

*** 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

August 6, 2007

Special Joint Council Meeting with Polk County Board of Supervisors – 3:00 – 4:00 P.M.
Regular Council Meeting - 4:30 P.M.

JOINT MEETING – 3:00 – 4:00 P.M.

- [07-1473](#) Roll Call. **Present:** Cownie, Coleman, Hensley, Kiernan, Mahaffey and Vlassis. **Absent:** Meyer.
- [07-1474](#) I. [Presentation](#) and to receive and file a Draft Executive Summary of the Downtown Des Moines Planning Project ([presentation](#) by project consultants, Erin Olson-Douglas, AIA and Mario Gandelsonas, AIA). ([Council Communication No. 07-492](#)) **Moved by Kiernan to receive and file the “Draft Executive Summary – Downtown Des Moines Planning Project” and request input from the Plan & Zoning Commission, Parks & Recreation Commission and the Urban Design Review Board on or by October 1, 2007 and from the public sessions to be held at the Des Moines Central Library on September 18, 2007. Upon receipt of the input and comments, the consultants will then complete the plan report and its related documents for submission to the City Council for adoption and to the Polk County Board of Supervisors for endorsement. Motion Carried 6-1.**
- [07-1475](#) Adjourn. **Moved by Vlassis to adjourn at 3:56 P.M. Motion Carried 6-1.**

PROCLAMATIONS – 4:00 P.M.

[National](#) Night Out
[Visiting](#) Japanese Students

Boy Scouts – Troop 8 and South Park Neighborhood Association

INVOCATION: Fr. Michael Amadeo
Holy Trinity Church
2926 Beaver Ave

07-1476 1. **ROLL CALL: Present: Cownie, Coleman, Hensley, Kiernan, Mahaffey, Meyer and Vlassis. Motion Carried 7-0.**

07-1477 2. **APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: Moved by Hensley 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.**

07-1478 3. **APPROVING CONSENT AGENDA – items 3 through 49: Moved by Vlassis to adopt the balance of the consent agenda. Motion Carried 7-0.**

LICENSES AND PERMITS

07-1479 4. **Approving Alcoholic Beverage License for the following: Moved by Vlassis to adopt. Motion Carried 7-0.**

NEW APPLICATIONS

- | | | | |
|-----|------------------------|------------------|---------------|
| (A) | STROLL INN (THE) | 3325 HUBBELL AVE | C Liquor |
| (B) | TURKEY TIME CONCESSION | 3000 E GRAND AVE | C Native Wine |

RENEWAL APPLICATIONS

- | | | | |
|-----|-----------------------------|----------------------------|---------------------|
| (C) | AIRPORT HOLIDAY INN | 6111 FLEUR DR | B Liquor |
| (D) | AMF DES MOINES LANES | 3839 E 14TH ST | C Liquor |
| (E) | BEECHWOOD LOUNGE | 416 E WALNUT ST | C Liquor |
| (F) | BUDDYS CORRAL | 418 E 5TH ST | C Liquor |
| (G) | CROATIAN FRAT SLAVIC | 6575 INDIANOLA | C Liquor |
| (H) | EL PATIO MEXICAN REST | 611 37TH ST | C Liquor |
| (I) | LOCUST TAP | 434 E LOCUST ST | C Liquor |

(J)	LOS COMPADRES	1440 MAURY ST	C Liquor
(K)	OAKMOOR RACQUETBALL	4731 MERLE HAY RD	B Beer
(L)	PDS PUB	3803 SW 9TH STREET	C Liquor
(M)	QV'S CAVATELLI	209 EUCLID AVE	C Liquor
(N)	STAR BAR	2809 INGERSOLL AVE	C Liquor
(O)	TNT VIETNAMESE REST	3452 ML KING J PKWY	B Beer
(P)	TOBACCO OUTLET PLUS #510	3409 SW 9TH ST	C Beer

OUTDOOR SERVICE APPLICATIONS

(Q)	BLAZING SADDLE	416 E 5TH ST	C Liquor
	TEMPORARY OUTDOOR SERVICE AND TEMPORARY CLOSURE OF SIDEWALK WITHIN THE LICENSED PREMISE AREA IN CONJUNCTION WITH HISTORIC EAST VILLAGE BIKE NIGHT ON AUGUST 31, 2007.		

