

***** DES MOINES CITY COUNCIL MEETING REPORT *****

The City Council took the following action on items listed in the attached meeting agenda summary. Copies of ordinances, resolutions and other Council action may be obtained from the City Clerk's Office (515) 283-4209. The six-digit number beginning with '06-' preceding each item on the agenda is a roll call number assigned by the City Clerk. Please refer to this number when requesting information or copies.

SUMMARY OF DES MOINES CITY COUNCIL MEETING

June 5, 2006 4:30 PM

SPECIAL PRESENTATIONS – 4:00 PM

Recognition of Noah's Ark Restaurant

PROCLAMATIONS

Juneteenth

DM Public Library's Summer Reading Program

INVOCATION: Pastor Tony Thurston
College Avenue Christian Church

[06-1068](#)

1. **ROLL CALL: Present: Brooks, Coleman, Hensley, Kiernan, Mahaffey and Vlassis
Absent: Cownie.**

[06-1069](#)

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

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***Note: These are routine items and will be enacted by one roll call vote without separate discussion unless someone, Council or public, requests an item be removed to be considered separately.**

[06-1070](#)

3. APPROVING CONSENT AGENDA – items 3 through 45: **Moved by Kiernan to add the balance of the consent agenda. Motion Carried 6-1.**

LICENSES AND PERMITS

[06-1071](#)

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

NEW APPLICATIONS

(A)	CATERING BY JOHN MAHER	3631 SW 61ST ST	C Beer/Wine
(B)	HOTEL FORT DES MOINES	1000 WALNUT ST	B Wine
(C)	LA MIE BAKERY	1000 GRAND AVE	C Beer/Wine
(D)	LUCCA	420 E LOCUST ST	C Liquor
(E)	TAQUERIA VALLARTA	1824 HUBBELL AVE	B Beer

RENEWAL APPLICATIONS

(F)	CJS II	316 E 30TH STREET	C Liquor
(G)	DAHLS FOODS	4121 FLEUR DR	E Liquor
(H)	FOUR POINTS BY SHERATON	1810 ARMY POST RD	B Liquor
(I)	HOTEL FORT DES MOINES	1000 WALNUT ST	B Liquor
(J)	LUCKY DRAGON RESTAURANT	1454 2ND AVE	B Beer
(K)	PIZZA HUT #4353	1435 ARMY POST ROAD	B Beer
(L)	PLAZA PUB	6202 DOUGLAS AVE	C Liquor
(M)	SOUTH SIDE LIQUOR & TOBACCO	1101 ARMY POST RD	E Liquor
(N)	SOUTHSIDE TOBACCO & LIQUOR	2424 SW 9TH ST	E Liquor
(O)	WAKONDA CLUB	3915 FLEUR DR	C Liquor
(P)	WAKONDA CLUB	3915 FLEUR DR	B Wine

OUTDOOR SERVICE APPLICATIONS

(Q)	BUDDYS CORRAL	418 E 5TH ST	C Liquor	In conjunction with Capital City Pride Celebration on June 10-11, 2006. Pending approval of Building, Electrical and Fire Departments.
(R)	OVATIONS FOOD SERVICES	233 CENTER ST	C Liquor	Temporary outdoor service area in conjunction with Springstein concert on June 10, 2006. Pending approval of Building and Fire Departments.
(S)	ROMEOS ON THE RIVER	1306 SE 1ST ST	C Liquor	Adding permanent outdoor service area. Pending approval of Building, Fire and Zoning Departments.

SPECIAL EVENT APPLICATIONS

- (T) CHUCKS RESTAURANT 3608 6TH AVE B Beer
Five Day License in conjunction with Highland Park Sweet Corn Feed on July 15, 2006. Pending approval of the Building Department.
- (U) HY VEE 2201 GEORGE FLAGG Five-Day License
Class B Beer License in conjunction with Waterstock Rock effective June 15-19, 2006. Pending approval of Fire Department.
- (V) MISS KITTYS 2201 GEORGE FLAGG B Beer
Five-day license in conjunction with Big Country Bash on June 25, 2006.
- (W) RACCOON RIVER ART FEST 1031 LOCUST ST B Beer
Five-day license for booth #1 at the Des Moines Arts Festival from June 22-26, 2006. Pending approval of Building, Electrical and Fire Departments.
- (X) RACCOON RIVER ART FEST 1051 WALNUT ST B Beer
Five-day license for booth #2 at the Des Moines Arts Festival from June 22-26, 2006. Pending approval of Building, Electrical and Fire Departments.
- (Y) RACCOON RIVER ART FEST 451 12TH ST B Beer
Five-day license for booth #3 at the Des Moines Arts Festival from June 22-26, 2006. Pending approval of Building, Electrical and Fire Departments.
- (Z) RACCOON RIVER ART FEST 450 13TH ST B Beer
Five-day license for booth #4 at the Des Moines Arts Festival from June 22-26, 2006. Pending approval of Building, Electrical and Fire Departments.
- (AA) WAT LAO BUDDHAVATH OF IA 1804 E PARK AVE B Beer
Five-day license in conjunction with a festival on June 23, 24 and 25, 2006. Pending approval of Building, Electrical, Fire and Zoning Departments.

