

*** 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 '07-' 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 21, 2007 4:30 P.M.

SPECIAL PRESENTATIONS – 4:00 P.M.

Presentation from MidAmerican Energy

PROCLAMATIONS – 4:00 P.M.

[National](#) Historic Preservation Month

[National](#) Insurance Week

[National](#) Public Works Week

INVOCATION: Rev. Craig Robertson
Grant Park Christian Church
2440 Capitol Avenue

1.

[07-928](#)

1. ROLL CALL: **Present: Cownie, Coleman, Hensley, Kiernan, Mahaffey, Meyer and Vlassis. Council Member Hensley participated in the meeting by telephone.**

[07-929](#)

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

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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.

[07-930](#)

- 3. APPROVING CONSENT AGENDA – items 3 through 42: **Moved by Vlassis to adopt the balance of the consent agenda. Motion Carried 7-0.**

LICENSES AND PERMITS

[07-931](#)

- 4. [Approving](#) Alcoholic Beverage Applications for the following: **Moved by Vlassis to adopt. Motion Carried 7-0.**

NEW APPLICATIONS

- ~~(A) KRYSTAL SLIPPER LOUNGE 4001 6TH AVE
C Liquor~~
- (B) RANCHO EL CARRETERO 729 SE 32ND ST
B Beer
- (C) WELLS FARGO FINANCIAL 800 WALNUT ST
C Liquor

RENEWAL APPLICATIONS

- (D) BIG KMART #4160 2535 HUBBELL AVE
C Beer
- (E) BREW HAUS LOUNGE 830 MCKINLEY AVE
C Liquor
- (F) CARLS PLACE 1620 WOODLAND AVE
C Liquor
- (G) CIVIC CENTER OF GREATER DSM 221 WALNUT STREET
C Liquor
- (H) COURT AVENUE BREWING CO 309 COURT AVE
C Liquor
- (I) DONNAS LOUNGE 4424 SE 14TH ST
C Liquor
- ~~(J) FOUR POINTS BY SHERATON 1810 ARMY POST RD~~

	B Liquor	
(K)	GIT N GO STORE #11 C Beer	3940 E 29TH ST
(L)	GIT N GO STORE #31 C Beer	2601 SW 9TH ST
(M)	HICKMAN PUB Liquor	2335 HICKMAN RD
(N)	KING YING LOW RESTAURANT C Beer/Wine	223 4TH STREET
(O)	MING DYNASTY BUFFET B Beer	4804 SW 9TH ST
(P)	PIZZA HUT #4353 B Beer	1435 ARMY POST ROA
(Q)	QUALITY INN & SUITES EVENTS B Liquor	929 3RD ST
(R)	QUIKTRIP #516 C Beer	1000 E UNIVERSITY
(S)	QUIKTRIP #535 C Beer	1501 E GRAND AVE
(T)	ROCKS Liquor	204 3RD ST
(U)	ROYAL FLUSH RESTAURANT C Liquor	4440 HUBBELL AVE
(V)	SAVERY HOTEL AND SPA B Liquor	401 LOCUST ST
(W)	SAVERY HOTEL AND SPA B Wine	401 LOCUST ST
(X)	SOUTH SIDE LIQUOR & TOBACCO E Liquor	1101 ARMY POST RD
(Y)	SOUTHGATE AMOCO C Beer	3401 SE 14TH ST
(Z)	SUITES OF 800 LOCUST B Liquor	800 LOCUST ST
(AA)	TOBACCO OUTLET PLUS #519 C Beer	3144 SE 14TH STREET
(BB)	TOBACCO OUTLET PLUS #521 C Beer	2601 E EUCLID AVE
(CC)	UNIVERSITY LIBRARY CAFE C Liquor	3506 UNIVERSITY AV

OUTDOOR SERVICE APPLICATION

(DD)	BLAZING SADDLE C Liquor Temporary Outdoor Service and temporary closure of sidewalk	416 E 5TH ST
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within the licensed premise area in conjunction with Historic East Village Blooms & Blues on June 1, 2007. Pending approval of Building, Electrical and Fire Departments.

