

SUMMARY OF DES MOINES CITY COUNCIL MEETING

November 17, 1997 4:30 P.M.

Reception following

hosted by

City Council and Greater Des Moines Chamber of Commerce

INVOCATION: Pastor Duane Gibson

First Baptist Church

97-3664 1. ROLL CALL: **Present: Daniels, Flagg, McPherson, Phillips and Vlassis. Absent: Hensley.**

97-3665 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Phillips to adopt, including Extra Items 2, 3, and 4 in consent agenda passage. Motion Carried 5-1.**

97-3666 3. APPROVING CONSENT AGENDA - items 3 through 74: **Moved by Phillips to adopt the balance of the consent Agenda. Motion Carried 5-1.**

LICENSES AND PERMITS:

Approving

97-3667 4. Communication from Legal Department regarding November 17, 1997 License and Permit Agenda. **Moved by Phillips to receive and file. Motion Carried 5-1.**

Class "C" Beer Licenses

97-3668 5. Kwik Shop, Inc., Steve Mostrom, District Manager dba Kwik Shop #555, 4001 Southwest 9th Street; Renewal - Expires 12-17-97 (With Sunday Sales) - Application submitted 11-3-97. **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3669 6. Emanuel Palmer dba Lube Express and Convenience, 801 East 15th Street; Renewal - Expires 11-30-97 (With Sunday sales) - Application submitted 10-24-97. **Moved by Phillips to adopt. Motion Carried 5-1.**

Class "E" Beer Licenses

97-3670 7. Robert Braune dba Drake Liquor Store, 2106 Forest Avenue; Renewal - Expires 12-8-97 (With Sunday Sales) - Application submitted 11-5-97. **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3671 8. Krause Gentle Corporation, William A. Krause, President dba Kum & Go #60, 806 Southeast 14th Street; Renewal - Expires 12-14-97 (With Sunday Sales) - Application submitted 10-17-97. **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3672 9. QuikTrip Corporation, Chester Cadieux, President dba QuikTrip #541, 2428 Hubbell; Renewal - Expires 12-09-97 (With Sunday Sales) - Application submitted 10-9-97. **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3673 10. Danlee Corporation, Dan Moeller, President dba The Smoke Shop, 1918 Southeast 14th Street; Renewal - Expires 12-17-97 (With Sunday Sales) - Application submitted 10-20-97. **Moved by Phillips to adopt. Motion Carried 5-1.**

Class "C" Liquor Licenses

97-3674 11. Air Lanes, Ltd, Ron Pohlad, President dba Air Lanes, 4200 Fleur Drive; Renewal - Expires 12-3-97 (With Sunday Sales) - Application submitted 10-27-97. **Moved by Phillips to adopt. Motion Carried 4-1-1. Nays: Flagg. Absent: Hensley.**

97-3675 12. Club Two, Inc., Craig A. Haugh, President dba Club 2000, 2000 Southeast 1st Street; Renewal - Expires 12-5-97 (With Sunday Sales) - Application submitted 11-3-97. **Moved by Phillips to adopt. Motion Carried 4-1-1. Nays: Flagg. Absent: Hensley.**

97-3676 13. George Dunbar dba Darrow's Courthouse Pub, 222 4th Street; New Application submitted 10-23-97. **Moved by Phillips to adopt. Motion Carried 4-1-1. Nays: Flagg. Absent: Hensley.**

97-3677 14. D & T Tap, Inc., Doris Doornenbal, President dba D & T Tap, 1553 1/2 East Walnut; Renewal - Expires 12-4-97 - Application submitted 11-5-97. **Moved by Phillips to adopt. Motion Carried 4-1-1. Nays: Flagg. Absent: Hensley.**

97-3678 15. Gino's Restaurant, Inc., Gene D. Foggia, President dba Gino's Restaurant, 2809 6th Avenue; Renewal - Expires 11-28-97 - Application submitted 10-24-97. **Moved by Phillips to adopt. Motion Carried 4-1-1. Nays: Flagg. Absent: Hensley.**

97-3679 16. Donald J. Quinn dba Helen & Pat's, 209 Euclid; Renewal - Expired 9-30-97 - Application submitted 9-5-97. **Moved by Phillips to adopt. Motion Carried 4-1-1. Nays: Flagg. Absent: Hensley.**

