Rissman, Jr., et al. v. City of Des Moines. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1571 80. Approving payment of \$4,984.12 to Guy Cook for representation of Roger Stiles in case of Smith v. City of Des Moines, et al. **Moved by Vlassis to approve payment. Motion Carried 7-0.**

98-1572 81. Approving payment of \$1,183,117 plus costs to confess judgment in favor of Raccoon Valley Partnership in case of Raccoon Valley Partnership v. the City of Des Moines, et al., Polk County District Court No. CL 69294. **Moved by Flagg to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

98-1573 82. Submitting various traffic regulation changes as follows. (Council Communication No. 98-208). **Moved by Vlassis to receive, file and refer to Legal Department for preparation of proper legislation. Motion Carried 7-0.**

- (1) No Parking-South Side of Urbandale Avenue East and West of Westover Boulevard.
- (2) Loading Zone-East Side of Fourth Street North of Vine Street.
- (3) One-Sided Parking Restriction-South Side of Hackley Avenue from Fleur Drive to Southwest Nineteenth Street and East Side of Southwest Nineteenth Street from Hackley Avenue to McKinley Avenue.
- (4) Parking Restriction and Corner Clearance-East Side of Ohio Street South of College Avenue.
- (5) Corner Clearance-South Side of Sherrick Avenue West of Sixty-seventh Street.

(6) One-Sided Parking Restriction-Scott Avenue Between Southeast Thirtieth and Raccoon Street.

(7) Permanent Traffic Signals-Intersection of Southeast Thirtieth Street and Scott Avenue.

(8) Parking Changes-East Ninth Street Between Filmore Street and Roosevelt Avenue.

98-1574 83. Submitting out-of-state travel request for Preston Daniels, Chris Coleman, Thomas Vlassis, Robert Utter, Kristin Johnson, Kathie Watts, and Eric Nevins. ([Council Communication No. 98-201](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

APPROVING

98-1575 84. Exception regarding length of time request from Jim Stevens, representing Court Avenue District Association, 308 Court Avenue, request to close Court Avenue from Third Street to Second Avenue and from Second Avenue to east First Street and on First Street from Walnut Street to alley south of Court Avenue and on west River Drive from Court Avenue to Elm Street from 5:00 A.M. to 12:00 Midnight, Sunday, June 7, 1998 for a Doobie Brothers concert to benefit National Veterans Foundation. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1576 (A) Application for Class "B" Beer License to Court Avenue District Association, Susan Parry, President dba Court Avenue District Association, 308 Court Avenue; New Application for One Day Event on June 7, 1998 (With Beer Garden) - Application submitted 5-5-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1577 85. Exception regarding length of time request from Jim Stevens, representing Nacho Mamma's, 216 Court Avenue, request to close Court Avenue from Third Street east to alley from 4:30 P.M. to 12:00 Midnight, Saturday, June 6, 1998 and from 12:00 noon to 10:00 P.M., Sunday June 7, 1998 for multi-cultural events. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1578 (A) Temporary extension of current Beer Garden for the above for Saturday, June 6, 1998. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1579 (B) Temporary extension of current Beer Garden for the above for Sunday, June 7, 1998. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1580 86. Application for \$399,988 in Community Services Block Grant (CSBG) funds for the 1998-99 CSBG Program Year, from October 1, 1998 to September 30, 1999. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1581 87. Preconstruction Project Agreement between the Airport Board and IDOT, for Runway 5-23 Grading, Phase 2 project. ([Council Communication No. 98-212](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1582 88. Communication from Betty Kline of Brown-Camp Lofts requesting City to allow residential units in the Brown-Camp building to receive tax abatement under the 10 year 100% schedule now allowed to other property within the area. **Moved by Vlassis to receive and file. Motion Carried 6-1. Nays: Flagg.**

98-1583 (A) Resolution waiving limit on tax abatement allowed the Brown-Camp Lofts and approving allowance of the 10 year 100% schedule for residential improvements therein. (Council Communication No. 98-213). **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Flagg.**

98-1584 89. Inter-Creditor Agreement, between the City, Polk County and State of Iowa, regarding Kemin Industries economic development project. **Moved by Vlassis to approve. Motion Carried 6-1. Nays: Flagg.**

98-1585 90. Residential Rental Agreement for Pioneer Park residence with Steve Dyer. **Moved by Phillips to adopt. Motion Carried 6-1. Absent: McPherson.**

