

SUMMARY OF DES MOINES CITY COUNCIL MEETING

August 28, 2000 4:30 P.M.

PROCLAMATIONS - 4:00 P.M.:

Children & Families of Iowa "At-Risk Child"

INVOCATION: Pastor Tony Thurston, College Avenue Christian Church

00-3528 I. ROLL CALL: **Present: Daniels, Brooks, Coleman, Flagg, Hensley, McPherson, and Vlassis.**

00-3529 II. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-3530 III APPROVING CONSENT AGENDA - items 1-14, 1-43: **Moved by Vlassis to adopt the balance of the Consent Agenda. Motion Carried 7-0.**

LICENSES AND PERMITS:

Approving

00-3531 1. Communication from Legal Department regarding August 28, 2000 License and Permit Agenda. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

Class "C" Beer

00-3532 2. Casey's Marketing Company, Robert J. Hood, President dba Casey's General Store #44, 4560 E. 14th Street; Renewal - Expires 9-30-00 (With Sunday Sales) - Application submitted 7-31-00. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Class "C" Beer (continued)

00-3533 3. Git N Go Convenience Stores, Inc., Dennis Flora, President dba Git N Go Store #33, 865 42nd Street; Renewal - Expires 10-13-00 (With Sunday Sales) - Application submitted 8-7-00. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-3534 4. Kwik Trip, Inc., John J. Hansen, President dba Tobacco Outlet Plus #510, 3413 Southwest 9th Street; Renewal - Expires 9-8-00 (With Sunday Sales) - Application submitted 7-31-00. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Class "C" Beer-Wine Licenses

00-3535 5. Partners In Charity, Inc., Michael Marasco, President dba The Brewfest, 4th Street between Court Avenue and Walnut Street; New Application for 5-day license, for event on September 2, 2000 - Application submitted 8-1-00. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-3536 (a) Michael Marasco, representing Partners In Charity, 2800 University Avenue, requesting permission to close 4th Street from Court Avenue to Walnut Street on Saturday, September 2, 2000 from 12:00 P.M. until 12:00 A.M. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Class "C" Liquor Licenses

00-3537 6. Croatian Fraternal Slavic Center, Charles Padavich, President dba Croatian Fraternal Slavic Center, 6575 Indianola; Renewal (With Sunday Sales) - Expires 8-24-00 - Application submitted 7-3-00. **Moved by Vlassis to adopt. Motion Carried 7-0.**

WITHDRAWN00-3538 7. Dave Palmer - Andy Newsom, Partners dba Dave's Place, Inc., 2300 Hickman Road; New Application (With Sunday Sales) - Application submitted 7-17-00.

00-3539 8. Kurt Just dba South Beach, 900 East Army Post Road; New Application (With Sunday Sales) - Application submitted 8-7-00. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Transfers

00-3540 9. Fine Host Corporation, Ellen Keats, Sr. Vice President dba Polk County Convention Complex, 501 Grand Avenue, request temporary transfer of Class "C" Liquor License to 1631 Fleur Drive - Gray's Lake for special event on September 1, 2000. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Outdoor Service

00-3541 10. Temporary outdoor service for Kelley's Ltd, Kelly Manning, President dba Kelley's, 3606 Beaver; Event to be held on September 30, 2000 - Application submitted 8-10-00. Subject to submission of acceptable fire inspections. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-3542 11. Temporary outdoor service for Christopher's, Inc., Eveyln Guidicessi, President dba Christopher's Restaurant, 2816 Beaver; Event to be held on September 22 & 23, 2000 for Beaverdale Fallfest. Application submitted 8-23-00. Subject to submission of acceptable building, electrical, zoning, and fire inspections. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Authorizing

00-3543 12. City Clerk to issue Cigarette Licenses. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-3544 13. City Clerk to issue Coin-Operated Amusement Machine Licenses. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-3545 14. City Treasurer to issue refunds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

