

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

The City Council took the following action on items listed in the attached meeting agenda summary. Copies of ordinances, resolutions and other Council action may be obtained from the City Clerk's Office (515) 283-4209. The six-digit number beginning with '07-' preceding each item on the agenda is a roll call number assigned by the City Clerk. Please refer to this number when requesting information or copies.

SUMMARY OF DES MOINES CITY COUNCIL MEETING

July 23, 2007 4:30 P.M.

PROCLAMATIONS – 4:15 P.M.

[Korn](#) Patch Klowns

[Responsible](#) Gaming Education Week

INVOCATION: Council Member Tom Vlassis

[07-1377](#) 1. ROLL CALL: **Present: Cownie, Coleman, Hensley, Kiernan, Mahaffey, Meyer and Vlassis.**

[07-1378](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Vlassis to adopt. Motion Carried 7-0.**

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

[07-1379](#) 3. APPROVING CONSENT AGENDA – items 3 through 35: **Moved by Vlassis to adopt the balance of the consent agenda. Motion Carried 7-0.**

LICENSES AND PERMITS

[07-1380](#)

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

NEW APPLICATIONS

- (A) DOUBLE J'S ROADHOUSE 607 SE 30TH ST C Liquor
~~(B) TURKEY TIME CONCESSIONS 3000 E GRAND AVE C Native Wine~~

RENEWAL APPLICATIONS

- (C) APPLEBEES 3900 MERLE HAY RD C Liquor
(D) DAHLS FUEL 4341 MERLE HAY RD C Beer
(E) DRAKE UNIV RATHSKELLER 2875 UNIVERSITY C Liquor
~~(F) EL PATIO MEXICAN REST 611 37TH ST C Liquor~~
(G) GIT N GO STORE #36 4164 EASTON BLVD C Beer
(H) GIT N GO STORE #7 3000 MERLE HAY RD C Beer
(I) LATIN KING RESTAURANT 2200 HUBBELL AVE C Liquor
(J) MASTER JACKS 3000 E GRAND AVE B Beer
(K) MICHAELS REST AND LGE 4041 URBAN DALE C Liquor
(L) OLD WEST BARBEQUE 3000 E GRAND AVE B Beer
(M) ORLONDOS 4337 PARK AVE C Liquor
(N) QUIKTRIP #523 850 ARMY POST RD C Beer
~~(O) STAR BAR 2809 INGERSOLL C Liquor~~
(P) STOCKMANS INN 3000 E GRAND AVE B Beer

OUTDOOR SERVICE APPLICATIONS

- (Q) CHUCKS RESTAURANT 3608 6TH AVE C Liquor
Outdoor Service for the Annual Chuck's Street Party on August 4, 2007.

SPECIAL EVENTS APPLICATIONS

- (R) COACH'S CORNER 4700 GRAND AVE Five (5) Day License
Class B Beer License for Art Inside Out on July 28, 2007. Pending approval of Building, Electrical, Zoning and Police Departments.
- (S) LIFT (THE) 212 4TH ST Five (5) Day License
Class B Beer License for 515 Alive on July 28, 2007. Pending approval of Building, Electrical, Fire, Zoning and Police Departments.
- (T) SURF SHACK 215 4TH ST Five (5) Day License
Class B Beer License for 515 Alive on July 28, 2007. Pending approval of Electrical, Fire, Zoning and Police Departments.

[07-1381](#) 5. [City](#) Clerk to issue Cigarette Licenses. **Moved by Vlassis to adopt. Motion Carried 6-0.**
Nays: Cownie.

[07-1382](#) 6. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Vlassis to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

7. Ordering construction of the following:

[07-1383](#) (A) [East](#) Side Neighborhood Skate Park – Receiving of bids, (8-7-07), and Setting date of hearing, (8-20-07). (Construction Estimate - \$176,000). ([Council Communication No. 07-450](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

WITHDRAWN

[07-1384](#) (B) ~~Ingersoll Run Storm Sewer – Receiving of bids, (8-7-07), and Setting date of hearing, (8-20-07). (Construction Estimate – \$631,641). (Council Communication No. 07-452)~~

[07-1385](#) 8. [Approving](#) and authorizing execution of Iowa Department of Transportation (IDOT) Change Order No. 18 to Keo Way Phase 2 Storm Sewer Outlet, \$48,773. ([Council Communication No. 07-447](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-1386](#) 9. [Approving](#) Traffic Safety Fund Applications to the Iowa Department of Transportation. ([Council Communication No. 07-446](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

