

*** 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

**June 18, 2007
4:30 P.M.**

PROCLAMATIONS – 4:15 P.M.

Tunisian Delegation – Sports for the Handicapped ICIU Group

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

[07-1135](#) 1. ROLL CALL: **Present: Cownie, Coleman, Hensley, Kiernan, Mahaffey and Meyer.**
Absent: Vlassis.

[07-1136](#) 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.

[07-1137](#) 3. APPROVING CONSENT AGENDA – items 3 through 56: **Moved by Coleman to adopt**
the balance of the Consent Agenda. Motion Carried 6-1.

LICENSES AND PERMITS

[07-1138](#)

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

NEW APPLICATIONS

(A) ASIA CITY RESTAURANT	3409 SE 14th	B Beer
(B) KRUEGERS AMOCO #2	630 SW 9TH ST	B Wine
(C) LA TAPATIA 3	4007 SE 13TH ST	C Beer

RENEWAL APPLICATIONS

(D) BEGGARS BANQUET	1301 LOCUST ST	B Beer
(E) BEST TRIP	1516 SE 1ST ST	C Beer
(F) BLANK PARK ZOO	7401 SW 9TH STREET	C Liquor
(G) CHEFS KITCHEN	1903 BEAVER AVE	C Liquor
(H) COOKRY	2314 UNIVERSITY AVE	C Beer/Wine
(I) DES MOINES COMM. PLAYHOUSE	831 42ND ST	C Liquor
(J) DRUGTOWN WINE AND SPIRITS	4100 UNIVERSITY AVE	E Liquor
(K) D'S MAIN GATE	2956 E GRAND AVE	C Liquor
(L) HOUSE OF BRICKS	525 E GRAND AVE	C Liquor
(M) OKOBOJI GRILL OF SOUTH DSM	6050 SE 14TH ST	C Liquor
(N) PALMERS PUB	1030 E 9TH STREET	C Liquor
(O) POLK CTY. CONVENTION COMPLEX	501 GRAND AVE	C Liquor
(P) SOUTHSIDE TOBACCO & LIQUOR	2424 SW 9TH ST	E Liquor
(Q) SPAGHETTIS	1111 E ARMY POST RD	C Liquor
(R) VETERANS MEM. AUDITORIUM	833 5TH AVENUE	C Liquor

OUTDOOR SERVICE APPLICATIONS

(S) BLAZING SADDLE 416 E 5TH ST C Liquor
Temporary outdoor service and temporary closure of sidewalk within the licensed premise area for East Village Bike Night on June 29, 2007.

(T) BLUES ON GRAND 1501 GRAND AVE C Liquor
Temporary outdoor service and temporary closure of sidewalk within the licensed premise area for Des Moines Arts Festival on June 28, 2007. Pending approval of Building, Fire and Zoning Departments.

(U) BUDDYS CORRAL 418 E 5TH ST C Liquor
Temporary outdoor service and temporary closure of sidewalk within the licensed premise area for East Village Bike Night on June 29, 2007.

(V) LOCUST TAP 434 E LOCUST ST C Liquor
Temporary outdoor service and temporary closure of sidewalk within the licensed premise area for East

Village Bike Night on June 29, 2007. Pending approval of Building and Fire Departments.

SPECIAL EVENT APPLICATIONS

(W) BUD TENT 3000 E GRAND AVE B Beer
Fourteen day license from August 7-20, 2007 for Iowa State Fair.

(X) WAT LAO BUDDHAVATH OF IOWA 1804 E PARK AVE B Beer
Five day license in conjunction with festival on June 29, 30 and July 1, 2007. Pending approval of Fire Department.

(Y) WATERSTOCK ROCK 2201 GEORGE FLAGG PKWY B Beer
Five Day license for Waterstock Rock on June 30, 2007. Pending approval of Building and Electrical Departments.