SPECIAL EVENTS APPLICATIONS

(R)	BIRD'S NEST	3000 E GRAND AVE	B Beer
	FOURTEEN DAY LICENSE FOR IOWA STATE FAIR FROM AUGUST 8-21, 2007.		
(S)	CHRIST THE KING CATH	5711 SW 9TH ST	5 Day License
	CLASS B BEER LICENSE FOR CORN FEST ON AUGUST 18, 2007. PENDING APPROVAL OF THE BUILDING, ELECTRICAL, ZONING AND FIRE DEPARTMENTS.		
(T)	DRAKE UNIV LEGAL CLINIC	2400 UNIVERSITY AVE	5 Day License
	CLASS C BEER WINE LICENSE FOR SPECIAL EVENT "TRIAL ACADEMY" ON AUGUST 9, 2007. PENDING APPROVAL OF BUILDING, ELECTRICAL, ZONING AND FIRE DEPARTMENTS.		
(U)	FEDERAL DISTRIBUTORS INC.	3000 E GRAND AVE	B Beer
	FOURTEEN DAY LICENSE FOR IOWA STATE FAIR IN HERITAGE VILLAGE FROM AUGUST 8-21, 2007.		
(V)	FIREFEST	25 E COURT AVE	5 Day License
	CLASS B BEER LICENSE FOR FIREFEST ON AUGUST 25, 2007. PENDING APPROVAL OF ELECTRICAL AND FIRE DEPARTMENTS.		

[07-1480](#)

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

[07-1481](#)

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:

[07-1482](#)

- (A) [7th](#) & Grand Parking Garage Beam Repairs – Receiving of bids, (8-28-07), Setting date of hearing, (9-10-07). (Construction Estimate - \$55,320). ([Communication No. 07-484](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

- [07-1483](#) (B) [Union](#) Park Parking Lot – Phase 1 – Receiving of bids, (8-28-07), and Setting date for hearing, (9-10-07). (Construction Estimate - \$196,536). ([Council Communication No. 07-485](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
8. Approving the following Iowa Department of Transportation Agreements:
- [07-1484](#) (A) [E. 14th](#) Street (U.S. 69) from E. University Avenue to Aurora Avenue. ([Council Communication No. 07-480](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [07-1485](#) (B) [Safety](#) Improvements at railroad crossing of 16th Street, north of Martin Luther King Jr. Parkway. ([Council Communication No. 07-479](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1486](#) 9. [Iowa](#) Clean Air Attainment Program (ICAAP) Fund Applications to the Iowa Department of Transportation (IDOT) for Merle Hay Road and Urbandale Avenue Intersection Improvements, and SE 14th Street and East Indianola Avenue Intersection Improvements. ([Council Communication No. 07-477](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1487](#) 10. [Authorizing](#) City Manager to submit “Safe Routes to School” (SRTS) Fund Application to the Iowa Department of Transportation (IDOT) to be used to enhance school crossing signalized intersections. ([Council Communication No. 07-478](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1488](#) 11. [Approving](#) Change Order No. 1 with Van Hauen & Associates, Inc. for additional work on the Vandalia Trunk Sanitary Sewer Emergency Repair, \$57,684.99. ([Council Communication No. 07-481](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1489](#) 12. [Communication](#) from contractors requesting permission to sublet certain items on 2006 HMA Pavement Scarification & Resurfacing, and the Crawford Creek Watershed Improvements – E. Gray Street to S.E. 9th Street public improvement projects. **Moved by Vlassis to adopt. Motion Carried 7-0.**
13. Accepting completed construction and approving final payment for the following:
- [07-1490](#) (A) [Hockmuth](#) Concrete Services, Inc. – Hickman Road Sidewalk from Prospect Road to M.L. King, Jr. Parkway. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1491](#) (B) [T K](#) Concrete Inc. – 2006 Sidewalk Replacement Program – Designated Neighborhoods. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1492](#) (C) [Castle](#) Concrete Services, Inc. – 2006 Sidewalk Replacement Program – Contracted Work. **Moved by Vlassis to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