97-3680 17. Elizabeth Sample dba Liz's Bar & Grill, 509 East 25th Street; Renewal - Expires 11-30-97 (With Sunday Sales) - Application submitted 10-29-97. **Moved by Phillips to adopt. Motion Carried 4-1-1. Nays: Flagg. Absent: Hensley.**

97-3681 18. Nacho Business, Inc., Richard T. Murillo, President dba Nacho Mamma's, 216 Court Avenue; Renewal - Expires 11-21-97 (With Sunday Sales and Beer Garden) - Application submitted 10-22-97. **Moved by Phillips to adopt. Motion Carried 4-1-1. Nays: Flagg. Absent: Hensley.**

97-3682 19. RAH, Inc., Richard A. Horton, President dba Park Avenue Pub, 1101 Park Avenue; Renewal - Expires 11-26-97 (With Sunday Sales) - Application submitted 10-22-97. **Moved by Phillips to adopt. Motion Carried 4-1-1. Nays: Flagg. Absent: Hensley.**

97-3683 20. Harold A. Young dba Rusty's, 2565 Wedgewood Road; Renewal - Expires 11-23-97 (With Sunday Sales) - Application submitted 10-22-97. **Moved by Phillips to adopt. Motion Carried 4-1-1. Nays: Flagg. Absent: Hensley.**

97-3684 21. Sleepy Hollow Sports Park, Inc., Rick L. Flatt, President dba Sleepy Hollow Sports Park, 4051 Dean Avenue; Renewal - Expires 12-1-97 (With Sunday Sales and Beer Garden) - Application submitted 10-23-97. **Moved by Phillips to adopt. Motion Carried 4-1-1. Nays: Flagg. Absent: Hensley.**

97-3685 22. Bulldogs Den, Ltd., Michael J. Chanas, President dba Stroll Inn, 3325 Hubbell; Renewal - Expires 11-19-97 (With Sunday Sales) - Application submitted 10-21-97. **Moved by Phillips to adopt. Motion Carried 4-1-1. Nays: Flagg. Absent: Hensley.**

97-3686 23. Skips Inc., Alvin B. Bachman, President dba Skips, 4000 Fleur Drive; Renewal - Expires 12-1-97 (With Sunday Sales) - Application submitted 10-13-97. **Moved by Phillips to adopt. Motion Carried 4-1-1. Nays: Flagg. Absent: Hensley.**

97-3687 24. Russell Brown dba West End Lounge, 2309 Forest Avenue; Renewal - Expires 12-6-97 (With Sunday Sales) - Application submitted 10-29-97. **Moved by Phillips to adopt. Motion Carried 4-1-1. Nays: Flagg. Absent: Hensley.**

Authorizing

97-3688 25. City Clerk to issue Cigarette Licenses. **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3689 26. City Clerk to issue Coin-Operated Amusement Machine Licenses. **Moved by Phillips to adopt. Motion Carried 5-1.**

Refunds

97-3690 27. City Treasurer to issue refunds. **Moved by Phillips to adopt. Motion Carried 5-1.**

PUBLIC IMPROVEMENTS

97-3691 28. Approving Intergovernmental 28E Agreement with Des Moines Botanical Center, Inc., for construction and gift to the City of covered trellis on patio area outside of Oak and Willow room at Botanical Center - \$55,000. **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3692 29. Designating lowest responsible bidder as Cramer & Associates, Inc., (Delmar Cramer, President), \$140,869 for the SW 5th Street Bridge Rehabilitation. ([Council Communication No. 97-549](#)). **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3693 30. Approving Structure Removal Contract with Joel Lambert for sale and move of historic garage at 2008 Leyner to 756 20th Street in conjunction with Martin Luther King Parkway project. ([Council Communication No. 97-555](#)). **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3694 31. Approving Supplemental Agreement No. 15 with RUST Environment & Infrastructure Inc., Joe A. Becker, Vice-President, Greenville, South Carolina, for Detailed Design and Right-of-Way Acquisition Assistance on Martin Luther King Jr., Parkway from SW 2nd Street to SW 16th Street and Completion of Preliminary Design from SW 16th Street to Fleur Drive including Fleur Drive Intersection - \$2,363,700. ([Council Communication No. 97-548](#)). **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3695 32. Approving Professional Services Agreement with Shuck-Britson, Inc. in conjunction with Phase I, Preliminary Design and Phase II, Final Design, for replacing E. Douglas Avenue Bridge over Four Mile Creek - \$44,946. ([Council Communication No. 97-542](#)). **Moved by Phillips to adopt. Motion Carried 5-1.**

