



***** 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 '09-' 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 24, 2009 4:30 P.M.

SPECIAL PRESENTATIONS – 4:00 P.M.

Honor Flight hosted by Des Moines International Airport

PROCLAMATIONS – 4:15 P.M.

AAU Junior Olympics

INVOCATION: Pastor Richard Hutton
Capitol Hill Lutheran Church
E. 5th & Des Moines St.

[09-1518](#) 1. **ROLL CALL: Present: Cownie, Hensley, Kiernan, Mahaffey, Meyer and Vlassis. Council Member Coleman entered the meeting during item 3.**

[09-1519](#) 2. **APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: Moved by Hensley to adopt. Motion Carried 6-1. Absent: Coleman.**

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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.**

[09-1520](#)

- 3. APPROVING CONSENT AGENDA – items 3 through 51: **Moved by Kiernan to adopt the balance of the Consent Agenda. Motion Carried 7-0.**

LICENSES AND PERMITS

[09-1521](#)

- 4. [Approving](#) Alcoholic Beverage License Applications for the following: **Moved by Kiernan to adopt. Motion Carried 7-0.**

NEW APPLICATIONS

- (A) RONS DAWG HOUSE 2117 E UNIVERSITY C Liquor
- (B) SAKARI SUSHI LOUNGE 2605 INGERSOLL C Liquor
- (C) SUNRISE TAP 4155 EASTON BLVD C Liquor

RENEWAL APPLICATIONS

- (D) AK OCONNORS 4050 URBAN DALE C Liquor
- (E) CARLOS O'KELLYS 4371 MERLE HAY RD C Liquor
- (F) EMBASSY SUITES HOTEL 101 E LOCUST ST B Liquor
- (G) H & A MINI MART 145 UNIVERSITY E Liquor
- (H) INDIA STAR 5514 DOUGLAS AVE C Beer/Wine
- (I) INFINITE 2829 EASTON BLVD C Beer
- (J) J & J PIZZA PUB 1264 E 14TH ST C Liquor
- (K) LA PIZZA HOUSE 1013 SE 14TH ST C Liquor
- (L) OLD CHICAGO 3800 MERLE HAY RD C Liquor
- (M) PARADIES SHOPS 5800 FLEUR DR B Wine Native
- (N) QUIKTRIP #527 1215 6TH AVE C Beer
- (O) QUIKTRIP #560 2300 M L KING PKWY C Beer
- (P) SHORTSTOP #38 3501 E 14TH ST C Beer
- (Q) SOME PLACE ELSE 1833 HUBBELL AVE C Liquor
- (R) VICTORY LANE 3801 EASTON BLVD C Liquor
- (S) WAL MART 5101 SE 14TH ST E Liquor
- (T) WAVELAND COFFEE SHOP 4704 UNIVERSITY C Liquor

OUTDOOR SERVICE APPLICATIONS

- (U) STAR BAR 2809 INGERSOLL C Liquor
Temporary in conjunction with Ingersoll Live effective August 29 – 30, 2009.
Pending approval of Electrical and Zoning Departments.

SPECIAL EVENTS APPLICATIONS

- (V) CLIVE JAYCEES 7401 SW 9TH ST Five (5) Day License
Special Class C Liquor License (Beer/Wine) for Latino Heritage Festival on
September 19 – 20, 2009.
- (W) DM VOCAL ARTS ENSEMBLE 1200 GRAND AVE Five (5) Day License
Special Class C Liquor License (Beer/Wine) for an event on September 26, 2009.

Pending approval of Building, Electrical, Fire and Zoning Departments.