[07-1139](#) 4-I. [Approving](#) temporary transfer of Class C Liquor License for B & B, 2712 Beaver Avenue to 3301 Adams Avenue (Beaverdale Park) for a Jazz Festival on July 1, 2007. Pending approval of Park Board and Building, Electrical, Fire and Zoning Departments. SPONSOR: Coleman. **Moved by Coleman to adopt. Motion Carried 6-1.**

[07-1140](#) 5. [Consideration](#) of new Class C Liquor License application for Krystal Slipper Lounge, 46th Avenue. (Deferred from June 4, 2007 Council meeting). **Moved by Mahaffey to deny for lack of good moral character in that the applicant will not follow alcoholic beverage rules and regulations specifically the Zoning requirements of the Des Moines Municipal Code Section 134-842 and the rules and regulations thereof. These Zoning rules and regulations were not followed at the applicants previous location. Additionally, the application is deficient. Motion Carried 6-1 .**

[07-1141](#) 6. [Consideration](#) of Class C Liquor License renewal for Vertigo Rock Bar, 3701 Ingersoll Avenue. Recommendation from Zoning to deny. **Moved by Hensley to deny the license; due to non-compliance with the zoning requirements of the Des Moines Municipal Code of Section 134-912 as provided in Section 134-842 and the rules and regulations thereof. The building inspection has not been completed and would be required if this license is approved. Motion Carried 6-1.**

[07-1142](#) 7. [City](#) Clerk to issue Cigarette Licenses. **Moved by Coleman to adopt. Motion Carried 5-1. Nays: Cownie. Absent: Vlassis.**

PUBLIC IMPROVEMENTS

8. Ordering construction of the following:

[07-1143](#) (A) [2007](#) Expanded Street Resurfacing Program-Contract 4 – Receiving of bids, (7-10-07) and Setting date of hearing, (7-23-07). (Construction Estimate - \$1,099,212).(Cou

[Communication No. 07-360](#)) Moved by Coleman to adopt. Motion Carried 6-1.

[07-1144](#) (B) [2007](#) Sidewalk Replacement Program-Contract 2- Receiving of bids, (7-10-07), Setting date of hearing, (7-23-07). (Construction Estimate - \$174,180).([Cou Communication No. 07-361](#)) Moved by Coleman to adopt. Motion Carried 6-1.

[07-1145](#) 9. [Accepting](#) completed construction and approving final payment for Cramer and Associa Inc. – 2006 Bridge Repair Program-Contract 2. Moved by Coleman to adopt. Motion Carried 6-1.

SPECIAL ASSESSMENTS

[07-1146](#) 10. [Levying](#) assessments for cost of Nuisance Abatement-NAC Emergency Orders (Comm Development) Schedule No. 2007-11. Moved by Coleman to adopt. Motion Carried 6-1.

11. Approving deletion of special assessment for the following:

[07-1147](#) (A) [1411](#) 17th Street. Moved by Coleman to adopt. Motion Carried 6-1.

[07-1148](#) (B) [1600](#) Lynn Street. Moved by Coleman to adopt. Motion Carried 6-1.

[07-1149](#) 12. [Approving](#) deletion of NAC-Emergency Assessment at 3025 Mahaska Avenue. Moved by Coleman to adopt. Motion Carried 6-1.

13. Approving the following:

[07-1150](#) (A) [Delinquent](#) sewer rental and/or solid waste/stormwater utility fees for May 2007. Moved by Coleman to adopt. Motion Carried 6-1.

[07-1151](#) (B) [Delinquent](#) sewer rental and/or solid waste/stormwater utility credits for May 2007. Moved by Coleman to adopt. Motion Carried 6-1.

LAND/PROPERTY TRANSACTIONS

[07-1152](#) 14. [Establishing](#) Fair Market Value for a permanent easement for wetlands mitigation located in Northeast Polk County from Iowa Natural Heritage Foundation for American Discovery Trail Phase 3, in the amount of \$72,600. ([Council Communication No. 07-374](#)) Moved by Coleman to adopt. Motion Carried 6-1.