33. Amendment three to Engineering Services Agreements with RUST/Metcalf & Eddy - A Joint Venture, (Thomas Leonhardt, President and CEO, RUST Environment, Greenville, SC, and Jekabs Vittando, President, Metcalf & Eddy, Wakefield, MA) for the following projects:

97-3696 (A) Birdland Park Stormwater Pumping Station - \$11,220. ([Council Communication No. 97-545](#)). **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3697 (B) Second and Franklin Stormwater Pumping Station - \$11,700. ([Council Communication No. 97-546](#)). **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3698 (C) Van Buren Stormwater Pumping Station Reconstruction - \$10,700. ([Council Communication No. 97-547](#)). **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3699 34. Approving Annual Primary Road Extension Agreement with Iowa Department of Transportation and City for maintenance of primary road extensions within the City for period July 1, 1997 through June 30, 1998 with compensation to City in amount of \$122,724.77. **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3700 35. Authorizing City Engineer to proceed with sidewalk construction, waivers signed by three property owners, (call the City Clerk's Office for listing). **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3701 36. Authorizing City Engineer to repair, replace or reconstruct sidewalks at twenty-seven locations (call the City Clerk's Office for listing). **Moved by Phillips to adopt. Motion Carried 5-1.**

37. Approving Private Construction Contracts with the following:

97-3702 (A) Proposed Storm Sewer Improvement for Southern Oaks Townhomes at 38th Street and Thornton Avenue between The Underground Company, Ltd., Duane J. Burkhardt, President, Contractors and Southern Oaks Investors, L.C., Donald Brown, President, Owners - \$2,600. **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3703 (B) Alley pavement on Southeast corner of O'Reilly Auto Parts Store, 2700 E. University between Koester Construction Co., Inc., Paul Koester, President, Contractors, and O'Reilly Automotive, Inc., David O'Reilly, President, Springfield, MO, Owners - \$2,678. **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3704 38. Communication from Johnson Concrete & Petroleum Construction Inc., Robert L. Johnson, President, 107 Arthur, Des Moines, for an extension of time until June 30, 1998 for the 1997 Sidewalk Replacement Program. **Moved by Phillips to receive, file and grant the extension of time until June 30, 1998. Motion Carried 5-1.**

97-3705 39. Approving partial payments on twelve public improvement projects. (Call City Clerk's Office for listing). **Moved by Phillips to adopt. Motion Carried 5-1.**

40. Report of the Chief Civil Engineer showing construction progress, amounts due and funding availability of the following:

97-3706 (A) John R. Grubb Community YMCA Roof Replacement, \$4,083.55 remaining balance is now due and payable at the end of 30 days. **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3707 (B) 1996 Sidewalk Replacement Program, \$5,160.38 remaining balance is now due and payable at the end of 30 days. **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3708 (C) Waveland Golf Course Storm Sewer Repair, \$1,460.50 remaining balance is now due and payable at the end of 30 days. **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3709 (D) Southwest Airport Trunk Sanitary Sewer, \$ -0- is now due and \$75,857.98 remaining balance is due and payable at the end of 30 days. **Moved by Phillips to adopt. Motion Carried 5-1.**

