

SUMMARY OF DES MOINES CITY COUNCIL MEETING

July 10, 2000 4:30 P.M.

INVOCATION: Council Member Tom Vlassis, Ward I Council Member

00-1952 1. ROLL CALL: **Present: Coleman, Flagg, Hensley, McPherson, and Vlassis.**
Absent: Daniels and Brooks.

00-1953 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1954 3. APPROVING CONSENT AGENDA - items 3 through 92: **Moved by Coleman to adopt the balance of the consent agenda. Motion Carried 5-2.**

LICENSES AND PERMITS:

Approving

00-1955 4. Communication from Legal Department regarding July 10, 2000 License and Permit Agenda. **Moved by Coleman to receive and file. Motion Carried 5-2.**

Class "B" Beer Licenses

00-1956 5. Palma Corporation, Irfan Zuna, President dba A & M Restaurant, 2222 Forest; New Application (With Sunday and Outdoor Service) - Application submitted 6-16-00. **Moved by Coleman to adopt. Motion Carried 4-1-2. Pass: Flagg. Absent: Daniels and Brooks.**

00-1957 6. Chuck's Restaurant, Inc., Linda Bisignano dba Chuck's Restaurant, 3610 6th Avenue; New application for 5 day license for special event (Highland Park Sweet Corn Day) on 7-15-00. Application submitted 6-19-00. Subject to submission of acceptable building, electrical, and fire inspections. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1958 7. M & E Cunningham Corp., Edward H. Cunningham, President dba Concession Spot 23, Iowa State Fairgrounds, 3000 East Grand Avenue; New Application for 14 day License (With Sunday Sales and Outdoor Service) - Application submitted 6-13-00. **Moved by Coleman to adopt. Motion Carried 5-2.**

Class "C" Beer Licenses

00-1959 8. Git N Go Convenience Stores, Inc., Dennis Flora, President dba Git N Go Store #7, 1829 - 6th Avenue; Renewal - Expires 7-23-00 (With Sunday Sales) - Application submitted 5-9-00. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1960 9. QuikTrip Corporation, Chester Cadieux, President dba QuikTrip #534, 2945 East University; Renewal - Expires 7-24-00 (With Sunday Sales) - Application submitted 6-9-00. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1961 10. QuikTrip Corporation, Chester Cadieux, President dba QuikTrip #530, 2300 East 14th Street; Renewal - Expires 7-17-00 (With Sunday Sales) - Application submitted 6-9-00. **Moved by Coleman to adopt. Motion Carried 5-2.**

Class "B" Wine Licenses

00-1962 11. Embassy Club, Thomas L. Boesen, Director dba Embassy Club, 801 Grand - Suite 4000; Renewal - Expires 7-19-00 - Application submitted 6-19-00. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1963 12. Git N Go Convenience Stores, Inc., Dennis Flora, President dba Git N Go Store #7, 1829 - 6th Avenue; Renewal - Expires 7-23-00 - Application submitted 5-9-00. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1964 13. QuikTrip Corporation, Chester Cadieux, President dba QuikTrip #534, 2945 East University; Renewal - Expires 7-24-00 - Application submitted 6-9-00. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1965 14. QuikTrip Corporation, Chester Cadieux, President dba QuikTrip #530, 2300 East 14th Street; Renewal - Expires 7-17-00 - Application submitted 6-9-00. **Moved by Coleman to adopt. Motion Carried 5-2.**

Class "C" Beer-Wine Licenses

WITHDRAWN 00-1966 15. China One International, Robert Chow, President dba China One International Buffet, 2301 Ingersoll; New Application (With Sunday Sales and Outdoor Service) - Application submitted 6-14-00.

Class "A" Liquor Licenses

00-1967 16. Beaverdale V.F.W., Inc., Donald F. Starr, Officer dba Beaverdale V.F.W. Club, 4029 Urbandale; Renewal - Expires 7-17-00 (With Sunday Sales) - Application submitted 6-19-00. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1968 17. Embassy Club, Thomas L. Boesen, Director dba Embassy Club, 801 Grand - Suite 4000; Renewal - Expires 7-19-00 (With Sunday Sales) - Application submitted 6-19-00. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1969 18. Wakonda Club, Sumner Worth, Officer dba Wakonda Club, 3915 Fleur Drive; Renewal - Expires 7-15-00 (With Sunday Sales and Outdoor Service) - Application submitted 6-13-00. **Moved by Coleman to adopt. Motion Carried 5-2.**

Class "B" Liquor Licenses

00-1970 19. Sixth Avenue Hotel Partnership, Gene Caleb, V-President dba Holiday Inn Downtown, 1050 6th Avenue; Renewal - Expires 7-14-00 (With Sunday Sales) - Application submitted 6-19-00. **Moved by Coleman to adopt. Motion Carried 5-2.**