10. Approving Private Construction Contracts for the following:

[07-1387](#) (A) [McAninch](#) Corporation and Summersfield, LLC for sanitary sewer improvement on Summersfield Plat 3. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-1388](#) (B) [McAninch](#) Corporation and Summersfield, LLC for storm sewer improvement on Summersfield Plat 3. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-1389](#) (C) [Baker](#) Electric, Inc. and Meredith Corporation Foundation for trail lighting improvements in Water Street from Principal Park to the Union Railroad Bridge. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-1390](#) (D) [C.A.C.](#) Inc. and DRC Land Development, L.L.C. for sanitary sewer improvement on The Palms Plat 1. **Moved by Vlassis to adopt. Motion Carried 7-0.**

- [07-1391](#) (E) [C.A.C.](#) Inc. and DRL Land Development, L.L.C. for storm sewer improvement the Palms Plat 1. **Moved by Vlassis to adopt. Motion Carried 7-0.**
11. Accepting completed construction and approving final payment for the following:
- [07-1392](#) (A) [Grimes](#) Asphalt & Paving Corporation – Bill Riley Trail HMA Overlay. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1393](#) (B) [7300](#) Block of S.W. 12th Street Emergency Sewer Repair – The Underground Company, Ltd. **Moved by Vlassis to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [07-1394](#) 12. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development) Schedule No. 2007-12. **Moved by Vlassis to adopt. Motion Carried 7-0.**
13. Approving the following:
- [07-1395](#) (A) [Delinquent](#) sewer rental and/or solid waste/stormwater utility fees for June 2007. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1396](#) (B) [Delinquent](#) sewer rental and/or solid waste/stormwater utility credits for June 2007. **Moved by Vlassis to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [07-1397](#) 14. [Approving](#) Final Plat for Sawyer's Landing Plat 2 in the vicinity of Twana Drive and Twana Street. ([Council Communication No. 07-454](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [07-1398](#) 15. [Recommendation](#) of Council Member Michael Kiernan to reappoint Jeffrey Morgan to the Urban Design Review Board, Seat 2 for three-year term commencing June 30, 2007, and expire June 30, 2010. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1399](#) 16. [Communication](#) from Sam Summers advising of his resignation from the Des Moines Music Commission, Seat 2, effective immediately. **Moved by Vlassis to receive, file, and accept resignation with appreciation for his service. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [07-1400](#) 17. [On](#) vacation of the SW Water Street right-of-way south of Elm Street, (8-6-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1401](#) 18. [On](#) proposed ordinance for special valuation of Wind Energy Conversion Property, (8-6-07) **Moved by Vlassis to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [07-1402](#) 19. [Approving](#) payment of \$346.83 to Ahlers & Cooney, P.C. for services related to environmental law issued in conjunction with potential acquisition of the DICO property located at 200 SW 16th Street. **Moved by Vlassis to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- [07-1403](#) 20. [Submitting](#) travel requests for Jessica Ayers, Monica Girdner, Nicole Hallada, Greg House, and Steven L. Woody. ([Council Communication No. 07-443](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

APPROVING

- [07-1404](#) 21. [Authorization](#) to negotiate for up to \$250,000 of HOME Funds for new construction of units of low income family housing located at 1815 High Street owned by Stockbridge L.P. ([Council Communication No. 07-457](#)) **Moved by Vlassis to adopt. Motion Carried 6-0. Council Member Hensley declares a conflict of interest and abstains from voting.**
- [07-1405](#) 22. [Space](#) Allocation Agreements between Community Development Department and Park and Recreation Department for use of Archie Brooks, Logan and Scott Four Mile Community Centers for Community Services Site office. ([Council Communication No. 07-448](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1406](#) 23. [United](#) Way of Central Iowa Community Investment Agreement for Fiscal Year 2008. ([Council Communication No. 07-441](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1407](#) 24. [Issuance](#) of Self-Certification of Financial Capability to The Corps of Engineers for Principal Riverwalk Project. ([Council Communication No. 07-448](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

adopt. Motion Carried 7-0.

