



***** 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 '10-' 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

**November 8, 2010
4:30 PM**

PROCLAMATIONS – 4:15 PM

[Hunger](#) and Homeless Awareness Week

[National](#) Home Care Month

RECOGNITIONS

Community Development Department Awards – [Thrivent](#) Builds Neighborhoods

- [10-1813](#) 1. ROLL CALL: **Present: Cownie, Coleman, Griess, Hensley, Mahaffey, Meyer and Moore. Mayor Cownie and Council Member Moore participated in the meeting by telephone.**
- [10-1814](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1815](#) 3. APPROVING CONSENT AGENDA * – items 3 through 44: **Moved by Hensley to adopt the balance of the consent agenda. Motion Carried 7-0.**

***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.**

LICENSES AND PERMITS

[10-1816](#)

4. [Approving](#) Alcoholic Beverage License Applications for the following: **Moved by Moore to adopt all except item (M) – Estrada’s which will be deferred until the November 22, 2010 Council meeting. Motion Carried 7-0.**

NEW APPLICATIONS

(A)	EUROPA GROCERIES	3839 MERLE HAY RD	C Beer
(B)	FREMONT	1030 E 9TH ST	C Liquor
(C)	HY VEE WINE SHOP	730 3RD ST	C Beer
(D)	SAHOTA FOOD MART	1805 SE 14TH ST	E Liquor
(E)	TIMOTHYS STEAKHOUSE	5418 DOUGLAS AVE	C Liquor

RENEWAL APPLICATIONS

(F)	ALDI INC #03	3940 E 14TH STREET	C Beer
(G)	ALDI INC #29	500 E ARMY POST RD	C Beer
(H)	ALDI INC #38	2543 E UNIVERSITY	C Beer
(I)	AMICI ESPRESSO	206 6TH AVE	C Liquor
(J)	CARLOS O'KELLYS	6250 SE 14TH ST	C Liquor
(K)	DAHLS FOODS	3400 E 33RD ST	E Liquor
(L)	EL SIETE MARES MEXICAN	2811 SE 14TH ST	B Beer
* (M)	ESTRADAS	3029 MERLE HAY RD	C Liquor
(N)	GIT N GO STORE #19	9536 COUNTY LINE	C Beer
(O)	GIT N GO STORE #6	5736 FRANKLIN AVE	C Beer
(P)	JEANNIES BOTTLE	3839 MERLE HAY RD	C Liquor
(Q)	MIYABI 9	512 E GRAND AVE	C Beer/Wine
(R)	SUPER QUICK	303 SE 30TH ST	C Beer

[10-1817](#)

5. [City](#) Clerk to issue Cigarette Licenses. **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Cownie and Moore.**

[10-1818](#)

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

PUBLIC IMPROVEMENTS

[10-1819](#)

7. [Approving](#) contract and bond for construction of an improvement with the estimated cost of which is less than the Iowa Code competitive bid threshold, 1566 E. Euclid Avenue Sanitary Sewer Repair, Van Hauen & Associates, Inc. (Brian Tancos, President) \$84,800. ([Council Communication No. 10-672](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [10-1820](#) 8. [Approving](#) Professional Services Agreement with Nilles Associates, Inc. for the Gray's Lake Shoreline Restoration, not to exceed \$116,800. ([Council Communication No. 10-666](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Cownie.**
- [10-1821](#) 9. [Approving](#) Professional Services Agreement with Foth Infrastructure and Environment, LLC, for design and construction phase services for the Army Post Road and Indianola Avenue Culvert Extension, not to exceed \$84,750. ([Council Communication No. 10-665](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1822](#) 10. [Approving](#) Supplemental Agreement No. 1 to the Certification of Flood Protection System Levees for Federal Emergency Management Agency Compliance Professional Services Agreement with Howard R. Green Company for required geotechnical investigation and analysis, for the Certification of Flood Protection System Levees for Federal Emergency Management Agency Compliance Project, not to exceed \$195,000. ([Council Communication No. 10-683](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1823](#) 11. [Approving](#) Supplemental Agreement No. 8 to the Southeast Connector Professional Services Agreement with Kirkham Michael & Associates to provide additional design services for the Southeast Connector project – SE 9th Street to SE 14th/15th Street, not to exceed \$116,744. ([Council Communication No. 10-667](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1824](#) 12. [Authorization](#) for Mayor to execute grant-related documents, and the City Engineer to administer CDBG Disaster Recovery Infrastructure grants with the Iowa Department of Economic Development and execute necessary administrative documents for critical sanitary sewer lining in aging neighborhoods, \$3,000,000 and stormwater pump station, north of Des Moines River levee between SE 4th and SE 6th Streets, \$2,000,000. ([Council Communication No. 10-677](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1825](#) 13. [Authorizing](#) submittal of STP and STP-TE Fund FY 2015 Applications to the Des Moines Area Metropolitan Planning Organization. ([Council Communication No. 10-680](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1826](#) 14. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects. **Moved by Hensley to adopt. Motion Carried 7-0.**