Class "C" Liquor Licenses

00-1971 20. Southern Golf, Inc., Ned Chiodo, President dba A.H. Blank Golf Course, 808 County Line Road; Renewal - Expires 7-21-00 (With Sunday Sales and Outdoor Services) - Application submitted 6-19-00. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1972 21. Chuck's Restaurant, Inc., Linda Bisignano, President dba Chuck's Restaurant, 3608 6th Avenue; Renewal - Expires 7-21-00 - Application submitted 6-29-00. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1973 22. The Club, Inc., James Freeman, President dba The Club, 5515 Southeast 14th Street; New Application (With Sunday Sales and Outdoor Service) - Application submitted 6-19-00. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1974 23. Des Moines Amvets Post #2 Home, Inc., Ted Hall, Commander dba Des Moines Amvets Post #2, 2818 5th Avenue; Renewal - Expires 7-22-00 (With Sunday Sales) - Application submitted 6-29-00. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1975 24. Embassy Club, Thomas L. Boesen, Director dba Embassy Club, 400 Locust; Renewal - Expires 7-19-00 (With Sunday Sales) - Application submitted 6-19-00. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1976 25. Gen Corp., Larry Smithson, President dba Generations, 319 Court Avenue; Renewal - Expires 7-8-00 (With Sunday Sales and Outdoor Service) - Application submitted 5-26-00. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1977 26. Hall of Fame, Inc., Janet A. Alber, President dba Johnny's Hall of Fame, 302 Court Avenue; Renewal - Expires 7-21-00 (With Sunday Sales and Outdoor Service) - Application submitted 6-9-00. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1978 27. La Pizza House, Inc., Russell E. Reel, President dba La Pizza House, 1013 Southeast 14th Street; Renewal - Expires 7-24-00 - Application submitted 6-19-00. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1979 28. P & M Enterprises, Inc., Paul J. Seghi, President dba Locust Tap, 434 East Locust; Renewal - Expires 7-19-00 (With Sunday Sales) - Application submitted 6-5-00. **Moved by Coleman to adopt. Motion Carried 4-1-2. Pass: Flagg. Absent: Daniels and Brooks.**

00-1980 29. Jim-Kim, Inc. Richard R. Albizo, President dba Richard's Extra Innings, Lounge,

1500 Southeast 1st Street; Renewal - Expires 7-18-00 (With Sunday Sales and Outdoor Services) - Application submitted 6-29-00. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1981 30. Gerleman Management, Inc., Bruce Gerleman, President dba Splash Seafood Bar and Grill, 303 Locust - Suite 100; Renewal - Expires 7-13-00 (With Sunday Sales) - Application submitted 6-9-00. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1982 31. Super Toad, Inc., Steve Greenfield, President dba Super Toad, 1424 East Euclid; Renewal - Expires 7-12-00 (With Sunday Sales) - Application submitted 6-19-00. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1983 32. Wide Open, Inc, Mathew A. Moro, President dba Wide Open Bar & Grill, 3801 Easton Blvd.; New Application (With Sunday Sales) - Application submitted 6-5-00. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1984 32-I Toad Holler, Inc., Lou McCormick, President dba Toad Holler, 1820 E. Army Post Road; New Application (With Sunday Sales) - Application submitted 6-14-00. **Moved by Coleman to adopt. Motion Carried 5-2.**

Transfers

00-1985 33. Des Moines Jaycees dba Senior Sed, 300 Locust Street, requesting transfer of Class "B" Beer License to Court Avenue Bridge for special event (A Taste of Des Moines) on July 21 and 22, 2000. Application submitted 7-5-00. Subject to acceptable submission of building, electrical, zoning, and fire inspections. **Moved by Coleman to adopt. Motion Carried 5-2.**

Change of Name

00-1986 34. Communication from Ground Round, Inc., dba Ground Round, 4345 Merle Hay Road, advising of a name change to Tin Alley Grill. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1987 35. Communication from Rhodex Inc., dba Energy 2000, 424 East Locust, advising of a name change to Paladium Nite Club. **Moved by Coleman to adopt. Motion Carried 5-2.**

Authorizing

00-1988 36. City Clerk to issue Cigarette Licenses. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1989 37. City Clerk to issue Coin-Operated Amusement Machine Licenses. **Moved by Coleman to adopt. Motion Carried 5-2.**

PUBLIC IMPROVEMENTS

00-1990 38. Agreement with Black and Veach, (P.J. Adam, CEO, Kansas City), to perform

services related to the WRA Sludge and Power Generation Study, not to exceed \$150,000. [\(Council Communication No. 00-319\)](#). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1991 39. Professional Services Agreement with CH2MHill, Inc., (Ralph Peterson, President, Milwaukee), to perform engineering services related to the WRA Disinfection Study, not to exceed \$18,512--actual costs, and fixed fee of \$2,288. [\(Council Communication No. 00-324\)](#). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1992 40. Takeover Agreement with Mid-State Surety Corporation, providing for completion of the MacRae Park Restroom Project which was abandoned by the City's Contractor, Lakeview Industries. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1993 41. Professional Services Supplemental Agreement No. 1 with Shuck-Britson, Inc., (Robert Britson, President, DM) regarding amendment for additional work for design modification on the Hubbell Avenue Bridge over Four Mile Creek, not to exceed \$41,800. [\(Council Communication No. 00-321\)](#). **Moved by Coleman to adopt. Motion Carried 5-2.**