SPECIAL EVENTS APPLICATIONS

- (EE) GREEK ORTHODOX CHURCH 1110 35TH ST
C Beer/Wine
Five-day license in conjunction with the Greek Food Fair on June 3, 2007. Pending approval of the Building Department.
- (FF) LIARS CLUB 216 COURT AVE Fi
(5) Day License
Class C Liquor license for 1st Annual Memorial Day Celebration Court Avenue. Pending approval of Building, Electrical and Fire Departments.

[07-932](#)

- 4-I. [Approving](#) Alcoholic Beverage License Applications for the following
Moved by Vlassis to adopt. Motion Carried 7-0.

- A. Buddy's Corral, 418 E. 5th Street, for temporary outdoor service temporary closure of sidewalk within the licensed premise area June 1, 2007 for Historic East Village Blooms & Blues. Pending approval of Building, Electrical, Fire and Zoning Departments. SPONSOR: Vlassis.
- B. East Side Grill, 2905 Hubbell Avenue, for renewal of Class C Beer/Wine License. Pending approval of Building, Electrical, Fire Departments. SPONSOR: Mahaffey.
- C. People's Court, 216 Court Avenue, Suite 301, for new Class C Liquor License. Pending approval of Building, Electrical, Fire and Zoning Departments. SPONSOR: Kiernan.

[07-933](#)

5. [City](#) Clerk to issue Cigarette Licenses. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Cownie.**

[07-934](#)

6. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Vlassis to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

7. Ordering construction of the following:

[07-935](#)

- (A) [2007](#) HMA Pavement Scarification & Resurfacing – Receiving

bids, (6-5-07), and Setting date of hearing, (6-18-07). (Construction Estimate - \$1,124,450). ([Council Communication No. 07-302](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-936](#) (B) [2007](#) Designated Neighborhood Sidewalk Replacement – Contract – Receiving of bids, (6-5-07), Setting date of hearing (6-18-07) (Construction Estimate \$446,690). ([Council Communication No. 07-302](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-937](#) 8. [Approving](#) contract and bond and permission to sublet on 2007 Sewer Rehabilitation Program, (Proshot Concrete, Inc., Tim McDougale, President), \$351,431. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-938](#) 9. [Approving](#) Private Construction Contract between Elder Corporation and Nelson Development for sanitary sewer improvements in South of Grand Estates, Plat 1. **Moved by Vlassis to adopt. Motion Carried 7-0.**

10. Accepting completed construction and approving final payment for following:

[07-939](#) (A) [Grimes](#) Asphalt & Paving Corp. – 2005-2006 Paving Program. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-940](#) (B) [Academy](#) Roofing & Sheet Metal Co. – 4500 Grand Avenue Reroofing. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-941](#) (C) [Nuckolls](#) Concrete Services – Park Avenue Widening-SW 42nd to SW 56th. **Moved by Vlassis to adopt. Motion Carried 7-0.**

11. Various items regarding special assessments for street paving associated with the 2005-2006 Paving Program:

[07-942](#) (A) E. Elm Street paving from SE 27th Street to SE 28th Street.
(1) [Accepting](#) work and ordering preparation of plat and schedule of assessments. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-943](#) (2) [Adopting](#) and levying final schedule of assessments, and providing for payment. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-944](#) (B) SW 7th Street paving from Virginia Avenue to Pleasant View Drive
(1) [Accepting](#) work and ordering preparation of plat and schedule of assessments. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-945](#) (2) [Adopting](#) and levying final schedule of assessments, and