15. Accepting completed construction and approving final payment to the following:

- [10-1827](#) (A) [Baker](#) Electric, Inc. – Hickman Road Traffic Signal Improvements: 48th Street, 4400 & 5500 Blocks. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1828](#) (B) [Corell](#) Contractor, Inc. – High Street Realignment – 10th Street to 14th Street – Phase 2. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1829](#) (C) [Elder](#) Corporation – M. L. King Jr. Parkway Levee Restoration. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1830](#) (D) [Platinum](#) Building Solutions – Armory Building Reroofing. **Moved by Hensley to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [10-1831](#) 16. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2010-13. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1832](#) 17. [Approving](#) deletion of NAC-Emergency Assessment at 3700 3rd Street. **Moved by Hensley to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [10-1833](#) 18. [Establishing](#) fair market value of property located at 4301 Indianola Avenue for the E. Indianola Avenue Widening Project – Phase 2. ([Council Communication No. 10-668](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1834](#) 19. [Request](#) from Hatch Development Group for the City Council to initiate the vacation of various right-of-way properties, to be used for infill redevelopment of single-family affordable housing. **Moved by Moore to adopt and ask the Plan and Zoning Commission to consider a requirement for street trees. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [10-1835](#) 20. [Communication](#) from Carole Jones advising of her resignation from the Public Housing Board, Seat 7, effective immediately. **Moved by Hensley to receive, file and accept resignation with appreciation for her service. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

WITHDRAWN

- [10-1836](#) 21. ~~Regarding request from Public Works Director, William Stowe for vacation of segments of right of way for use as lease area for the Metro Waste Authority Compost Facility, subject to provision of easements.~~

SETTING DATE OF HEARINGS

- [10-1837](#) 22. [On](#) Amendment to Chapter 26 of the Municipal Code to adopt the 2009 editions of the International Building Code; International Residential Code; International Existing Building Code; International Mechanical Code; International Fuel Gas Code; International Energy Conservation Code and the Uniform Plumbing Code, (11-22-10). ([Council Communication No. 10-661](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1838](#) 23. [On](#) Zoning Text Amendment request to revise the applicability of Conditional Use Permit requirements for businesses selling liquor, wine or beer, (11-22-10). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1839](#) 24. [On](#) proposed Urban Renewal Plan for the Southeast Economic Development District Urban Renewal Area, (12-6-10). ([Council Communication No. 10-673](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1840](#) 25. [On](#) assessment of \$500 penalties to 5 liquor license holders for violation of Iowa Alcoholic Beverage Laws (sale to minors), (11-22-10). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1841](#) 26. [On](#) assessment of \$1,500 penalty and 30-day suspension of liquor license for the Den, 4369 Merle Hay Road, for violation of Iowa Alcoholic Beverage Laws (sale to minor), (11-22-10). **Moved by Hensley to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [10-1842](#) 27. [Accepting](#) payment of \$31,250 from Charles Blakley and Park Avenue Farms, L.C. for damages at Cownie Soccer Complex from horses escaping from property leased by Charles Blakley and owned by Park Avenue Farms, L.C. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1843](#) 28. [Approving](#) payment of \$12,684.98 to James Frye for a workers' compensation claim. **Moved by Hensley to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- [10-1844](#) 29. [Submitting](#) travel and training request for T.M. Franklin Cownie, Laura Pascuzzi and John Petersen. ([Council Communication No. 10-685](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

APPROVING

- [10-1845](#) 30. [2010](#) US Department of Housing and Urban Development (HUD) Supportive Housing Program (SHP) Continuum of Care (COC) Program Application. ([Council Communication No. 10-660](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1846](#) (A) [Communication](#) from Chair of Polk County Housing Continuum (PCHC) Board. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1847](#) 31. [Fiscal](#) Year 2008 Continuum of Care (COC) Closeout Certification documents for House of Mercy at Capitol Park. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1848](#) 32. [Second](#) Year Action Plan (2011) Environmental Review Record, Finding of No Significant Impact on the Environment and publishing Notice of Intent to Request Release of Funds. **Moved by Hensley to approve and adopt. Motion Carried 7-0.**
- [10-1849](#) 33. [Major](#) Amendment No. 4 to Community Development Block Grant Housing Disaster Recovery (CDBG-DR) Fund Contract with Iowa Department of Economic Development (IDED) adding funds for Anawim/Hubbell Project in 2200 block of Forest Avenue and Younkens Building/Alexander Company projects. ([Council Communication No. 10-675](#)) **Moved by Hensley to approve. Motion Carried 7-0.**
- [10-1850](#) 34. [Des](#) Moines Community Development Block Grant – Disaster Recovery (CDBG-DR) Development Plan to build owner-occupied single-family homes to replace homes destroyed during heavy rains and flooding of 2008. ([Council Communication No. 10-678](#)) **Moved by Hensley to approve. Motion Carried 7-0.**