14. Approving deletion of NAC-Emergency Assessments Schedule 2007-12 for the following:
- [07-1493](#) (A) [1117](#) Fremont Street. **Moved by Vlassis to adopt. Motion Carried 7-0.**
 - [07-1494](#) (B) [1231](#) 15th Street. **Moved by Vlassis to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [07-1495](#) 15. [Approve](#) and accept real estate documents for property at 1601 SE 35th Street from Doris W. and Constance L. Beals, and 1615 SE 35th Street from Fay J. and Gina M. Beals for the Des Moines Agrimergent Technology Park Project. ([Council Communication No. 482](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1496](#) 16. [Approving](#) issuance of a replacement Quit Claim Deed for vacated alley adjoining 2913 16th Street. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1497](#) 17. [Approving](#) issuance of replacement Quit Claim Deed for vacated alley adjoining 3230 University Avenue. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1498](#) 18. [Authorization](#) to proceed with acquisition of the necessary right-of-way and easements for the Dean's Lake Pump Station Improvements Project. ([Council Communication No. 483](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1499](#) 19. [Acceptance](#) of permanent easement for storm sewer right-of-way for an existing storm sewer located on property at SW 4th Street and Payton Avenue, \$1 plus closing costs. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1500](#) 20. [Approving](#) release of covenant for the property owners of 2080 King Avenue. **Moved by Vlassis to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [07-1501](#) 21. [Recommendation](#) from Mayor Frank Cownie to reappoint Gregory Jones to the Planning and Zoning Commission, Seat 1 for a five-year term commencing July 1, 2007 to expire July 31, 2012. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1502](#) 21-I [Recommendation](#) from Council Member Brian Meyer to appoint Nicholas Ryan to the Urban Design Review board, Seat 7 for a three-year term commencing June 30, 2007 to expire June 30, 2010. **Moved by Vlassis to adopt. Motion Carried 7-0.**

expire June 30, 2008. **Moved by Vlassis to adopt. Motion Carried 7-0.**

- [07-1503](#) 21-II [Communication](#) from Odell Jenkins advising of his resignation from the Park Recreation Board, Seat 10, effective immediately. **Moved by Vlassis to receive, file, and accept this resignation with appreciation for his years of service. Motion Carried 7-0.**
- [07-1504](#) (A) [Recommendation](#) from Council Member Bob Mahaffey to appoint George Krum to the Park and Recreation Board, Seat 20 for a four-year term commencing June 2005 to expire June 30, 2009. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1505](#) 21-III [Communication](#) from Neighborhood Revitalization Board declaring Seat 3 vacant. **Moved by Vlassis to receive, file, and accept resignation with appreciation for Seymour's years of service. Motion Carried 7-0.**
- [07-1506](#) (A) [Recommendation](#) from Council Member Bob Mahaffey to appoint Odell Jenkins to the Neighborhood Revitalization Board, Seat 3 for a three-year term commencing June 30, 2006 to expire June 30, 2009. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1507](#) 21-IV [Recommendation](#) from Council Member Michael Kiernan to appoint Leisha Barcus to the Plan and Zoning Commission, Seat 5 for a five-year term commencing July 1, 2008 and expires July 1, 2011. **Moved by Vlassis to adopt. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

22. Items regarding property in the vicinity of Park Street between 7th Street and vacated Street, Principal Life Insurance Company:

- [07-1508](#) (A) [Communication](#) from Plan and Zoning Commission regarding request for vacation and conveyance of the air rights, to allow for a private enclosed pedestrian sky bridge between a proposed new parking structure north of Park Street and the existing Corporate 4 Office Building south of Park Street, (limited to a 16'-wide strip at least 23' above grade). **Moved by Vlassis to receive and file, and refer to the City Manager for implementation in accordance with the City's standard property disposition procedures. Motion Carried 7-0.**
- [07-1509](#) (B) [Communication](#) from Plan and Zoning Commission regarding request for vacation and conveyance of an irregular shaped strip on the east edge of 8th Place between Center Street and Park Street, subject to provision of easements for existing utilities until they are relocated at the applicant's expense. **Moved by Vlassis to receive and file, and refer to the City Manager for implementation in accordance with the City's standard property disposition procedures. Motion Carried 7-0.**
- [07-1510](#) (C) [Setting](#) Date of Hearing on request to rezone property at 707 8th Street from "C-1" (General Retail & Highway Oriented Commercial) to "C-3" (Central Business District Commercial) to allow for construction of an off-street parking structure with a z

building setback from the four adjoining streets, subject to conditions, (8-20-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**