WITHDRAWN

[07-1153](#) 15. ~~[Filing](#) Partial Release of Judgment liens only as they stand as a lien on 1909 Jefferson Street, 2802 Mondamin Avenue in order to allow transfer of title from Sue Moss to new buyers.~~

[07-1154](#) 16. [Approving](#) Federal Aviation Administration Certification of Title on Grant 44 for Airport

Runway 13R-31L Project. **Moved by Coleman to adopt. Motion Carried 6-1.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [07-1155](#) 17. [Recommendation](#) from Council Member Chris Coleman to appoint Gayle Collins to Seat 7 on the Sister Cities Commission for a five-year term commencing April 28, 2003 to expire April 28, 2008. **Moved by Coleman to adopt. Motion Carried 6-1.**
- [07-1156](#) 18. [Recommendation](#) from Council Member Christine Hensley to appoint Elizabeth A. Warren to Seat 6 on the Airport Board for a four-year term commencing June 30, 2007 to expire June 30, 2011. **Moved by Coleman to adopt. Motion Carried 6-1.**
- [07-1157](#) 19. [Recommendation](#) from Council Member Robert Mahaffey to appoint Roger K. Brooks to Seat 5 on the Airport Board for a four-year term commencing June 30, 2007 to expire June 30, 2011. **Moved by Coleman to adopt. Motion Carried 6-1.**
- [07-1158](#) 20. [Communication](#) from Micheleen Maher advising of her resignation from Seat 14 on the Airport Access Advisory Board effective June 15, 2007. **Moved by Coleman to receive, file and accept this resignation with our appreciation for Ms. Maher's service. Motion Carried 6-1.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [07-1159](#) 21. [Regarding](#) request from James Holtkamp, 3510 University Avenue, for vacation and conveyance of approximately the south 3.83 feet of the adjoining portion of University Avenue to allow for encroachment of existing building and existing roof overhang, subject to conditions. **Moved by Coleman to receive and file, and refer to the City Manager for implementation in accordance with the City's standard property disposition procedures. Motion Carried 6-1.**

SETTING DATE OF HEARINGS

- [07-1160](#) 22. [On](#) vacation and conveyance of Watson Powell, Jr. Way between 2nd and Grand Avenue to Mid-American Energy Company for Principal Riverwalk Project, \$1, (7-9-07). **Moved by Coleman to adopt. Motion Carried 6-1.**
- [07-1161](#) 23. [On](#) request from Grand View College to rezone property located at 1441 Hull Avenue and 1418 Morton Avenue from "R1-60" (One-Family Low-Density Residential) to "PUD" (Plan Unit Development) to incorporate additional properties owned by Grand View College into the PUD area and amend the Grand View East PUD Conceptual Plan to add 83 parking spaces, relocate access drive to Student Center from 14th Street to Morton Avenue and allow for future pedestrian access improvements, subject to conditions, (7-9-07). **Moved by Coleman to adopt. Motion Carried 5-1. Council Member Mahaffey declares a conflict of interest and abstains from voting.**
- [07-1162](#) 24. [On](#) request from Glen Mikel to rezone property at 4100 E. 16th Street from "M-1" (Light Industrial) to "M-2" (Heavy Industrial) to allow use as a vehicle towing and storage yard, subject to conditions, (7-9-07). **Moved by Coleman to adopt. Motion Carried 6-1.**

to conditions, (7-9-07). **Moved by Coleman to adopt. Motion Carried 6-1.**

[07-1163](#) 25. **On** request from Central Iowa KFC, Inc. to rezone property at 902 E. Euclid Avenue from "R1-60" (One-Family Low Density Residential) to "C-2" (General Retail and Highway-Oriented Commercial) to allow for expansion of existing restaurant site, (7-9-07). **Moved by Coleman to adopt. Motion Carried 6-1.**

[07-1164](#) 26. **On** request from Luther Park Health Center, Inc. to amend the Luther Park Center PUD property at 2824 E. 16th Street to provide an additional 22 units, reduce front yard setbacks on E. 16th Street and reconfigure off-street parking, subject to conditions, (7-9-07). **Moved by Coleman to adopt. Motion Carried 6-1.**

[07-1165](#) 27. **On** Pepsi-Cola General Bottlers of Iowa, Inc. (Pepsi Americas) single beverage provision concession agreement for certain Park and Recreation Department facilities until February 2011, (7-9-07). ([Council Communication No. 07-376](#)) **Moved by Coleman to adopt. Motion Carried 6-1.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

