



\*\*\* 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 '11-' 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**

January 24, 2011 4:30 P.M.

I. CLOSED SESSION – 3:30 P.M.

- [11-0071](#) (A) Roll Call. **Present: Cownie, Coleman, Griess, Hensley, Mahaffey, Meyer and Moore.**
- [11-0072](#) (B) Recess, and reconvene in closed session pursuant to Section 21.5(c) of the Code of Iowa to discuss pending litigation. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [11-0073](#) (C) Closed Session.
- [11-0074](#) (D) Terminate closed session and reconvene in open session. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Moore.**
- [11-0075](#) (E) Authorizing offer to confess judgment in the lawsuit Team Two vs. City of Des Moines, \$15,000. **Moved by Coleman to adopt. Motion Carried 6-1. Absent: Moore.**
- [11-0076](#) (F) Motion to adjourn. **Moved by Coleman to adjourn at 4:45 PM. Motion Carried 6-1. Absent: Moore.**

**SPECIAL PRESENTATION**

From Prairie Meadows regarding the annual support they provide the City. Sponsor: Council Member Coleman.

- [11-0077](#) 1. ROLL CALL: **Present: Cownie, Coleman, Griess, Hensley, Mahaffey, Meyer and Moore.**

[11-0078](#)

- 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**

[11-0079](#)

- 3. APPROVING CONSENT AGENDA \* – items 3 through 40: **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**

[11-0080](#)

- 4. Approving Alcoholic Beverage License Applications for the following: **Moved by Moore to adopt and continue items V and HH to February 28, 2011 Council meeting. Council Member Hensley votes No on item Y. Motion Carried 7-0.**

**NEW APPLICATIONS**

(A)	GUSTO PIZZA CO	1905 INGERSOLL	C Beer/Wine
(B)	HAIKU	1315 31ST ST	C Liquor
(C)	QUINTONS BAR & GRILL	506 E GRAND AVE	C Liquor
(D)	TASTE OF THAI	215 E WALNUT ST	C Beer/Wine
(E)	TOBACCO OUTLET PLUS #521	3301 E EUCLID AVE	B Native Wine
(F)	US GAS	3000 SW 9TH ST	B Wine

**RENEWAL APPLICATIONS**

(G)	ALBA RESTAURANT	519 DES MOINES ST	C Liquor
(H)	ALLIED INSURANCE	1100 LOCUST ST	C Liquor
(I)	CAFE DI SCALA	644 18TH ST	C Liquor
(J)	CASEYS #2244	2150 E ARMY POST	C Beer
(K)	CHADS CLUB 2000	422 INDIANOLA AVE	C Liquor
(L)	COONEYS TAVERN	3708 BEAVER AVE	C Liquor
(M)	DES MOINES ASIAN FOOD	1623 6TH AVE	C Beer
(N)	DIAMOND JACKS	3000 E GRAND AVE	C Liquor
(O)	FLYING MANGO	4345 HICKMAN RD	C Liquor
(P)	GIT N GO STORE #18	6501 SE 14TH ST	C Beer
(Q)	JIFFY #924	3718 SW 9TH ST	C Beer
(R)	KWONG TUNG RESTAURANT	2721 INGERSOLL	C Beer/Wine
(S)	LA CRUZ #3	3900 E 14TH ST	C Beer
(T)	<del>LE BOI</del>	<del>508 INDIANOLA RD</del>	<del>C Liquor</del>
(U)	LIFT	222 4TH STREET	C Liquor
** (V)	MACCABEES DELI & JUDAICA	1150 POLK BLVD	B Wine
(W)	MARIANAS	1305 UNIVERSITY	B Beer
(X)	MEXICAN MARKET	1456 2ND AVE	C Beer

** (Y)	MICHELLES LOUNGE	3925 E 14TH ST	C Liquor
<del>(Z)</del>	<del>NAT FOOD MART</del>	<del>1443 2ND AVENUE</del>	<del>C Beer</del>
(AA)	PALMERS DELI & MARKET	2843 INGERSOLL	C Liquor
(BB)	PUEBLO VIEJO	3841 E 14TH ST	C Liquor
(CC)	SAMBETTIS	1430 2ND AVE	C Liquor
(DD)	SCOOTER & BABS SPORTS BAR	918 E EUCLID AVE	C Liquor
(EE)	SNAKE PIT LOUNGE	3100 McKINLEY AVE	A Liquor
(FF)	SOUTHPORT SPORTS BAR	1101 ARMY POST	C Liquor
(GG)	TOBACCO OUTLET PLUS #521	3301 E EUCLID AVE	C Beer
** (HH)	TROPHYS SPORTS BAR	2701 DOUGLAS AVE	C Liquor

### TRANSFER TO NEW LOCATION

(II) DEPOT 3000 E GRAND AVE B Beer  
 Temporary transfer to Cattle Barn from February 14 – 20, 2011 for the Beef Expo.