LAND/PROPERTY TRANSACTIONS

97-3710 41. Approving Ninety-Day Temporary Rental Agreement with Rick Eatwell, at 119 Jefferson Street, (City Purchase October 20, 1997), located in Central Place Urban Renewal Area. **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3711 42. Temporary Access Easement in conjunction with Merle Hay Road Sanitary Sewer, North of Meredith Drive, from Ronald O. Burns and Deon E. Burns, 4731 Merle Hay Road - \$25. **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3712 43. Approving Noise and Avigation Easements for two properties, in conjunction with the Airport Noise Compatibility Program, Phase II (Resale Assurance Program). **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3713 44. Approving Noise and Avigation Easements for seven properties, in conjunction with the Airport Noise Compatibility Program, Phase II (Easement Purchase Program). **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3714 45. Backslope and Property Adjustment Easement and Release, and Warranty Deed to City in conjunction with 1995 Paving Program No. 1 - East 22nd Street, Dean Avenue to Maple Street, from Donald D. Norris, 2137 Des Moines Street - \$1,638. **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3715 46. Temporary Easement for Construction and Permanent Easement for Sanitary Sewer Right-of-Way in conjunction with Merle Hay Road Sanitary Sewer, North of Meredith Drive, from Ronald O. Burns and Deon E. Burns, vacant land southwest of NW Piekenbrock Drive - \$350. **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3716 47. Approving request from Art Anderson, Rainsoft of Des Moines, for Partial Release of Easement for property in vicinity of Martin Luther King Jr. Parkway and Hickman Road; sanitary sewer line has been abandoned. **Moved by Phillips to adopt. Motion Carried 5-1.**

CITY PLAN COMMISSION RECOMMENDATIONS

97-3717 48. On application from Polk County for vacation and conveyance of a portion of Vine Street right-of-way between Ninth and Tenth Streets, (City Plan Commission recommends DENIAL). **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3718 49. Recommending approval of Final Development Plan for SOUTHRIDGE ESTATES, 800 block of E. County Line Road, Ronald L. Woods, Easter Lakes Estates Inc. **Moved by Phillips to adopt the recommendation of the City Plan and Zoning Commission and to approve the Final Development Plan for "Southridge Estates". Motion Carried 5-1.**

97-3719 50. Regarding Architectural Advisory Committee's review of the Airport Parking Ramp Plan. **Moved by Phillips to adopt. Motion Carried 5-1.**

SETTING DATE OF HEARINGS

97-3720 51. On reconsideration of prior Denial of rezoning of property at 1423 Army Post Road, Des Moines Obedience Training Club, Inc., from R1-60 (One Family, Low Density Residential to Limited C-2 (General Retail and Highway Oriented Commercial), (12-8-97). **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3721 52. On proposed amendment to contract for sale of Land for Private Development, Blank Park Development Area, with Clarke Company, and YMCA of Greater Des Moines, (12-8-97). **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3722 53. On proposed Connection Fee Ordinance for Southeast Airport Trunk Sewer System Benefited District, (12-22-97). **Moved by Phillips to adopt. Motion Carried 4-1-1. Pass: Flagg. Absent: Hensley.**

97-3723 (A) Approving deferral of Second Consideration of ordinance to 12-22-97. **Moved by Phillips to defer consideration until December 22, 1997. Motion Carried 4-1-1. Pass: Flagg. Absent: Hensley.**

97-3724 54. On application from B.J. Baker III, to rezone property at 3300 E. Euclid from R2-A (General Residential), U-1 (Flood Plain), and "C-2" (General Retail and Highway-Oriented Commercial) to a PAD, to amend the Des Moines 2000 Land Use Plan by revising the classification to Community Core, and to find application in conformance with the Des Moines 2000 Land Use Plan, (12-8-97). **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3725 55. On application from Donald Crouch, to rezone property at 614 SE Fourth Street, from "R1-60" (One-Family, Low Density Residential) to "M-1" (Light-Industrial) and to find this application in conformance with the Des Moines 2000 Land Use Plan, City Plan Commission recommends DENIAL, (12-8-97). **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3726 56. On application from William Leng, to rezone property at 2009 E. 38th Court from "U-1" (Flood Plain) to "R1-60" (One Family, Low Density Residential), and to find application in conformance with the Des Moines 2000 Land Use Plan, (12-8-97). **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3727 57. On vacation and conveyance of Franklin Avenue right-of-way west of Sixth Avenue, to Neighborhood Finance Corporation, (in-kind grant), (12-8-97). **Moved by Phillips to adopt. Motion Carried 5-1.**

APPROVING

97-3728 58. Tax Abatement applications for additional value added by improvements during 1997. (110 applications on file in City Clerk's Office). **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3729 59. Des Moines International Airport Board 1996-97 Annual Report. (On file in City Clerk's Office). **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3730 60. City Manager's Monthly Financial Report for August, 1997, (On file in City Clerk's Office). **Moved by Phillips to receive and file. Motion Carried 5-1.**