42. Resolution Ordering Construction of the following:

00-1994 (A) 55th/56th Street Intersection at University Avenue, Receiving of Bids, (7-25-00), and Setting Date of Hearing, (8-7-00), (Construction Estimate - \$142,875). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1995 (B) SW 34th Street Relocation, Receiving of Bids, (7-25-00), and Setting Date of Hearing, (8-7-00), (Construction Estimate - \$1,601,414). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1996 (C) Fire Stations Window Replacement, Receiving of Bids, (7-25-00), and Setting Date of Hearing, (8-7-00), (Construction Estimate - \$76,000). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1997 (D) Fleur Drive Paving, Phase 2, Receiving of Bids, (7-25-00), and Setting Date of Hearing, (8-7-00), (Construction Estimate - \$1,670,356.75). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1998 (E) Central Library Tuckpointing and Repairs, Receiving of Bids, (7-25-00), and Setting Date of Hearing, (8-7-00), (Construction Estimate - \$100,000). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-1999 (F) Southwest Outfall Relief Sewer, Phase 12, Segment 1, Receiving of Bids, (7-25-00), and Setting Date of Hearing, (8-7-00), (Construction Estimate - \$1,805,640). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2000 (G) Martin Luther King, Jr. Parkway Paving: Sw 2nd Street to SW 7th Street, Receiving of Bids by Iowa DOT (7-11-00), and Setting Date of Hearing, (7-24-00), (Construction Estimate

- \$5,401,898.57). **Moved by Coleman to adopt. Motion Carried 4-1-2. Pass: Flagg. Absent: Daniels and Brooks.**

00-2001 (H) 2000 Intermediate Paving, Receiving of Bids, (7-25-00), and Setting Date of Hearing, (8-7-00), (Construction Estimate - \$929,131). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2002 43. Agreement with IDOT, for Merle Hay Road Widening, from Ovid Avenue to Douglas Avenue. ([Council Communication No. 00-322](#)). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2003 44. Approving Change Order No. 1 with Insituform Technologies, U.S.A., Inc., for additional work in conjunction with E. 20th Street Trunk Sanitary Sewer Relining at E. Euclid Avenue sanitary sewer in an amount not to exceed \$109,964.30. ([Council Communication No. 00-320](#)). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2004 45. Agreement with MidAmerican Energy, to provide electric service to the pump station at E. 16th and Fleming Avenue, E. Euclid Avenue Detention Basin, not to exceed \$7,440.43 **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2005 46. Approving contract and bond for University Avenue Bridge Parapet Wall Modification - Jensen Construction Company (James Rasmussen, Owner) - \$140,872. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2006 47. Private Construction Contract between McAninch Corporation, (Dwayne McAninch, President-Contractor), and Brook Run, L.C., (Tom Gratias, President-Owner) for construction of Sanitary Sewer Improvements to serve Brook Run Villas South Development located at 5221 Village Run - \$131,458. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2007 48. Report of Chief Civil Engineer showing construction progress, amounts due and funding availability of the Martin Luther King, Jr., Parkway Demolition & Asbestos Removal, Contract #2 East/West, Al DeCarlo Demolition, \$10,736.76 remaining balance payable at the end of 30 days. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2008 49. Approving partial payments on six (6) public improvement projects. (Call City Clerk's Office for listing). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2009 50. Authorizing City Engineer to proceed with sidewalk construction, waiver signed by three property owners, and paving or curb replacement program, waivers signed by nine property owners, (Call the City Clerk's Office for list). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2010 51. Authorizing City Engineer to repair, replace or reconstruct sidewalks at 177 locations, (Call City Clerk's Office for list). **Moved by Coleman to adopt. Motion Carried 5-2.**

SPECIAL ASSESSMENTS

00-2011 52. Authorizing Assessment Clerk to correct Delinquent Solid Waste/Stormwater Utility and/or Sewer Rental Credits Schedule, for June, 2000. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2012 53. Approving Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility Fees for the month of June, 2000 for certification to Polk County, (Call the City Clerk's Office for list). **Moved by Coleman to adopt. Motion Carried 5-2.**

LAND/PROPERTY TRANSACTIONS

WITHDRAWN 00-2013 54. Establishing Revised Fair Market Value and authorizing acquisition of property in conjunction with the Martin Luther King, Jr. Parkway-Central Business District Arterial Loop-By-Pass Employers Mutual Casualty Company.