- [07-1408](#) 25. [Metropolitan](#) Planning Organization (MPO) Work Plan for Fiscal Year 2007-2008. ([Council Communication No. 07-434](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1409](#) 26. [Use](#) of various City Facilities as poll sites for precincts 31, 36, 60, 64, 82 and 83 for School Board Election to be held on Tuesday, September 11, 2007. **Moved by Vlassis to approve. City Clerk will notify the City Properties Administrator, and the Municipal Housing Department to arrange access to the buildings. Motion Carried 7-0.**
- [07-1410](#) 27. [Communication](#) from Downtown Community Alliance on behalf of Meredith Corporation requesting approval of banner design of 14 banners in downtown Des Moines to be displayed in Fall 2007. **Moved by Vlassis to receive, file and approve banner design. Motion Carried 7-0.**
- [07-1411](#) 28. [Receive](#) and file Quarterly Treasurer's Report as of June 30, 2007. **Moved by Vlassis to receive and file. Motion Carried 7-0.**
29. Bids from the following:
- [07-1412](#) (A) [Med-Eng](#) Systems for non-competitive procurement of bomb suit ensembles to be used by the Homeland Security Bureau, \$117,966. ([Council Communication No. 07-436](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [07-1413](#) (B) [RAE](#) Systems for non-competitive procurement of environmental monitoring equipment to be used by the Homeland Security Bureau, \$49,210. ([Council Communication No. 07-438](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1414](#) (C) [Canberra](#) Industries for non-competitive procurement of radiological detection equipment to be used by the Homeland Security Bureau, \$78,631. ([Council Communication No. 07-435](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1415](#) (D) [Defense](#) Group Inc. for non-competitive procurement of hardware and software used to respond to Chemical, Biological, Radiological, Nuclear, or Explosive (CBRNE) incidents to be used by the Homeland Security Bureau, \$86,705.17. ([Council Communication No. 07-437](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1416](#) (E) [FrontRange](#) Solutions for non-competitive procurement of annual software maintenance and support for HEAT to be used by the Citywide Citizen Response System, \$33,177.32. **Moved by Vlassis to adopt. Motion Carried 6-1. Name: Hensley.**
- [07-1417](#) (F) [Tough](#) Solutions for Panasonic laptop computers per State of Iowa Contract to

used by Homeland Security Bureau, \$43,790.40. ([Council Communication No. 439](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-1418](#) (G) [The](#) Paper Corporation for annual supply of copy paper for city wide use, \$38,2 (six bids mailed, three received.) ([Council Communication No. 07-464](#)) **Moved Vlassis to adopt. Motion Carried 7-0.**

[07-1419](#) 30. [Civil](#) Service Entrance Lists for Tree Trimmer, Accountant, Plant Mechanic, Air Operations Officer, Housing Services Accounting Manager, and Promotional List Police Captain. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

[07-1420](#) 31. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of July 23 and 30, 2007; to draw checks for the bills of the [Des Moines Municipal Housing Agency](#) the weeks of July 23 and July 30, 2007; and to draw checks for bi-weekly payroll due 20 and August 3, 2007. **Moved by Vlassis to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

[07-1421](#) 32. [Amending](#) Chapter 10 of the Municipal Code regarding required separation establishments selling liquor, wine or beer in the downtown area. **Moved by Vlassis that this ordinance do now pass, [#14,674](#). Motion Carried 7-0.**

[07-1422](#) 33. [Amending](#) Chapter 10 of the Municipal Code regarding required separation of temporary nonprofit establishments selling liquor, wine or beer. **Moved by Vlassis that this ordinance do now pass, [#14,675](#). Motion Carried 7-0.**

[07-1423](#) 34. [Amending](#) Chapter 30 of the Municipal Code regarding secondhand goods records licenses. **Moved by Vlassis that this ordinance do now pass, [#14,676](#). Motion Carried 7-0.**

[07-1424](#) (A) [Amending](#) the Schedule of Fees. **Moved by Vlassis to adopt. Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

[07-1425](#) 35. [Amending](#) Chapter 2 of the Municipal Code regarding the local preference procurement ordinance. **Moved by Vlassis that this ordinance be considered and given a second vote for passage. Motion Carried 7-0.**