[06-1072](#) 4-I. [Approving](#) Five-day Class C Beer/Wine License for Rocket Inc. d/b/a Winston's Pub & Grille, 401 E. Locust Street, for a special event on June 16, 2006. Subject to approval of Building, Electrical, Fire and Zoning Departments. **Moved by Kiernan to adopt. Motion Carried 6-1.**

[06-1073](#) 5. [City](#) Clerk to issue Cigarette Licenses. **Moved by Kiernan to adopt. Motion Carried 1.**

PUBLIC IMPROVEMENTS

6. Ordering Construction of the following:

[06-1074](#) (A) [Clover](#) Hill Trunk Sanitary Sewer – Phase 2 – Receiving of bids, (6-27-06), Setting date of hearing, (7-10-06). (Construction Estimate - \$969,000). ([Communication No. 06-341](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**

[06-1075](#) (B) [Gray's](#) Lake Northwest Entrance Modifications – Receiving of bids, (6-27-06),

Setting date of hearing, (7-10-06). (Construction Estimate - \$31,000). ([Council Communication No. 06-339](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**

[06-1076](#) (C) [Greenwood](#) Park Street Improvements – Receiving of bids, (6-27-06), and Setting date of hearing, (7-10-06). (Construction Estimate - \$145,000). ([Council Communication No. 06-338](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**

[06-1077](#) (D) [2006](#) City-Wide PCC Pavement Restoration Program – Receiving of bids, (6-27-06) and Setting date of hearing, (7-10-06). (Construction Estimate - \$178,800). ([Council Communication No. 06-344](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**

[06-1078](#) 7. [Authorizing](#) execution of Iowa Department of Transportation (IDOT) Preconstruction Agreement for noise wall construction 31st Street to 28th Street, 26th Street east to 28th Street (westbound), 63rd Street east to Cummins Parkway (westbound), 50th Street east to Polk Boulevard (eastbound), Polk Boulevard east to 44th Street (eastbound), and 42nd Street east to 38th Street (west and eastbound). ([Council Communication No. 06-333](#)) **Moved by Hensley to adopt. Refer to City Manager for review of graffiti clean-up procedure and to request priority for construction of noise walls this fall. Motion Carried 6-1.**

[06-1079](#) 8. [Approving](#) Professional Services Supplemental Agreement No. 1 with Shuck-Britson, Inc. for construction phase services for SW 8th Street Viaduct over M.L. King Jr., Parkway Rehabilitation, not to exceed \$69,600. ([Council Communication No. 06-331](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**

[06-1080](#) 9. [Approving](#) Professional Services Agreement with 360 Architecture, Inc. for design and construction phase services in conjunction with Skywalk Bridge 11C-11D, not to exceed \$99,500. ([Council Communication No. 06-332](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**

[06-1081](#) 10. [Approving](#) Private Construction Contract between P.G. Construction, Inc. and Des Moines Independent Community School District for Walker Street drop-off widening from Johnson Court to E. 14th Street improvements for the Walker Street School at 1421 Walker Street. **Moved by Kiernan to adopt. Motion Carried 6-1.**

[06-1082](#) 11. [Communication](#) from contractors requesting permission to sublet certain items on a public improvement project for the 2006 Tennis Court Resurfacing Program. **Moved by Kiernan to adopt. Motion Carried 6-1.**

SPECIAL ASSESSMENTS

12. Approving deletion of the following NAC-Emergency Assessments:

[06-1083](#)

(A) [100](#) E. Livingston Avenue, Schedule 2005-20. **Moved by Kiernan to adopt. Motion Carried 6-1.**

[06-1084](#)

(B) [650](#) SE 26th Court, Schedule 2006-02. **Moved by Kiernan to adopt. Motion Carried 6-1.**

