

SUMMARY OF DES MOINES CITY COUNCIL MEETING

July 9, 2001 4:30 P.M.

01-1999 1. ROLL CALL (at 3:30): **Present: Daniels, Brooks, Coleman, Flagg, Hensley, McPherson, and Vlassis.**

01-2000 I. (a) Recess, and reconvene in closed session pursuant to Section 21.5 of the Code of Iowa. **Moved by Coleman to adopt. Motion Carried 6-1. Absent: McPherson.**

01-2001 (b) Closed Session.

01-2002 (c) Terminate closed session and reconvene in open session. **Moved by Coleman to adopt. Motion Carried 6-1. Absent: McPherson.**

01-2003 (d) Recess, and reconvene at 4:30 P.M. **Moved by Coleman to adopt. Motion Carried 6-1. Absent: McPherson.**

PROCLAMATIONS - 4:15 P.M.:

(a) July, Recreation & Parks Month

INVOCATION: Pastor Chet Prashad, Lutheran Church of Good Shepherd

4:30 **Council considered Item 105 next**

01-2004 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2005 3. APPROVING CONSENT AGENDA - items 3 through 104: **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

LICENSES AND PERMITS:

Approving

01-2006 4. Communication from Legal Department regarding July 9, 2001 License and Permit Agenda. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

Class "B" Beer Licenses

01-2007 5. M & E Cunningham Corp., Ed Cunningham, President dba Concession Spot 23, 3000 East Grand - Fairgrounds; New Application submitted 5-30-01. **Moved by Brooks to receive**

and file. Motion Carried 6-1. Absent: Vlassis.

Class "C" Beer Licenses

01-2008 6. Cavan, Inc., Chung Cavan, President dba Des Moines Asian Food, 1623 6th Avenue; Renewal - Expires 8-25-01 (With Sunday Sales) - Application submitted 6-21-01. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

Class "C" Beer/"B" Wine Licenses

01-2009 7. Git N Go Convenience Stores, Inc., Dennis Flora, President dba Git N Go Store #7, 1829 6th Avenue; Renewal - Expires 7-23-01 (With Sunday Sales) - Application submitted 5-23-01. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

01-2010 8. Hy Vee, Inc., Ronald D. Pearson, President dba Hy Vee Food Store #5, 1107 SE Army Post Road; Renewal -Expires 7-10-01 (With Sunday Sales) - Application submitted 6-11-01. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

Class "C" Beer/"B" Wine/"E" Liquor Licenses

01-2011 9. Hy Vee, Inc., Ronald D. Pearson, President dba Drugtown/Regal Liquor, 4100 University; Renewal - Expires 7-9-01 (With Sunday Sales) - Application submitted 5-18-01. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

Class "B" Wine Licenses

01-2012 10. Embassy Club, Michael LaValle, Manager dba Embassy Club, 801 Grand Avenue; Renewal - Expires 7-19-01 - Application submitted 6-20-01. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

Class "A" Liquor Licenses

01-2013 11. Beaverdale V.F.W. Club, Inc., Harvey Boeckholt, Director dba Beaverdale V.F.W. Club 4029 Urbandale Avenue; Renewal - Expires 7-17-01 (With Sunday Sales) - Application submitted 6-15-01. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

01-2014 12. Embassy Club, Michael LaValle, Manager dba Embassy Club, 801 Grand - Suite 4000; Renewal - Expires 7-19-01 (With Sunday Sales) - Application submitted 6-20-01. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

01-2015 13. Wakonda Club, Terry Hancock, President dba Wakonda Club, 3915 Fleur Drive; Renewal - Expires 7-15-01 (With Sunday Sales and Outdoor Service) - Application submitted 6-20-01. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

Class "B" Liquor Licenses

01-2016 14. Sixth Avenue Hotel Partnership, Gene Caleb, Manager dba Holiday Inn Downtown, 1050 - 6th Avenue; Renewal - Expires 7-14-01 (With Sunday Sales) - Application submitted 6-20-01. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

Class "C" Liquor Licenses

01-2017 15. Mark Holub Enterprises, Inc., Mark Holub, President dba Art House on Ingersoll, 2809 Ingersoll Avenue; New Application submitted 6-20-01. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

01-2018 16. Southern Golf, Inc., Ned Chiodo, President dba A H Blank Golf Course, 808 County Line Road; Renewal - Expires 7-21-01 (With Sunday Sales and Outdoor Service) - Application submitted 6-21-01. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

01-2019 17. Chuck's Restaurant, Inc., Linda Bisignano, President dba Chuck's Restaurant, 3608 - 6th Avenue; Renewal - Expires 7-21-01. Application submitted 6-7-01. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

01-2020 18. Des Moines Amvets Post 2 Home, Inc., Warren Martin, Director dba Des Moines Amvets Post 2, 2818 - 5th Avenue; Renewal - Expires 7-22-01 (With Sunday Sales) - Application submitted 6-15-01. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

01-2021 19. Embassy Club, Michael LaValle, Manager dba Embassy Club, 400 Locust includes Atrium; Renewal - Expires 7-19-01 (With Sunday Sales) - Application submitted 6-20-01. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

01-2022 20. J & P Inc., John Tyler, President dba Gathering Point Lounge, 5914 Southeast 14th Street; New Application submitted 6-20-01. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

01-2023 21. Hall of Fame, Inc., John Ulrich, President dba Johnny's Hall of Fame Lounge, 302 Court Avenue; Renewal - Expires 7-21-01 (With Sunday Sales and Outdoor Service) - Application submitted 5-23-01. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

01-2024 22. Koffee Korner, Inc., Dave Palmer/Andy Newson, Owner dba Koffee Korner, 1030 East 9th Street; New Application (With Sunday Sales) - Application submitted 4-9-01. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