- (X) FUNKY PICKLE 2801 BEAVER AVE C Liquor
Class C Liquor License for Beavertdale Fall Festival on September 18, 2009. Pending approval of Building, Electrical, Fire and Zoning Departments
- (Y) PALMERS DELI AND MARKET 2843 INGERSOLL Five (5) Day License
Special Class C Liquor License (Beer/Wine) for Ingersoll Live on August 29, 2009.
- (Z) PALMERS DELI AND MARKET 2816 INGERSOLL Five (5) Day License
Class B Beer License for Ingersoll Live on August 29, 2009. Pending approval of Electrical Department.
- (AA) UNDERGROUND 504 E LOCUST ST Five (5) Day License
Class C Liquor License for VIP Celebration on September 10, 2009. Pending approval of Building, Electrical, Fire and Zoning Departments.

PUBLIC IMPROVEMENTS

- [09-1522](#) 5. [Approving](#) submittal of Iowa Clean Air Attainment Program (ICAAP) Fund applications to the Iowa Department of Transportation (IDOT) for Citywide Fixed-time Signal Upgrade, \$320,000 and Des Moines River Trail Phase 1, \$500,000. ([Council Communication No. 09-603](#)) **Moved by Hensley to adopt; refer the comments regarding trees to the City Manager for review and recommendation. Motion Carried 7-0.**
- 6. NUMBER NOT USED.
- 7. Approving Change Orders with Cramer and Associates, Inc. for additional work on the following: ([Council Communication No. 09-610](#))
- [09-1523](#) (A) [No. 10](#) – Center Street Pedestrian (Riverwalk) Bridge, not to exceed \$39,981. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [09-1524](#) (B) [No. 11](#) – Center Street Pedestrian (Riverwalk) Bridge, not to exceed \$222,710.61. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [09-1525](#) 8. [Approving](#) Private Construction Contract for J.P. Cullen & Sons, Inc. and State of Iowa, Department of Administrative Services for Storm Sewer Improvements in 1375 E. Court Avenue. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- 9. Accepting completed construction and approving final payment for the following:
 - [09-1526](#) (A) [Sternquist](#) Construction Inc. – High Street Realignment – 10th Street to 14th Street – Phase 1. **Moved by Kiernan to adopt. Motion Carried 7-0.**
 - [09-1527](#) (B) [Sternquist](#) Construction Inc. – Pennsylvania Avenue Widening – Buchanan Street to

Filmore Street. **Moved by Kiernan to adopt. Motion Carried 7-0.**

- [09-1528](#) (C) [Sheets](#) Excavating, Ltd. – Blank Park Zoo 2009 Walkway & Storm Sewer Replacement. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [09-1529](#) 10. [Accepting](#) completed construction and approving final payment for 2007-08 Paving Program, Concrete Technologies, Inc. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- (A) Carpenter Avenue reconstruction from 30th to 31st Street.
- [09-1530](#) (1) [Accepting](#) work and ordering preparation of plat and schedule of assessments. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [09-1531](#) (2) [Adopting](#) and levying final schedule of assessments and providing for payment. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- (B) SW 5th Street from Broad Street to Virginia Avenue.
- [09-1532](#) (1) [Accepting](#) work and ordering preparation of plat and schedule of assessments. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [09-1533](#) (2) [Adopting](#) and levying final schedule of assessments and providing for payment. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [09-1534](#) 11. [Approving](#) amendment to agreement with Trelen J. Wilson and Linda L. Bender regarding property at 1235 Davis Avenue. ([Council Communication No. 09-601](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [09-1535](#) 12. [Levying](#) assessments for fees, fines, penalties, costs, and interest imposed in the enforcement of the Neighborhood Inspection Rental Code (Schedule No. 2009-02). **Moved by Mahaffey to defer to the September 14, 2009 Council meeting. City Manager will provide a complete list of fees, fines and charges regarding rental inspections. Motion Carried 7-0.**
- [09-1536](#) 13. [Approving](#) deletion of NAC-Emergency Assessment at 2050 Capitol Avenue. **Moved by Kiernan to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [09-1537](#) 14. [Establishing](#) Fair Market Value of 2625 and 2701 McKinley Avenue for the McKinley Avenue Drainage Improvements Project – SW 26th to SW 31st Street. ([Council Communication No. 09-609](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [09-1538](#) 15. [Establishing](#) Fair Market Value of multiple properties for the Merle Hay Road and Urbandale Avenue Intersection Improvements Project. ([Council Communication No. 09-604](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [09-1539](#) 16. [Approving](#) Agreement with Merchants Bonding Company and Valley Bank for grading and seeding in Sterling Trace Plats 1 and 2. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [09-1540](#) 17. [Authorizing](#) City Manager to determine fair market value and enter into negotiations to acquire the Southern Meadows Apartments at 2800 SE 8th Street. ([Council Communication No. 09-593](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [09-1541](#) 18. [Recommendation](#) of Council Member Chris Coleman to appoint Michelle A. Sacco to the Access Advisory Board, Seat 11, for a four-year term commencing June 15, 2007 to expire June 15, 2011. **Moved by Kiernan to adopt. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [09-1542](#) 19. [Regarding](#) request from Mid-American Recycling, LLC d/b/a Greenstar for vacation of a dead-end segment of SE 28th Street running north of E. Market Street, subject to conditions. **Moved by Kiernan to receive and file and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [09-1543](#) 20. [On](#) conveyance of vacated segment of east/west alley between E. 14th and E. 15th Streets, north of E. Court Avenue and south of Dean Avenue to Leon C. Newquist, \$50, (9-14-09). **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [09-1544](#) 21. [On](#) conveyance of property located between 1545 and 1601 30th Street to C. Renee Ellingson, \$75 and to Nia Vassilonikolidakis, \$75, (9-14-09). **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [09-1545](#) 22. [On](#) application of Angel Groff for relief from temporary moratorium on creation or