00-3546 1. Amendment to City of Des Moines 1998 Flood Mitigation Property Buyout Grant Program, for acquisition, relocation and demolition of seven (7) June 1998 Flood properties. ([Council Communication No. 00-404](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-3547 2. Approving authorization for Request For Proposals (RFP) and selection of a Consultant to develop the Conceptual Plan for Crawford Creek Hydraulic Watershed Study. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-3548 3. Approving Agreement with Union Pacific Railroad Ltd. for construction and maintenance of upgrading existing automatic flashing light signals at railroad crossings on Hubbell Avenue and Dean Avenue. ([Council Communication No. 00-399](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-3549 4. Approving Agreement with Iowa Department of Transportation to allow use of E. Army Post Road as temporary detour route during reconstruction of US 65, US 69, and Iowa 5 interchange. ([Council Communication No. 00-398](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-3550 5. Approving Change Order No. 1 with Des Moines Asphalt and Paving Co., for additional work in conjunction with Court Avenue Entertainment Parking Lot Contract in an amount not to exceed \$44,146.50. ([Council Communication No. 00-406](#)). **Moved by Vlassis to adopt. Motion Carried 6-1. Pass: Flagg.**

00-3551 6. Approving Execution of Federal Aviation Administration Amendment One (Grant 16) Project for Computer Access Phase 2, Airfield Signage and Terminal Apron Repair. ([Council Communication No. 00-394](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-3552 7. Approving Execution of Federal Aviation Administration Grant 28, for Taxiway P Paving Southwest and Runway 5-23 Grading, Phase 3. ([Council Communication No. 00-405](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

8. Resolution Ordering Construction of the following:

00-3553 (A) 2000 Sidewalk Replacement Program-Designated Neighborhoods, Receiving of Bids, (9-5-00), and Setting Date of Hearing, (9-11-00), (Construction Estimate - \$100,000). **Moved by Coleman to adopt. Motion Carried 7-0.**

00-3554 (B) Ohio Street Sanitary Sewer Repair, 1600 Block, Receiving of Bids, (9-12-00), and Setting Date of Hearing, (9-25-00), (Construction Estimate - \$63,840). **Moved by Coleman to adopt. Motion Carried 7-0.**

00-3555 (C) Blank Park Zoo Pinniped Pool Repair, Receiving of Bids, (9-12-00), and Setting Date of Hearing, (9-25-00), (Construction Estimate - \$35,000). **Moved by Coleman to adopt. Motion Carried 7-0.**

00-3556 (D) IA 28 & McKinley Avenue/Brown Woods Drive Traffic Signalization, (IDOT) Receiving of Bids, (9-12-00), and Setting Date of Hearing, (9-25-00), (Construction Estimate - \$75,118). **Moved by Coleman to adopt. Motion Carried 7-0.**

00-3557 (E) Drake Municipal Observatory Restoration-Phase 1, Receiving of Bids, (9-19-00), and Setting Date of Hearing, (9-25-00), (Construction Estimate - \$225,000). **Moved by Coleman to adopt. Motion Carried 7-0.**

00-3558 9. Report of Chief Civil Engineer showing construction progress, amounts due and funding availability of the Blank Park Zoo Fencing of Elephant Exhibit, \$510.07 is now due and \$508.87 remaining balance payable at the end of 30 days. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-3559 10. Communication from McAninch Corporation - Contractor requesting permission to sublet on public improvement project M. L. King Jr. Parkway/Southwest Outfall Sewers. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-3560 11. Approving partial payments on five (5) public improvement projects. (Call City Clerk's Office for listing). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-3561 11-I Private Construction Contract between McAninch Corporation, (Douglas McAninch, Vice President-Contractor) and Oaks Development, (John Kline, President-Owner) for construction of Storm Sewer Improvements to serve new development at Easter Lake South Phase 1, \$236,568.50. **Moved by Vlassis to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