23. Items regarding property at 2112 Woodland Avenue and 600 M.L.King Jr. Parkway:

[07-1511](#) (A) [Communication](#) from Plan and Zoning Commission regarding request from Freedom Financial Bank, for vacation and conveyance of that portion of the east/west alleyway extending east from 22nd Street between Woodland Avenue and High Street, subject to conditions. **Moved by Vlassis to receive and file, and refer to the City Manager for implementation in accordance with the City's standard property disposition procedures. Motion Carried 7-0.**

[07-1512](#) (B) [Setting](#) Date of Hearing on request to rezone property from "R-2A" (General Residential) to "C-1" (Neighborhood Retail), to allow for expansion of the existing retail commercial site for a drive-up financial institution, (8-20-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-1513](#) 24. [On](#) vacation and conveyance of an Encroachment Easement and Air Rights Easement to allow encroachment of existing building at 3510 University Avenue to James J. Holtkamp, \$100, (8-20-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-1514](#) 25. [On](#) conveyance of property at the corner of Southwest 6th Street and Cherry Street to Foothill County in conjunction with the Martin Luther King Jr. Parkway-East/West Segment Project, \$1, (8-20-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-1515](#) 26. [On](#) request from Mark Scigliano to rezone property at 1507 Hartford Avenue from "M-1" (Light Industrial) to Limited "M-2" (Heavy Industrial) to allow for a conditional use for storage of inoperable vehicles, subject to conditions, (8-20-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-1516](#) 27. [On](#) request from Savannah Homes, Inc. to rezone property in the vicinity of 5100 NE 10th Avenue, from "A-1" (Agricultural) to "PUD" (Planned Unit Development) and approve the PUD Conceptual Plan for "Silver Leaf", to include development of approximately 37 acres of agricultural land for 121 single-family residential lots and 38 bi-attached residential units, (8-20-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-1517](#) 28. [On](#) request from West Lakes Properties, LC to rezone property in the vicinity of County Line Road from "A-1" (Agricultural) to "PUD" (Planned Unit Development) to allow for development of 128 acres of commercial, multiple-family residential, standard single-family residential and small-lot single-family residential development and approval of proposed PUD Conceptual Plan titled "Southern Ridge Concept Plan", subject to conditions, (8-20-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-1518](#) 29. [On](#) proposed amendments to the Zoning Ordinance to place limitations on electronic signs and off-premises advertising signs, (8-20-07). ([Council Communication No. 07-4](#)) **Moved by Coleman to adopt. At the hearing, City Manager will provide information.**

regarding: 1. The number of signs impacted; 2. Amortization of billboards; Possibility of reducing the maximum size. Motion Carried 7-0.

[07-1519](#) 30. [On](#) request from ColorAll Technologies, for text amendments to Chapter 134 (Zoning permit limited transient automobile scratch and dent repair services within a tent as accessory use to vehicle display lot, rental car agency and fleet vehicle operations, (8-07). [Council Communication No. 07-487](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-1520](#) 31. [On](#) Developer-Initiated Redevelopment Proposal from Houghton Properties to redevelop Disposition Parcel No. 16A (South of Mattern Avenue to E. Jefferson Avenue between Dixon and De Wolf Streets) in the Guthrie Avenue Business Park Urban Renewal Area Setting Date of Hearing on vacation of E. 18th Street between Mattern and E. Jefferson Avenue and E. Jefferson Avenue between Dixon and DeWolf, (9-24-07). ([Council Communication No. 07-465](#)) **Moved by Vlassis to approve. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

[07-1521](#) 32. [Approving](#) payment of \$140,698.72 to Lonnie Shannon for a workers' compensation claim. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-1522](#) 33. [Approving](#) payment of \$18,052.64 to Progressive Insurance, as subrogee of Mark Reno, an automobile accident. **Moved by Vlassis to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

[07-1523](#) 34. [Submitting](#) travel requests for Darren Cornwell, Sara Henry, Rex Sparks, Melissa Sweet and Marylee Woods. ([Council Communication No. 07-491](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

APPROVING

[07-1524](#) 35. [Supportive](#) Housing Program (SHP) Renewal Grant Agreements with the United States Department of Urban Development (HUD) for continuation of the Enhancement Program and the Street Outreach Team. ([Council Communication No. 07-467](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-1525](#) 36. [Supportive](#) Housing Program (SHP) Renewal Grant Agreements with the United States Department of Housing and Urban Development (HUD) for continuation of Buchanan Transitional Living Center Program, Lighthouse Host Home Program, and the West Des Moines Transitional Housing Program. ([Council Communication No. 07-468](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