- [10-1851](#) 35. [Community](#) Services Block Grant (CSBG) Community Action Plan and application for the 2011 CSBG Program Year. ([Council Communication No. 10-676](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1852](#) 36. [Funding](#) request to Iowa Department of Economic Development on behalf of Green Ltd. L.C. for \$2,000,000 of CDBG-DR funding for 25 units of housing and City commitment of \$400,000 in matching funding through HOME funds, Tax Increment Financing (TIF) or Tax Abatement. ([Council Communication No. 10-686](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1853](#) 37. [Extension](#) of King Irving Affordable Housing Consortium CDBG Contract to December 31, 2011, allowing development projects to continue. ([Council Communication No. 10-674](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1854](#) 38. [Amendment](#) to Embassy Suites Parking Lot Lease Agreement, establishing annual rental amount for lease years 21 through 25, \$74,100. ([Council Communication No. 10-669](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1855](#) 39. [Annual](#) processing fee of \$60 to become a Rehabilitation Contractor on the Neighborhood Conservation Services list supplied to clients. ([Council Communication No. 10-662](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1856](#) 40. [Issuance](#) of \$65,360,000 General Obligation Refunding Capital Loan Notes, Series 2010H. **Moved by Hensley to adopt. Motion Carried 7-0.**
41. Bid from the following:
- [10-1857](#) (A) [Lawns](#) Plus (Chad Smith, President) and TruGreen (Steven Donly, CEO) for an annual contract with two (2) additional one-year renewal options to furnish snow removal services at various City properties, for a total combined annual cost of up to \$75,000. (Fifteen bids mailed, five received) ([Council Communication No. 10-684](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1858](#) (B) [MSI](#) Systems Integrators (Jim Simpson, President) for annual maintenance and support services for CISCO network equipment hardware and software, \$150,995.78. (Nine bids mailed, three received) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1859](#) 42. [Civil](#) Service Entrance Lists for Human Resources Assistant, Heavy Equipment Operator and Promotional List for Fire Medic. **Moved by Hensley to receive and file. Motion Carried 7-0.**

[10-1860](#)

- 43. [Authorizing](#) Finance Director to draw checks on [registers](#) for weeks of November 8 and November 15, 2010; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for weeks of November 8 and November 15, 2010; and to draw checks for biweekly payroll due November 19, 2010. **Moved by Hensley to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

[10-1861](#)

- 44. [On](#) rezoning of 2713 Martin Luther King Jr. Parkway from “M-3” (Limited Industrial) to Ltd. “C-2” (General Retail and Highway Oriented Commercial) to allow vehicle repair and vehicle sales and display businesses. **Moved by Hensley that this ordinance do now pass, #14,969. Motion Carried 7-0.**

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

ORDINANCES - FIRST CONSIDERATION

[10-1862](#)

- 45. [Amending](#) Chapter 118-275 of the Municipal Code to provide for a stormwater utility fee adjustment. ([Council Communication No. 10-682](#)) **Moved by Cownie that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[10-1863](#)

- 46. [Amending](#) Chapter 42 of the Municipal Code regarding Noise Control Ordinance of Solid Waste Collection and other loading and unloading activities. ([Council Communication No. 10-663](#)) **Moved by Meyer that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[10-1864](#)

- 47. [Amending](#) Chapter 114 of the Municipal Code regarding traffic regulation changes as follows: ([Council Communication No. 10-664](#)) **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

(A) Permit Parking Only – E. Grand Avenue from Des Moines River to Robert D. Ray Drive.

(B) Extension of Parking Restrictions – E. 33rd Street and Easton Boulevard.

(C) Four-Way Stop – Casady Drive and Druid Hill Drive.