expansion of vehicle display lots at 4109 SE 14th Street, (9-14-09). **Moved by Kiernan to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [09-1546](#) 23. [Approving](#) payment of \$437.50 to Hall & Associates for services related to proposed rules by Iowa Department of Natural Resources (IDNR). **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [09-1547](#) 24. [Approving](#) payment of \$25,376.13 to Ahlers & Cooney, P.C. for services regarding general obligation bonds. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [09-1548](#) 25. [Approving](#) payment of \$125.00 per hour for retention of Attorney Hugh Cain of Hopkins and Huebner for services to the Des Moines Civil Service Commission. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [09-1549](#) 26. [Approving](#) payment of \$12,229.52 to Shelter Insurance Companies as subrogee of Candelario and Billie Sanchez for damages as a result of a sewer blockage. **Moved by Kiernan to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- [09-1550](#) 27. [Approving](#) travel and training requests for T.M. Franklin Cownie, Kevin Newman and Don Tripp. ([Council Communication No. 09-592](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**

APPROVING

- [09-1551](#) 28. [Grant](#) Agreement with the U.S. Department of Housing and Urban Development (HUD) for funding of the HUD Community Development Block Grant-Recovery Program. ([Council Communication No. 09-586](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [09-1552](#) 29. [Sub-recipient](#) contract with Polk County to administer the Housing and Urban Development 2008 Lead-Based Paint Hazard Control Program. ([Council Communication No. 09-598](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [09-1553](#) 30. [Execution](#) of Memorandum Of Understanding with the National Community Stabilization Trust (NCST) to implement the Neighborhood Stabilization Program (NSP). ([Council Communication No. 09-600](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [09-1554](#) 31. [Agreements](#) and related documents for the Community Development Neighborhood

Conservation Services Neighborhood Stabilization Program. ([Council Communication No. 09-599](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**

WITHDRAWN
[09-1555](#)

32. [Documents](#) related to ~~Neighborhood Commercial Revitalization Program, \$15,000 Façade Grant, a \$5,000 Predevelopment Grant and a \$100,000 Economic Development Bridge Loan to the Parks Area Foundation for renovation of property at 3600 6th Avenue.~~ (~~Council Communication No. 09-595~~)

[09-1556](#)

33. [Documents](#) related to a Neighborhood Commercial Revitalization Program Loan in the amount of \$100,000 for renovation to 301 E. Walnut Street. ([Council Communication No. 09-585](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**