[07-1166](#) 28. **Approving** payment of \$1,338.80 to Ahlers & Cooney, P.C. for services related to environmental law issues in conjunction with potential acquisition of the DICO property, 200 E. 16th Street. **Moved by Coleman to adopt. Motion Carried 6-1.**

[07-1167](#) 29. **Approving** payment of \$200 to Benny Mott and Jeanette Mott as the result of an auto accident. **Moved by Coleman to adopt. Motion Carried 6-1.**

[07-1168](#) 30. **Approving** payment of \$26,465.85 to David Melling for a worker's compensation claim. **Moved by Coleman to adopt. Motion Carried 6-1.**

CITY MANAGER COMMUNICATIONS

[07-1169](#) 31. **Submitting** travel requests for Vicky Long Hill, Pat Kozitza, Eric Nevins, Michelle Nurse and Lauren Palmer. ([Council Communication No. 07-382](#)) **Moved by Coleman to adopt. Motion Carried 6-1.**

APPROVING

[07-1170](#) 32. **2007** Allocations for the HOME Investments Partnerships Program (HOME).([Council Communication No. 07-364](#)) **Moved by Hensley to adopt. Motion Carried 6-1.**

[07-1171](#) 33. **Issuance** of Certificate of Completion for the InPlay Building, 215 Watson Powell Jr. Way. ([Council Communication No. 07-354](#)) **Moved by Coleman to adopt. Motion Carried 6-1.**

- [07-1172](#) 34. [License](#) Agreement with ST Investments, L.L.C. for access to city-owned property northeast corner on intersection of E. 5th and Walnut Streets for demolition activities related to development. **Moved by Coleman to adopt. Motion Carried 6-1.**
- [07-1173](#) 35. [Community](#) Attraction and Tourism (CAT) Grant Agreement and Funding Commitment for Ingersoll Avenue Streetscape Project – 28th to 31st Street. ([Council Communication No. 07-364](#)) **Moved by Coleman to adopt. Motion Carried 6-1.**
36. Renewal of the following items with Wellmark Blue Cross and Blue Shield of Iowa.
- [07-1174](#) (A) [Health](#) Plans for the period July 1, 2007 through June 30, 2008. **Moved by Coleman to adopt. Motion Carried 6-1.**
- [07-1175](#) (B) [Administrative](#) Services Only Agreement for dental plan. ([Council Communication No. 07-365](#)) **Moved by Coleman to adopt. Motion Carried 6-1.**
- [07-1176](#) 37. [Agreement](#) with EMC Risk Services (ERS) for provision of bill review, bill payment and administration of occupational health claims. ([Council Communication No. 07-353](#)) **Moved by Hensley to adopt. Motion Carried 6-1.**
- [07-1177](#) 38. [Annual](#) Insurance Renewal for July 1, 2007 Property and Casualty Insurance with Jefferies Insurance Services, Inc. ([Council Communication No. 07-380](#)) **Moved by Coleman to adopt. Motion Carried 6-1.**
- [07-1178](#) 39. [Donation](#) and Installation Agreement with Blank Park Zoo Foundation, Inc. for “Kingdom” Creative Play structure at A.H. Blank Park Zoo. ([Council Communication No. 07-381](#)) **Moved by Coleman to adopt. Motion Carried 6-1.**
- [07-1179](#) 40. [Lease](#) of farmland, in the vicinity of 43rd and Vandalia Road, to Robert Campfield for the 2007 growing season, \$19,297.50. ([Council Communication No. 07-383](#)) **Moved by Coleman to adopt. Motion Carried 6-1.**
- [07-1180](#) 41. [Lease](#) to Iowa State Fair Authority for use of City-owned property at 705 SE 30th Street for parking empty semi-trailers during the Iowa State Fair. ([Council Communication No. 07-384](#)) **Moved by Coleman to adopt. Motion Carried 6-1.**
- [07-1181](#) 42. [Extension](#) of the expiration date (to July 1, 2008) of the Letter of Credit regarding outstanding

subordinate Airport Commercial Paper Revenue Notes, Series C.([Council Communication No. 371](#)) **Moved by Coleman to adopt. Motion Carried 6-1.**