12. Purchase and closing on property for the Allied Gateway Campus Project, Meter Center Urban Renewal Area.

00-3562 (A) 1124 Walnut Street, \$18,300 plus closing costs. **Moved by Vlassis to adopt. Motion Carried 6-1. Pass: Flag.**

00-3563 (B) 1101 Walnut Street, (Wallace Building), \$112,265 plus closing costs. **Moved by Vlassis to adopt. Motion Carried 6-1. Pass: Flag.**

00-3564 13. Approving condemnation awards and payment of costs regarding Compensation

Commission Fees for acquisition of property for the Allied Gateway Campus Project, at 1100, 1106, 1112, and 1120 Locust Street and 1101 Walnut Street in the Metro Center Urban Renewal Area. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-3565 14. Approving Easement for Storm Sewer and Surface Water Flowage, Temporary Easement for Construction and Tenant Consent in conjunction with 7th Ward Ditch Flood Control Phase II Improvement Project from Clarence E. and Wilma D. Van Gundy for property at 2904 Garfield Avenue. **Moved by Vlassis to adopt. Motion Carried 7-0.**

15. NUMBER NOT USED.

00-3566 16. Approving Certification of Title for FAA Grants 18, 19 and 23 to complete extension of Runway 5/23 in connection with the Airport Noise and Land Use Compatibility Plan. **Moved by Vlassis to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

00-3567 17. Recommendation of Mayor Preston Daniels for reappointment of Graham Gillette to the Metropolitan Transit Authority for a six-year term to expire May 29, 2006. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-3568 18. Recommendation of At-Large Council Member George Flagg, for the reappointment of Kenneth Hall to the Access Advisory Board for a four-year term to expire June 15, 2004. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-3569 19. Accepting resignation of Michael Simonson from the Housing Appeals Board, effective immediately. **Moved by Vlassis to receive, file and accept with appreciation for service. Motion Carried 7-0.**

00-3570 (A) Recommendation of Council Member Christine Hensley for appointment of Michael Simonson to the City Plan Commission for a one-year term commencing in 2000 to expire July 1, 01 to fill vacancy of Brook Wennerstrum. **Moved by Vlassis to adopt. Motion Carried 7-0.**

STREET CLOSINGS/STREET USE

00-3571 20. Approving closure of the following City Streets. **Moved by Vlassis 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 7-0.**

(1) Laurie Quijano, 2713 SE 18th Street, requesting permission to close SE 18th Street and King Avenue from 2700 SE 18th Street to 1819 SE King Avenue on Saturday, September 9, 2000 from 12:00 P.M. to 6:00 P.M. for a neighborhood block party.

(2) Cecilia Benetti, 1079 46th Street, requesting permission to close 46th Street from Kingman Boulevard to University Avenue on Saturday, September 16, 2000 from 6:00 P.M. to 10:00 P.M.

for a neighborhood block party.

(3) Sharon Davis, 5716 Kingman Avenue, requesting permission to close Kingman Avenue from 57th Street to 58th Street on Saturday, September 17, 2000 from 4:00 P.M. to 8:00 P.M. for a neighborhood block party.

(4) Linden Heights Neighborhood, Jeff Carithers, 4211 Foster Drive, requesting permission to close Foster Drive and Woodlawn Drive encompassing median area on Sunday, September 17, 2000 from 3:00 P.M. to 6:00 P.M. for a neighborhood block party.

(5) Michelle Bastian, 432 Wilmers, requesting permission to close Wilmers from SE 5th to SE 4th on Saturday, September 23, 2000 (Raindate of September 30, 2000) from 5:00 P.M. to 11:00 P.M. for a neighborhood block party.

(6) Pat Haines, 1504 42nd Street, requesting permission to close 42nd Street from Forest to College on Saturday, September 23, 2000 (Raindate of September 30, 2000) from 4:00 P.M. to 7:00 P.M. for a neighborhood block party.