- providing for payment. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-946](#) (C) 57th Place paving from Forest Avenue to Clark Blvd.
 (1) [Accepting](#) work and ordering preparation of plat and schedule of assessments. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-947](#) (2) [Adopting](#) and levying final schedule of assessments, and providing for payment. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-948](#) (D) SW 60th Street paving from Muskogee Avenue to dead end south.
 (1) [Accepting](#) work and ordering preparation of plat and schedule of assessments. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-949](#) (2) [Adopting](#) and levying final schedule of assessments, and providing for payment. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-950](#) (E) SW 60th Street Sidewalk (except where sidewalk exists) from Muskogee Avenue to dead end south.
 (1) [Accepting](#) work and ordering preparation of plat and schedule of assessments. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-951](#) (2) [Adopting](#) and levying final schedule of assessments, and providing for payment. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-952](#) (F) ML King Jr. Parkway Sidewalk in the 3600-3700 Block (except where sidewalk exists).
 (1) [Accepting](#) work and ordering preparation of plat and schedule of assessments. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-953](#) (2) [Adopting](#) and levying final schedule of assessments, and providing for payment. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-954](#) (G) Shriver Avenue Sidewalk in the 5400-5500 block (except where sidewalk exists).
 (1) [Accepting](#) work and ordering preparation of plat and schedule of assessments. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-955](#) (2) [Adopting](#) and levying final schedule of assessments, and providing for payment. **Moved by Vlassis to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [07-956](#) 12. [Approving](#) deletion of NAC-Emergency Assessment at 3305 6th A
Moved by Vlassis to adopt. Motion Carried 7-0.

LAND/PROPERTY TRANSACTIONS

- [07-957](#) 13. [Establishing](#) fair market value and authorizing voluntary acquisition
properties at 1515 13th Street and 1519 13th Street from Polk County
the Forest Avenue Urban Renewal Project, \$5,200. ([Cou
Communication No. 07-300](#)) **Moved by Vlassis to adopt. Mot
Carried 7-0.**

- [07-958](#) 14. [Approving](#) the releasing and abandoning option to purchase real estate
the east ½ of the block west of E. 6th Street between E. Locust Street
E. Walnut Street. **Moved by Vlassis to approve. Motion Carried 7-0**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [07-959](#) 15. [Dissolution](#) of the Greater South Side Neighborhood Association
removal from the City of Des Moines' list of Recognized Neighborhood
([Council Communication No. 07-291](#)) **Moved by Hensley to ado
Motion Carried 5-2. Nays: Coleman and Kiernan.**

16. Recommendations from Mayor Frank Cownie to reappoint the following

- [07-960](#) (A) [Jule](#) Thorsen to the Library Board, Seat 1 for a six-year t
commencing July 1, 2007 to expire July 1, 2013. **Moved by Vla
to adopt. Motion Carried 7-0.**

- [07-961](#) (B) [Loyd](#) Ogle to the Parks and Recreation Board, Seat 2 for a four-y
term commencing June 30, 2007 to expire June 30, 2011. **Moved
Vlassis to adopt. Motion Carried 7-0.**

- [07-962](#) 17. [Communication](#) from Council Member Chris Coleman advising of
resignation of Joann Muldoon from the Neighborhood Revitaliza
Board, Seat 6, effective immediately. **Moved by Vlassis to receive, t
and accept Ms. Muldoon's resignation with appreciation for her ye
of service. Motion Carried 7-0.**

- [07-963](#) 17-I [Communication](#) from Council Member Chris Coleman to appoint Pa
Feltner to Seat 5 on the Park and Recreation Board for a four-year t
commencing June 6, 2006 to expire June 30, 2010. **Moved by Vlassi**

adopt. Motion Carried 7-0.