91. Renewal of Group Health Insurance Contracts (HMO'S) for employees subject to Collective Bargaining:

98-1586 (A) Principal Health Care of Iowa--Primary Care and Open Access plans. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1587 (B) SecureCare of Iowa. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1588 (C) Approving waiver of employee contribution, (MEA and Fire Association), for employees who participate in Principal Health Care of Iowa Primary Care and Plan and in SecureCare of Iowa, July 1, 1998 thru June 30, 1999. ([Council Communication No. 98-200](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

92. Bids for the following:

98-1589 (A) GE Capital IT Solutions, (Urbandale, IA), State of Iowa Contract 1984 (Municipal Code Section 2-86(c) for Compaq computer equipment and attachments for use as proxy servers to be used by the Information Technology Department, \$20,639. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1590 (B) Bid awarded to Swab Wagon Co., Inc., (Elizabethville, PA., Fred Margerum, President) for two (2) animal transport cages to be used by the Police Department (Animal Control), \$24,400. Bid from Schroer Manufacturing Company did not meet specifications, therefore non-compliant. (Three bids mailed-two received). **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Flagg.**

98-1591 (C) Bid awarded to K.A. Steel Chemicals, Inc., (LeMont, IL., Robert Steel, President) for an annual agreement with two (2) renewal options for one-ton cylinders of liquid chlorine to

be used by the Engineering Department (Wastewater Reclamation Facility), \$25,000. Bid from D.P.C. Industries, (Omaha, NE) deemed not responsible and bid rejected pursuant to Municipal Code Section 2-96. (Five bids mailed-five received). **Moved by Hensley to continue to 6-1-98. Refer to City Manager for review and recommendation. Motion Carried 7-0.**

98-1592 93. Receipt of Insurance for various City projects and functions for recording by the City Clerk. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1593 94. Report of Civil Service Commission submitting Promotional Lists for Truck Driver, Senior Public Safety Dispatcher, and Forestry Crew Chief. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

98-1594 95. Authorizing Finance Director to draw warrants on registers of May 15, 1998 and May 22, 1998, and the bills of the Des Moines Municipal Housing Agency for the weeks beginning May 18, 1998 and May 25, 1998, and the biweekly payroll due employees on May 8, 1998. **Moved by Vlassis to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

98-1595 96. On vacation of right-of-way easement for a portion of SW 56th Street south of Park Avenue. **Moved by Vlassis that this ordinance do now pass, [#13,605](#). Motion Carried 7-0.**

98-1596 97. On vacation of Clay Street right-of-way and adjoining north/south alley in vicinity of SW First Street. **Moved by Vlassis that this ordinance do now pass, [#13,606](#). Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

98-1597 98. Amending Chapter 17 of the Municipal Code regarding control of deer within the City limits. **Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

98-1598 99. On vacation of a portion of the North/South alley in vicinity of SE 28th and Maury Street. **Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

98-1599 100. Amending Chapter 27 of the Municipal Code regarding the following traffic regulation changes: **Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

(1) Four-Way Stop-S.W. 14th Street and Geil Avenue.

(2) Removal of Commercial Loading Zone-East Side of Sixth Avenue North of Douglas Avenue.

(3) One-Sided Parking Restriction-South Side of Twana Dr. from a Point East of 38th St. to Beaver Avenue.

98-1600 101. Amending Chapter 26 of the Municipal Code regarding licensing of communication systems within public right-of-way, and to further defer consideration until 6-1-98. **Moved by Hensley that this ordinance be deferred for further consideration until the regular City Council meeting on June 1, 1998. Motion Carried 7-0.**

98-1601 102. Amending Chapter 23 of the Municipal Code regarding regulation and management of private use of public rights-of-way, and to further defer consideration until 6-1-98. **Moved by Hensley that this ordinance be deferred for further consideration until the regular City Council meeting on June 1, 1998. Motion Carried 7-0.**

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

ORDINANCES - FIRST CONSIDERATION

98-1602 103. Amending Section 2-362.05 of the Municipal Code amending language to read penalty for violation of Airport Regulations would be misdemeanor or municipal infraction. ([Council Communication No. 98-204](#)). **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Phillips.**

98-1603 104. Amending Chapter 7 of the Municipal Code regarding disposition of unredeemed dogs and cats. **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Hensley.**

98-1604 (A) Final consideration of ordinance above, (waiver requested by Police Department and Animal Rescue League), requires 6 votes. ([Council Communication No. 98-206](#)). **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, #13,607. Motion Carried 6-1. Absent: Hensley.**

98-1605 105. 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 5-2. Absent: Coleman and Hensley.**

(1) Convert Parking Meter 12-407 to Handicapped Parking Meter.