- [07-1526](#) 37. [Fiscal](#) Year 2003 Continuum Of Care (COC) Closeout Certification Documents. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1527](#) 38. [Application](#) for Financial Assistance to the State of Iowa Department of Economic Development for a Community Economic Betterment Account (CEBA) loan to Healthways and approving preliminary terms of an economic development loan of \$120,000. ([Council Communication No. 07-469](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1528](#) 39. [Petitioning](#) the Iowa Department of Economic Development for an extension of the Des Moines Enterprise Community Enterprise Zone (EZ-2). ([Council Communication No. 07-476](#)) **Moved by Vlassis to approve. Motion Carried 7-0.**
- [07-1529](#) 40. [2007](#) Prairie Meadows Community Betterment Grant Application for equipment and training for the Mounted Police Patrol. ([Council Communication No. 07-470](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1530](#) 41. [Procurement](#) of hardware systems from L-3 Communications Government Services, Inc. and Public Technology Inc., \$214,549.37. ([Council Communication No. 07-475](#)) **Moved by Hensley to approve. Motion Carried 7-0.**
42. Bids from the following:
- [07-1531](#) (A) [Truck](#) Country Des Moines for eight (8) replacement single axle trucks to be used by the Public Works Department, \$1,184,000. (Seven bids mailed, eleven received) ([Council Communication No. 07-490](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1532](#) (B) [C. Green](#) Contractor for annual contract with two (2) additional one-year renewal options to furnish architectural concrete construction repair service on the Fleur De Lys planters and other architectural concrete structures to be used by the Park and Recreation Department, Building Services Division, estimated annual cost \$50,000 (Four bids mailed, two received). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1533](#) (C) [Communication](#) Innovators for data and telephone technician labor services per State of Iowa Contract to be used by the Information Technology Department, estimated annual cost \$50,000. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-1534](#) 43. [Civil](#) Service Promotional Lists for Utility Locator Coordinator, Sewer Television Technician, Utility Locator and Senior Police Officer, and Entrance List for Airport Fire Worker. **Moved by Vlassis to receive and file. Motion Carried 7-0.**
- [07-1535](#) 44. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of August 6 to August 13, 2007; to draw checks for the bills of the [Des Moines Municipal House](#)

Agency for the weeks of August 6 and August 13, 2007; and to draw checks for bi-weekly payroll due August 17, 2007. **Moved by Vlassis to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

07-1536 45. Amending Chapter 2 of the Municipal Code regarding the local preference procurement ordinance. **Moved by Vlassis that this ordinance do now pass, #14,6 Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

07-1537 46. Amending Chapter 74 of the Municipal Code prohibiting smoking in City of Des Moines Park facilities. **Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

47. Amending Chapter 26 of the Municipal Code regarding the following:

07-1538 (A) Building and building regulations. **Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

07-1539 (B) The Licensing and Appeals Board. **Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

48. Amending Chapter 46 of the Municipal Code regarding the following:

07-1540 (A) Fire Protection and Prevention Code. **Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

07-1541 (B) Adoption of the International Fire Code and amendments and additions to the International Fire Code. **Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

07-1542 49. 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 Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

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

Council considered Items 50 and 51 next

COMMUNICATIONS/REPORTS

[07-1543](#) 50. **From** Denise Long-Aaron, 1414 Goddard Court, to speak regarding the utility company. **Moved by Vlassis to receive and file comments. Ms. Long-Aaron did not appear at the Council meeting. Motion Carried 7-0.**

[07-1544](#) 51. **From** Stephanie Weisenbach, 3850 Merle Hay Road, to speak regarding an invitation to attend workshops for 1000 Friends of Iowa. **Moved by Vlassis to receive and file comments. Motion Carried 7-0.**

****Council considered Hearing Items 54 thru 56 next****

[07-1545](#) 52. **From** Ed Conlow, 4801 Observatory Road, to speak regarding proposed amendment to Municipal Code referencing plan and zoning requirements. **Moved by Hensley to receive and file comments; refer to the City Manager for review and recommendation. Motion Carried 7-0.**

[07-1546](#) 53. **From** Michael Morton, 40 N. Hawthorn Drive, Altoona, to speak regarding a golf shuttle services. **Moved by Vlassis to receive and file comments; refer to the City Manager for review and recommendations. Motion Carried 7-0.**