01-2025 23. La Pizza House, Inc., Russell E. Reel, President dba La Pizza House, 1013 Southeast 14th Street; Renewal - Expires 7-24-01 - Application submitted 6-20-01. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

01-2026 24. P & M Enterprises, Inc., Paul Seghi, President dba Locust Tap, 434 East Locust; Renewal - Expires 7-19-01 (With Sunday Sales) - Application submitted 6-6-01. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

01-2027 25. Jim-Kim, Inc., Richard Albizo, President dba Richard's Extra Innings Lounge, 1500 Southeast 1st Street; Renewal - Expires 7-18-01 (With Sunday Sales and Outdoor Service) - Application submitted 6-20-01. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

01-2028 26. Wide Open, Inc., Matthew Moro, President dba Wide Open Bar & Grill, 3801 Easton Blvd; Renewal - Expires 7-10-01 (With Sunday Sales) - Application submitted 6-11-01. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

Special Event Licenses

01-2029 27. Andrew Lent, Administration Vice President dba Des Moines Jaycees, PO Box 8460; New 5 day applications for Class "B" Beer Licenses for Taste of Des Moines on July 20 and 21, 2001 at the following locations, subject to submission of acceptable building inspections. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

- (1) Booth A at Court Avenue Bridge.
- (2) Booth B at 1st Street between Walnut & Court.
- (3) Booth C at E. 1st Street between Walnut & Court.

Gamerrooms

01-2030 28. L.A.D. Associates, Inc., Linda Corigliano, President dba Corigliano's Pizza, 2619 Southwest 9th Street. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

01-2031 29. Arnold Lourens dba Stars Arcade, 4100 Merle Hay Road. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

Authorizing

01-2032 30. City Clerk to issue Cigarette Licenses. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

01-2033 31. City Clerk to issue Coin-Operated Amusement Machine Licenses. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

01-2034 32. City Treasurer to issue refunds. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

PUBLIC IMPROVEMENTS

33. Resolution Ordering Construction of the following:

01-2035 (A) Martin Luther King Jr. Parkway Demolition No. 6 E/W, Receiving of Bids, (7-17-01), and Setting Date of Hearing, (7-23-01), (Construction Estimate - \$122,000). **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2036 33. (B) E. 14th Street Sanitary Sewer Repair - 3400 Block, Receiving of Bids, (7-17-01), and Setting Date of Hearing, (7-23-01), (Construction Estimate - \$30,000). **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2037 (C) Zwart Road Brick Pavement Replacement, Receiving of Bids, (7-24-01), and Setting Date of Hearing, (08-06-01), (Construction Estimate - \$194,000). **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

34. Approving private construction contracts for street improvements in the following Brook Run Village Plats between Sternquist Construction, Inc. (Britt Sternquist, Contractor) and Brook Run L.C. (Tom Gratias, President, as Owner).

01-2038 (A) Plat 7, Brook View Drive and Meadow Wood Drive. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2039 (B) Plat 6, Village Run Drive and Brook Run Drive. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2040 (C) Plat 5, Brook View Avenue and E. 53rd Street. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

35. Approving private construction contracts in the Woods on the River Plats between McAninch Corporation (Douglas D. McAninch, President, Contractor) and Clarke Company, Ltd. (John J. Clarke, Partner, as Owner) for the following:

01-2041 (A) Sanitary Sewer Improvements. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2042 (B) Plat 5 and Plat 4, Storm Sewer Improvements. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2043 36. Approving private construction contracts for storm sewer improvements, Crocker Street from 7th Street west to north/south alley to serve 901 8th Street between The Underground Company, Ltd. (Duane Burkhardt, President, Contractor) and Beckley Automotive Services (Steve Beckley, President, Owner). **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

37. Report of the Chief Civil Engineer showing construction progress, amounts due and funding

availability of the following:

01-2044 (A) Elm Street Sanitary Sewer Relining- SW 1st Street to SW 5th Street, VanHauen & Associates, Inc., \$969 is now due and \$22,516 remaining balance payable at the end of 30 days. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2045 (B) Birdland Tennis Court Shelters, Koester Construction Co., Inc., \$9,489.55 is now due and \$1,049.45 remaining balance payable at the end of 30 days. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2046 (C) Drake Park Basketball Court, Double T Asphalt Co. Inc., \$5,526.53 is now due and \$2,274.62 remaining balance payable at the end of 30 days. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2047 (D) Elm Street Sanitary Sewer Relining - 5th Street to 9th Street, Van Hauen & Associates, Inc., \$11,527.30 is now due and \$24,459.20 remaining balance payable at the end of 30 days. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2048 (E) Glendale Cemetery Block H Sidewalk, Universal Concrete LTD, \$8,205.86 is now due and \$431.89 remaining balance payable at the end of 30 days. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2049 (F) Vermont Street Emergency Sanitary Sewer Repair, 1400 Block, Van Hauen & Associates, Inc., \$2,100 remaining balance payable at the end of 30 days. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2050 (G) Lower Bloomfield Sanitary Sewer Repair, 1800 Block of E. Lacona Avenue, Van Hauen & Associates, Inc., \$1,577 is now due and \$4,150 remaining balance payable at the end of 30 days. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2051 38. Approving partial payments on twenty-two (22) public improvement projects. (Call City Clerk's Office for list). **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2052 39. Communication from M. Peterson Construction Company requesting permission to sublet certain items on Park Avenue Widening at SW 42nd Street. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2053 40. Approving petition and waiver forms for sidewalk program/request to repair sidewalk executed by owners of two (2) properties, sidewalk program/request to repair driveway executed by owners of three (3) properties, and curb replacement program/request to repair driveway executed by owners of three (3) properties. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2054 41. Authorization to select a consultant to develop a Stormwater Master Plan for the Ewing Park Subwatershed. ([Council Communication No. 01-371](#)). **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2055 42. Professional Services Agreement with Snyder & Associates, Inc., Stephen P. Rowe, President, Ankeny, for design services for Easter Lake Retention Basins, Phase 2, not to exceed \$93,077. ([Council Communication No. 01-372](#)). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2056 43. Professional Services Agreement with William Anderson Architecture, William L. Anderson, Principal, 1643 Northwest Drive, Des Moines, for design services in conjunction with Skywalk Bridge 9C-9D, not to exceed \$69,130. ([Council Communication No. 01-348](#)). **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2057 44. Approving Change Order No. 1 with Cramer & Associates, Inc. (Robert Cramer, President/CAO, 990 NE 44th Avenue, Des Moines) for additional work in conjunction with the MLK Jr. Storm Water Pump Station at SW 14th Street project, costs not to exceed \$23,100. ([Council Communication No. 01-349](#)) **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2058 (A) Approving Change Order No. 1, with M. Peterson Construction, for additional work on the Park Avenue Widening at SW 42nd Street, \$23,100. ([Council Communication No. 01-364](#)) **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