[07-1182](#) 43. [2007](#) Justice Assistance Grant Application and Memorandum of Understanding with Polk County.([Council Communication No. 07-355](#)) **Moved by Coleman to approve. Motion Carried 6-1.**

[07-1183](#) 44. [2007](#) Community Oriented Policing Methamphetamine Initiative Grant Proposal. ([Council Communication No. 07-367](#)) **Moved by Coleman to adopt. Motion Carried 6-1.**

[07-1184](#) 45. [2007](#) Community Oriented Policing Technology Grant Program Application. ([Council Communication No. 07-379](#)) **Moved by Coleman to adopt. Motion Carried 6-1.**

46. Issuance of General Obligation Bonds, and levying a tax for the following:

[07-1185](#) (A) [\\$18,415,000](#) (Series 2007B) **Moved by Coleman to adopt. Motion Carried 6-1.**

[07-1186](#) (B) [\\$15,045,000](#) (Series 2007C - Urban Renewal) **Moved by Coleman to adopt. Motion Carried 6-1.**

[07-1187](#) 47. [Resolution](#) to express support for the Iowa Youth Leadership Town Hall Meeting on Free Trade. **Moved by Coleman to adopt. Motion Carried 6-1.**

[07-1188](#) 48. [Communication](#) from Downtown Community Alliance on behalf of the Meredith Corporation, for 14 banners in downtown Des Moines on Locust Street to be displayed during Summer 2007. **Moved by Coleman to receive, file and approve banner design. Motion Carried 6-1.**

[07-1189](#) 49. [Exception](#) to procurement ordinance competitive bidding requirement for good cause approving Professional Service Agreement with Leisure Vision, ETC Institute for development and implementation of a Citizen Recreational Needs and Satisfaction Assessment Survey.([Council Communication No. 07-381](#)) **Moved by Coleman to adopt. Motion Carried 6-1.**

[07-1190](#) 50. [Exception](#) to procurement ordinance competitive bidding requirements for good cause approving agreement with Center for Transportation Research and Education for Pavement Condition Data Collection (CTRE) for services related to updating the City's system.([Council Communication No. 07-351](#)) **Moved by Coleman to adopt. Motion Carried 6-1.**

51. Bids from the following:

[07-1191](#) (A) [Great](#) American Outdoor, sole area wide distributor, for John Deere equipment repairs during fiscal year 2008 to be used by the Park and Recreation Department. **Moved by Coleman to adopt. Motion Carried 6-1.**

- [07-1192](#) (B) [Tri](#) State Companies, sole area wide distributor, for Toro equipment repair parts during fiscal year 2008 to be used by the Park and Recreation Department. **Moved by Coleman to adopt. Motion Carried 6-1.**
- [07-1193](#) (C) [TMC](#) Auto Body per State of Iowa Contract MA3038MV47OF47 for a blanket purchase order for auto body repair services during fiscal year 2008 to be used by the Fleet Maintenance Center. **Moved by Coleman to adopt. Motion Carried 6-1.**
- [07-1194](#) (D) [Home](#) Depot stores per State of Iowa Contract CT3074HD for building materials and supplies to be purchased during fiscal year 2008. **Moved by Coleman to adopt. Motion Carried 6-1.**
- [07-1195](#) (E) [Logan](#) Contractors Supply, sole area wide distributor, for Crafco pavement maintenance products during fiscal year 2008 to be used by the Public Works Department. **Moved by Coleman to adopt. Motion Carried 6-1.**
- [07-1196](#) (F) [West](#) Publishing for a blanket purchase order on electronic research materials during fiscal year 2008 to be used by the Legal Department. **Moved by Coleman to adopt. Motion Carried 6-1.**
- (G) NUMBER NOT USED.
- [07-1197](#) (H) [G & L](#) Clothing for an annual contract with two additional one-year renewal options to furnish safety incentive clothing items to be used by the Public Works Department. (Ten bids mailed, two received). **Moved by Coleman to adopt. Motion Carried 6-1.**
- [07-1198](#) (I) [Bayliff](#) Construction for an annual contract with two additional one-year renewal options to furnish concrete construction services to be used by the Park & Recreation Department. (Ten bids mailed, one received).([Council Communication No. 07-349](#)) **Moved by Coleman to adopt. Motion Carried 5-1-1. Nays: Hensley. Absent: Vlassis.**
- [07-1199](#) (J) [Quality](#) Painting Company for an annual contract with two additional one-year renewal options to furnish tuckpointing and caulking services to be used by the Park & Recreation Department. (Eight bids mailed, one received).([Council Communication No. 07-350](#)) **Moved by Coleman to adopt. Motion Carried 5-1-1. Nays: Hensley. Absent: Vlassis.**
- [07-1200](#) (K) [Peterbilt](#) of Des Moines for one replacement automated side-loading refuse truck to be used by the Public Works Department, \$199,859, and approving exemption from the procurement ordinance. ([Council Communication No. 07-352](#)) **Moved by Coleman to adopt. Motion Carried 6-1.**