[09-1557](#)

34. [Iowa](#) Department of Economic Development Community Development Block Grant Business Disaster Recovery Fund Contract for funding of Business Rental Assistance Program. ([Council Communication No. 09-596](#)) **Moved by Kiernan to approve. Motion Carried 7-0.**

[09-1558](#)

35. [Notices](#) to the public for projects to be located in a floodplain and a request for the release of funds from the Iowa Department of Economic Development (IDED) for funds from the Consolidated Security, Disaster Assistance and Continuing Appropriations Act of 2009. ([Council Communication No. 09-620](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**

[09-1559](#)

36. [Preliminary](#) terms of agreement with 6000 Aurora, LLC for redevelopment of 6000 Aurora Avenue. ([Council Communication No. 09-584](#)) **Moved by Kiernan to receive, file and approve preliminary terms of agreement set forth in the accompanying Council Communication and to direct the City Manager to proceed with negotiation on a formal agreement with 6000 Aurora, LLC consistent with the terms set forth in the accompanying Council Communication. Motion Carried 7-0.**

[09-1560](#)

37. [Application](#) for Enterprise Zone Certification for proposed NE Hubbell/Broadway Enterprise Zone. ([Council Communication No. 09-608](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**

WITHDRAWN
[09-1561](#)

38. ~~Community Oriented Policing Services (COPS) Hiring Recovery Program grant, \$2,191,806, for nine officers to support our community policing efforts.~~

WITHDRAWN
[09-1562](#)

39. ~~Execution of contract with Granted Pictures, Inc. to film various activities of Des Moines' police officers for a television series "Squad Car Chronicles."~~

[09-1563](#)

40. [Submission](#) of grant application to the State of Iowa for grant funds from the Iowa

Infrastructure Investment Initiative and approval of City of Des Moines matching fund commitment requirements for the Franklin Library Project. ([Council Communication No. 09-619](#)) **Moved by Kiernan to approve. Motion Carried 7-0.**

WITHDRAWN
[09-1564](#)

41. ~~Application to Iowa Comprehensive Human Services “Iowa Severe Storm/Tornado/Flood Disaster Project Work Experience Contract” Emergency Public Jobs (EPJ) Program.~~

[09-1565](#)

42. [Donation](#) and Construction Agreement between Rebuilding Together Greater Des Moines, Inc., d/b/a Rebuilding Together regarding Ashfield Park Playground. ([Council Communication No. 09-591](#)) **Moved by Kiernan to adopt. Motion Carried 6-0. Council Member Hensley declares a conflict of interest and abstains from voting.**

43. Approving the following with MidAmerican Energy Company: ([Council Communication No. 09-588](#))

[09-1566](#)

(A) [Renewal](#) of Value-Added Service Agreement. **Moved by Hensley to approve; refer to the City Manager for answers to questions regarding clean energy. Motion Carried 7-0.**

[09-1567](#)

(B) [Street](#) Lighting Service Contract. **Moved by Hensley to approve; refer to the City Manager for answers to questions regarding clean energy. Motion Carried 7-0.**

[09-1568](#)

44. [Sidewalk](#) Café Lease serving alcohol for Spaghetti Works with I-80 Spaghetti Works Corp. at 310 Court Avenue. ([Council Communication No. 09-617](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**

[09-1569](#)

45. [Submittal](#) to State Historical Society of Iowa, FY 2010 Certified Local Government (CLG) Grant Application for Reconnaissance Level Historical and Architectural Survey of the Drake Neighborhood. ([Council Communication No. 09-605](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**

[09-1570](#)

45I. [Recommendation](#) from Mayor Frank Cownie to appoint Council Member Christine Hensley to the Neighborhood Finance Corporation, Seat 2, effective immediately. **Moved by Kiernan to adopt. Motion Carried 7-0.**

[09-1571](#)