LAND/PROPERTY TRANSACTIONS

01-2059 45. Establishing Fair Market Value and Authorizing Acquisition of nine (9) Properties for North/South Segment of the Martin Luther King, Jr. Parkway Project by gift, negotiation, or condemnation-\$700,500. (Call City Clerk's Office for list). **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2060 46. Approving Lease Agreement for 1251 University Avenue with City View Partners II (Clarke Stewart, Managing General Partner) to be used for Model City site office, \$23,318 annually. ([Council Communication No. 01-355](#)). **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2061 47. Approving Final Subdivision Plat entitled STANTON ACRES, PLAT 2 in vicinity of south of SW 33rd Street north of McKinley Avenue. ([Council Communication No. 01-366](#)). **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2062 48. Approve and accept a Temporary Easement for Repair of Retaining Wall and Covenant from James C. Rolan and Laura L. Rolan at 2840 Indianola Avenue. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2063 49. Approve and accept Permanent Easement for Street Right-of-Way from Park Trail Townhome Association for the Park Avenue Widening at SW 42nd Street project - \$208. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2064 50. Approve and accept Permanent Easement for Sanitary Sewer Right-of-Way and

Temporary Easement for construction Scott E. Kelling for a parcel in the 4400 Block of SE 17th Court for Grandshire Area Sanitary Sewer Project - \$2,015.60 plus closing costs. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2065 51. Approve and accept a Warranty Deed from Hubbell Realty Company for land adjacent to the SW 11th & Market Streets Shuttle Parking Lot - \$550 plus closing costs. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2066 52. Approve and accept right-of-way documents from Jason L. Vitiritto for 1400 East 29th Street for the 7th Ward Ditch Flood Control Phase II Improvement Project-\$21,250 plus closing costs. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2067 53. Approve and accept right-of-way documents from Lisa J. Ritchie for 2809 Cleveland Avenue for the 7th Ward Ditch Flood Control Phase II Improvement Project-\$11,550 plus closing costs. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2068 54. Approve and accept documents for acquisition of 1551 and 1553 East Walnut Street from Doris L. Doornenbal for Capitol East Urban Renewal Project-\$38,000 plus closing costs. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2069 55. Approve and accept right-of-way documents from various property owners (4) for the Northeast Four Mile Sanitary Sewer Project - \$69,910 plus closing costs. (Call City Clerk's Office for list). **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2070 56. Establishing Fair Market Value and authorizing acquisition of 1908 SE 1st Street from Quad M's, Inc. for the Indianola Avenue Connector Project, \$48,000. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

01-2071 57. Communication from City Clerk advising of resignation of Robert Nereim from the Public Housing Board (Seat #2) and requesting that his seat be declared vacant. **Moved by Brooks to receive, file and declare seat vacant. Motion Carried 6-1. Absent: Vlassis.**

01-2072 58. Recommendation of Council Member Mike McPherson to appoint Jeannie Shannon (Seat #8) to the Neighborhood Revitalization Board for a three-year term commencing June 30, 2001 to expire June 30, 2004. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2073 59. Recommendation of Council Member At-Large, George Flagg to reappoint Joseph Aiello (Seat #5) to the City Plan Commission for a five-year term commencing July 2, 2001 to expire July 3, 2006. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2073-I (A) Approving recommendation of Council Member George Flagg for appointment of Tim Urban to Plan & Zoning Commission to fill unexpired term of Robert Mathieu (Seat #4) to

expire July 2, 2002. **Moved by Flagg to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2074 60. Recommendation of Council Member Mike McPherson to reappoint Martha Walden (Seat #3) to the Neighborhood Revitalization Board for a three-year term commencing June 30, 2000 to expire June 30, 2003. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2075 61. Recommendation of Council Member At-Large, George Flagg to reappoint Thomas Ross (Seat #2) to the Airport Board for a four-year term commencing June 30, 2001 to expire June 30, 2005. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

STREET USE TEAM RECOMMENDATIONS

01-2076 62. Approving recommendation of Street Use Team (SUT) to close the following streets. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

(1) Linda Bisignano, representing Chuck's Restaurant, 3610 6th Avenue, requesting permission to close 6th Avenue from Euclid Avenue to Douglas Avenue on Saturday, August 4, 2001 from 4:00 P.M. to 9:00 P.M. for the Annual Highland Park Street Party.