COMMUNICATIONS FROM PLANNING AND ZONING

[07-964](#)

18. [Regarding](#) request from Joseph Hill for vacation and conveyance north/south alley between 22nd Street and 23rd Street from Olive Ave to Interstate 235 right-of-way, subject to conditions. **Moved by Vlassis to receive and file, and refer to the City Manager for implementation in accordance with the City's standard property disposition procedures. Motion Carried 7-0.**

[07-965](#)

19. [Regarding](#) request from OPUS 001, LLC for vacation and conveyance segments of right-of-way forming a portion of the west and north side of 15th Street, south of Walnut Street and east of 16th Street, subject to conditions. **Moved by Vlassis to receive and file, and refer to the City Manager for implementation in accordance with the City's standard property disposition procedures. Motion Carried 7-0.**

[07-966](#)

20. [Regarding](#) City-initiated request for vacation and conveyance of Water Street between Elm Street and Line Drive, subject to conditions. **Moved by Vlassis to receive and file, and refer to the City Manager for implementation in accordance with the City's standard property disposition procedures. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

[07-967](#)

21. [On](#) vacation and conveyance of Elm Street between SW 7th Street and SW 8th Street, and excess West Martin Luther King, Jr. Parkway right-of-way north of Elm Street and between SW 7th Street and SW 8th Street owned by Hubbell Realty Company, \$140,000, (6-4-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-968](#)

22. [On](#) Sale of City-owned property in vicinity of E. 5th and Walnut Street owned by ST Investments, L.L.C., \$161,500, (6-4-07). ([Council Communication No. 07-292](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-969](#)

23. [On](#) request from J.D. Byrider to rezone property at 2426 SE 14th Street from Limited "C-1" (Neighborhood Retail Commercial) to Limited "C-2" (General Retail and Highway Oriented Commercial), to allow development of property for a vehicle display lot, subject to conditions (6-4-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-970](#)

24. [On](#) request from Gregory and Cheri Smith to rezone property at 2750 Pine Avenue from “A-1” (Agricultural) to “R1-60” (One-Family Low Density Residential), to allow subdivision of property for single-family residential development, subject to conditions, (6-4-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-971](#)

25. [On](#) 10-year lease agreement with Barrett Family Trust for a portion of land abutting 1249 McKinley Avenue, \$726, (6-4-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**

26. On leases of city property for parking of vehicles with the following (6-4-07):

[07-972](#)

- (A) [Storey](#) Kenworthy Company for use of north/south alley between 3rd and 4th Streets and adjacent to 307 Locust, (vacation and lease agreement). **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-973](#)

- (B) [Storey](#) Kenworthy Company for property north of 307 Locust. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-974](#)

- (C) [Bruce](#) Gerleman (Splash Seafood Bar and Grill) for property north of 303 Locust. ([Council Communication No. 07-288](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

[07-975](#)

27. [Approving](#) payment of \$14,114.25 to Edgar Nickelson for a work-related compensation claim. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-976](#)

28. [Approving](#) payment of \$8,623.50 to Kimberly Robinson for a work-related compensation claim. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-977](#)

29. [Approving](#) payment to Shelter Insurance Companies for a subrogation claim as the result of a motor vehicle accident. **Moved by Vlassis to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

[07-978](#)

30. [Submitting](#) travel requests for Sone Cam, Robert Clock, SuAnn Donovan, Keith Ellis, Mark Gregory, Scott Littell, Matt Towers, Gregg West, Mark Wessels, and Chris Mahlstadt. ([Council Communication No. 293](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

APPROVING

[07-979](#)

31. [Grant](#) Agreement with the United States Department of Housing and Urban Development (HUD) for funding of the 2007 HUD Consolidated Plan. ([Council Communication No. 07-283](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-980](#)

32. [Schedule](#) and Notices of Funding availability for the 2008-2009 Action Plans for the City's 2005-2009 Consolidated Plan. ([Council Communication No. 07-308](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**

[07-981](#)

33. [Des](#) Moines Action Loan Fund Loan to ZEN Restaurants, LLC, 101 Walnut Street, Suite 101, \$135,000. ([Council Communication No. 294](#)) **Moved by Vlassis to approve. Motion Carried 7-0.**

[07-982](#)

34. [Amended](#) and substituted Chapter 28E Agreement with National Oceanic and Atmospheric Administration (NOAA) National Weather Service (NWS) for a Community Sponsored Automated Flood Warning System. ([Council Communication No. 07-296](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-983](#)