00-2014 55. Establishing Fair Market Value for acquisition of property in conjunction with the Martin Luther King, Jr. Parkway -Central Business District Arterial Loop By-Pass, Norwest Financial, Inc. **Moved by Coleman to adopt. Motion Carried 4-1-2. Nays: Flagg. Absent: Daniels and Brooks.**

00-2015 56. Assignment of Tax Sale Certificates for parcels at 1321 10th Street and 1531 7th Street, to Community Housing Development Corporation, for renovation. ([Council Communication No. 00-316](#)). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2016 57. Approving Noise and Avigation Easement for one property in connection with the Airport Noise Compatibility Program, Phase II, (Allen S. Eshoo and Robert A. Eshoo). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2017 58. Approving Final Subdivision Plat entitled BROOK RUN VILLAGE PLAT 2 in vicinity of south of East Douglas Avenue and in area of NE 51st Street. ([Council Communication No. 00-305](#)). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2018 59. Approving Final Subdivision plat entitled BROOK RUN VILLAGE PLAT 3 in vicinity south of East Douglas Avenue in area of NE 51st Street. ([Council Communication No. 00-304](#)). **Moved by Coleman to adopt. Motion Carried 5-2.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

00-2019 60. Approving appointments to the Two Rivers Task Force. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2020 61. Recommendation of Mayor Preston Daniels for appointment of Wayne R. Graham to the Civil Service Commission for a four-year term to expire April 5, 2004 to fill vacancy of Suzanne Engman. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2021 62. Recommendation of Council Member Tom Vlassis for reappointment of William Pearce to the Access Advisory Board for a four year term to expire June 15, 2004. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2022 63. Communications from John Chambers and Christine Manbeck, submitting their resignations from the Neighborhood Revitalization Board, effective June 30, 2000. **Moved by Coleman to receive, file and accept with appreciation for service. Motion Carried 5-2.**

00-2023 63-I Recommendation of Council Member McPherson for reappointment of Robert Mahaffey to the City Plan Commission, five-year term to expire 7-5-05. **Moved by Coleman to adopt. Motion Carried 5-2.**

STREET CLOSINGS

00-2024 64. Approving closure of the following City Streets. **Moved by Coleman to approve the street closures listed, and approve any street closures continued to a future date, necessitated by inclement weather, upon approval of the City Clerk. Motion Carried 5-2.**

(1) Sheila Hirsch, 2205 52nd Street, requesting permission to close 52nd Street from Hickman to Lincoln Avenue on Saturday, July 29, 2000 (Raindate of July 30, 2000), from 6:00 P.M. to 9:00 P.M. for a neighborhood block party.

(2) B.J. Hamann-Stefani, 4028 Morton, requesting permission to close Morton Avenue at E. 40th Court and E. 41st Street at Boyd Avenue on Saturday, July 29, 2000 (Raindate of August 5, 2000), from 5:30 P.M. to 9:00 P.M. for a neighborhood block party.

(3) Barb Kotz, 3225 SE 4th Court, requesting permission to close SE 4th Court at SE 4th Court and Park on Saturday, August 5, 2000 from 4:00 P.M. to 10:00 P.M. for a neighborhood block party.

(4) Beth Hock, 4408 SE 35th Court, requesting permission to close SE 35th Court from Evergreen to Emma Avenue on Saturday, August 12, 2000, from 5:00 P.M. to 11:00 P.M. for a neighborhood block party.

00-2025 65. Approving exception regarding length of time request from Barbara Parker, 5616 Washington Avenue, request to close Washington Avenue from 56th Street to 57th Place on Saturday, July 22, 2000 (Raindate of July 29, 2000) from 12:30 P.M. to 8:30 P.M. for a neighborhood block party. **Moved by Coleman to approve the street closures listed, and approve any street closures continued to a future date, necessitated by inclement weather, upon approval of the City Clerk. Motion Carried 5-2.**

SETTING DATE OF HEARINGS

00-2026 66. On proposed annexation moratorium agreement with the City of Pleasant Hill, (7-24-00). ([Council Communication No. 00-290](#)) **Moved by Coleman to adopt. Motion Carried**

5-2.

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

00-2027 67. Approving payment of \$1,485.03 to Lawrence McLellan of Sullivan and Ward, for representation of City in conjunction with East 14th Street and East Euclid Avenue Sanitary Sewer Project environmental issues. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2028 68. Authorizing payment of \$3,072.58 to John L. Corbett of Spiegel & McDiarmid Law firm for consultation and representation services in connection with City's response to FAA concerns regarding City's Airport PILOT charge. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2029 69. Approving payment of \$20,149.40 to Spiegel & McDiarmid Law Firm to consult and perform service for the City in connection with the Riverpoint West Redevelopment. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2030 70. Approving payment of \$437.80 to George LaMarca of LaMarca & Landry, P.C. for representation of Officer Greg Dickel in case of Thomas, et al. v. Dickel, et al., No. CL 73934. **Moved by Coleman to approve payment. Motion Carried 5-2.**

00-2031 71. Approving payment of \$1,116.50 to Harry Perkins of law firm of Patterson, Lorentzen, Duffield, Timmons, Irish, Becker & Ordway for representation of Officer Terry Mitchell in case of Joyce Wilson and Val Wilson, Jr in estate of Jerome LeRoy Mozee vs. City of Des Moines. **Moved by Coleman to approve payment. Motion Carried 5-2.**

CITY MANAGER COMMUNICATIONS

00-2032 72. Submitting out-of-state travel requests for Preston Daniels, Eric Anderson, Steve Gunson, Sarah Willnerd, and Terry Vorbrich. ([Council Communication No. 00-295](#)). **Moved by Coleman to adopt. Motion Carried 5-2.**