### SPECIAL EVENTS APPLICATIONS

(JJ) IOWA WINE VILLAGE 730 3RD ST Five (5) Day License  
 Class B Native Wine Permit for Des Moines Home & Garden Show February 10 – 13, 2011.  
 Pending approval of Building, Electrical, Fire and Zoning Departments.

(KK) SKYWALK GOLF 19TH HOLE 555 WALNUT ST B Beer  
 Class B Beer Permit for Skywalk Golf Open on February 5, 2011 at the Kaleidoscope at the Hub.  
 Pending approval of Building, Electrical, Fire and Zoning Departments.

[11-0081](#) 5. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Hensley to adopt. Motion Carried 7-0.**

### PUBLIC IMPROVEMENTS

[11-0082](#) 6. [Ordering](#) construction of University Avenue Storm Sewer – 42<sup>nd</sup> to 43<sup>rd</sup> Street - Receiving of bids, (2-15-11) and Setting date of hearing, (2-28-11). Engineer’s Estimate, \$100,000. ([Council Communication No. 11-038](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[11-0083](#) 7. [Approving](#) Iowa Department of Transportation Agreement for SW 9<sup>th</sup> Street and DART Way Intersection Improvements. ([Council Communication No. 11-031](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[11-0084](#) 8. [Approving](#) Professional Services Agreement with Howard R. Green Company for design and construction phase services for Fire Station Emergency Generators and Fire Station HVAC and Sprinkler Improvements, not to exceed \$133,300. ([Council Communication No. 11-032](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [11-0085](#) 9. [Approving](#) Supplemental Agreement No. 1 to Professional Services Agreement with Foth Infrastructure and Environment, LLC for additional design and construction phase services for Fleur Drive Viaduct over American Discovery Trail Rehabilitation, not to exceed \$23,801. ([Council Communication No. 11-030](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
10. Accepting completed construction and approving final payment for the following:
- [11-0086](#) (A) [2010](#) Expanded Street Resurfacing Program – Contract 1, OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0087](#) (B) [John](#) & Mary Pappajohn Sculpture Park, Pinnacle Construction Group, LLC. **Moved by Hensley to adopt. Motion Carried 7-0.**

#### SPECIAL ASSESSMENTS

- [11-0088](#) 11. [Levying](#) assessments for costs of Nuisance Abatement – NAC Emergency Orders (Community Development) Schedule No. 2011-01. **Moved by Hensley to adopt. Motion Carried 7-0.**

#### LAND/PROPERTY TRANSACTIONS

- [11-0089](#) 12. [Approving](#) issuance of Curative Quit Claim Deed to Pleasantview Limited Partnership to remedy a title defect in platted lots of Pleasantview Estates. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0090](#) 13. [Partial](#) release of subdivision bond for Airport Industrial Park Plat 2. ([Council Communication No. 11-029](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0091](#) 14. [Releasing](#) PUD Restoration Bond for the Woods of Copper Creek Development. ([Council Communication No. 11-051](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0092](#) 15. [Approving](#) 158 tax abatement applications for the additional value added by improvements completed during 2010. ([Council Communication No. 11-028](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

#### BOARDS/COMMISSIONS/NEIGHBORHOODS

- [11-0093](#) 16. [Reappointment](#) of Council Member Bob Mahaffey to the Aging Resources' Board of Directors, Seat I, for a one-year term commencing January 1, 2011 and to expire December 31, 2011. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0094](#) 17. [Recommendation](#) from Mayor Frank Cownie to appoint Quincy Southers to the Aging Resources Board of Directors as the City of Des Moines Senior Representative for a two-year term commencing January 1, 2011 and to expire December 31, 2012. **Moved by Hensley to adopt. Motion Carried 7-0.**