LAND/PROPERTY TRANSACTIONS

[06-1085](#)

13. [Approving](#) one tax abatement application for additional value added by improvements made during 2005 for the property at 7015 Three Lakes Parkway. ([Council Communication No. 06-327](#)) **Moved by Kiernan to adopt and to approve application without retro-active application. Motion Carried 6-1.**

[06-1086](#)

14. [Approving](#) tax abatement applications for additional value added by improvements made during 2006. (86 applications). ([Council Communication No. 06-324](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**

[06-1087](#)

15. [Authorizing](#) payment of Condemnation Award for acquisition of property along 1st Avenue in Warren County for the Southeast Ridge Trunk Sanitary Sewer Project, \$3,000,000, plus Sheriff's fees and jury expenses. ([Council Communication No. 06-319](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

[06-1088](#)

16. [Recommendation](#) from Council Member Archie Brooks to appoint Joe D. Shoemaker to Seat 7 on the Licensing and Appeals Board for a three-year term commencing April 1, 2006 to expire April 1, 2009. **Moved by Kiernan to adopt. Motion Carried 6-1.**

[06-1089](#)

17. [Appointment](#) of Brian P. Standish and Michael Pollock to the Des Moines Enterprise Zone Commission for a term to expire January 24, 2009. ([Council Communication No. 06-318](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**

[06-1090](#)

18. [Recommendation](#) of Council Member Tom Vlassis to appoint Patricia Nesbitt to Seat 4 on the Public Housing Board for a three-year term effective immediately to expire June 30, 2009. **Moved by Kiernan to adopt. Motion Carried 6-1.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [06-1091](#) 19. [Regarding](#) request from Monte and Krista Bennett for vacation and conveyance of a segment of 19th Place between Cottage Grove Avenue and Crocker Street along with adjoining excess parcels from Martin Luther King, Jr. Parkway, subject to conditions. **Moved by Kiernan to receive and file, and to refer to the City Manager for further processing in accordance with standard City Property disposition procedures. Motion Carried 6-1.**
- [06-1092](#) 20. [Regarding](#) request from Matthew Grohe for vacation and conveyance of a segment of Mahaska Parkway between Lincoln Place Drive and the Norfolk Southern Railway and a portion of Lincoln Place Drive, north of John Lynde Road and the adjoining applicable property, subject to the reservation of easement for all existing utilities. **Moved by Kiernan to receive and file, and to refer to the City Manager for further processing in accordance with standard City property disposition procedures. Motion Carried 6-1.**
- [06-1093](#) 21. [Regarding](#) request from Michelle Kleiber for vacation and conveyance of an undeveloped 14-foot-wide segment of Terrace Drive extending from 56th Street to a point 150 feet to the west, subject to the reservation of an easement for all existing utilities. **Moved by Hennessy to receive and file, and to refer to the City Manager for further processing in accordance with standard City property disposition procedures. Motion Carried 6-1.**
- [06-1094](#) 22. [Regarding](#) request from Denny Murray for vacation and conveyance of Maple Street between East 20th Court and the Union Pacific Railroad, subject to conditions. **Moved by Kiernan to receive and file, and to refer to the City Manager for further processing in accordance with standard City property disposition procedures. Motion Carried 6-1.**

SETTING DATE OF HEARINGS

- [06-1095](#) 23. [On](#) request from Principiant Hotel Company, L.C. regarding vacation of the north/south alley in the block bounded by 9th, 10th, Walnut and Mulberry Streets, (6-19-06). **Moved by Kiernan to adopt. Motion Carried 6-1.**
- [06-1096](#) 24. [On](#) conveyance of 1610 and 1620 Francis Avenue to Maria L. Gonzalez, \$600, (6-19-06). **Moved by Kiernan to adopt. Motion Carried 6-1.**
- [06-1097](#) 25. [On](#) conveyance of property, north of 1712 Pennsylvania Avenue to Kira Ahart, \$3,325, (6-19-06). **Moved by Kiernan to adopt. Motion Carried 6-1.**
- [06-1098](#) 26. [On](#) request from OPM Partners regarding denial of Certificate of Appropriateness for exterior alterations to a structure at 729 – 17th Street in the Sherman Hill Historic District, (6-19-06). **Moved by Kiernan to adopt. Motion Carried 6-1.**

[06-1099](#) 27. [On](#) agreement with C Corporation for operation and maintenance of A.H. Blank Course from July 1, 2006 through January 15, 2019, (6-19-06). **Moved by Kiernan to adopt. Motion Carried 6-1.**