(2) Corner Clearance-West Side of York Street South of University Avenue.

(3) Corner Clearance-South Side of Garfield Avenue West of E. 37th Ct. and West Side of E. 37th Ct. South of Garfield Avenue.

98-1606 106. Amending Chapter 2 of the Municipal Code regarding addition of "Sexual Orientation" as a protected basis, to the Human Rights Ordinance. **Moved by McPherson to deny. Motion Carried 4-3. Nays: Daniels, Hensley and Vlassis.**

98-1607 (A) Alternate Resolution: Amending Human Rights Ordinance/City of Des Moines Work Place Policy Employee Handbook, to apply to City Employees only, (as attached). **Moved by Coleman to receive, file and refer to City Manager and City Legal for review. Motion Failed 2-5. Nays: Daniels, Flagg, Hensley, Phillips and Vlassis.**

COUNCIL REQUESTS

98-1608 107. Oral request of Council Member Christine Hensley, to discuss attempt of Marsha Theisen, 121 Lincoln Place Drive, to purchase City-owned lot at 4812 Grand Avenue. **Moved by Hensley to receive, file and refer to Park and Recreation Board for review and recommendation. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

98-1609 108. Report by Parks Department regarding corrective actions taken at Grandview Golf Course. **Moved by Coleman to receive and file attached report and refer to City Manager and Parks Department to review issues raised regarding Blank Golf Course, and report back to City Council by 8-3-98. Motion Carried 7-0.**

98-1610 (A) Discussion regarding reimbursement of John Maxfield's claim for damages resulting from golf ball from Grandview Golf Course. **Moved by McPherson to reimburse Mr. Maxfield the \$250 deductible regarding his claim for damages. Motion Failed 3-4. Nays: Daniels, Coleman, Hensley and Vlassis.**

98-1611 109. From Sherman Hill Association, regarding development of vacant lots in the Sherman Hill Neighborhood. **Moved by Hensley to receive, file and direct City Manager to facilitate a meeting between Mid-American Energy and Sherman Hill Neighborhood Association. Motion Carried 6-1. Absent: Coleman.**

98-1612 110. Petition and Request from Columbus Park Neighborhood Association, to speak regarding Des Moines Coalition for the Homeless purchasing a home at 321 SE Granger. **Moved by Flagg to receive, file and defer to 6-15-98 Council Meeting to obtain list of addresses where homes are located, and review Police Reports for each address. Motion Carried 7-0.**

98-1613 111. From Mable Hobbs, to speak regarding a work program in the 1100 block of 14th Street Place. **Moved by Vlassis to receive, file and refer to City Manager and Police Chief to review the matter and monitor the area. Motion Carried 4-3. Absent: Flagg, McPherson and Phillips.**

98-1614 112. From Kevin Johnson, 2847 Indianola, #4, to speak regarding City development with low-cost housing, downtown development, and housing codes. **Moved by Vlassis to receive and file. Motion Carried 4-3. Absent: Flagg, McPherson and Phillips.**

98-1615 113. From James Ollenberg, 689-18th, to speak regarding concern for the indigent in Des Moines. **Moved by Hensley to receive and file. Motion Carried 4-3. Absent: Flagg, McPherson and Phillips.**

****Council considered Item 128 through end of agenda next****

HEARINGS (Opened at 5:35 P.M.) (Items 114 thru 127)

98-1616 114. On Plans, Specifications, and Estimate of Costs for Asphalt Stabilization Schedule No. 1998-38. **Moved by Phillips to adopt. Motion Carried 7-0.**

ADOPTED (A) SE 27th Street from Scott to E. Market.

ADOPTED (B) E. 33rd Street from Carr Street to E. Court Avenue.

ADOPTED (C) SE 34th Street from Scott Avenue to 1094 Ft. North.

98-1617 (1) Communication in objection. **Moved by Phillips to receive and file. Motion Carried 7-0.**

ADOPTED 114. (D) Allen Street from SE 2nd to SE 7th.

98-1618 (1) Petition in objection. **Moved by Phillips to receive and file. Motion Carried 7-0.**

CONTINUED (E) Astor Street from Scott Avenue to Maury Street.

DELETED (F) E. County Line Road from SE 14th to Highway 65/69.

98-1619 (1) Petition in objection. **Moved by Phillips to receive and file. Motion Carried 7-0.**

ADOPTED (G) E. Edison Avenue from SE 8th to SE 9th.