[10-1865](#)

- (D) Final consideration of ordinance above, requires six votes. **Moved by Coleman 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, #14,970. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

- [10-1866](#) 48. **From** David Costello, 1105 Orchard Lane, to speak regarding the homeless in our community during the winter of 2010-2011. **Moved by Coleman to receive and file comments. Motion Carried 6-1. Absent: Meyer.**
- [10-1867](#) 49. **From** Tom Zmolek, 328 38th Place, to speak regarding proposal to institute a new designated music ordinance to allow minors into small venues after 9:00 p.m. **Moved by Meyer to refer to City Manager for review and recommendation. Motion Carried 7-0.**
- [10-1868](#) 50. **From** City of Pleasant Hill requesting boundary adjustment to allow a portion of Copper Creek Lake Park, owned by Pleasant Hill and located within the boundaries of the City of Des Moines, to be severed from Des Moines and annexed into Pleasant Hill. **Moved by Meyer to receive and file, and to refer to the City Manager for report and recommendation, and also to include a recommendation regarding the Sleepy Hollow area. Motion Carried 7-0.**
- [10-1869](#) 51. **Communication** from Coalition of South Side Neighborhood Associations regarding mobile home parks. **Moved by Meyer to refer to the City Manager to review what the City has done in the past two years to address the problem of mobile home parks that are not up to code. Also work with Mr. Ogden to possibly transition his property to a different use, and include a review of the Radio City Mobile Home Park on NE 14th. Motion Carried 7-0.**
- [10-1870](#) 52. **Submission** of the 2009-2010 Annual Report of the Greater Des Moines Public Art Foundation. **Moved by Hensley to receive and file; work with director to review which items should be included in Administrative Expenses. Motion Carried 7-0.**

HEARINGS (OPEN AT 5:03 P.M.) (ITEMS 53 THRU 60)

- [10-1871](#) 53. **On** vacation and conveyance of a portion of SW 8th Street right-of-way at 309 SW 8th Street to Hubbell Realty Company, \$1,200. (**Council Communication No. 10-670**) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1872](#) (A) **First** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [10-1873](#) (B) **Final** consideration of ordinance above (waiver requested by the applicant), requires six votes. **Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #14,971. Motion Carried 7-0.**

- [10-1874](#) 54. **On** conveyance of a Transmission Line Easement on City-owned property for the Central Place Levee Project to MidAmerican Energy Company, \$1. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [10-1875](#) 55. **On** request from Quest Development to rezone 320 SW 9th Street from “C-3B” (Central Business District Mixed-Residential) to “PUD” (Planned Unit Development) and approval of PUD Conceptual Plan to build two four-story hotel complexes, subject to conditions. **Moved by Hensley to adopt and approve the rezoning and the PUD Conceptual Plan, subject to final passage of the rezoning ordinance. Motion Carried 7-0.**
- [10-1876](#) (A) **First** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [10-1877](#) (B) **Final** consideration of ordinance above (waiver requested by the applicant), requires six votes. **Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #14,972. Motion Carried 7-0.**
56. Items regarding the west 145 feet of 1521 E. 40th Street:
- [10-1878](#) (A) **Amend** the Des Moines 2020 Community Character Land Use Plan future land use designation from Clear Zone/Development Control Zone to Low-Density Residential. **Moved by Coleman to approve and adopt. Motion Carried 7-0.**
- [10-1879](#) (B) **Hearing** on request from Connie Ashby to rezone property from “U-1” (Floodplain) to Ltd. “R1-60” (One-Family Low-Density Residential), subject to conditions. **Moved by Coleman to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 7-0.**
- [10-1880](#) (C) **First** consideration of ordinance above. **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [10-1881](#) (D) **Final** consideration of ordinance above (waiver is requested by the applicant), requires six votes. **Moved by Coleman 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, #14,973. Motion Carried 7-0.**

57. Items regarding 2301, 2311 and 2367 E. 14th Street and 1408 and 1410 Guthrie Avenue:

- [10-1882](#) (A) **Amend** the Des Moines 2020 Community Character Land Use Plan future land use designation from Low-Density Residential to Commercial: Pedestrian-Oriented Neighborhood Node. **Moved by Meyer to approve and adopt. Motion Carried 7-0.**
- [10-1883](#) (B) **Hearing** on request from William C. Knapp to rezone property from “R1-60” (One-Family Low-Density Residential) and “C-2” (General Retail and Highway Oriented Commercial) to Ltd. “C-1” (Neighborhood Retail Commercial), subject to conditions. **Moved by Meyer to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 7-0.**
- [10-1884](#) (C) **First** consideration of ordinance above. **Moved by Meyer that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [10-1885](#) (D) **Final** consideration of ordinance above (waiver is requested by the applicant), requires six 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, #14,974. Motion Carried 7-0.**
- [10-1886](#) 58. **On** renaming a portion of Stanton Avenue, east of Highway 28, to “Scout Trail”. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1887](#) (A) **First** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [10-1888](#) (B) **Final** consideration of ordinance above (waiver requested by the applicant), requires six votes. **Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #14,975. Motion Carried 7-0.**
- [10-1889](#) 59. **On** Zoning Text and Municipal Code amendments regulating pawnbrokers and delayed deposit service businesses. (**Council Communication No. 10-681**) **Moved by Meyer to adopt and approve the text amendments to the Municipal Code, subject to final passage of the ordinance. Motion Carried 7-0.**
- [10-1890](#) (A) **Communication** from City Plan and Zoning Commission. **Moved by Meyer to receive and file. Motion Carried 7-0.**