(2) Dan Hotka, 4300 Sheridan Avenue, requesting permission to close Sheridan Avenue from 42nd Street to 44th Street on Saturday, August 4, 2001 (Raindate of August 18, 2001) from 4:00 P.M. to 7:00 P.M. for a neighborhood block party.

(3) Nancy Dunbar, 2919 46th Street, requesting permission to close 46th Street from Urbandale Avenue to New York Avenue on Saturday, August 4, 2001 from 4:00 P.M. to 8:29 P.M. for a neighborhood block party.

(4) Marta Boelling, 3119 47th Street, requesting permission to close 47th Street from Urbandale Avenue to Ovid Avenue on Sunday, August 5, 2001 (Raindate of August 12, 2001) from 5:00 P.M. to 8:00 P.M. for a neighborhood block party.

(5) Connie Kauzlarich, 2407 46th Street, requesting permission to close 46th Street from Hickman Road to Holcomb Avenue on Saturday, August 18, 2001 (Raindate of August 25, 2001) from 5:00 P.M. to 11:00 P.M. for a neighborhood block party.

01-2077 63. Approving exception regarding length of time request from Cathy Erickson, representing Citicasters Company dba WHO Radio, 1801 Grand Avenue, request to close Court Avenue from Second Avenue to E. First Street; First Street from Elm Street to Walnut Street; E. First Street from Court Avenue to Walnut Street; and West Riverside Drive from First Street to Court Avenue on Thursday, July 19, 2001 at 6:00 P.M. to Sunday, July 22, 2001 at 12:00 Noon for the 2001 Taste of Des Moines Festival. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

CITY PLAN COMMISSION RECOMMENDATIONS

01-2078 64. Regarding request from Tulip Hill Designs, L.L.C. for preliminary subdivision plat entitled "The Finches Townhomes" for property located at 2801 SW 30th Street, subject to revisions. **Moved by Hensley to receive and file. Motion Carried 6-1. Absent: Vlassis.**

01-2079 65. Regarding request from Iowa State Fair Authority to vacate and convey various street segments in the E. 30th Court to E. 31st Street area, subject to conditions. **Moved by Brooks to adopt and refer to the City Manager and Legal Department to implement. Motion Carried 6-1. Absent: Vlassis.**

SETTING DATE OF HEARINGS

01-2080 66. On request from Ben's Keystone Construction (Ankeny) to purchase City-owned property in vicinity of 1130 10th Street for \$2,700, (7-23-01). **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2081 67. On request from Plymouth Congregational Church of Des Moines (Owner), to rezone property at 4126 Ingersoll Avenue from "R-3" (Multiple Family Residential District) to "PUD" (Planned Unit Development District) and to approve "Plymouth Congregational Church" Concept Plan to allow for future addition of an Education Wing, Fellowship Hall, and Parking Structure, (7-23-01). **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2082 68. On request from Banker's Trust Company, to rezone property at 655 East Army Post Road, from "C-4" (Shopping Center District) to "C-2" (General Retail and Highway Oriented Commercial District) to allow development of the site independent of Southridge Mall Complex, (7-23-01). **Moved by McPherson to adopt. Motion Carried 5-1. Absent: Vlassis. Council Member Brooks declares a conflict of interest, and abstains from voting.**

01-2083 69. On request from National Housing & Neighborhood Development Corporation, to rezone property at 1500 Woodland Avenue from "RHD" (Residential Historic District) to "NPC" (Neighborhood Pedestrian Commercial District) to allow for redevelopment of the site as 51 rental units and commercial/office space, (7-23-01). **Moved by Flagg to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2084 70. On vacation of right-of-way and conveyance of property in vicinity of E. Vine Street between E. 6th and E. 7th, to VanVleet, Inc. in exchange for property in vicinity of SE 11th, SE 12th and Elm Street, (7-23-01). [\(Council Communication No. 01-354\)](#). **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2085 71. On Supplemental No. 8, to the Iowa Air National Guard Lease Agreement, to add additional land and extend the Lease Agreement for additional 10 years, (7-23-01). [\(Council Communication No. 01-356\)](#). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Vlassis.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

01-2086 72. Approving payment of \$1,023.25 to Miller & Van Eaton, P.L.L.C. for assistance in review of application for sale of Heritage Cablevision, Inc. d/b/a AT&T Broadband to Mediacom Communications Corporation. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2087 73. Approving payment of \$8,233.93 to law firm of Spiegel & McDiarmid for assistance in conjunction with Brownfields Showcase Community and related matters. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2088 74. Approving payment of \$2,047.88 to Jane McAllister of Ahlers, Cooney, Dorweiler, Haynie, Smith & Allbee, P.C. for resolution of certain environmental matters in conjunction with development of Kiwanis Nature Island at Riverview Park. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2089 75. Approving payment of \$1,307 to John L. Corbett of Spiegel & McDiarmid Law Firm for consulting and representation services in connection with City's response to FAA concerns regarding City's Airport PILOT charge. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2090 76. Approving payment of \$817 to Ahlers, Cooney, Dorweiler, Haynie, Smith & Allbee, P.C. for representation of John Mihalovich in case entitled Kathryn Blom v. City of Des Moines and John Mihalovich. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2091 77. Approving payment of \$1,520.60 to Guy R. Cook of Grefe & Sidney, P.L.C. for representation of Officer Joseph Morgan in case of Joyce Wilson and Val Wilson, Jr. as Administrators of Estate of Jerome LeRoy Mozee vs. City of Des Moines, Joseph Morgan and Terry Mitchell. **Moved by Brooks to approve payment. Motion Carried 6-1. Absent: Vlassis.**