97-3731 61. 1997 HOME Agreement with Community Housing Development Corporation for \$97,415 for the period November 1, 1997 to December 31, 1997, for construction of three homes for City-approved lease/purchase program. **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3732 62. Approving \$120,000 of HOME Rental Rehabilitation funds to Des Moines Coalition for the Homeless for expansion of transitional housing program, (continued from 10-6-97) ([Council Communication No. 97-540](#)). **Moved by Phillips to approve subject to Council receiving prior notification of proposed housing locations, and such notice provision be made part of the contracts. Motion Carried 5-1.**

97-3733 63. Local Law Enforcement Block Grant Award for 1997, Advisory Board membership and schedule of Board events. ([Council Communication No. 97-543](#)). **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3734 64. Renewal of Property & Casualty Insurance for Wastewater Reclamation Facility's Co-Generation Plant, effective October 1, 1997 through June 30, 1998 - \$17,273, and the Curbside Recycling Program, Effective November 1, 1997 through June 30, 1998 - \$23,771. ([Council Communication No. 97-553](#)). **Moved by Phillips to adopt. Motion Carried 5-1.**

65. Bids for the following:

97-3735 (A) Michael's Heating and Cooling, Inc., (3526 SW 9th Street, Michael Auch, President) for an annual contract for furnace tune and clean services for low-income residents to be used by the Community Development Department, \$30.00 for services plus parts replacement, (13 bids mailed-three received). **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3736 (B) Dewey Ford, Inc., (444 E. 4th Street, Mark Vukovich, President) for three (3) pickup trucks to be used by the Engineering Department (Wastewater Reclamation Facility), \$40,840.80. (Seven bids mailed-four received). **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3737 (C) Vollbrecht & Associates, Inc., (New Brighton, MN, Bob Vollbrecht, President), and O.M.J.C. Signal, Inc., Waterloo, IA, Arlen Yost, President) for 260 new parking meters (\$64,350), and 6 pre-owned traffic signal controllers (\$13,200) to be used by the Engineering Department (Traffic and Transportation), Total cost of \$77,550. (Nine bids mailed-three received). **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3738 (D) Toyne, Inc., (Breda, IA, Roger Schwabe, President) for two (2) 1500 GPM Triple Combination Pumpers to be used by the Fire Department, \$570,720. (15 bids mailed-2 received) **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3739 (E) Emergency Vehicle Sales and Service, (Alexander, IA, Gene Draper, President) for an ambulance to be used by the Fire Department, \$93,365. Low compliant bid from Taylor Made Ambulances rejected pursuant to Municipal Code Section 2-96-Rejection of Bids. (Seven bids mailed-two received). ([Council Communication No. 97-539](#)) **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3740 (F) Clarke Mosquito Control Products, Inc., (Roselle, IL, J. Lyell Clarke, III, President) for 330 gallons (\$34.20 per gallon) of mosquito adulticide to be used by the Community Development Department (Neighborhood Inspection), \$11,286. (Nine bids mailed-one received). ([Council Communication No. 97-558](#)) **Moved by Phillips to adopt. Motion Carried 4-1-1.**
Pass: Flagg. Absent: Hensley.

97-3741 (G) GP Solutions, Inc. (Urbandale, IA, James D. Lane, President) for upgrade of hardware and software that is compatible with existing Computerized Maintenance Management System (CMMS) to be used by the Engineering Department (Wastewater Reclamation Facility), \$47,811. **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3742 66. Receipt of Insurance for various City projects and functions for recording by the City Clerk. **Moved by Phillips to adopt. Motion Carried 5-1.**

67. Report of Civil Service Commission for meetings of November 3, 1997 and November 10, 1997 submitting Entrance List and Promotional Lists for the following:

97-3743 (A) November 3, 1997 - Entrance - Personnel Analyst, Promotional List - Senior Police Officer. **Moved by Phillips to receive and file. Motion Carried 5-1.**

97-3744 (B) November 10, 1997 - Promotional List - Senior Police Officer. **Moved by Phillips to receive and file. Motion Carried 5-1.**