46. [Communication](#) from Downtown Community Alliance on behalf of Meredith Corporation to approve banner design for 14 banners to be displayed in Downtown Des Moines on Locust Street in Fall of 2009. **Moved by Kiernan to receive, file and approve banner design. Motion Carried 7-0.**

[09-1572](#)

47. [Bid](#) from Central Asphalt Paving (Tom Elverum, President/Owner) for asphalt patching services for various cemetery, trail and park locations for use by the Park & Recreation Department, \$38,151.36. (Six bids mailed, four received). **Moved by Kiernan to adopt. Motion Carried 7-0.**

[09-1573](#) 48. Civil Service Entrance List for Family Development Specialist. **Moved by Kiernan to receive and file. Motion Carried 7-0.**

[09-1574](#) 49. Authorizing Finance Director to draw checks on registers for the weeks of August 24, August 31 and September 7, 2009; to draw checks for bills of the Des Moines Municipal Housing Agency for the weeks of August 24, August 31 and September 7, 2009; and to draw checks for bi-weekly payroll due August 28 and September 11, 2009. **Moved by Kiernan to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

[09-1575](#) 50. Amending Chapter 26 Article III of the Municipal Code to reference the 2008 edition of the National Electric Code and General Article I. **Moved by Hensley to continue to September 14, 2009 Council meeting. Motion Carried 7-0.**

[09-1576](#) (A) Communication from Allen Suby, 422 SW Westview Dr., Ankeny. **Moved by Hensley to receive and file comments. Motion Carried 7-0.**

[09-1577](#) 51. Amending paragraph (b) of Section 1-15 relating to general penalty for misdemeanors. **Moved by Kiernan that this ordinance do now pass, #14,881. Motion Carried 7-0.**

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

ORDINANCES - SECOND CONSIDERATION

[09-1578](#) 52. Amending Chapter 114 of the Municipal Code regarding proposal for a three-lane restriping project including bicycle lanes and additional parking on Ingersoll Avenue. (Council Communication No. 09-594) **Moved by Hensley that this ordinance be considered and given second vote for passage; refer to the City Manager to form a committee of Ingersoll business owners to work with the City on creation of an Exit Strategy, if necessary. The City Manager will work on a plan to help educate the community about Complete Streets. This ordinance will go into effect in Spring 2010. Motion Carried 6-0. Mayor Cownie declares a conflict of interest and abstains from voting.**

COMMUNICATIONS/REPORTS

[09-1579](#) 53. From Geoffrey Ingram, 514 Foster Drive, Joel Romey and Alex Galyon to speak regarding an encroachment side yard setback issue. **Moved by Hensley to receive and file comments. Motion Carried 7-0.**

- [09-1580](#) 54. **From** Karen Russell, 1216 Garfield Avenue, to speak regarding various issues. **Moved by Hensley to receive and file comments. Motion Carried 7-0.**
- [09-1581](#) 55. **Receive** and file Urban Design Review Board approval of Riverwalk Court Avenue Kiosk and Riverwalk update. ([Council Communication No. 09-615](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 56 THRU 63)

- [09-1582](#) 56. **On** consideration of renaming The Des Moines International Airport. ([Council Communication No. 09-607](#)) **Moved by Hensley to adopt and retain current name; refer to the City Manager to identify options at the Airport to show recognition of individuals. Motion Carried 7-0.**
- [09-1583](#) 57. **On** conveyance of city-owned real estate and for the vacation and conveyance of the adjoining alley at the corner of Indianola Road and Edison Avenue to St. Anthony's Church, \$300. ([Council Communication No. 09-606](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [09-1584](#) (A) **First** consideration of ordinance above. **Moved by Meyer that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [09-1585](#) (B) **Final** consideration of ordinance above, (waiver requested by St. Anthony's Church) requires 6 votes. **Moved by Meyer that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#14,882](#). Motion Carried 7-0.**
- [09-1586](#) 58. **On** proposed ordinances to establish a comprehensive system for the consideration of tree removal and planting of replacement trees in the review and approval of applications for grading permits, site plans, subdivision plats and plats of survey. ([Council Communication No. 09-616](#)) **Moved by Coleman to adopt, subject to the appropriate ordinance being amended to use the mitigation ratios initially proposed on July 13, 2009; to direct the City Manager to respond to the issues raised in the communications received by the City Council at the hearing including, but not limited to, the application of the mitigation requirements to the airport; and, to direct the Legal Department to respond to the issues regarding off-site mitigation. Motion Carried 6-1. Nays: Cownie.**
- [09-1587](#) (A) **First** consideration of ordinance enacting new Article X to Chapter 42, tree removal and mitigation ordinance and amending Section 122-58 to adopt a list of approved tree species for planting in the rights-of way and as required replacement trees. **Moved by Coleman that this ordinance be considered and given first vote for passage, subject to the ordinance being amended to use the mitigation ratios as**