01-2092 78. Approving payment of \$2,917.24 to Jack Phillips of Phillips, Goldman & Spence for representation of the City in the Trans World Airlines, Inc. bankruptcy. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2093 79. Approving payment of \$3,607.86 to William Jenkins of Myers & Jenkins for representation of the City in the Trans World Airlines, Inc. bankruptcy. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2094 80. Approving payment of \$4,809.47 to Duncan, Green, Brown, Langeness & Eckley for representation of the City in matters relating to the airport parking garages. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2095 81. Approving payment of \$600 to Doug Kennedy for repair of Greg & Christine Page's mailbox resulting from an auto accident property damage claim. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2096 82. Approving payment of \$9,783.18 to Melvin McGinnis for property damage repairs and rental expenses as the result of an accident on May 15, 2001. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2097 83. Approving payment of \$25,864.50 to Allen Wagner for settlement of a workers' compensation claim for an injury sustained during scope of his employment. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

CITY MANAGER COMMUNICATIONS

01-2098 84. Submitting various traffic regulation changes as follows. ([Council Communication No. 01-350](#)). **Moved by McPherson to receive, file and refer to Legal Department for preparation of proper legislation. Motion Carried 6-1. Absent: Vlassis.**

- (1) Parking Restriction Modifications Adjacent to Gateway West Area.
- (2) One-Sided Parking Restrictions--Park Place Estates Plat I.
- (3) One-Sided Parking Restrictions--Easter Lake Estates Plats, I, II, III, IV, V and VI; Easter Lake South Plat I; and Easter Lake Point Plats I and II.
- (4) Corner Clearance Parking Restriction--East Side of 37th Street North of Hickman Road.
- (5) Parking Restriction Adjacent to Entrance to Underground Parking Area for 801 Grand Avenue.
- (6) No Stopping or Standing Restriction--West Side of 56th Street North of Robertson Drive.
- (7) Corner Clearance Parking Restriction--East Side of SE 4th Street South of East Edison Avenue.
- (8) Stop Sign Installation--32nd Street at Francis Avenue.

01-2099 85. Submitting out-of-state travel requests for Dave Bowen, Jerry Fisher, Rex Sparks, James Fox, Floyd Jones, Gloria Cano, Sandra Morris, Drew Burham, Shelley Nurse, Susan Ferguson, Joseph Oppe, Steve Gunson, Kandi Reindl, Justin Miller, Kristen Tuttle, Debora Hobbs (2), and Mike Couch. ([Council Communication No. 01-345](#)). **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

APPROVING

01-2100 86. Civil Service entrance lists for Jail Security Officer, Tree Trimmer and promotional list for Senior Police Officer. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

01-2101 87. Civil service entrance list for Custodial Worker. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

88. Bids for the following:

01-2102 (A) Great American Outdoor, (Don VanHouwling, President, 710 East Army Post Road) for one agricultural tractor with flex-wing rotary cutter to be used by the Public Works Department - \$83,995. (Nine bids mailed-four received). **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2103 (B) Mid-States Ford Truck Sales, (Marvin Perry, President, 4300 NE 14th Street) for one four-wheel drive one-ton truck with service body and dump box to be used by the Public Works Department - \$41,663. (Seven bids mailed-four received). **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2104 89. Appointments to the Neighborhood Development Corporation (NDC) Board: Kathy Kahoun and Mike Matthes, Alternate, Suzan Nixon, and Leslie Gearhart. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2105 90. Authorizing Acting Finance Director to draw checks on registers of July 13, 2001 and July 20, 2001, and for the bills of the Des Moines Municipal Housing agency for the weeks of July 9, 2001 and July 16, 2001; and to draw checks for biweekly payroll due on July 13, 2001. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

****Council Member Vlassis returned to the meeting at 6:40 P.M. after the consent agenda approval****

01-2106 91. Approving honorary designation of Carpenter Avenue between Merle Hay Road and 60th Street as "Cara Carpenter Avenue". **Moved by Flagg to adopt. Motion Carried 6-1. Absent: Daniels.**

01-2107 92. Emergency Shelter Grant (ESG) Program grant contract with the Iowa Department of Economic Development for the period of July 1, 2001 to June 30, 2002, \$381,451. ([Council Communication No. 01-346](#)). **Moved by McPherson to adopt. City Manager will review number of agencies funded for this type of assistance and report to Council on potential for consolidation. Motion Carried 5-2. Absent: Brooks and Daniels.**

01-2108 93. SF-424 Application for Federal Assistance for the Des Moines Enterprise Community School-to-Work Program, Supplemental Funding, \$385,836. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2109 94. Acceptance of 2001 Local Law Enforcement Block Grant Application with the Bureau of Justice Assistance and form a 2001 Local Law Enforcement Block Grant Advisory Board, \$307,453. ([Council Communication No. 01-351](#)). **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2110 95. Allocation of block grant funds to the City to be made available to Polk County Decategorization Project for implementation of juvenile justice accountability programs, \$67,695. ([Council Communication No. 01-352](#)). **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2111 96. Formation of a Metropolitan Medical Response System Task Force by the Fire Department and submission of an application for a \$400,000 grant. ([Council Communication No. 01-344](#)). **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2112 97. Submission of CEBA application in the amount of \$40,000 on behalf of Hicklin Engineering, L.C., 4060 Dixon. ([Council Communication No. 01-358](#)). **Moved by Brooks to approve. Motion Carried 6-1. Absent: Vlassis.**

01-2113 98. Contract with the Iowa Department of Transportation (IDOT) for the IDOT Transportation Enhancement Grant, \$773,000 for development of Phases II and III of the Walnut Creek Trail and Waterworks Trail. ([Council Communication No. 01-369](#)). **Moved by Hensley to adopt. Transfer of trail system to the County was discussed as well as the need for trail maps. Motion Carried 4-3. Absent: Daniels, Brooks and Vlassis.**