APPROVING

00-2033 73. Fiscal Year 2000 Public Housing Capital Improvement Grant (HUD Capital Fund Program (CFP) Amendment) from U.S. Department of Housing and Urban Development in the amount of \$1,573,727. ([Council Communication No. 00-308](#)). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2034 74. Fiscal Year 2000 Public Housing Drug Elimination Grant [HUD FY 2000 Public Housing Drug Elimination Program (PHDEP)] from U.S. Department of Housing and Urban Development - \$208,364. ([Council Communication No. 00-309](#)). **Moved by Hensley to adopt. Motion Carried 4-1-2. Pass: Flagg. Absent: Daniels and Brooks.**

75. The following items for Des Moines Municipal Housing Agency:

00-2035 (A) Transfer of Section 8 Administrative Fee Reserve Funds to Public Housing Program. ([Council Communication No. 00-311](#)). **Moved by Coleman to adopt. Motion Carried 4-1-2. Pass: Flagg. Absent: Daniels and Brooks.**

00-2036 (B) Calculation of 2001 Performance Funding System Operating Subsidy and submission to U.S. Department of Housing and Urban Development. ([Council Communication No. 00-310](#)). **Moved by Coleman to adopt. Motion Carried 4-1-2. Pass: Flagg. Absent: Daniels and Brooks.**

00-2037 76. Submission of Section 8 Mainstream Housing Opportunities for Persons With Disabilities Grant to U.S. Department of Housing and Urban Development. ([Council Communication No. 00-313](#)). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2038 77. Receipt of Competitive Progress Report for the 3rd Quarter of FY 1999-2000, for the Des Moines Metropolitan WRA Wastewater Reclamation Facility. ([Council Communication No. 00-300](#)). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2039 78. Submission of Disadvantaged Business Enterprise Program Adopted Specifically for Projects Funded in part by the U.S. Department of Transportation, revised July 2000 to Federal Aviation Administration (FAA). ([Council Communication No. 00-323](#)). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2040 79. Authorization of City Manager to negotiate an agreement with The Lenz Environmental Inc. Team for Phase II Environmental Assessment Work in Riverpoint West Area. ([Council Communication No. 00-292](#)). **Moved by Coleman to approve. Motion Carried 5-2.**

00-2041 80. Lease Agreement with the Iowa State Fair Board, for parking of semi-trailers on City property at 705 SE 30th Street. ([Council Communication No. 00-307](#)). **Moved by Coleman to adopt. Motion Carried 5-2.**

WITHDRAWN 81. Professional Service Agreement with Terrus Real Estate Group for development of Request for Proposal (RFP) to provide security services for City Hall and the Armory.

00-2042 82. Facility Use Contract with American Red Cross for the "Learn to Swim Program." ([Council Communication No. 00-296](#)). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2043 83. Chesterfield Neighborhood Association request to rename the Southeast Community Center to Chesterfield Community Center. ([Council Communication No. 00-291](#)). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2044 84. Lease Agreement with Boys and Girls Clubs of Central Iowa for the Chesterfield

Community Center. ([Council Communication No. 00-293](#)). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2045 85. Amendment to 28E Agreement with Polk County and Fifth Judicial District Court for implementation and provisions of operational and financial terms to participate in a video link system. ([Council Communication No. 00-302](#)). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2046 86. Procurement of two self-propelled sludge applicators from Ag-chem Equipment Co, Inc., (Minnetonka, MN, Bonnie J. Cameron, Manager, Industrial Projects Division), \$310,000. ([Council Communication No. 00-303](#)) **Moved by Coleman to adopt. Motion Carried 5-2.**