ADOPTED (H) E. Kirkwood Avenue from SE 10th to SE 14th.

ADOPTED (I) Maury Street from west line of 3016 Maury to E. line of 3140 Maury.

ADOPTED (J) Shaw Street from SE 7th to SE 13th.

98-1620 (K) Adopting Resolution of Necessity. **Moved by Phillips to close the above hearing and defer action on the Resolution of Necessity to the regular meeting of June 1, 1998. Delete E. County Line Rd., from SE 14th to Highway 65/69, Continue Astor from Scott to Maury. Motion Carried 7-0.**

98-1621 115. On Plans, Specifications, and Estimate of Costs for Asphalt Stabilization Schedule No. 1998-37. **Moved by McPherson to adopt. Motion Carried 7-0.**

ADOPTED (A) First Street from E. Sheridan to Arthur.

ADOPTED (B) E. 21st Street from 25'N. of Milton to North line of 2423 Delaware.

CONTINUED (C) E. 33rd Street from 75' south of north line of 2333 E. 33rd to North line of 2409 E. 33rd.

98-1622 (1) Petition in objection. **Moved by McPherson to receive and file. Motion Carried 7-0.**

ADOPTED 115. (D) Colfax Avenue from E. Douglas to E. Shawnee.

ADOPTED (E) East R.O.W. of Colfax Avenue/E. 34th Street to south line of lot 346 Douglas Acres Plat No. 3 to E. Aurora Avenue.

DELETED (F) Oxford Street to E. Holcomb Avenue to Guthrie.

98-1623 (1) Petition in objection. **Moved by McPherson to receive and file. Motion Carried 7-0.**

ADOPTED (G) Oxford Street from E. Sheridan to E. Holcomb.

98-1624 (1) Petition in objection. **Moved by McPherson to receive and file. Motion Carried 7-0.**

ADOPTED (H) E. Seneca Avenue from Cornell to Columbia.

ADOPTED (I) E. Sheridan Avenue from Idaho Street to E. 16th Street.

98-1625 (J) Adopting Resolution of Necessity. **Moved by McPherson to close the above hearing and defer action on the Resolution of Necessity to the regular meeting of June 1, 1998. Delete Oxford from E. Holcomb to Guthrie, Oxford from E. Sheridan to E. Holcomb, Continue E. 33rd Street from 75' South of North line of 2333 E. 33rd to North line of 2409 E. 33rd. Motion Carried 7-0.**

98-1626 116. On lease with Git-N-Go Convenience Stores, Inc., for property in vicinity of SW Ninth and Bell, 15-year term, \$950 annually. **Moved by Phillips to adopt. Motion Carried 6-1. Absent: Coleman.**

98-1627 117. Communication from City Plan Commission finding the Second Amendment to the Restated City-wide Urban Revitalization (tax abatement) Plan in conformance with the Comprehensive Plan. **Moved by Hensley to receive and file. Motion Carried 7-0.**

98-1628 (A) On Second Amendment to the Restated Urban Revitalization Plan for City-Wide Urban Revitalization Area, to encourage rehabilitation of existing structures between 8th, 9th, Center to Pleasant, and encourage rehabilitation and expansion of existing Community Shopping Centers. [\(Council Communication No. 98-197\)](#). **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1629 118. On Fire Station No. 1 Apparatus Floor Replacement: Closing the hearing on plans, specifications, form of contract documents, and Engineer's estimate, (NO BIDS RECEIVED). **Moved by Phillips to adopt. Motion Carried 7-0.**

98-1630 119. On Martin Luther King, Jr. Parkway - SW 5th Street Paving and Storm Sewer: Resolution approving plans, specifications, form of contract documents, and Engineer's estimate of costs. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1631 (A) Presentation of bidders, and designating lowest responsible bidder as Van Hauen & Associates, Inc., (Mark Van Hauen, Pres., Clive), \$679,679. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1632 (B) Approving contract and bond. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1633 (C) Agreement with Louis Berger & Associates, for Archaeological Data Recovery. ([Council Communication No. 98-202](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1634 120. On 30th/31st Street Improvements-Kingman Avenue to Forest Avenue: Resolution approving plans, specifications, form of contract documents and Engineer's estimate of cost. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1635 (A) Presentation of bidders and designating lowest responsible bidder as M. Peterson Construction Co., (Merlin Peterson, Pres, 4000 Delaware Ave, DM), \$1,599,766.80. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1636 (B) Approving contract and bond. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1637 121. On 1998 ACC Pavement Milling & 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, Pres., 903 SE 22nd St. DM), \$292,500. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1638 (A) Approving contract and bond. ([Council Communication No. 98-203](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1639 122. On 1998 Skywalk System Directories and Overhead Signs: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as ASI Sign Systems, (Thomas B. Latimer, Pres., Grinnell), \$86,496. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Flagg.**