01-2114 99. Revised NE Runway Protection Zone Development Policy to remain in conformance with required Grant Assurances and authority to apply for grant funds to acquire properties at 4720 Fleur (Des Moines Auto), 4901 Fleur (Crimmins Cattle Company) and 4911 Fleur (Burger King). ([Council Communication No. 01-357](#)). **Moved by Hensley to approve and adopt. Motion Carried 5-1-1. Pass: Brooks. Absent: Vlassis.**

01-2115 100. Designation of multiple depositories for City funds and the maximum allowable amount. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2116 101. Application from Principal Life Insurance Company to receive benefits from the New Jobs and Income Program, to create 100 new jobs in Des Moines. ([Council Communication No 01-361](#)). **Moved by Brooks to approve. Motion Carried 6-1. Absent: Vlassis.**

ORDINANCES - SECOND CONSIDERATION

01-2117 102. Amending the boundaries of the Skywalk District to expand south of Locust Street to 16th Street. **Moved by Brooks that this ordinance be considered and given second vote for passage. Motion Carried 6-1. Absent: Vlassis.**

01-2118 (A) Adopting new Skywalk System Plan Map to identify additional planned skywalk corridors and skywalk bridges within the area south of Locust between 8th and 12th. **Moved by Brooks that this ordinance be considered and given second vote for passage. Motion Carried 6-1. Absent: Vlassis.**

01-2119 103. Amending Chapter 2 of the Municipal Code regarding salaries and reimbursement of expenses for Mayor and Council Members. **Moved by Brooks that this ordinance be considered and given second vote for passage. Motion Carried 5-1-1. Nays: Hensley.**

Absent: Vlassis.

ORDINANCES - FINAL CONSIDERATION

01-2120 104. On Connection Fee Ordinance for the Northwest and Southwest Airport Area Trunk Sewer System Benefitted Districts. **Moved by Brooks that this ordinance do now pass, [#13,964](#). Motion Carried 6-1. Absent: Vlassis.**

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

01-2121 105. Amending Chapter 62 of the Municipal Code to add sexual orientation as a protected class to the Human Rights Ordinance. **Moved by Vlassis that this ordinance do now pass, [#13,965](#). Motion Carried 5-2. Nays: Flagg and McPherson. This item was considered at 4:30 P.M.**

01-2122 (A) Communication from William Morris, submitting proposed amendment to the ordinance. **Moved by Vlassis to receive and file his communication and all other communications and petitions filed. Motion Carried 7-0.**

Council Member Vlassis left the meeting at 5:20 P.M.*

ORDINANCES - FIRST CONSIDERATION

01-2123 106. Amending Chapter 18 of the Municipal Code regarding the seizure, impoundment and disposition of dangerous animals. ([Council Communication No. 01-360](#)). **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 5-2. Absent: Daniels and Coleman.**

01-2124 107. Amending Chapter 90 of the Municipal Code regarding the Municipal Housing Agency powers and governing board. **Moved by McPherson that this ordinance be considered and given first vote for passage. City Manager to report on status of housing units for sale. Motion Carried 7-0.**

01-2125 (A) Final consideration of ordinance above, (waiver requested by City Manager), requires 6 votes. **Moved by McPherson 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, [#13,966](#). Motion Carried 7-0.**

01-2126 108. Amending Chapter 114 of the Municipal Code regarding the following traffic regulation changes. **Moved by McPherson that this ordinance be considered and given first vote for passage, as amended to delete item (1)-Four-way stop at 9th and Madison. Motion Carried 7-0.**

WITHDRAWN (1) Four-Way Stop--9th Street and Madison Avenue.

01-2127 (a) Petition in objection. **Moved by McPherson to receive and file. Motion Carried 7-0.**

(2) No Parking Restriction--Francis Avenue between 30th Street and 32nd Street (Monroe Elementary School).

(3) One-Way Street Operation--Loomis Avenue between SW 9th Street and Glover Avenue (Lincoln High School).

(4) Two-Sided Parking Restriction and Three-Lane Restriping--Lower Beaver Road from Douglas Avenue to Valdez Drive (west leg).

(5) Stop Sign Installation--SE 3rd Street and Burnham Avenue.

(6) Proposed Parking Meter Installations--Vicinity of 6th Avenue and 8th Street between Market and Mulberry.

COUNCIL REQUESTS

01-2128 109. Communication from Council Member Archie Brooks regarding City-owned property at 2600 Dean Avenue. **Moved by Brooks to receive, file and refer to City Manager for a report at the July 23rd meeting. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

01-2129 110. From Cathy Mabry, Salisbury Oaks Neighborhood Association, requesting Council support of Salisbury Oaks Neighborhood Stream Restoration Project. **Moved by Hensley to offer support and ask the City Manager to identify the appropriate City staff to work on the project. Motion Carried 7-0.**

01-2130 111. From Heath Allen Wolfe, 101 Locust Street, regarding the noise ordinance on Court Avenue. **Moved by Hensley to receive, file and grant the request to speak; refer to City Manager for review and recommendation. Motion Carried 7-0.**

01-2131 112. From Bob King, Chair, Neighborhood Revitalization Board, regarding recommendations on contract sales. **Moved by Hensley to receive and file; refer to City Manager and Legal. Motion Carried 6-1. Absent: Brooks.**

****Council Member Flagg left the meeting at 7:28 P.M.****

01-2132 113. From Matthew R. Gerhards, 2400 30th Street #378, regarding inspection of his residence. **Moved by Coleman to receive and file. Motion Carried 5-2. Absent: Flagg and Vlassis.**

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

HEARINGS (Opened at 5:30 P.M.) (Items 114 thru 127)