87. Bids for the following:

00-2047 (A) Thrasher Service Corporation, (3012 E. 14th Street, Jim Thrasher, President) for water service stop box relocations for the Public Works PCC Curb Program to be used by the Engineering Department, \$15,876. (Nine bids mailed-two received). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2048 (B) Brown Traffic Products, Inc., (Davenport, IA., David Schiltz, President) for traffic signal equipment to be used by the Engineering Department (Traffic & Transportation Division), \$10,262. (Five bids mailed-three received). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2049 (C) Bid awarded to Peripheral Solutions, Inc., (Urbandale, Tim Tope, President) for seventeen (17) digital cameras to be used by the Community Development Department (Neighborhood Inspection Division), \$10,404. Bid from Ivy Photo did not meet specifications, therefore, non compliant. (Nine bids mailed-seven received). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2050 (D) Bid awarded to Holmes GMC Trucks, (Clive, IA., Max Holmes, President) for purchase of replacement Sport Utility Vehicle to be used by the Park and Recreation Department, \$24,209. Bid from Wright Chevrolet did not meet specifications, therefore, non compliant. (Ten bids mailed-five received). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2051 (E) Bid awarded to Tri-State West, (Grimes, IA., Hugh Stafford, President) for purchase of three (3) replacement rotary mowers to be used by the Park and Recreation Department, \$40,348. Bid from Capital City Equipment Company did not meet specifications, therefore, non compliant. (Ten bids mailed-three received). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2052 (F) Northwest Trailer Sales and Service, (Adel, IA., Bill Barglof, President) for purchase of six replacement trailers to be used by the Park and Recreation Department, \$18,494. Bid from Capital City Equipment Company did not meet specifications, therefore, non compliant. (Nine bids mailed-three received). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2053 (G) A Thru Z Consulting and Distributing, Inc., for animal shift doors with remote control system to be compatible with existing Great Cat Exhibit at Blank Park Zoo. (Municipal Code Section 2-725(a)(6) single source and single area-wide distributor), \$21,630. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2054 (H) Baker Group, (Hubbell Avenue, B. J. Baker, III, President) for Siebe 8000 alarm monitoring system to be compatible with existing security equipment for upgrade control systems in several municipal buildings. (Municipal Code Section 2-725(a)(7) which authorizes procurement of goods and services that are only goods or services which will fit and comply with required use, \$65,000. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2055 (I) Pigott, Inc., Office Pavilion (3825 Ingersoll Avenue, John Stenberg, President) for Herman Miller Office furniture to be used by the Community Development Department (Planning and Permit Administration) remodeling, (State of Iowa Contract No. CT1200H), total cost of \$40,500.46. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2056 (J) Dean Evans and Associates, Inc., (Englewood, CO., Dean Evans, President) for purchase of reservations software package to be used by the Park and Recreation Department, \$12,279 plus \$150. per hour for custom design services. (Eleven bids mailed-one received). ([Council Communication No. 00-297](#)). **Moved by Coleman to adopt. Motion Carried 4-1-2. Nays: Hensley. Absent: Daniels and Brooks.**

00-2057 88. Submitting Civil Service Entrance Lists for Deputy Comptroller, Housing Services Administrative Secretary, and Jail Security Officer and Promotional Lists for Senior Engineering Technician, Senior Police Officer. **Moved by Coleman to receive and file. Motion Carried 5-2.**

00-2058 89. Authorizing Finance Director to draw checks on registers of July 7, 2000 and July 14, 2000, and for bills of the Des Moines Municipal Housing Agency for the weeks beginning July 3, 2000 and July 10, 2000; and to draw checks for biweekly payroll due employees on July 14, 2000. **Moved by Coleman to adopt. Motion Carried 5-2.**

ORDINANCES - FINAL CONSIDERATION

00-2059 90. On amendment to Zoning Ordinance regarding definition of junk vehicles. **Moved by Coleman that this ordinance do now pass, #13,839. Motion Carried 5-2.**

ORDINANCES - SECOND CONSIDERATION

00-2060 91. Amending Chapter 114 of the Municipal Code regarding the following traffic regulation changes. **Moved by Coleman that this ordinance be considered and given second vote for passage. Motion Carried 5-2.**

(1) Two-Sided Parking Restriction--East 9th Street between Osceola and Jefferson Avenues.

(2) One-Sided Parking Restriction--East 43rd Street and East 43rd Court South of Douglas

Avenue.

(3) Corner Clearance Parking Restriction--North Side of Lyon Street East of East 23rd Street.

(4) Corner Clearance Parking Restriction--South Side of Lincoln Avenue East of 18th Street.

(5) Corner Clearance Parking Restriction--West Side of SE 8th Street South of Lacona Avenue.

00-2061 92. On rezoning of property located from 30th Street east to the alley right-of-way west of 25th Street and from University Avenue to Brattleboro Avenue, from R-3 (Multiple Family Residential), to Limited NPC (Neighborhood Pedestrian Commercial), subject to conditions.

Moved by Coleman that this ordinance be considered and given second vote for passage. Motion Carried 5-2.

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

ORDINANCES - FIRST CONSIDERATION

00-2062 93. Amending Chapter 2 of the Municipal Code regarding purchasing requirements. ([Council Communication No. 00-326](#)). **Moved by Coleman that this ordinance be considered and given first vote for passage. City Manager was requested to investigate potential to purchase City products and services on line. Motion Carried 4-1-2. Nays: Flagg. Absent: Daniels and Brooks**

00-2063 94. Amending Chapter 118 of the Municipal Code regarding connection fee to major sanitary sewer facilities and connection to Four Mile East Trunk Sewer. ([Council Communication No. 00-325](#)). **Moved by Flagg to defer to July 24 for a report from the City Manager regarding fees and capacity of system. Motion Carried 5-2.**

COMMUNICATIONS/REPORTS

00-2064 95. From Gerald LaBlanc, 8912 46th Avenue N.E., Altoona regarding preservation of City Receiving Vault at Woodland Cemetery. **Moved by Vlassis to receive, file and grant the request to speak. Motion Carried 5-2.**

00-2065 96. From Des Moines Police Burial and Protective Association, 25 E. 1st Street regarding award presentation to At-Large Council Member George E. Flagg. **Moved by Vlassis to receive, file and grant the request to speak. Motion Carried 5-2.**

00-2066 97. From William J. Lillis, Connolly O'Malley Lillis Hansen Olson LLP, representing Capitol & Yellow Cab Company, regarding necessity for rate change due to shortage of new cab operators and retention of existing cab operators and requesting a public hearing. **Moved by Coleman to receive, file and grant the request to speak and set an informal hearing for July 24, 2000, at 5:30 P.M. Motion Carried 5-2.**

00-2067 98. From Siang Bacthi, 715-44th Street, requesting to speak regarding Board of Health

Item regarding 1850 Logan, approved on June 19, 2000, Roll Call 00-1848. **Moved by McPherson to receive, file and direct staff to proceed with demolition. Motion Carried 5-2.**

WITHDRAWN 00-2068 99. From Stephen Gravitt, PO Box, Grimes regarding scheduled demolition of property at 3828 15th Street.