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

****Council considered Items 36 thru 38 next****

ORDINANCES - FIRST CONSIDERATION

- [07-1426](#) 36. **Amending** Chapter 74 of the Municipal Code prohibiting smoking in City of Des Moines park facilities. (**Council Communication No. 07-458**) **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [07-1427](#) 37. **Amending** Chapter 18 of the Municipal Code regarding vicious dogs. (**Letter from City Attorney**) **Moved by Kiernan that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [07-1428](#) (A) Final consideration of ordinance above. **Moved by Kiernan that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #14,677. Motion Carried 7-0.**
- [07-1429](#) 38. **Amending** Chapter 70 of the Municipal Code regarding Specified Crime Properties. (**Council Communication No. 07-463**) **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [07-1430](#) (A) Final consideration of ordinance above. **Moved by Vlassis that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #14,678. Motion Carried 7-0.**

****Council considered Hearing Items 46 thru 54 next****

39. Amending Chapter 46 of the Municipal Code regarding the following:
- [07-1431](#) (A) **Fire** Protection and Prevention Code. **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [07-1432](#) (B) **Adoption** of the International Fire Code and amendments and additions to the International Fire Code. (**Council Communication No. 07-424**) **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

40. Amending Chapter 26 of the Municipal Code regarding the following:([Communication No. 07-461](#))
- [07-1433](#) (A) [Building](#) and Building regulations. **Moved by Vlassis that this ordinance considered and given first vote for passage. Motion Carried 7-0.**
- [07-1434](#) (B) [The](#) Licensing and Appeals Board. **Moved by Vlassis that this ordinance considered and given first vote for passage. Motion Carried 7-0.**
- [07-1435](#) 41. [Amending](#) Ordinance 14,654 vacating a portion of 28th Street adjoining 2716 Inger Avenue for use as a sidewalk café. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [07-1436](#) (A) [Final](#) consideration of ordinance above, (waiver requested by applicant), require votes. **Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#14,654](#). Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

- [07-1437](#) 42. [From](#) Judith Harlan, 3932 University Avenue #1, to speak regarding Des Moines Animal Control. **Moved by Hensley to receive and file comments. Motion Carried 7-0.**
- [07-1438](#) 43. [From](#) Scott Brunscheen of the Salisbury House, to speak regarding the signage on I-235. **Moved by Hensley to receive and file comments; refer to the City Manager to draft letter from the City Council to the IDOT, to support placement of signs on I-235 at the Salisbury House and the Roosevelt Cultural District. Motion Carried 7-0.**
- [07-1439](#) 44. [From](#) Michelle Cross, 3929 Cambridge, to speak regarding the City's public nuisance procedures. **Moved by Vlassis to receive and file. Ms. Cross did not appear. Motion Carried 7-0.**
- [07-1440](#) 45. [From](#) Percy Smith, 514 Franklin, to speak regarding downtown. **Moved by Hensley to receive and file comments. Motion Carried 7-0.**

HEARINGS (OPEN AT 5:14 P.M.) (ITEMS 46 THRU 54)

46. Items regarding property at 1152 –22nd Street:

[07-1441](#) (A) [Request](#) from Tony Denton to amend the Des Moines 2020 Community Character Plan future land use designation from Low/Medium Density Residential Commercial: Pedestrian-Oriented Commercial Corridor. **(Plan and Zoning Commission recommends DENIAL). Moved by Hensley to adopt denial. Motion Carried 7-0.**

[07-1442](#) (B) [Hearing](#) on rezoning from “R1-60” (One-Family Low-Density Residential) to “NC” (Neighborhood Pedestrian Commercial) to allow development of pedestrian-oriented row house development. **Moved by Hensley to adopt and deny the proposed rezoning. Motion Carried 7-0.**

[07-1443](#) 47. [On](#) amendment to Zoning Ordinance to allow additional signage by a business whose primary street frontage has been temporarily closed. **Moved by Hensley to adopt and approve, subject to final passage of the enacting ordinance. Motion Carried 7-0.**

[07-1444](#) (A) [First](#) consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[07-1445](#) (B) Final consideration of ordinance above. **Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #14,680. Motion Carried 7-0.**

[07-1446](#) 48. [On](#) vacation of a portion of the 6th Avenue and Mulberry Street right-of-way adjoining Midland Building at 206 6th Avenue, to permit a sidewalk café for Amici Espresso ([Council Communication No. 07-459](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-1447](#) (A) [First](#) consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[07-1448](#) (B) [Final](#) consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #14,681. Motion Carried 7-0.**