35. [Use](#) of various City Facilities as poll sites for precincts 31, 36, 60, 64, and 83 for the Local Option Sales and Service Tax Special Election (Project Destiny) to be held on Tuesday, July 10, 2007. **Moved by Vlassis to approve. City Clerk will notify the City Property Administrator, and the Municipal Housing Department to arrange access to the buildings. Motion Carried 7-0.**

[07-984](#)

36. [Application](#) from the Des Moines Art Center requesting approval of banner design and requesting permission to display five permanent banners on Grand Avenue between Polk Boulevard and 45th Street effective May 2007. **Moved by Vlassis to receive, file and approve banner design and permission to display on a permanent banner. Motion Carried 7-0.**

[07-985](#)

37. [Communication](#) from Downtown Community Alliance request

approval of banner design of 140 banners in downtown Des Moines to be displayed periodically for the next few years to fill any vacant banner poles. **Moved by Vlassis to receive, file and approve banner design. Motion Carried 7-0.**

[07-986](#)

38. [Communication](#) from Downtown Community Alliance requests approval on behalf of the State Historical Society of Iowa to approve banner design for display of 20 banners in downtown Des Moines commencing in June. **Moved by Vlassis to receive, file and approve banner design. Motion Carried 7-0.**

[07-987](#)

39. [Bid](#) from Swifts Auto Salvage for an annual contract with two additional one-year renewal options to furnish junk vehicle towing services to be used by the Neighborhood Inspection Division of the Community Development Department. (Nine bids mailed, three received). ([Council Communication No. 07-285](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-988](#)

40. [Civil](#) Service Promotional Lists for Street Maintenance Worker, Senior Identification Technician, Senior Police Officer and Fleet Services Mechanic Team Leader and Entrance Lists for Legal Assistant II, Spreader Turf Technician, Irrigation Technician and Park and Aviation Maintenance Technician. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

[07-989](#)

41. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of May 21 and May 28, 2007; to draw checks for the bills of the [Des Moines Municipal Housing Agency](#) for the weeks of May 21 and May 28, 2007 and to draw checks for biweekly payroll due May 25, 2007. **Moved by Vlassis to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

[07-990](#)

42. [Amending](#) Chapter 60 of the Municipal Code regarding Housing Code. **Moved by Vlassis that this ordinance do now pass, #14,652. Motion Carried 7-0.**

Council considered Item 43 next

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

ORDINANCES - FIRST CONSIDERATION

[07-991](#)

43. [Amending](#) Chapter 114 of the Municipal Code regarding traffic regulation changes as follows: ([Council Communication No. 07-297](#)) **Moved by Vlassis that this ordinance be considered and given first vote passage. Motion Carried 7-0.**

(A) Adding Parking Metered Spaces – 6th Avenue between Locust and Walnut Streets.

(B) East Village Parking Analysis – Additional Metered Spaces in the vicinity of E. 3rd Street and E. Court Avenue.

(C) Traffic Calming Proposals – 41st Street between University Avenue and Forest Avenue.

(D) Prohibited Right Turns on Red – Intersections of Hubbell and East and E. 33rd and Hubbell.

[07-992](#)

(E) Final consideration of ordinance above. **Moved by Vlassis 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, #14,653. Motion Carried 7-0.**

Council considered Hearing Items 47 thru 56 next

COMMUNICATIONS/REPORTS

[07-993](#)

44. [Request](#) from Rick Prettyman, 1508 23rd Street, to speak regarding an school. **Moved by Kiernan to receive and file. Mr. Prettyman did not appear. Motion Carried 7-0.**

[07-994](#)

45. [Request](#) from Dave West, 542 Guthrie Avenue, to speak regarding graffiti activity in Union Park, and misuse of park property. **Moved by Mahaffey to receive and file comments; refer to the City Manager to arrange a meeting with Mr. West, the Neighborhood Association, the Parks Department and the Police Department. Motion Carried 7-0.**

46. NUMBER NOT USED.

HEARINGS (OPEN AT 5:05 P.M.) (ITEMS 47 THRU 56)