[06-1100](#) 28. [On](#) lease agreement with American Land and Redevelopment Corporation d/b/a Rome on the River for property adjacent to 1300 SE 1st Street from April 1, 2006 through March 31, 2012, (6-19-06). **Moved by Kiernan to adopt. Motion Carried 6-1.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

[06-1101](#) 29. [Approving](#) payment of settlements by City Attorney, not exceeding \$5,000. **Moved by Kiernan to receive, file and affirm settlements made by City Attorney. Motion Carried 6-1.**

CITY MANAGER COMMUNICATIONS

[06-1102](#) 30. [Submitting](#) out-of-state travel requests for Benjamin Carter, James Mitchell, Chas Hulgan, Kerry Schneider, Robert Cox, Shane Griffin, Dan Gilliatt, and Joe Giudice. ([Council Communication No. 06-351](#)) **Moved by Vlassis to adopt; refer to City Manager to report on amount of forfeiture funds used. Motion Carried 6-1.**

31. Number not used.

APPROVING

[06-1103](#) 32. [Extending](#) Agreement with National Development Council regarding Community Economic Development advisement. ([Council Communication No. 06-321](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**

[06-1104](#) 33. [Economic](#) Development loan agreement and CEBA loan with Meredith Corporation to assist Meredith's expansion in the City, \$140,000. ([Council Communication No. 06-316](#)) **Moved by Hensley to adopt. Motion Carried 6-1.**

[06-1105](#) 34. [Agreement](#) with Intergraph Corporation, Madison, Alabama for I/MARS software update records management system for the Police Department, not to exceed \$48,100. ([Council Communication No. 06-316](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**

35. Communications from Downtown Community Alliance requesting approval of following banner designs for the Des Moines Convention and Visitors Bureau as follows:

[06-1106](#)

(A) [30](#) US Youth Soccer National Championship Series banners to be displayed downtown on Locust Street and Fifth Avenue during July. **Moved by Kiernan to receive, file and approve banner design. Motion Carried 6-1.**

[06-1107](#)

(B) [60](#) Welcome Iowa High School Athletes & Fans banners to be displayed in downtown Des Moines in July, February, and March every year. **Moved by Kiernan to receive, file and approve banner design. Motion Carried 6-1.**

[06-1108](#)

36. [Request](#) from Iowa State Fair for temporary head-in parking along the north side of Dean Avenue from East 31st Street to East 34th Street; temporary fencing to the sidewalk along the north side of Dean Avenue from East 31st Street to East 30th Street; and “No Parking” signs in the area, east of East 34th Street (Gate 7) and near Grand Avenue Entrance on East 30th Street both north to University Avenue and south to Walnut Street during the Iowa State Fair, August 7 – 20, 2006. **Moved by Kiernan to adopt. Motion Carried 6-1.**

[06-1109](#)

37. [Communication](#) from Downtown Community Alliance requesting approval on behalf of the Iowa State Fair to approve banner design for 20 banners in downtown on East Locust Street during July and August. **Moved by Kiernan to receive, file and approve banner design. Motion Carried 6-1.**

[06-1110](#)

38. [Lease](#) with Iowa State Fair Authority for property at 705 SE 30th Street, for parking from August 7-23, 2006. ([Council Communication No. 06-329](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**

39. Bids from the following:

WITHDRAWN

[06-1111](#)

~~(A) [The](#) Waldinger Corporation for an annual contract with two (2) additional one-year renewal options to furnish street lighting repair service to be used by the Traffic & Transportation Division of the Engineering Department, estimated cost \$50,000 (Eight bids mailed, three received).~~

[06-1112](#)

(B) [Ennis](#) Paint for traffic paint to be used by the Traffic & Transportation Division of the Engineering Department, \$26,849.50. (Nine bids mailed, four received). **Moved by Kiernan to adopt. Motion Carried 6-1.**

[06-1113](#)

(C) [TMC](#) Auto Body for auto body repair services for fiscal year 2007 to be used by the Fleet Maintenance Center, per State of Iowa Contract, estimated cost \$40,000. **Moved by Kiernan to adopt. Motion Carried 6-1.**