97-3745 68. Authorizing Finance Director to draw warrants on registers of November 21, 1997, November 28, 1997, and December 5, 1997; and the bills of the Des Moines Municipal Housing Agency for the weeks beginning November 17, 1997, November 24, 1997, and December 1, 1997, and the biweekly payroll due employees on November 21, 1997 and December 5, 1997. **Moved by Phillips to adopt. Motion Carried 5-1.**

ORDINANCES - FINAL CONSIDERATION

97-3746 69. Amending Chapter 27 of the Municipal Code regarding installation of a four-way stop at the intersection of North Union and Sheridan. **Moved by Phillips that this ordinance do now pass, [#13,543](#). Motion Carried 5-1.**

97-3747 70. Amending Chapter 27 of the Municipal Code regarding traffic regulation changes at the new Meredith Complex, 15th to 18th, between Grand and Locust. **Moved by Phillips that this ordinance do now pass, [#13,544](#). Motion Carried 5-1.**

97-3748 71. Amending Chapter 27 of the Municipal Code regarding traffic regulation changes for the following. **Moved by Phillips that this ordinance do now pass, [#13,545](#). Motion Carried 5-1.**

(1) Request for additional Handicapped Parking Meters-North and South sides of Woodland Avenue between Tenth Street and Eleventh Street.

(2) Request for Handicapped Parking Meters in newly constructed Handicapped Parking Inset adjacent to City Hall.

ORDINANCES - SECOND CONSIDERATION

97-3749 72. On application from Ginger Kniesley, to rezone property at 2203 Lincoln Avenue, from "C-2" (General Retail and Highway Oriented Commercial) to "R1-60" (One-Family, Low Density Residential). **Moved by Phillips that this ordinance be considered and given second vote for passage. Motion Carried 5-1.**

73. NUMBER NOT USED.

97-3750 74. Amending Chapter 27 of the Municipal Code to restrict parking adjacent to the Federal Office Building-210 Walnut Street. **Moved by Phillips that this ordinance be considered and given second vote for passage. Motion Carried 5-1.**

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

ORDINANCES - FIRST CONSIDERATION

97-3751 75. Amending Chapter 27 of the Municipal Code regarding traffic regulation changes for the following. **Moved by McPherson that this ordinance be considered and given first vote for passage. Motion Carried 5-1.**

(1) Request for stop signs at East Fifteenth Street and Tiffin Avenue.

(2) Requests for Corner Clearances:

(A) South Side of Cleveland Avenue East of Twenty-Ninth Street and South Side of Cleveland Avenue West of East Thirtieth Street.

(B) West Side of Southeast Eighteenth Court South of Park Avenue.

(C) West Side of Sixty-Second Street North of University Avenue.

(D) South Side of School Street East of Thirty-First Street.

(E) West Side of Fifty-First Street North of Hickman Road.

COUNCIL REQUESTS

97-3752 76. Request from Council Member George E. Flagg, to discuss filling vacancy of City Council At-Large seat. **Moved by Flagg to receive, file and discuss; direct publication of notice of intent to fill the vacancy by appointment. MOTION FAILED 1-2-2-1 Yeas: Flagg. Nays: Phillips and Daniels. Pass: McPherson and Vlassis. Absent: Hensley. This item will be considered again on 12-8-97.**

97-3753 77. Request from Council Member George E. Flagg, to discuss police officers appearance before a Grand Jury. **Moved by Flagg to receive, file and discuss; refer to City Manager and Legal to draft a Council policy to the extent that the City will pay standard attorney hourly rate for police officers who go before the Grand Jury, providing officer is not indicted. Motion Carried 5-1.**

97-3754 78. Communication from Council Member Mike McPherson regarding traffic problem and public nuisance on Delaware Avenue. **Moved by McPherson to receive, file and refer to the Legal Department for preparation of proper legislation, to control truck traffic thru a public nuisance and administrative hearing process. Motion Carried 5-1.**