(7) Billie Sturges, 1010 39th Street, requesting permission to close 39th Street from Kingman to School on Sunday, September 24, 2000 from 4:00 P.M. to 9:00 P.M. for a neighborhood block party.

(8) Valerie Lennon, 904 40th Place, requesting permission to close 40th Place from Crocker to School on Saturday, September 9, 2000 (Raindate of September 30, 2000) from 4:00 P.M. to 10:00 P.M. for a neighborhood block party.

00-3572 20-I Approving exception regarding length of time request from Tom Logan, 217 28th Street, representing Owls Head Historic District, request to close Forest Drive from 28th Street to 29th Street on Sunday, September 3, 2000 (Raindate of September 4, 2000) from 8:00 A.M. to 9:00 P.M. for a neighborhood block party. **Moved by Vlassis 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 7-0.**

CITY PLAN COMMISSION RECOMMENDATIONS

00-3573 21. Recommendation from City Plan Commission, regarding request from Oaks Development, for Preliminary Subdivision Plat for Meadowlands PUD, (Indianola Avenue and E. Pine Avenue) providing 8 lots for separate phases of townhome, condominium and multifamily rental development. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

00-3574 22. Regarding request from Raul Hernandez, to vacate and convey a segment of east/west alley between Easton Boulevard and E. Washington Avenue west of E. 27th Street. **Moved by Vlassis to adopt and to refer to the City Manager and the Legal Department to implement. Motion Carried 7-0.**

00-3575 23. Regarding recommended approval of request from Richard Seliger, to vacate and

convey the north/south alley between Indianola Avenue and Courtland Drive, west of SW 1st Street. **Moved by Vlassis to adopt and to refer to the City Manager and the Legal Department to implement. Motion Carried 7-0.**

00-3576 24. Regarding Architectural Advisory Committee's design comments for revisions of the proposed Wastewater Recovery Grit Handling Facility. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

00-3577 25. On recommended DENIAL of application from Ron Evison, to rezone property at 3719 SW 9th Street, from "C-1 (Neighborhood Retail Commercial) to Ltd "C-2" (General Retail and Highway Oriented Commercial), (9-11-00). **Moved by Brooks to adopt. Motion Carried 7-0.**

00-3578 (A) Additional resolution regarding the above rezoning. **Moved by Brooks to direct that the Plan and Zoning Commission reconsider this rezoning request at its meeting on September 7, 2000, for report and recommendation back to the City Council at the rezoning hearing scheduled for September 11, 2000, at 5:30 P.M. by the preceding resolution and roll call; also, the Commission is requested to consider "C-1A" for this property. Motion Carried 7-0.**

00-3579 26. On recommended DENIAL of request from Oaks Development to amend the 2020 Community Character Land Use Plan, and to rezone property at 5801 North Valley Drive, ("PUD" Planned Unit Development District), to permit the construction of 56 townhome units with a private street system, with access onto North Valley Drive, (9-11-00). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-3580 27. On application from Ronald L. Daniels, (Owner) to rezone property at 925 , 1001, and 1011 E. McKinley Avenue, from R1-60 (One Family Low Density Residential to a Ltd "C-1" (Neighborhood Retail Commercial), subject to conditions, (9-11-00). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-3581 28. On conveyance of a portion of the East/West alley right-of-way between SE 8th and SE 9th Streets, north of Jackson, to Ronald W. and Karen S. Myers, \$25 (9-11-00). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-3582 29. On vacation and conveyance of right-of-way in vicinity of 515 Waterbury Circle, to Reed W. and Mary Beth Ramsay, \$100, (9-11-00). **Moved by Vlassis to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

00-3583 30. Approving payment of \$31,008 to John E. Brauer for workers' compensation benefits for permanent injury incurred in course and scope of his employment. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-3584 31. Approving payment of \$2,331.49 to John L. Corbett of Spiegel & McDiarmid Law Firm for consultation services in connection with City's response to FAA concerns regarding City's Airport PILOT charge. **Moved by Vlassis to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