initially proposed on July 13, 2009. Motion Carried 6-1. Nays: Cownie.

WITHDRAWN

[19-1588](#)

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

[09-1589](#)

(C) First consideration of ordinance amending the regulations applicable to grading permits, site plans, subdivision plats and plats of survey. **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Nays: Cownie.**

WITHDRAWN

[09-1590](#)

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

WITHDRAWN

[09-1591](#)

(E) Approving list of tree species recommended for planting in the public rights of way and as required replacement trees.

WITHDRAWN

[09-1592](#)

(F) Receive and file the Community Development Director's policy regarding tree protection during development activities.

WITHDRAWN

[09-1593](#)

(G) ~~Adopting~~ Tree Preservation Principles for City Property, Public Improvement Projects and Utilities.

[09-1594](#)

59. On assessment of \$1,500 penalty and a 30-day suspension of Liquor License for Southport Center Sports Bar, LLC, 1101 Army Post Road, for violation of Iowa Alcoholic Beverage laws. **Moved by Kiernan to adopt. Motion Carried 7-0.**

[09-1595](#)

60. On assessment of \$500 penalty to The Den, 4369 Merle Hay Road, for violation of Iowa Alcoholic Beverage Laws. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[09-1596](#)

61. REJECT all bids and close the hearing on plans, specifications, form of contract documents and Engineer's estimate for Armory Building Reroofing. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[09-1597](#)

(A) Ordering construction of Armory Building Reroofing: Receiving of bids, (9-15-09), and Setting date of hearing, (9-28-09), Engineer's Estimate, (\$158,500). (Council Communication No. 09-612) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[09-1598](#)

62. On 2009 Expanded Street Resurfacing Program – Contract 3: Resolution approving plans, specifications, form of contract documents, engineer's estimate and designating lowest responsible bidder as OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving, (James Gauger, President), \$126,198.89 (Council Communication No. 09-614) **Moved by Meyer to adopt. Motion Carried 7-0.**

[09-1599](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Meyer to adopt. Motion Carried 7-0.**

[09-1600](#) 63. [On](#) Riverpoint West Street Improvements: Resolution approving plans, specifications, form of contract documents, engineer's estimate and designating lowest responsible bidder as Sternquist Construction Inc., (Britt Sternquist, President), \$2,499,556.60. ([Council Communication No. 09-618](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[09-1601](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Hensley to adopt. Motion Carried 7-0.**

****END HEARINGS AT 8:30 P.M.****

APPROVING

[09-1602](#) 64. [Application](#) for a Department of Transportation TIGER Grant for the SE Connector project between SE 14th Street and SE 30th Street. ([Council Communication No. 09-602](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**

[09-1603](#) 65. [Rejection](#) of impounded vehicle towing and storage bids and directing Procurement Administrator to reissue invitation to bid with revised bid specifications. ([Council Communication No. 09-613](#)) **Moved by Vlassis to adopt and expedite the process if possible. Motion Carried 7-0.**

[09-1604](#) MOTION TO ADJOURN. **Moved by Kiernan to adjourn at 8:45 PM. Motion Carried 7-0.**

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