- [11-0095](#) 18. [Recommendation](#) from Council Member Brian Meyer to appoint Michael Bowser to the Human Rights Commission, Seat 7, for a three-year term commencing April 1, 2011 to expire April 1, 2014. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0096](#) 19. [Recommendation](#) from Mayor Frank Cownie for the reappointment of Council Member Skip Moore as Primary and Council Member Chris Coleman as Alternate to the Metro Waste Authority's Board of Directors for a one-year term commencing January 1, 2011 and to expire December 31, 2011. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0097](#) 20. [Attendance](#) Reports for the various City Boards and Commissions from January 1, 2010 through December 31, 2010. **Moved by Hensley to receive and file; and express our appreciation to all, especially those with perfect attendance. Motion Carried 7-0.**

#### SETTING DATE OF HEARINGS

- [11-0098](#) 21. [On](#) conveyance of 1416 and 1420 22<sup>nd</sup> Street and 1315 Harrison Avenue to Greater Des Moines Habitat for Humanity for development of infill housing in the Forest Avenue Urban Renewal Project, \$16,500, (2-14-11). **Moved by Hensley to adopt. Motion Carried 7-0.**

#### LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

22. Approving payment to Ahlers & Cooney, P.C. Law Firm for the following:
- [11-0099](#) (A) [General](#) matters, \$2,867. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0100](#) (B) [General](#) Obligation Refunding Capital Loan Notes, Series 2010H, \$39,958.38. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0101](#) 23. [Approving](#) payment of \$23,750 to Sullivan & Ward PC, attorneys for Matthew and Brandy Flemming and Economy Premiers Insurance Company, for damages from a sewer backup. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0102](#) 24. [Approving](#) final settlement payment of \$30,000 to Dale and Rhonda Methfessel and Attorney Kara M. Simons for bodily injury due to an auto accident. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0103](#) 25. [Approving](#) settlement payment of \$12,500 to Robert Ussery and David Phipps, his attorney, for personal injuries due to an auto accident. **Moved by Hensley to adopt. Motion Carried 7-0.**

## CITY MANAGER COMMUNICATIONS

- [11-0104](#) 26. [Submitting](#) travel and training request for T. M. Franklin Cownie, Misti Allison and Tom Turner. ([Council Communication No. 11-052](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

## APPROVING

- [11-0105](#) 27. [Notice](#) to the public of Finding of No Significant Impact on the Environment and the Request for the Release of Funds from the Iowa Department of Economic Development for funds from the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act of 2009. ([Council Communication No. 11-054](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0106](#) 28. [Affordable](#) Housing Program Agreement (AHP) with Federal Home Loan Bank of Des Moines and West Bank for low-income owner-occupied rehabilitation, \$300,000. ([Council Communication No. 11-049](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0107](#) 29. [First](#) amendment to Iowans Helping Iowans Housing Assistance Program Grant Agreement for an additional grant of \$1,550,000. ([Council Communication No. 11-050](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0108](#) 30. [Second](#) one-year extension option until June 30, 2011 of Agreement with Downtown Community Alliance for Enhanced Parking System Customer Services and Related Programs. ([Council Communication No. 11-036](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0109](#) 31. [Sixth](#) Amended and Substituted 28E Agreement for the Des Moines Area Metropolitan Planning Organization (MPO) to expand the purposes and powers of the MPO to include collaborative planning and permit budget amendments and special assessments charged to member governments. ([Council Communication No. 11-048](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0110](#) 32. [Amendment](#) to the zoning ordinance prohibiting gas stations in “C-3” and “C-3A” districts and establishing a temporary moratorium on new gas stations in these districts until April 12, 2011. ([Council Communication No. 11-056](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0111](#) 33. [Sub](#)-Grantee Agreement to administer FY 2010 Homeland Security Grant Program (Cyber Risk Reduction) Funds from Iowa’s Homeland Security and Emergency Management Division. ([Council Communication No. 11-040](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [11-0112](#) 34. [Renewal](#) of Iowa Code Chapter 28D Agreement for Employee Interchange between the Des Moines Police Department and Polk County Sheriff's Office until January 26, 2013. ([Council Communication No. 11-046](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0113](#) 35. [Proposed](#) alignment of Gray's Lake Neighborhood Connecting Trail and addition of such trail to City of Des Moines Multi-Use Recreational Trails Master Plan map. ([Council Communication No. 11-043](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0114](#) (A) [Setting](#) date of hearing on intent to acquire property for recreational trail purposes and authorize acquisition of the necessary property interests from various property owners for the Gray's Lake Neighborhood Connecting Trail project, (2-14-11). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0115](#) 36. [Banner](#) design submitted by Downtown Community Alliance for 60 banners to be displayed in downtown Des Moines that will be displayed periodically for the next few years in order to fill any vacant banner poles. **Moved by Hensley to approve banner design. Motion Carried 7-0.**
- [11-0116](#) 37. [Receive](#) and file Quarterly Treasurer's Report as of December 31, 2010. **Moved by Hensley to receive and file. Motion Carried 7-0.**
38. Bids from the following:
- [11-0117](#) (A) [McNeilus](#) Truck and Manufacturing (Frank Nerenhausen, President) for non-competitive procurement of automated solid waste collection equipment to be installed on two (2) existing refuse trucks for use by Solid Waste Division of the Public Works Department, \$42,006.16. ([Council Communication No. 11-053](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0118](#) (B) [Eagle](#) Sign Co. (John Nagle, President) for recreational trail signage for use by the Park & Recreation Department, \$117,462.15. (Ten bids mailed, two received). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0119](#) (C) [TAPCO](#) (Rick Bergholz, President) for additional sign making services for use by the Engineering Department, \$25,000. (Eight bids mailed, four received). ([Council Communication No. 11-034](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0120](#) (D) [TNT](#) Landscaping (John Church, Owner) for plant materials to be used by the Public Works Department, \$48,975. (Thirteen bids mailed, three received). ([Council Communication No. 11-047](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0121](#) 39. [Civil](#) Service Entrance List for Municipal Arborist and Promotional Lists for Sewer Maintenance Worker, Street Maintenance Worker and Utility Locator. **Moved by Hensley to receive and file. Motion Carried 7-0.**