[07-995](#)

47. On vacation of lease of a portion of the sidewalk adjoining Bi Montage at 2716 Ingersoll, for a Sidewalk Café. ([Council Communication No. 07-286](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-996](#)

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

[07-997](#)

(B) Final consideration of ordinance above, (waiver requested applicant), requires 6 votes. **Moved by Hensley that the ordinance requiring that an ordinance must be considered and voted on at passage at two Council meetings prior to the meeting at which the ordinance is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass. Motion #14,654. Motion Carried 7-0.**

[07-998](#)

48. On vacation and conveyance of a portion of Jackson Avenue right-of-way, along with conveyance of excess City-owned property, all adjoining 214 Jackson Avenue, to 214 Jackson, L.L.C., \$22,000. ([Council Communication No. 07-299](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-999](#)

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

[07-1000](#)

(B) Final consideration of ordinance above, (waiver requested applicant), requires 6 votes. **Moved by Vlassis that the ordinance requiring that an ordinance must be considered and voted on at passage at two Council meetings prior to the meeting at which the ordinance is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass. Motion #14,655. Motion Carried 7-0.**

[07-1001](#)

49. On vacation and conveyance of excess Cottage Grove Avenue right-of-way lying east of 24th Street and between Cottage Grove Avenue and 235 to Cottage Grove Homes, L.C., \$150. ([Council Communication No. 07-298](#)) **Moved by Coleman to adopt. Motion Carried 6-0. Council Member Kiernan declares a conflict of interest and abstains from voting.**

[07-1002](#)

(A) [First](#) consideration of ordinance above. **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 6-0. Council Member Kiernan declares a conflict of interest and abstains from voting.**

[07-1003](#)

(B) [Final](#) consideration of ordinance above, (waiver requested applicant), requires 6 votes. **Moved by Coleman that the ordinance requiring that an ordinance must be considered and voted on at two Council meetings prior to the meeting at which the ordinance is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass. Motion Carried #14,656. Motion Carried 6-0. Council Member Kiernan declares a conflict of interest and abstains from voting.**

[07-1004](#)

(C) [Recommendation](#) from Plan and Zoning Commission. **Moved by Coleman to receive and file, and refer to the City Manager for implementation in accordance with the City's standard procedure disposition procedures. Motion Carried 6-0. Council Member Kiernan declares a conflict of interest and abstains from voting.**

50. Items regarding property at 1206 Mulberry Street, Nationwide Mutual Insurance Company:

[07-1005](#)

(A) [To](#) amend the Des Moines 2020 Community Character Land Use Plan future land use designation from Downtown Support Commercial to Downtown High Amenity Office/Institutional. **Moved by Hensley to adopt, and approve the proposed amendment. Motion Carried 7-0.**

[07-1006](#)

(B) [Hearing](#) on rezoning of the property from "C-3A" (Central Business District Support Commercial) to "C-3" (Central Business District Commercial) to allow construction of an eight-story off-street parking structure. **Moved by Hensley to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 7-0.**

[07-1007](#)

(C) [First](#) consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[07-1008](#)

(D) [Final](#) consideration of ordinance above, (waiver requested applicant), requires 6 votes. **Moved by Hensley that the ordinance requiring that an ordinance must be considered and voted on at two Council meetings prior to the meeting at which the ordinance is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass. Motion Carried 6-0. Council Member Kiernan declares a conflict of interest and abstains from voting.**

is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass [#14,657](#). Motion Carried 7-0.