[07-1547](#) 53-I **From** Su Cora Hameister, 3926 11th Place, to speak regarding public nuisance. **Moved by Mahaffey to receive and file comments and refer to City Manager for review and recommendation. Motion Carried 7-0.**

HEARINGS (OPEN AT 5:02 P.M.) (ITEMS 54 THRU 56)

[07-1548](#) 54. **On** proposed ordinance for special valuation of Wind Energy Conversion Property. **(Council Communication No. 07-466) Moved by Mahaffey to adopt. Motion Carried 7-0.**

[07-1549](#) 55. **On** vacation of the SW Water Street right-of-way south of Elm Street. **Moved by Coleman to adopt. Motion Carried 7-0.**

[07-1550](#) (A) **First** consideration of ordinance above. **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[07-1551](#) 56. [On](#) Woodland Cemetery Ornamental Fence: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designating lowest responsible bidder as American Fence Co. of Iowa, Inc., (Mark A. Wolodkewitsch, Manager), \$60,577. ([Council Communication No. 07-486](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-1552](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Hensley to adopt. Motion Carried 7-0.**

END HEARINGS AT 5:15 P.M.

Council considered Items 57 next

APPROVING

[07-1553](#) 57. [Renaming](#) the Waveland Tennis Courts as "McCollum/Waveland Tennis Complex" accepting a donation of \$2,500 from the Greater Des Moines Tennis Association for purchase and installation of signage and display cases. ([Council Communication No. 07-474](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

Council considered Items 52, 53, 53-I, 59 thru Board of Health next

WITHDRAWN

[07-1554](#) 58. ~~Professional Services Agreement with RDG Planning and Design for proposed park/school/library site in southeast Des Moines.~~

[07-1555](#) 59. [Setting](#) Date of Hearing on developer-initiated development proposal and development agreement from Nelson Development 15, L.L.C. for redevelopment of city-owned land at 230 E. Grand Avenue, in the Metro Center Urban Renewal Project, (9-24-07). ([Council Communication No. 07-473](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**

[07-1556](#) 60. [Draft](#) Beaverdale Master [Plan](#) developed by The Beaverdale Main Street Initiative and refer to the City Manager and appropriate Boards and Commissions for review and recommendation. **Moved by Coleman to receive, file and refer the Beaverdale Draft Master Plan to the City Manager and appropriate City boards and commissions for review and recommendation regarding its implementation. The City Manager is to ask The Beaverdale Main Street Initiative to organize meetings with Neighborhood Associations and other interested parties, to share the information about this plan. Motion Carried 7-0.**

[07-1557](#) 61. [Contract](#) documents for a Community Development Block Grant (CDBG) Rehabilitation Grant Agreement with Sixth Avenue Apartments Investors, L.P. for elimination of lead hazards, and execution of an agreement upon full compliance of all requirements. ([Council Communication No. 07-488](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

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 deems 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.

- [07-1558](#) 1. [Setting](#) Date of Hearing on appeal of Historic Preservation Commission decision regarding 1520 Center Street, (8-20-07). **Moved by Hensley to adopt. Motion Carried 7-0. Council Member Kiernan declares a conflict of interest and abstains from voting.**
- [07-1559](#) 2. [Receive](#) and file planning [proposal](#) and authorize City Manager to initiate master planning process and convene the steering committee for the Southside SuperBlock Master Plan. **Moved by Meyer to receive, file, and refer to the City Manager for action, if appropriate. Motion Carried 7-0.**

BOARD OF HEALTH

- [07-1560](#) 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 the abatement of the nuisance structures at the following locations:
- [07-1561](#) (A) [1533](#) E. Grand, Titleholder: Raul Hernandez. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [07-1562](#) (B) [144](#) E. Sheridan Avenue, Titleholder: Tythe Eric Lenhart. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [07-1563](#) (C) [1409](#) 2nd Place, Titleholder: Jane A. Cook. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [07-1564](#) (D) [1530](#) 9th Street, Titleholder: Ralph B. Henderson; Contract Holder: David Musser; Clementine Karl Musser; Mortgage Holder: Northwest Federal Savings Bank; Mortgage Holder: Mortgage Electronic Registration Systems, Inc. **Moved by Kiernan to adopt. Motion Carried 7-0.**

- [07-1565](#) MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 6:20 P.M. Motion Carried 7-0.**

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All-America City
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