- [07-1449](#) 49. [On](#) vacation and conveyance of the north/south alley between 24th Street and 25th Street extending north from Rollins Avenue, to adjoining property owners, \$400. ([Council Communication No. 07-449](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [07-1450](#) (A) [First](#) consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [07-1451](#) (B) [Final](#) consideration of ordinance above, (waiver requested by applicants), requires 7 votes. **Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #14,682. Motion Carried 7-0.**
- [07-1452](#) 50. [On](#) vacation and abandonment of public road easements for portions of E. Madison Avenue, NE 50th Street and Seneca Avenue, within the property at 4995 NE 39th Avenue. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [07-1453](#) (A) [First](#) consideration of ordinance above. **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
51. Resolutions regarding to the Riverpoint West Redevelopment Project:
- [07-1454](#) (A) [Hearing](#) on the Proposed Authorization and Approval of a Contract for Loan Guaranty Assistance Under Section 108 of the Housing and Community Development Act of 1974, As Amended, (\$17,500,000), and other related Financial Documents. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [07-1455](#) (B) [Resolution](#) Instituting Proceedings to take additional actions. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [07-1456](#) (C) [Resolution](#) approving form and authorizing execution and delivery. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [07-1457](#) (D) [Authorizing](#) Application to obtain a \$297,000 Federal Grant from the FY 2006 HUD Economic Development Initiative for Redevelopment of the Riverpoint West Area. **Moved by Hensley to approve. Motion Carried 7-0.**
- [07-1458](#) (E) [Approving](#) Programmatic Agreement with the Iowa State Historic Preservation Office for a portion of the Riverpoint West Area. ([Council Communication No. 07-460](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [07-1459](#) 52. [On](#) 2007 Expanded Street Resurfacing Program – Contract 4: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating low responsible bidder as Des Moines Asphalt & Paving Co., (James D. Gauger, President), \$962,451.70. ([Council Communication No. 07-453](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [07-1460](#) (A) [Approving](#) contract and bond, and permission to sublet. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [07-1461](#) 53. [On](#) 2007 Sidewalk Replacement Program – Contract 2: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating low responsible bidder as Rocky Hurst Construction, Inc., (Kay L. Hurst, President), \$162,700. ([Council Communication No. 07-455](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [07-1462](#) (A) [Approving](#) contract and bond, and permission to sublet. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [07-1463](#) 54. [Resolution](#) to REJECT all bids and close the hearing on plans, specifications, form of contract documents and Engineer’s estimate for ADA Transition Plan Improvements-Phase 1, (no bids were received). ([Council Communication No. 07-456](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

****END HEARINGS AT 5:40 P.M.****

****Council considered Items 39 thru 45, then 55 thru Board of Health next****

APPROVING

- [07-1464](#) 55. [Physical](#) improvements to the Civic Center of Greater Des Moines and an exception to the electronic sign moratorium. ([Council Communication No. 07-462](#)) **Moved by Vlassi to adopt. Motion Carried 7-0.**
- [07-1465](#) 56. [Issuance](#) and sale of Special Facility Revenue Bonds, (Elliott Aviation Project) not to exceed \$6,000,000, and authorizing execution of related documents. ([Council Communication No. 07-444](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [07-1466](#) (A) [First](#) Amendment to the Fixed Base Operator Lease and Agreement with Elliott Aviation of Des Moines Inc. for services at the Airport. ([Council Communication No. 07-445](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [07-1467](#) 57. [Intergovernmental](#) 28E Agreement with Polk County for construction, management and maintenance of Martin Luther King, Jr. Park Shelter. ([Council Communication No. 07-451](#)) **Moved by Mahaffey to approve. Motion Carried 7-0.**

[07-1468](#) 58. [Community](#) Service Block Grant (CSBG) Community Action Plan for 2008-2009 CSBG Program Years. ([Council Communication No. 07-440](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

BOARD OF HEALTH

[07-1469](#) MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene a meeting of the Board of Health. Motion Carried 7-0.**

AUTHORIZING

1. The Legal Department to file legal action seeking an order from the court to discontinue and abatement of the nuisance structures at the following locations:

[07-1470](#) (A) [1720](#) Lay Street (garage), Titleholder: Ameriquest Mortgage Company Corporation. **Moved by Kiernan to adopt. Motion Carried 7-0.**

[07-1471](#) (B) [124](#) E. 29th Court, Titleholder: Jerry Hatchitt. **Moved by Kiernan to adopt. Motion Carried 7-0.**

[07-1472](#) MOTION TO ADJOURN. **Moved by Hensley to adjourn at 6:15 P.M. Motion Carried 7-0.**

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