[07-1201](#) 52. [Civil](#) Service Promotional List for Building Inspector and Senior Police Officer and Entrance Exam List for Senior Refuse Collector, Park and Recreation Superintendent, Painter, Street Maintenance Worker, Police Officer, Parks Technician and Police Chief. **Moved by Coleman to receive a second vote. Motion Carried 6-1.**

[07-1202](#) 53. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of June 18, and June 25, 2007; to draw checks for the bills of the [Des Moines Municipal Housing Agency](#) for the weeks of June 18, and June 25, 2007; and to draw checks for bi-weekly payroll due June 22, 2007. **Moved by Coleman to adopt. Motion Carried 6-1.**

ORDINANCES - SECOND CONSIDERATION

[07-1203](#) 54. [Amending](#) Chapter 114 of the Municipal Code regarding traffic regulation changes as follows: **Moved by Coleman that this ordinance be considered and given second vote for passage. Motion Carried 6-1.**

(A) Parking Restriction Modifications – 6th Avenue between Walnut Street and Locust Street.

(B) Parking Restrictions Modifications – Grand Avenue, east of 18th Street.

[07-1204](#) (C) Final consideration of ordinance above. **Moved by Coleman 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, [#14,662](#). Motion Carried 6-1.**

[07-1205](#) 55. [Amending](#) Chapter 74 of the Municipal Code regarding fees at the Brenton Skating Plaza. **Moved by Coleman that this ordinance be considered and given second vote for passage. Motion Carried 6-1.**

[07-1206](#) (A) Final consideration of ordinance above. **Moved by Coleman 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, [#14,663](#). Motion Carried 6-1.**

[07-1207](#) 56. [On](#) vacation of Elm Street between SW 7th Street and SW 8th Street, and excess West Main Street, Luther King Jr. Parkway right-of-way, north of Elm Street and between SW 7th Street and SW 8th Street. **Moved by Coleman that this ordinance be considered and given second vote for passage. Motion Carried 6-1.**

passage. Motion Carried 6-1.

[07-1208](#)

(A) Final consideration of ordinance above. **Moved by Coleman 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, #14,664. Motion Carried 6-1.**

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

ORDINANCES - FIRST CONSIDERATION

[07-1209](#)

57. Amending Chapter 114 of the Municipal Code regarding traffic regulation changes follows: **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**

(A) Stop Sign-SE 7th and Scandia.