00-3585 32. Submitting out-of-state travel request for Preston Daniels, Debora Hobbs, Todd Clark, Mike Couch, Douglas Philips, and James Johnson. [Council Communication No. 00-395](#). **Moved by Vlassis to adopt. Motion Carried 7-0.**

APPROVING

00-3586 33. Request from Downtown Community Alliance on behalf of the YMCA for design approval and to hang banners in the downtown area the month of September to promote the mission of the YMCA. **Moved by Vlassis to receive, file and approve banner design as submitted. Motion Carried 7-0.**

00-3587 34. Revised Private Pedestrian Bridge Agreement with The Graham Group, Inc., for vacated air rights over Locust Street between 9th and 10th Streets to clarify terms and conditions. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-3588 35. Second Amendment to the Bill Review and Payment Service Agreement, with EMC Risk Services, Inc., (ERS), for provision of Electronic Data Interchange service, to comply with State Workers' Compensation reporting requirements. [Council Communication No. 00-393](#). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-3589 36. Form of Agreement with Bankers Trust Company, N.A., for dispersal of the Federal Home Loan Bank Affordable Housing Program Grant, \$249,999. [Council Communication No. 00-396](#). **Moved by Vlassis to adopt. Motion Carried 6-0. Council Member Brooks declares a conflict of interest and abstains from voting.**

00-3590 37. Advertising Agreement with Ad in the Hole Iowa, (Ron Sorenson, DM), for advertising in the cups at Des Moines Municipal Golf Courses, (City to receive 25% of gross sales). [Council Communication No. 00-401](#). **Moved by Hensley to defer consideration to 9-11-00 for additional information. Motion Carried 6-1. Nays: Vlassis. Previous motion to disapprove the agreement failed.**

00-3591 38. Credit Card application for emergency fuel purchases, and process for future credit card issuance. [Council Communication No. 00-392](#). **Moved by Vlassis to adopt. Motion Carried 7-0.**

39. Bids for the following:

00-3592 (A) O'Halloran International, Inc. (751 East Market, Jim O'Halloran, President) for

purchase of five (5) replacement dump trucks to be used by the Public Works Department (Street Maintenance), \$400,825. (Eight bids mailed-three received). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-3593 (B) Two suppliers for city's fuel 1 management system and category 2 fuel dispensing equipment to be used by the Engineering Department (Equipment Maintenance Center, Wastewater Reclamation Facility, Fire Department, and Des Moines International Airport). E. J. Ward, Inc. (San Antonio, TX, E. J. Ward, President) and Seneca Corporation, (4140 E. 14th, Chris J. Risewick, President), \$270,994.50. (Thirteen bids mailed-three received). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-3594 40. Submitting Civil Service Entrance List for City Property Technician, Accounting Manager, Housing Services Receptionist, and Promotional Lists for Senior Police Officer and EMS Assistant. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

00-3595 41. Authorizing Finance Director to draw checks on register of September 1, 2000, and for bills of the Des Moines Municipal Housing Agency for the week beginning August 28, 2000. **Moved by Vlassis to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

00-3596 42. On amendment to the Zoning Ordinance to remove limitation on the Maximum Floor Area Ratio on buildings. **Moved by Vlassis that this ordinance do now pass, [#13,856](#). Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

00-3597 43. On vacation of a portion of the North/South alley right-of-way located between 2nd Avenue and 2nd Place between Clark Street and College Avenue. **Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

00-3598 (A) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by Vlassis that the rule requiring that ordinances must be considered, and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#13,857](#). Motion Carried 7-0.**

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

ORDINANCES - FIRST CONSIDERATION

00-3599 44. Amending Chapter 114 of the Municipal code, regarding the following traffic

regulation changes. **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

(1) A) Stop Sign on Dixon Street at Garfield Avenue.