01-2133 114. On request from R. Meyer Traviss, to rezone property at 4931 Douglas, from "C-1" (Neighborhood Retail Commercial) to Limited "C-2" (General Retail and Highway Oriented Commercial). **Moved by Vlassis to continue the hearing to the next Council meeting; a special meeting called; or to July 23rd at 5:30 P.M. Motion Carried 7-0.**

01-2134 115. On application from Eddie Wilson, Sr., (owner) to rezone property at 4152 E. Jefferson, from "U-1" (Floodplain District), to "R1-60" (One Family, Low Density Residential District), to allow construction of a new single-family home. **Moved by McPherson to continue the hearing to the July 23rd meeting to allow time to receive information from FEMA to protect the City from potential liability. Motion Carried 6-1. Absent: Vlassis.**

01-2135 116. Resolution continuing the Hearing on the proposed First Amendment to the Urban Renewal Plan for the Airport Commerce Park South Urban Renewal Project. **Moved by McPherson to continue the public hearing until July 23, 2001, at 5:30 P.M. Motion Carried 6-1. Absent: Vlassis.**

01-2136 (A) Resolution continuing the Hearing on the proposed 10th Amendment to the Urban Revitalization Plan for the City-Wide Urban Revitalization Plan. **Moved by McPherson to continue the public hearing until July 23, 2001, at 5:30 P.M. Motion Carried 6-1. Absent: Vlassis.**

01-2137 117. On request from Erickson Corporation, (Janice Beal, Officer), to rezone property at 2527 Easton Blvd., from "R1-60" (One Family, Low Density Residential) to "C-1" (Neighborhood Retail Commercial) to allow development of a pharmacy. **Moved by McPherson to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2138 (A) First consideration of ordinance above. **Moved by McPherson that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Vlassis.**

01-2139 (B) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by McPherson 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, [#13,967](#). Motion Carried 6-1. Absent: Vlassis.**

01-2140 118. On conveyance of permanent storm sewer easement in vicinity of 6th and vacated Market Street, to MidAmerican Energy Company, to facilitate construction of an Electric Substation. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2141 (A) First consideration of ordinance vacating any previously unvacated alley right-of-way in vicinity of SW 6th and Market. **Moved by Hensley that this ordinance be considered**

and given first vote for passage. Motion Carried 6-1. Absent: Vlassis.

01-2142 (B) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by Hensley 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, [#13,968](#). Motion Carried 6-1. Absent: Vlassis.**

01-2143 119. On Proposed Resolution of Necessity for Street Improvements - SE 35th Street from Scott Avenue to dead end 799' north, continued from 6-4-01, (recommendation to delete and include in next year's interim paving). **Moved by Brooks to adopt and delete SE 35th- from Scott to dead-end 799' north and include it in next years interim paving program. Motion Carried 6-1. Absent: Vlassis.**

01-2144 (A) Petition in favor of interim paving. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Vlassis.**

01-2145 120. On Lower Beaver Road Widening-Madison Avenue to Shawnee Place: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Eco Tech Construction, L.L.C. (Steve Gillotti, President, Grimes), \$115,981.50. **Moved by Coleman to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2146 (A) Approving contract and bond and permission to sublet. **Moved by Coleman to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2147 121. On 2001 Sidewalk Replacement Program: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as TK Concrete Inc., (Tony J. VerMeer, President, Pella), \$230,750. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2148 (A) Approving contract and bond and permission to sublet. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2149 122. On 2001 Sidewalk Replacement Program-Designated Neighborhoods: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as P.G. Construction Inc. (Keith Purdy, President, 34 SE Gray, DM), \$359,625. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2150 (A) Approving contract and bond and permission to sublet. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2151 123. On 2001 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 Construction Inc., (Robert L. Johnson,

President, 107 Arthur, DM), \$142,000. **Moved by McPherson to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2152 (A) Approving contract and bond. **Moved by McPherson to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2153 124. On 11th/12th Streets Connector-M.L. King Jr. Parkway to Cherry Street: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as M. Peterson Construction Co. (Merlin Peterson, President, 4000 Delaware, DM), \$1,131,080.67. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2154 (A) Approving contract and bond and permission to sublet. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2155 125. On Fire Station No. 4 (917 University) Reroofing: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Wood Roofing Company, (R. D. Parsons, Jr., President, 5225 NE 17th Street, DM), \$101,130. **Moved by McPherson to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2156 (A) Approving contract and bond. **Moved by McPherson to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2157 126. On 7th Ward Ditch Wooden Box Replacement Phase 2, Garfield Avenue to Cleveland Avenue: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as KRI Co., (Warren Rognes, President, Ames), \$1,198,386.50. **Moved by McPherson to adopt. Motion Carried 6-1. Absent: Vlassis.**

01-2158 (A) Approving contract and bond and permission to sublet. **Moved by McPherson to adopt. Motion Carried 6-1. Absent Vlassis.**

01-2159 127. Resolution to REJECT all bids and close the hearing on the Court Avenue Bridge over Des Moines River Railing Repairs - No Bids Received. **Moved by Coleman to adopt. Motion Carried 6-1. Absent: Vlassis.**

* * END HEARINGS at 6:24 P.M. * *

****Council considered the Consent Agenda next****

APPROVING

01-2160 128. Granting Right-of-Entry to the U.S. Army Corps of Engineers for survey and exploration of city property to determine adequacy of flood control system on Des Moines and Raccoon Rivers. [\(Council Communication No. 01-353\)](#). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Flagg.**

01-2161 129. Concession Agreement for Gray's Lake Park Beach with BLC Top Dog, Robert Crook, owner, (1311 E. 13th Street) for period of July 9, 2001 to December 31, 2001. ([Council Communication No. 01-367](#)). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Flagg.**