(B) Parking Meter Time limit Revisions-Walnut Street between 12th and 15th Streets (Council Communication No. 07-358)

[07-1210](#)

(C) Final consideration of ordinance above. **Moved by Coleman 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, #14,665. Motion Carried 6-1.**

[07-1211](#)

58. Amending Chapter 30 of the Municipal Code regarding secondhand good records licenses. (Council Communication No. 07-356) **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**

[07-1212](#)

59. Amending Chapter 10 of the Municipal Code regarding required separation of temporary nonprofit establishments selling liquor, wine or beer. (Council Communication No. 07-383) **Moved by Meyer that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**

[07-1213](#)

60. Amending Chapter 10 of the Municipal Code regarding required separation of establishments selling liquor, wine or beer in the downtown area. (Council Communication No. 07-385) **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**

COUNCIL REQUESTS

- [07-1214](#) 61. **Request** from Council Member Brian Meyer, on behalf of residents on E. Diehl, to speak regarding storm water. **Moved by Meyer to receive and file comments; refer to the City Manager for review and recommendation. Motion Carried 6-1.**
- [07-1215](#) 61-I. Request from Mayor Cownie to speak regarding public safety in the 45th Street/Greenway Park area. SPONSOR: Cownie. **Moved by Hensley to receive and file comments; refer to the City Manager for review and recommendation regarding traffic calming and possible sidewalk to the pool. Motion Carried 6-1.**

COMMUNICATIONS/REPORTS

- [07-1216](#) 62. **From** Charles R. Baumhover, 7209 SW 13th Street, to speak regarding campaign ethics Partnership regarding sales tax for property tax relief. **Moved by Coleman to receive and file comments. Motion Carried 6-1.**
- [07-1217](#) 63. **From** Percy Smith, 514 Franklin, to speak regarding noise emitted from patrons car stereo systems at a neighboring business. **Moved by Kiernan to receive and file comments; refer to the City Manager for review and recommendation. Motion Carried 5-2. Absent: Coleman and Vlassis.**
- [07-1218](#) 64. **From** Chad Vande Lune, 1510 9th Street, to speak regarding illegal salvage business at 1510 9th Street. **Moved by Kiernan to receive and file comments; refer to the City Manager for review and recommendation. Motion Carried 6-1.**

HEARINGS (OPEN AT 5:23 P.M.) (ITEMS 65 THRU 72)

- [07-1219](#) 65. **On** vacation and conveyance of a portion of 14th Place from Ascension Street to Keosauqua Way, along with conveyance of an irregular portion of excess Keosauqua Way right-of-way to Ascension Street West of and adjoining 14th Place to D. Lance Cooper, \$5,000. ([Council Communication No. 07-359](#)) **Moved by Hensley to adopt. Motion Carried 6-1.**
- [07-1220](#) (A) **First** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**
- [07-1221](#) (B) **Final** consideration of ordinance above, (waiver requested by applicant), require 2 votes. **Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #14,666. Motion Carried 6-1.**

[07-1222](#)

66. **On** request from Conlin Equities, LLC for amendment to River Oaks Centre PUD Concept Plan for 6000 Creston Avenue to allow for development of a lot into four three-story 24-unit buildings, one three-story 16-unit building and one single-family dwelling for the manager's residence, (Plan and Zoning Commission recommends denial). **Moved by Hensley to continue hearing to July 9, 2007 at 5:00 PM; refer to the City Manager to work with Conlin Properly and 4 or 5 representatives of the area homeowners to review the following items: 1. Current traffic issues entering and exiting at 63rd Street. 2. Safety and security issues, possible NEA officer. 3. Adequate traffic flow inside the development. 4. Additional entrance/exit for development. 5. Age appropriate playground. Motion Carried 6-1.**

WITHDRAWN

[07-1223](#)

(A) ~~**Alternate** resolution to approve. SPONSOR: Hensley.~~

[07-1224](#)

67. **On** proposed amendments to Zoning Ordinance to place limitations on electronic signs and off premises advertising signs. ([Council Communication No. 07-368](#)) **Moved by Hensley to adopt, subject to the following conditions: a) The ordinance shall be amended to delete the amendments to the Zoning ordinance corresponding to the last three bullet points in the synopsis of Council Communication No. 07-368. b) The moratorium on digital signs originally imposed on February 12, 2007 by Roll Call No. 07-275, is hereby renewed and extended until August 6, 2007, and amended to apply only to signs greater than 24 square feet in size. Motion Carried 6-1.**

[07-1225](#)

(A) **First** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage, subject to the ordinance being amended to delete the amendments to the Zoning ordinance corresponding to the last three bullet points in the synopsis of Council Communication No. 07-368. Motion Carried 6-1.**