00-2069 100. From T & J Development, 4921 Douglas #5 regarding remodeling of property at 1431 21st Street. **Moved by Vlassis to receive, file and grant the request to speak. This item was considered with Board of Health Item No. 2C. Motion Carried 5-2.**

00-2070 (A) Communication from City Manager regarding above property. ([Council Communication No. 00-318](#)). **Moved by Vlassis to receive and file. Motion Carried 5-2.**

****Council considered Item 107 next****

HEARINGS (Opened at 5:35 P.M.) (Items 101 thru 106)

00-2071 101. On authorization of a Loan Agreement and issuance of not to exceed \$10,000,000 General Obligation Capital Loan Notes--Metro Center Urban Renewal Project, including acquisition of property, demolition and clearance, relocation and site preparation activities associated with the Allied Insurance Campus Project. ([Council Communication No. 00-299](#)). **Moved by Coleman to adopt. Motion Carried 4-1-2. Nays: Flagg. Absent: Daniels and Vlassis.**

00-2072 (A) Authorization for additional actions for issue of notes. **Moved by Coleman to adopt. Motion Carried 4-1-2. Nays: Flagg. Absent: Daniels and Brooks.**

00-2073 (B) Approving Form of Loan Agreement, Issue of Notes and Levying a Tax. **Moved by Coleman to adopt. Motion Carried 4-1-2. Nays: Flagg. Absent: Daniels and Brooks.**

00-2074 102. On proposed authorization to enter into a purchase agreement, for acquisition of property at 4405 SW 34th Street, from Sandra Jean Funder and Susan K. McNally, \$455,000, for purpose of relocating SW 34th. ([Council Communication No. 00-306](#)). **Moved by Coleman to approve. Motion Carried 5-2.**

00-2075 (A) Authorizing execution of Purchase Agreement. **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2076 103. On request from Michael Hutchison, to rezone property at 1910 E. Army Post Road, from "R1-80" (One Family Residential) to "C-2" (General Retail and Highway Oriented Commercial), subject to conditions. **Moved by McPherson to adopt. Motion Carried 5-2.**

00-2077 (A) First consideration of ordinance above. **Moved by McPherson that this ordinance be given first vote for passage. Motion Carried 5-2.**

00-2078 104. On recommended approval of request from Git-N-Go Convenience Stores, Inc., to

rezone property at 2720 SE 5th Street, from "R1-70" (One Family Low Density Residential), to "C-1" (Neighborhood Retail Commercial), subject to conditions. **Moved by McPherson to adopt and approve rezoning. Motion Carried 5-2.**

00-2079 (A) First consideration of ordinance above. **Moved by McPherson that this ordinance be considered and given first vote for passage. Motion Carried 5-2.**

00-2080 105. On recommended approval of request from the City Manager, to rezone City-owned property at 3090 Army Post Road, from "R1-80 (One Family Residential) to "M-3" (Limited Industrial District). **Moved by McPherson to adopt and approve rezoning. Motion Carried 5-2.**

00-2081 (A) First consideration of ordinance above. **Moved by McPherson that this ordinance be considered and given first vote for passage. Motion Carried 5-2.**

00-2082 106. On appeal of Denial of Taxicab License Application for Alfred Chestnut. **Moved by Vlassis to deny license. Motion Carried 4-3. Absent; Daniels, Brooks and McPherson.**

* * END HEARINGS at 5:50 P.M. * *

****Council considered Item 108 through end of agenda next****

CITY MANAGER RECOMMENDATIONS

00-2083 107. Regarding reprogramming of unspent PY 1999 CDBG funds and allocation of additional PY 2000 funds. ([Council Communication No. 00-301](#)). **Moved by Flagg to defer to July 24, 2000. Motion Carried 5-2.**

00-2084 (A) Communication from Neighborhood Revitalization Board Chair. **Moved by Flagg to defer to July 24, 2000. Motion Carried 5-2.**

****Council considered Hearing Items next****

APPROVING

00-2085 108. Temporary Moratorium on construction to permit orderly consideration of amendments to Flood Plain and Floodway Boundaries of Four-Mile Creek. **Moved by McPherson to adopt. Motion Carried 5-2.**

WITHDRAWN 109. Intergovernmental 28E Agreement with Des Moines Water Works to enhance horticultural maintenance of Gray's Lake, Fleur Drive and Carney Park and maintenance of Bill Riley Trail from Ashworth Park through Des Moines Water Works Park and facilitate construction and/or maintenance of other asphalt trails through Water Works Park. ([Council Communication No. 00-294](#))