B) "Corner Clearance" parking restriction on Garfield Avenue at Dixon Street.

(2) Modification of Parking Restriction--North Side of Grand Avenue East of 42nd Street.

(3) Corner Clearance Parking Restriction--West Side of 48th Place North of Urbandale Avenue.

(4) Placement of five-way stop on 60th Street at Cummins Parkway and Clark Street.

00-3600 (A) Final consideration of ordinance above, (waiver requested by City Manager), requires 6 votes. **Moved by Vlassis that the rule requiring that ordinances must be considered, and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#13,858](#). Motion Carried 7-0.**

COUNCIL REQUESTS

00-3601 45. Request from Council Member Christine Hensley to rename a portion of 60th Place fronting three properties, to North Waterbury Circle. **Moved by Hensley to receive, file, discuss, and refer to staff and City Plan and Zoning Commission to begin the process to change the addresses/street name as requested. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

00-3602 46. Recommendation from the Citizen Advisory Wading Pool Committee. ([Council Communication No. 00-400](#)). **Moved by Vlassis to receive and file. Motion Carried 7-0.**

00-3603 47. From Verbenia Fowler, 677 26th Street and concerned neighbors regarding property at 687 26th Street. **Moved by Hensley to receive, file and grant the request to speak; refer to City Manager and Legal to meet with First General Services this week and assure that either rehabilitation/ renovation takes place in a timely manner or it will be declared a public nuisance and continue on a track for demolition. City Manager will develop legislative changes and City process changes, for recommendations to Council in late October or early November. Motion Carried 7-0.**

****Council considered Hearing Items 49 thru 56 next****

00-3604 48. Request from Fairground Neighborhood for installation of permanent traffic lights at East 30th and Walnut. **Moved by Brooks to receive, file and refer to Traffic Safety**

Committee and City Manager for review and recommendation. City Manager to check on reinstalling the temporary lights for Labor Day activities. Motion Carried 7-0.

HEARINGS (Opened at 6:00 P.M.) (Items 49 thru 56)

00-3605 49. On Building Official's determination that the structure at 1555 Des Moines Street, constitutes a public nuisance. ([Council Communication No. 00-391](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-3606 50. On Administrative Hearing Officer's decision regarding vehicle impound of Mark VerSteeg, 3910 University, DM. **Moved by Coleman to uphold decision. Motion Carried 6-1. Absent: Vlassis.**

00-3607 51. On sale of excess City-owned Frisbee Park properties, to nine area residents. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-3608 52. On vacation and conveyance of right-of-way adjoining 425 E. Sheridan, to Shannon R. Viers, \$100, and to Chad and Kiesha Dykstra, \$50. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-3609 (A) First consideration of ordinance above. **Moved by McPherson that ordinance be considered and given first vote for passage. Motion Carried 7-0.**

00-3610 (B) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by McPherson that the rule requiring that ordinances must be considered, and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #13,859. Motion Carried 7-0.**

00-3611 53. On recommended approval of amendments to the Zoning Ordinance, regarding allowed size and location of off-premises advertising signs (billboards), (continued from 8-21-00). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-3612 (A) First consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

00-3613 54. On E. 20th Street Trunk Sanitary Sewer Televising - E: Hull Avenue to Dean Avenue: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Municipal Pipe Tool Co., Inc. (Steve Gearhart, President, Hudson, IA), \$110,225. **Moved by Brooks to adopt. Motion Carried 7-0.**

00-3614 (A) Approving contract and bond, and permission to sublet. **Moved by Brooks to adopt. Motion Carried 7-0.**

00-3615 55. On Wetland Mitigation for the E. Euclid Avenue Detention Basin and Eastgate Plaza Improvements: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as A-Seeding Contractor, Inc., (Marilyn Wallace, President, Colfax), \$148,423.60. ([Council Communication No. 00-403](#)). **Moved by McPherson to adopt. Motion Carried 7-0.**