WITHDRAWN

[07-1226](#)

(B) ~~**Final** consideration of ordinance above, (waiver requested by Community Development Director), requires 6 votes.~~

68. Items regarding property at 2142 Indianola Avenue:

[07-1227](#)

(A) **To** amend the Des Moines 2020 Community Character Land Use Plan future land use designation from Low Density Residential to Commercial: Pedestrian-oriented, Neighborhood Node. **Moved by Meyer to adopt, and approve the proposed amendment. Motion Carried 6-1.**

[07-1228](#)

(B) **Hearing** on rezoning of the property from "C-1" (Neighborhood Retail Commercial) to "R1-60" (One Family Low-Density Residential) to Ltd "NPC" (Neighborhood Pedestrian Commercial) to allow for mixed-use retail, office and multiple-family residential development. **Moved by Meyer to adopt and approve the rezoning, subject to first passage of the rezoning ordinance. Motion Carried 6-1.**

[07-1229](#)

(C) **First** consideration of ordinance above. **Moved by Meyer that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**

- [07-1230](#) (D) Final consideration of ordinance above, (waiver requested by applicant), require votes. **Moved by Meyer 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 finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #14,667. Motion Carried 6-1.**
- [07-1231](#) 69. On approval of Commercial Operator Lease and Agreement with MidAmerica Jet Center services at the Des Moines International Airport.([Council Communication No. 07-373](#)) **Moved by Hensley to adopt. Motion Carried 6-1.**
- [07-1232](#) 70. On execution of a Preliminary Agreement with Elliott Aviation of Des Moines, Inc. regarding issuance of not to exceed \$6,000,000 aggregate principal amount of Special Facility Revenue Bonds.([Council Communication No. 07-372](#)) **Moved by Hensley to adopt. Motion Carried 6-1.**
- [07-1233](#) 71. On 2007 Designated Neighborhood Sidewalk Replacement-Contract 1: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designating lowest responsible bidder as Ti-Zack Concrete, Inc., (Steve J. Rutt, President), \$428,385.([Council Communication No. 07-363](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**
- [07-1234](#) (A) Approving contract and bond and permission to sublet. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- [07-1235](#) 72. On 2007 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., (James D. Gauger, President), \$1,020,685.([Council Communication No. 07-362](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**
- [07-1236](#) (A) Approving contract and bond. **Moved by Kiernan to adopt. Motion Carried 6-1.**

****END HEARINGS AT 8:22 P.M.****

APPROVING

- [07-1237](#) 73. Receipt of Des Moines Forestry Report regarding tree removals and tree planting for 2007 calendar year.([Council Communication No. 07-366](#)) **Moved by Kiernan to receive and file. Motion Carried 6-1.**
- [07-1238](#) 74. Proposal for provision of Parking System Management Services from Ampco System Park and authorizing agreement for a period from July 1, 2007 through June 30, 2009 with four one-year renewal options.([Council Communication No. 07-357](#)) **Moved by Hensley to adopt. Motion Carried 6-1.**

EXTRA ITEMS

- [07-1239](#) 1. Accepting proposal of Merrill Lynch & Co. for Senior Managing Underwriter Services issuance of Airport Revenue Bonds and designating Merrill Lynch & Co. as same. SPONSOR Hensley. ([Council Communication No. 07-375](#)) **Moved by Hensley to adopt. Motion Carried 6-1.**

BOARD OF HEALTH

- [07-1240](#) MOTION TO CONVENE. **Moved by Hensley that the City Council adjourn and convene a Board of Health. Motion Carried 6-1.**

AUTHORIZING

- [07-1241](#) 1. The Legal Department to proceed with court action seeking authority to abate the public nuisance structure at 1224 9th Street, Titleholder: River Bend Association. **Moved by Hensley to defer to July 9, 2007 to allow the River Bend Association time to prepare a project plan and cost estimate. Motion Carried 6-1.**

- [07-1242](#) MOTION TO ADJOURN. **Moved by Hensley to adjourn at 9:20 PM. Motion Carried 6-1.**