COMMUNICATIONS/REPORTS

97-3755 79. Request from Gerald LaBlanc, 8912 46th Avenue, N.E., Altoona, to speak regarding City's Gold Star Memorial in Burke Park, E. Seventh Street and University Avenue. **Moved by McPherson to grant request to speak; refer to City Manager to explore options suggested, such as contracting monument restoration companies for a quote; dialogue with Polk County to assist with restoration funding and, a rededication of the monument at the appropriate time, if and when restoration is complete. Motion Carried 5-1.**

97-3756 80. Request from Duane Stratton, 2005 SW Ninth Street, to appeal denial of issuance of cab badge. **Moved by Flagg to receive, file and to defer action to 12-8-97 at request of applicant. Motion Carried 5-1.**

****Council considered Items 86 thru Extra Item 1 next****

HEARINGS (Opened at 5:42 P.M.) (Items 81 thru 85)

97-3757 81. On application from Larry Morgan, Broadlawns Medical Center, to rezone property at 1801 Hickman Road, from "R-3" (Multiple Family Residential) and "U-1" (Flood Plain District) to "C-0" (Commercial-Residential), and find this in conformance with the Des Moines 2000 Land Use Plan, (continued from 11-3-97). **Moved by Vlassis to adopt. City Manager and Legal to bring forward a change in the Legal Description to amend area to be rezoned with second reading of the ordinance. Motion Carried 5-1.**

97-3758 (A) First consideration of ordinance above. **Moved by Vlassis that this ordinance be considered and given first vote for passage. Area to be rezoned will be amended with second reading of the ordinance. Motion Carried 5-1.**

97-3759 82. On proposed 1998 HUD Consolidated Plan, which combines planning and submission process for Community Development Block Grant (CDBG) HOME Investment Partnership Program (HOME) and Emergency Shelter Grant (ESG) funds. ([Council Communication No. 97-541](#)). **Moved by Vlassis to adopt, including allocation of \$25,000 for Greater East Side Development and \$25,000 for Operation Downtown; consideration of**

\$25,000 for Churches United is continued for consideration on 12-8-97. Motion Carried 5-1.

97-3760 (A) Approving Comprehensive Strategy Environmental Review Record, Finding No Significant Impact on the Environment, and approving Notice of Intent to Request Release of Funds. **Moved by Vlassis to adopt. Motion Carried 5-1.**

97-3761 (B) Submitting petitions in support of Operation Downtown security. **Moved by Vlassis to receive and file. Motion Carried 5-1.**

97-3762 (C) Submitting various communications and petitions regarding 1998 CDBG funding. **Moved by Vlassis to receive and file. Motion Carried 5-1.**

97-3763 83. On 1997 Sanitary Sewer Cleaning & TV Inspection Contract No. 2: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Municipal Pipe Tool Co., (Steve Gearhart, Pres., Hudson, IA), \$22,806.05. **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3764 (A) Approving contract and bond. **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3765 84. On Equipment Maintenance Center Welding Shop Relocation & Overhead Door Replacement: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Point builders, Inc., (Fred Timko, Pres, 1751 Guthrie, DM), \$202,300. **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3766 (A) Approving contract and bond. **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3767 85. On Equipment Maintenance Center Administration Roof Replacement: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Iowa Roofing Company, (David K. Guy, President, 2904 6th Avenue, DM), \$47,830. **Moved by Vlassis to adopt. Motion Carried 5-1.**

97-3768 (A) Approving contract and bond. **Moved by Vlassis to adopt. Motion Carried 5-1.**

97-3769 85-I On appeal of Debra Dolinsek regarding declaration of her dog as a vicious animal. **Moved by McPherson to receive, file uphold the decision of the Hearing Officer and issue a written order to Ms. Dolinsek directing that the animal be licensed and confined, removed from the City, or in the alternative, that it be humanely destroyed. Motion Carried 5-1.**

* * END HEARINGS at 7:20 P.M. * *

****Council considered Board of Health Items next****

APPROVING

97-3770 86. Approving Request for Qualifications (RFQ) for new financial/accounting and payroll/human resources software to replace the City's existing software and manual processes. ([Council Communication No. 97-557](#)) **Moved by McPherson to adopt. Motion Carried 5-1.**

87. Renewal of Alternative Health Insurance Contracts for Supervisory, Professional and Management (SPM) employees, with the following companies, ([Council Communication No. 97-554](#)):