WITHDRAWN 110. Donated Construction Services Agreement with Taylor Ball for Gray's

Lake Construction Oversight - \$20,000. ([Council Communication No. 00-298](#))

00-2086 111. Authorization to Proceed with various Parking System Improvements including selection of consultant, Eighth and Mulberry Parking Garage expansion, parking system signing improvements and purchase and installation of new parking meters. ([Council Communication No. 00-314](#)). **Moved by Coleman to adopt. Motion Carried 5-2.**

00-2087 112. Amendment No. 1 to the Agreement for Downtown Parking System Study, with Carl Walker, Inc., for additional services to develop a strategic plan to implement recommendations. ([Council Communication No. 00-315](#)). **Moved by Vlassis to adopt. MOTION FAILED 3-1-1-2. Yeas: Coleman, Hensley and Vlassis. Nays: McPherson. Pass: Flagg. Absent: Daniels and Brooks. This item will be placed on the July 24, 200 agenda.**

00-2088 113. Condemnation Award for Environmental Access, approving payment of Sheriff's costs regarding compensation commission fees and approving payment for environmental testing for 11th and 16th Park and Ride Shuttle Project. **Moved by Hensley to adopt. Motion Carried 5-2.**

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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.

00-2089 1. Setting Date of Hearing on request from Commonwealth Electric, to rezone property at 1527-2nd Place, from "R1-60" (One Family, Low Density Residential) to Limited "M-1" (Light Industrial), (7-24-00). **Moved by Vlassis to adopt. Motion Carried 5-2.**

00-2090 2. Letter from Vicki Comegys, Greater Des Moines Convention and Visitors Bureau, regarding letter of support for 2004 AAU Junior Olympic Games. **Moved by Vlassis to receive, file and refer to the City Manager for an appropriate response; including contact with Polk County and the School District. Motion Carried 5-2.**

A G E N D A **BOARD OF HEALTH**

July 10, 2000

00-2091 MOTION TO CONVENE. **Moved by Vlassis that the City Council Adjourn and Convene as a Board of Health. Motion Carried 5-2.**

AUTHORIZING

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

00-2092 (a) 3818 Bowdoin, vacant, Titleholder: Dan Howe. **Moved by Vlassis to adopt. Motion Carried 5-2.**

00-2093 (b) 3841 Cornell, vacant, Titleholders: Paul E. Holmgren, Margaret A. Holmgren; Contract Buyers: J. R. Spratt, Todd R. Spratt, Robin Spratt **Moved by Vlassis to adopt. Motion Carried 5-2.**

00-2094 (c) 2605 E. Elm, vacant, Titleholder: Tax 50; Legal Interest Holder: Z Fin 38 **Moved by Vlassis to adopt. Motion Carried 5-2.**

00-2095 (d) 1795 E. Emma, vacant, Titleholder: Norman Tinlin **Moved by Vlassis to adopt. Motion Carried 5-2.**

WITHDRAWN 00-2096 (e) 1728 E Grand, vacant, Titleholders: Willard, A. Jackson, Deceased; Judith J. Jackson; Contract Buyers: Franklin D. West III, Sandra L. West, Chuck McBurney, Patricia McBurney, Guy Jackson, Elaine Jackson; Legal Interest Holders: Raymond J. and Ethel Schilling

00-2097 (f) 1027 Pennsylvania, vacant, Titleholder: Nationsbanc Mortgage Corporation **Moved by Vlassis to adopt. Motion Carried 5-2.**

00-2098 (g) 1243 E. 26th Court., vacant, Titleholders: James Bakerink, Neomie Bakerink; Legal Interest Holder: Associates Financial Services Company, Inc. **Moved by Vlassis to adopt. Motion Carried 5-2.**

00-2099 1. (h) 1532 - 33rd, vacant, Titleholders: Ricky D. Stewart, Pamela R. Stewart; Legal Interest Holders: Iowa State Bank, Associates Finance, Inc. n/k/a Associates Financial Services Company, Inc. **Moved by Vlassis to adopt. Motion Carried 5-2.**

2. Engineering Department to remove the public nuisance structures located at the following locations:

00-2100 (a) 3418 Clark, Titleholder, Family Plan 2000, Curtis White, Registered Agent, continued from 6-26-00. ([Council Communication No. 00-317](#)) **Moved by Vlassis to grant an extension to July 31, 2000. Motion Carried 5-2.**

00-2101 (b) 1458 Searle, Titleholder, Gourmet Foods, Inc. ([Council Communication No. 00-312](#)). **Moved by Vlassis to adopt. Motion Carried 5-2.**

00-2102 (c) 1431 21st Street, Titleholder, T & J Development, Inc. **Moved by Vlassis to adopt. Motion Carried 5-2.**

00-3102 MOTION TO ADJOURN. Moved by Vlassis to adjourn at 6:25 P.M. Motion Carried 5-2.

DES MOINES-CITY OF SKYWALKS