40. Items regarding a comprehensive network upgrade:

- [06-1114](#) (A) Approving State Contract purchase of Cisco Systems Network Equipment network upgrade, \$436,000. ([Council Communication No. 06-317](#)) **Moved by Vlassis to defer to a special Council meeting on June 12, 2006 at 4:00 P.M. Motion Carried 5-1-1. Nays: Coleman. Absent: Cownie.**
- [06-1115](#) (B) Approving award of contract to Alexander Open Systems, \$240,000, and approval exception to the competitive bidding requirements. ([Council Communication No. 334](#)) **Moved by Vlassis to defer to a special Council meeting on June 12, 2006 at 4:00 P.M. Motion Carried 5-1-1. Nays: Coleman. Absent: Cownie.**

Council considered Hearing Items 49 thru 53

- [06-1116](#) 41. Des Moines Housing Agency reimbursement to the City General Fund for indirect costs incurred. ([Council Communication No. 06-347](#)) **Moved by Kiernan to approve. Motion Carried 6-1.**
- [06-1117](#) 42. Authorizing Finance Director to draw checks on the registers for the weeks of June 5 and June 12, 2006 and to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of June 5 and June 12, 2006; and to draw checks for biweekly payroll due June 9, 2006. **Moved by Kiernan to adopt. Motion Carried 6-1.**

ORDINANCES - SECOND CONSIDERATION

- [06-1118](#) 43. On rezoning of property in vicinity of 1900 SE 6th Street, owned by South Des Moines Little League, from “R1-60” (One-Family Low Density Residential) and “C-1” (Neighborhood Retail Commercial) to Limited “R-3” (Multiple Family Residential) (requires six affirmative votes). **Moved by Brooks that this ordinance be considered and given second vote for passage. Motion Carried 6-1.**
- [06-1119](#) 44. Amending Chapter 118 of the Municipal Code regarding regulation of Hauled Waste Industrial and Commercial Wastewater. **Moved by Kiernan that this ordinance be considered and given second vote for passage. Motion Carried 6-1.**
- [06-1120](#) 45. On vacation of a portion of Birdland Park along the Des Moines River, to the Des Moines Power Boat Club. **Moved by Kiernan that this ordinance be considered and given second vote for passage. Motion Carried 6-1.**

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

ORDINANCES - FIRST CONSIDERATION

- [06-1121](#) 46. Amending Chapter 114 of the Municipal Code regarding traffic regulation changes follows: ([Council Communication No. 06-336](#)) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**
- (A) Additional on-street metered parking on SW 2nd Street between Vine Street and W Martin Luther King Jr. Parkway; and on Water Street between Market Street and I Street.
- (B) Parking Restrictions – South side of Mulberry Street between 7th and 8th Streets.
- [06-1122](#) (C) Final consideration of ordinance above. **Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #14,566. Motion Carried 6-1.**
- [06-1123](#) 47. Amending Chapter 46 of the Municipal Code regarding permits for refrigerant equipment ([Council Communication No. 06-322](#)) **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**
- [06-1124](#) (A) Final consideration of ordinance above, (waiver requested by the Fire Department requires 6 votes. **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, #14,566. Motion Carried 6-1.**
- [06-1125](#) (B) Amending the Schedule of Fees. ([Council Communication No. 06-323](#)) **Moved by Vlassis to adopt. Motion Carried 6-1.**

COMMUNICATIONS/REPORTS

- [06-1126](#) 48. From Peter Rose, 668 – 48th Street, to speak regarding fiduciary responsibility concerning the Des Moines City Council. **Moved by Coleman to receive and file comment. Motion Carried 6-1.**

HEARINGS (OPEN AT 5:17 P.M.) (ITEMS 49 THRU 53)

- [06-1127](#) 49. On Bill Riley Trail HMA Overlay: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Grimes Asphalt & Paving Corp., (J.M. Yonker, President), \$240,331.67. ([Council Communication No. 06-345](#)) **Moved by Hensley to adopt. Motion Carried 6-1.**
- [06-1128](#) (A) Approving contract and bond and permission to sublet. **Moved by Hensley to adopt. Motion Carried 6-1.**
- [06-1129](#) 50. On Fleur Drive Resurfacing – Railroad Viaduct to M.L. King Jr., Parkway: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Des Moines Asphalt & Paving Co., (Jim Gauger, President), \$457,044.94. ([Council Communication No. 06-346](#)) **Moved by Hensley to adopt. Motion Carried 6-1.**
- [06-1130](#) (A) Approving contract and bond and permission to sublet. **Moved by Hensley to adopt. Motion Carried 6-1.**
- [06-1131](#) 51. On 2006 HMA Pavement Scarification & Resurfacing: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Des Moines Asphalt & Paving Co., (Jim Gauger, President), \$1,215,985. ([Council Communication No. 06-350](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**
- [06-1132](#) (A) Approving contract and bond. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- [06-1133](#) 52. On Restroom Enclosure at Ewing and Eastown Parks: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Rocky Hurst Construction, (Rocky Hurst, Owner), \$74,865. ([Council Communication No. 06-348](#)) **Moved by Brooks to adopt. Motion Carried 6-1.**
- [06-1134](#) (A) Approving contract and bond and permission to sublet. **Moved by Brooks to adopt. Motion Carried 6-1.**
- [06-1135](#) 53. On 2006 Sidewalk Replacement Program – Contract 2: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Castle Concrete Services, Inc., (Anthony Castellano, President), \$163,900. ([Council Communication No. 06-349](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**
- [06-1136](#) (A) Approving contract and bond. **Moved by Kiernan to adopt. Motion Carried 6-1.**