98-1640 (A) Approving contract and bond. (Council Communication No. 98-209). **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Flagg.**

98-1641 123. On Central Place Storm Pumping Station Discharge Repair: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest

responsible bidder as Van Hauen & Associates, Inc., (Mark Van Hauen, Pres., Clive), \$71,000. **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Flagg.**

98-1642 (A) Approving contract and bond. ([Council Communication No. 98-210](#)). **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Flagg.**

98-1643 124. On 1998 Sidewalk Replacement Program: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Johnson Concrete & Petroleum Constr. Inc., (Robert L. Johnson, Pres., 107 Arthur, DM), \$140,082. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-1644 (A) Approving contract and bond. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-1645 125. On 1998 Sidewalk Replacement Program - Public Works: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Johnson Concrete & Petroleum Const., Inc., (Robert L. Johnson, Pres., 107 Arthur DM), \$136,830. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-1646 (A) Approving contract and bond. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-1647 126. On 1998 Pavement Milling: 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, Pres., 903 SE 22nd St, DM, \$77,000. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1648 (A) Approving contract and bond. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-1649 127. On resolution to abandon the proposals to issue \$31,900,000 for Public Parking System Revenue Bonds. ([Council Communication No. 98-199](#)). **Moved by Flagg to adopt. Motion Carried 7-0.**

* * END HEARINGS at 6:22 P.M. * *

****Council considered Item 71B next****

APPROVING

128. Actions regarding TCI's March 1998 rate filing.

98-1650 (A) Approving engagement letter from Dennis M. Creveling, Kiesling Associates LLP, to assist the City in review of cable television rates. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

98-1651 (B) Finding TCI's maximum permitted rate for "nonrebuild" area is unreasonable, and the increase in its hourly service charge, installation and equipment rates as proposed are

unreasonable and shall not be made effective. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

98-1652 129. Modification to Des Moines Coalition for the Homeless Transitional Housing Program Expansion Project allowing the agency to purchase one duplex and six single-family homes. [\(Council Communication No. 98-207\)](#). **Moved by Phillips to approve change, and make additional change, that Neighborhood Association give approval of homes in their neighborhoods. Motion Carried 6-1. Absent: Flagg.**

98-1653 (A) Inclusion of property located at 2110 NE 14th St. **Moved by Phillips to approve. Motion Carried 6-1. Absent: Flagg.**

98-1654 130. City's Funding Commitment to the Neighborhood Finance Corporation, (NFC), \$1,000,000, FY 1997-98. [\(Council Communication No. 98-196\)](#). **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

WITHDRAWN

98-1655 131. Update on proposed annexation for areas northeast, southeast and south of the current City boundaries.

98-1656 (A) Resolution scheduling Annexation Hearing, June 16, 1998, 4:30 P.M., Embassy Suites Hotel, 101 E. Locust Street, Des Moines. **Moved by Vlassis to adopt and to schedule the public hearing to be held on June 16, 1998, commencing at 4:30 P.M. at Embassy Suites Hotel, 101 E. Locust Street, Des Moines, IA. Written comment will be considered by the City Council if received by the City Clerk by 12:00 P.M. on June 22, 1998. Motion Carried 5-1-1. Nays: Phillips. Absent: Flagg.**

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A G E N D A

BOARD OF HEALTH

May 18, 1998

98-1657 MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene as a Board of Health. Motion Carried 6-1. Absent: Flagg.**

AUTHORIZING

98-1658 1. Court authority to abate the public nuisance at the following location: 1309 E. 26th Ct., vacant, Titleholder: Warren H. Floyd; Legal Interest Holder: Viola E. Kearbey. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

98-1659 2. Release of demolition cost reserve held under claim number 14L30037 regarding property known as 830 E. 24th Ct. owned by James R. and Shirley R. Hills. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

98-1660 3. Release of demolition cost reserve held under claim number 39-2502-96 regarding property known as 1720 Capitol owned by Gourmet Foods Enterprises, Inc. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

98-1661 MOTION TO ADJOURN at 10:36 P.M. **Moved by Vlassis to adjourn at 10:36 P.M. Motion Carried 6-1. Absent: Flagg.**