01-2162 130. M.L. King Jr. Parkway Paving SW 16th to SW 7th Street - IDOT Project-- Designating lowest responsible bidder as M. Peterson Construction Co, (Merlin Peterson, President, 4000 Delaware), \$8,150,502.36, approving contract and bond, permission to sublet, and approving Change Order No. 1. ([Council Communication No. 01-370](#)). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Flagg.**

01-2163 (A) Supplemental Agreement No. 4 with Earth Tech, Inc. for Construction Phase Services. ([Council Communication No. 01-347](#)). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Flagg.**

01-2164 131. Execution of 28E Agreement with Metro Waste Authority (Tom Hadden, Executive Director) for self-funded health and dental plans for Metro Waste Employees for a period not to exceed June 30, 2006. ([Council Communication No. 01-363](#)). **Moved by Coleman to adopt. Motion Carried 6-1. Absent: Flagg.**

132. The following items regarding employee health care plans:

01-2165 (A) Renewal of Coventry Health Care of Iowa (Lou Garcia, President, WDM) HMO plan for public safety employees pursuant to their labor agreement effective July 1, 2001. ([Council Communication No. 01-362](#)). **Moved by Coleman to adopt. Motion Carried 6-1. Absent: Flagg.**

01-2166 (B) Funding levels for City of Des Moines self-insured health plan and monthly charges for retired employees' contributions for fiscal year ending June 30, 2002. ([Council Communication No. 01-359](#)). **Moved by Coleman to adopt. Motion Carried 6-1. Absent: Flagg.**

01-2167 (C) Communication from Robert Lumley, 701 NW Linden, Ankeny, requesting to speak regarding health insurance for retired employees. **Moved by Coleman to receive, file and grant the request to speak. Motion Carried 6-1. Absent: Flagg.**

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EXTRA ITEMS

These extra items are filed after 5:00 P.M. on the Wednesday preceding a Council meeting and have been included upon the Amended Agenda by the City Clerk, with sponsorship of the Mayor or a City Council Member who shall deem the item of sufficient urgency to warrant immediate Council action - said statement of urgency from the City Manager

and/or appropriate Department Director shall be placed on file with the City Clerk.

01-2168 1. Approving and accepting right-of-way documents from American Stores Properties, Inc. dba Osco Drug for their leasehold interest in a portion of 4415 Douglas Avenue in conjunction with the Douglas Avenue Widening at Beaver Avenue Project. SPONSOR: Vlassis. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

01-2169 2. Approving documents to access U.S. Department of Commerce Economic Development Administration Grant funds, for storm sewer improvements in the proposed Des Moines Agribusiness Park. SPONSOR: Brooks. **Moved by Brooks to approve. Motion Carried 6-1. Absent: Flagg.**

A G E N D A

BOARD OF HEALTH

July 9, 2001

01-2170 MOTION TO CONVENE. **Moved by Vlassis that the City Council Adjourn and Convene as a Board of Health. Motion Carried 6-1. Absent: Flagg.**

COMMUNICATION

01-2171 1. Communication regarding demolition cost reserve escrow for 1607 Forest Avenue. **Moved by Vlassis to receive and file and to direct that Corporation Counsel bring legal action within one hundred eighty days of receipt of notice if owners have not demolished or renovated the structure. Motion Carried 6-1. Absent: Flagg.**

AUTHORIZING

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

01-2172 (A) 1730 Grand Avenue, (vacant) Titleholders: Charles A and Patricia G McBurney; Contract Buyers: Franklin D and Sandra L West, and Danny Hartley. **Moved by Vlassis to adopt. Motion Carried 6-1 Absent: Flagg.**

01-2173 (B) 1315 Laurel Street, (vacant) Titleholder: James D and Jessie L Newsome, (deceased); Heirs to James and Jessie Newsome Estate: Lee Kemp. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

01-2174 (C) 2845 Lyon Street, (vacant) Titleholder: Steven L. Properties, Inc., Attn: Brett I Anderson, Registered Agent. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

01-2175 (D) 1154 14th Place, (vacant) Titleholder: Pearlie L Chandler; Legal Interest Holders:

Carol M Stoot, Power of Attorney for Pearlie L Chandler, William H Marshall, Power of Attorney for Pearlie L Chandler, Homeside Lending, Inc., f/k/a Bancplus Mortgage Corporation, Attn: C T Corporation System, Registered Agent. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

01-2176 (E) 1536 17th Street, (vacant) Titleholder: Stephen R Stegall d/b/a Midwest Realty, Inc., Legal Interest Holders: Z Fin 445, Attn: John Zajicek, and Tax 118, Attn: Dennis Blume. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

01-2177 2. (F) 1414 19th Street, (vacant) Titleholder: William P and Lavada A Celestine. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

01-2178 (G) 1224 E 38th Street (vacant) Titleholder: Kenneth E Cheville Estate, Attn: Dorothy M Fields, Executor; Legal Interest Holder: Tax 135, Attn: Dennis Blume. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

3. Authorizing demolition of the following structures:

01-2179 (A) 15 Granger, Titleholder: Lawrence Gardner, Contract Buyer: Terra Tender, Inc. **Moved by Brooks to grant a one time ninety (90) day extension. Motion Carried 6-1. Absent: Flagg.**

01-2180 (B) 126 SE 33rd Court, Titleholder: James Holmes. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

01-2181 4. Authorizing an extension of time to complete renovation of 1204 Clinton, Titleholder: Merlyn R. Hammond. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

01-2182 MOTION TO ADJOURN. **Moved by Brooks to adjourn at 8:10 P.M. Motion Carried 6-1. Absent: Flagg.**

DES MOINES-CITY OF SKYWALKS