****END HEARINGS AT 5:24 PM****

****Council considered Items 43 thru balance of agenda next****

APPROVING

- [06-1137](#) 54. [Appointment](#) of Merrill R. Stanley as Deputy City Manager. **Moved by Coleman to adopt. Motion Carried 6-1.**
- [06-1138](#) 55. [Temporary](#) closure of Bridal Row, except to residents and their guests, an hour preceding and following events at Hoyt Sherman Place. **Moved by Hensley to approve. Motion Carried 5-2. Absent: Cownie and Coleman.**
- [06-1139](#) 56. [Intergovernmental](#) 28E Agreement with Polk County regarding Board of Health functions and enforcement. ([Council Communication No. 06-318](#)) **Moved by Hensley to adopt. Motion Carried 5-2. Absent: Cownie and Coleman.**
- [06-1140](#) 57. [Receive](#) and file resolution to encourage Congress to reauthorize the special provision of the Voting Rights Act of 1965. **Moved by Kiernan that the Des Moines City Council receives, files and affirms the principles stated in the Act, and will forward a copy of the resolution to the White House and leadership in the U.S. House and Senate. Motion Carried 5-2. Absent: Cownie and Coleman.**
- [06-1141](#) 58. [Issuance](#) of Request for Proposals (RFP) for administration of a comprehensive Employee Wellness Program. ([Council Communication No. 06-337](#)) **Moved by Hensley to adopt. Motion Carried 5-2. Absent: Cownie and Coleman.**
- [06-1142](#) 59. [Receive](#) and file Letter of Recognition and Certificate of Achievement from Advanced Government Accountability (AGA) for the 2005 Performance Report. ([Council Communication No. 06-340](#)) **Moved by Kiernan to adopt. Motion Carried 5-2. Absent: Cownie and Coleman.**

BOARD OF HEALTH

- [06-1143](#) MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene at the Board of Health. Motion Carried 5-2. Absent: Cownie and Coleman.**

HEARING

- [06-1144](#) 1. On resolution to cause the removal of the structure located at 134 SE 34th Street administrative process and to charge for the enforcement costs incurred in bringing administrative removal action or to determine appropriate equitable action to be taken. Titleholders: Jack Richard and Rhonda Richard; Legal Interest Holders: USA Financial Services, Inc. and US Bank National Association. **Moved by Brooks to adopt. Motion Carried 5-2. Absent: Cownie and Coleman.**

AUTHORIZING

2. The Legal Department to proceed with court action seeking authority to abate the public nuisance at the following locations:
- [06-1145](#) (A) 1930 Arlington Avenue, Titleholder: Gayland Properties. L.L.C.; Mortgage Holder: Polk County Bank. **Moved by Vlassis to adopt. Motion Carried 5-2. Absent: Cownie and Coleman.**
- [06-1146](#) (B) 1503 13th Street, Titleholder: First National Acceptance Company. **Moved by Vlassis to adopt. Motion Carried 5-2. Absent: Cownie and Coleman.**
- [06-1147](#) (C) 1302 E. 19th Street, Titleholder: Elmer Barber, Jr. **Moved by Vlassis to adopt. Motion Carried 5-2. Absent: Cownie and Coleman.**

- [06-1148](#) 3. Release of demolition costs reserve held by Auto-Owners Insurance regarding property known as 4020 E. 25th Street insured by Mark Lamb d/b/a Lamb Investments, LC. with claim being made for enforcement costs. **Moved by Kiernan to adopt. Motion Carried 5-2. Absent: Cownie and Coleman.**

[06-1149](#) MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 6:07 P.M. Motion Carried 5-2. Absent: Cownie and Coleman.**

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