51. Items regarding property at 1200 Locust Street, Nationwide Mutual Insurance Company:

[07-1009](#)

- (A) [To](#) amend the Des Moines 2020 Community Character Land Use Plan future land use designation from Downtown Support Commercial to Downtown High Amenity Office/Institutional. **Moved by Hensley to adopt, and approve the proposed amendment. Motion Carried 7-0.**

[07-1010](#)

- (B) [Hearing](#) on rezoning of the property from “C-3A” (Central Business District Support Commercial) to “C-3” (Central Business District Commercial) to allow construction of a five-story 360,000 sq ft office building. **Moved by Hensley to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 7-0.**

[07-1011](#)

- (C) [First](#) consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[07-1012](#)

- (D) [Final](#) consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by Hensley that the ordinance requiring that an ordinance must be considered and voted on at two Council meetings prior to the meeting at which the ordinance is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass [#14,658](#). Motion Carried 7-0.**

[07-1013](#)

52. [On](#) approval of a Fixed Base Operator Lease and Agreement with Ellington Aviation of Des Moines, Inc. for services at the Des Moines International Airport. ([Council Communication No. 07-287](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**

[07-1014](#)

- (A) [Authorizing](#) execution of a Preliminary Agreement with Ellington Aviation of Des Moines, Inc. regarding issuance of not to exceed \$6,000,000 aggregate principal amount of Special Facility Revenue Bonds, directing publication of notice of intent to issue, and setting date of public hearing, (6-18-07). ([Council Communication No. 07-309](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

- [07-1015](#) 53. On Proposed Eighth Amendment to the Metro Center Urban Renewal Plan. ([Council Communication No. 07-284](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [07-1016](#) (A) Recommendation from Plan and Zoning Commission. **Moved by Coleman to receive and file. Motion Carried 7-0.**
- [07-1017](#) 54. On Pennsylvania Avenue and Filmore Street Traffic Signal Installation Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designating lowest responsible bidder as Bascor Electric, Inc., (Britt Baker, CEO), \$58,746. ([Council Communication No. 07-303](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [07-1018](#) (A) Approving contract and bond and permission to sublet.) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [07-1019](#) 55. On 3400/3500 E. 14th Street Storm Sewer Repairs: 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), \$85,100. ([Council Communication No. 07-304](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1020](#) (A) Approving contract and bond and permission to sublet. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1021](#) 56. On 2007 Expanded Street Resurfacing Program – Contract 2: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designating lowest responsible bidder as Des Moines Asphalt & Paving Co., (James D. Gauger, President), \$1,030,245. ([Council Communication No. 07-305](#)) **Moved by Coleman to adopt. refer to the City Manager to provide a comparison report regarding bidders on past paving projects. Motion Carried 7-0.**
- [07-1022](#) (A) Approving contract and bond and permission to sublet. **Moved by Coleman to adopt. Motion Carried 7-0.**

****END HEARINGS AT 5:30 P.M.****

****Council considered Items 44, 45, 57 and Board of Health next****

APPROVING

[07-1023](#)

57. [Authorization](#) to proceed with multi-space parking meter demonstration project. ([Council Communication No. 07-306](#)) **Moved by Coleman to adopt. During the six-month evaluation period the Park and Recreation Committee will consider performance of the meters, work with Downtown Community Alliance, Court Avenue Business Association, Downtown Neighborhood Association and East Village Neighborhood Association to develop a detailed plan for public input and to make a recommendation whether to install permanent units. Motion Carried 7-0.**

BOARD OF HEALTH

[07-1024](#)

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

AUTHORIZING

[07-1025](#)

[07-1026](#)

[07-1027](#)

[07-1028](#)

1. The Legal Department to proceed with court action seeking authority to abate the public nuisance structures at the following addresses:

- (A) [2524](#) Logan Avenue, Titleholder: Mario Gonzalez. **Moved by Coleman to adopt. Motion Carried 7-0.**
- (B) [5908](#) SW 13th Place, Titleholder: Ronald Young; Mortgage Holder: First Mortgage Corporation. **Moved by Coleman to adopt. Motion Carried 7-0.**
- (C) [1812](#) E. 14th Street, Titleholder: Mortgage Electronic Registration Systems. **Moved by Coleman to adopt. Motion Carried 7-0.**

MOTION TO ADJOURN. Moved by Kiernan to adjourn at 5:59 P.M. Motion Carried 7-0.

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