97-3771 (A) Principal Health Care of Iowa, Inc., (Open Access and Primary Care), effective January 1, 1998. **Moved by Vlassis to adopt. Motion Carried 5-1.**

97-3772 (B) CommUnity Financial and Insurance Corporation, dba, Unity Choice Health Plan, effective January 1, 1998. **Moved by Vlassis to adopt. Motion Carried 5-1.**

97-3773 88. Denial of appeal of Storm Water Management Charge by Jann Realty, 1901 Bell Avenue. **Moved by McPherson to adopt. Motion Carried 5-1.**

WITHDRAWN 97-3774 89. Resolution for selection of Merrill Lynch to serve as Senior

Managing Underwriter for issuance of General Airport Revenue Bonds. ([Council Communication No. 97-550](#))

97-3775 90. Preliminary approval of state and local economic development applications and funding commitments for Color Converting Industries -- Airport Commerce Park West Urban Renewal Area. ([Council Communication No. 97-551](#)). **Moved by Vlassis to approve. Motion Carried 5-1.**

91. The following with Houghton Properties, ([Council Communication No. 97-556](#)):

97-3776 (A) Private Redevelopment Proposal to purchase Disposition Parcel No. 10A (south of Thompson Avenue between vacated Dixon Court and Dixon Street-1900 Dixon Street) in Guthrie Avenue Business Park Urban Renewal Area. **Moved by McPherson to approve. Motion Carried 5-1.**

97-3777 (B) Authorizing notice of intent to enter into agreement. **Moved by McPherson to approve. Motion Carried 5-1.**

97-3778 (C) License Agreement to conduct demolition, removal and backfill work. **Moved by McPherson to approve. Motion Carried 5-1.**

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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.

97-3779 1. Oral request of Chris Mur, 3511 Forest, to speak regarding TCI Cablevision. SPONSOR: Vlassis. **Moved by Vlassis to receive, file and grant the request to speak. Motion Carried 5-1.**

97-3780 2. Setting Date of Hearing on vacation and conveyance of a portion of the Davis Avenue right-of-way in the vicinity of 2301 SW 9th Street, to Conaldo, Inc. \$2,000, (12-8-97). SPONSOR: Phillips. **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3781 3. Setting Date of Hearing on vacation and easement for a portion of Urbandale Avenue right-of-way north of Leado Avenue, \$100 plus costs, (12-8-97). SPONSOR: Vlassis. **Moved by Phillips to adopt. Motion Carried 5-1.**

97-3782 4. Approving recommendation from Council Member Mike McPherson, for reappointment of A. Joyce Smith, to the Greater Des Moines Sister City Commission, five year term to expire April 28, 2002. SPONSOR: McPherson. **Moved by Phillips to adopt. Motion Carried 5-1.**

A G E N D A

BOARD OF HEALTH

November 17, 1997

97-3783 MOTION TO CONVENE. **Moved by Vlassis that the city Council adjourn and convene as a Board of Health. Motion Carried 5-1.**

AUTHORIZING

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

97-3784 (A) 1503 Searle, vacant, Titleholder: Western United Life Assurance Company, A Corporation; Contract buyers: Larry Odom, Carol A. Odom. **Moved by Vlassis to adopt. Motion Carried 5-1.**

97-3785 (B) 2916 State, vacant, Titleholder: Frank E. Weinstein; Legal Interest Holder: Tax 63. **Moved by Vlassis to adopt. Motion Carried 5-1.**

97-3786 (C) 717 SE 9th, vacant, Titleholder: Dolores Gomez; Legal Interest Holders: Julie Schneider, Mark Schneider, Matt J. Walsh.

97-3787 (D) 7303 SW 16th, vacant, Titleholder: Craig D. Bishop; Legal Interest Holders: Federal National Mortgage Association, ReliaStar Mortgage Company. **Moved by Vlassis to adopt. Motion Carried 5-1.**

97-3788 (E) 1004 25th, vacant, Titleholders: Bruce W. Strain, Kathryn K. Strain; Contract Buyers, Dickie L. Medhaug, Mary M. Medhaug; Legal Interest Holder: Ryan White. **Moved by Vlassis to adopt. Motion Carried 5-1.**

97-3789 MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 7:22 P.M.**