- [10-1891](#) (B) **First** consideration of ordinance above. **Moved by Meyer that this ordinance be considered and given first vote for passage; refer to the City Manager, City Attorney and Community Development for review and recommendation on the following: 1. Meet with representatives of Solar Pawn (David Kouri, 3311 Ingersoll Avenue) and A Quality Pawn and Jewelry (Tom Friend, 1135 Army Post Road) to discuss impacts of the ordinance on their properties. 2. Options for limited expansion of existing pawnbrokers, who would become legal non-conforming based upon the proposed ordinance. 3. Options for neighborhood notification. 4. Options to split the proposed ordinance into separate ordinances for Pawnbrokers and Delayed Deposit Service Businesses. Motion Carried 7-0.**
- [10-1892](#) (C) **Extending** the temporary moratorium on the establishment of new or relocation of existing delayed deposit services and pawnbroker businesses to December 17, 2010. **Moved by Meyer to adopt and continue the moratorium through December 17, 2010. Motion Carried 7-0.**
- [10-1893](#) 60. **On** Asbestos Removal at 717 Grand Avenue Former YWCA: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as REW Services Corporation, (Pete Walter, President), \$119,523. ([Council Communication No. 10-671](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1894](#) (A) **Approval** of contract and bond. **Moved by Hensley to adopt. Motion Carried 7-0.**

END HEARINGS AT 6:10 PM

APPROVING

- [10-1895](#) 61. **Negotiated** Settlement Agreement with Kartar LLC, d/b/a University Groceries, 2121 University Avenue. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1896](#) (A) **Approving** renewal of Class E Liquor License for University Groceries. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1897](#) 62. **Budget** for the Downtown Self-Supported Municipal Improvement District (SSMID) for Fiscal Year ending June 30, 2012. ([Council Communication No. 10-679](#)) **Moved by Hensley to adopt; refer to the City Manager to work with the Downtown SSMID and DART regarding funds allocated to the Walnut Street Transit Mall. Motion Carried 7-0.**
- [10-1898](#) 63. **Agreement** with Des Moines Independent Community School District for Fuel Storage, Management and Dispensing Services. ([Council Communication No. 10-687](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

EXTRA ITEMS

- [10-1899](#) 1. Request of Mayor Cownie for development of one or more Dog Parks to be located in the City of Des Moines. A recommended development plan to include input of individuals from each ward. **Moved by Meyer to refer to the City Manager for review and recommendation. Motion Carried 7-0.**
- [10-1900](#) 2. [Approving](#) bid from C.L. Carroll Company for repair services at the Des Moines Street Stormwater Pump Station and Raccoon River Stormwater Discharge Headwall. (Eight bids mailed, 1 received). Sponsor: Council Member Mahaffey. ([Council Communication No. 10-688](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

BOARD OF HEALTH

- [10-1901](#) MOTION TO CONVENE. **Moved by Griess that the City Council adjourn and convene as a Board of Health. Motion Carried 7-0.**
1. Approving the Legal Department to proceed with court action seeking authority to abate the public nuisance at the following locations:
- [10-1902](#) (A) [1310](#) E. 27th Street, fire-damaged structure, Titleholder: Anne Jones Cue; Mortgage Holders: Bank of American, NA and Mortgage Electronic Registration Systems, Inc. **Moved by Griess to adopt. Motion Carried 7-0.**
- [10-1903](#) (B) [4521](#) 46th Street, fire-damaged structure, Titleholder: Estate of Melanie Sheldahl and all Known and Unknown Heirs; Interested Parties: Steven Mayo, Heir and Erika Sheldahl, Heir; Mortgage Holder: Regions Bank d/b/a Regions Mortgage, Successor by Merger to Union Planters Bank. **Moved by Griess to adopt. Motion Carried 7-0.**
- [10-1904](#) MOTION TO ADJOURN. **Moved by Griess to adjourn at 6:47 PM. Motion Carried 7-0.**

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