00-3616 (A) Approving contract and bond, and permission to sublet. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-3617 (B) Approving Professional Services Agreement with Earth Tech, (Diane C. Creel, Chief Executive Officer and President, Long Beach, CA), for construction phase services for Dean's Lake Watershed - Euclid Detention Basin and Storm Sewer Improvement, \$11,300. ([Council Communication No. 00-407](#)). **Moved by McPherson to adopt. Motion Carried 7-0.**

00-3618 56. Closing the Hearing on City Hall and Armory Security System, and setting a new date of 9-19-00 to take bids and set hearing for 9-25-00. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Flagg.**

* * END HEARINGS at 6:12 P.M. * *

****Council considered Item 48 next and then balance of agenda****

APPROVING

00-3619 57. Amending Council Policy to increase the City's General Obligation Debt Limit, from 70 to 80 percent of the Constitutional Debt Limit, (continued from 8-21-00). ([Council Communication No. 00-378 of 8-21-00](#)). **Moved by McPherson to adopt. Motion Carried 6-1. Nays: Flagg.**

****Council Member Flagg left the meeting at 6:35 P.M.****

00-3620 58. Contract with Tidemark Solutions (Seattle, Washington) for Permitting, Inspection, Licensing software acquisition, support and project implementation. ([Council Communication No. 00-409](#)). **Moved by Hensley to adopt. Motion Carried 5-1-1. Nays: Coleman. Absent: Flagg.**

00-3621 59. Communication from Deputy Community Development Department Director regarding proposed amendments to City-wide Urban Revitalization (tax abatement) Plan to allow tax abatement for qualifying improvements to commercially assessed property within the SE 14th Street and Army Post Road commercial corridors. **Moved by Brooks to receive and file. Motion Carried 6-1. Absent: Flagg.**

00-3622 60. Request for proposals, to provide a Voluntary Employee Benefit Association (VEBA), for certain City employees. ([Council Communication No. 00-397](#)). **Moved by Hensley to adopt. Motion Carried 5-2. Absent: Daniels and Flagg.**

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EXTRA ITEMS

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

00-3623 1. Request of C.C.I. Environmental Task Force, to discuss Deans Lake. SPONSOR: Flagg. **Moved by Brooks to receive, file and refer to City Manager for a report on September 11, working with the neighborhood. Motion Carried 6-1. Absent: Flagg.**

00-3624 2. Approving corrected Noise and Avigation Easement for Gina and Albert Andre, 1501 Havens Avenue, in conjunction wit the Airport Noise Compatibility Program, Phase II. SPONSOR: Hensley. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Flagg.**

A G E N D A

BOARD OF HEALTH

August 28, 2000

00-3625 MOTION TO CONVENE. **Moved by Vlassis that the City Council Adjourn and Convene as a Board of Health. Motion Carried 6-1. Absent: Flagg.**

AUTHORIZING

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

00-3626 (a) 1728 E. Grand, Titleholders: Chuck McBurney, Patricia McBurney; Contract Buyers: Franklin D. West III, Sandra L. West, Guy Jackson, Elaine Jackson. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

00-3627 (b) 3935 - 5th Ave, Titleholder: Gourmet Foods Enterprises, Inc.; Legal Interest Holders: Kenneth L. Johnson, Betty Foster, Polk County Bank. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

2. The Engineering Department to cause the following structures to be removed:

00-3628 (a) 2024 Maple, Titleholder, First National Acceptance Company, Contract Buyer, Basim Bakri. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Flagg.**

00-3629 (b) 1218 McCormick, Titleholders, the Odella E. Daniels Estate and the Unknown Heirs

of Henry Lockett. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Flagg.**

00-3630 MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 7:15 P.M. Motion Carried 6-1. Absent: Flagg.**

DES MOINES-CITY OF SKYWALKS