[11-0122](#)

- 40. [Authorizing](#) Finance Director to draw checks on [registers](#) for weeks of January 24, January 31 and February 7, 2011; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for weeks of January 24, January 31 and February 7, 2011; and to draw checks for biweekly payroll due January 28 and February 11, 2011. **Moved by Hensley to adopt. Motion Carried 7-0.**

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

**ORDINANCES - SECOND CONSIDERATION**

[11-0123](#)

- 41. [On](#) proposal to create an Airport Authority. ([Council Communication No. 11-055](#)) **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 5-2. Nays: Meyer and Moore.**

**ORDINANCES - FIRST CONSIDERATION**

[11-0124](#)

- 42. [Amending](#) Chapter 126 of the Municipal Code adding a new section regarding issuance of a probationary Certificate of Public Convenience and Necessity for Vehicles for Hire. **Moved by Griess that this ordinance be considered and given first vote for passage. Motion Carried 5-2. Nays: Coleman and Hensley.**

[11-0125](#)

- 43. [Amending](#) Chapter 114 of the Municipal Code regarding traffic regulation changes as follows: ([Council Communication No. 11-037](#)) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- (A) Parking Restriction due to the opening of the new Hyatt Place on 6<sup>th</sup> Avenue.
- (B) Removal of loading zone adjacent to 515 18<sup>th</sup> Street and replacement with metered parking.
- (C) Minor parking changes on Locust Street between 13<sup>th</sup> and 15<sup>th</sup> Streets.
- (D) Additional metered parking on E. 6<sup>th</sup> Street between E. Grand Avenue and E. Walnut Street.
- (E) Restrict parking from 9:00 AM to 3:00 PM weekdays on 34<sup>th</sup> Street between Douglas and Seneca Avenues.
- (F) Traffic regulations for SW 11<sup>th</sup> Street from West M.L. King Jr. Parkway to DART Way, and Murphy Street from SW 9<sup>th</sup> to SW 11<sup>th</sup> Streets.
- (G) Authorize the Superintendent of Schools to appoint a member to the Traffic Safety Committee representing schools Citywide, to replace the Ex-Officio Member from the Citywide PTA.
- (H) Allow one-side parking on E. 35<sup>th</sup> Street and Arthur Avenue.

[11-0126](#)

- (I) Final consideration of ordinance above. **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, [#14,987](#). Motion Carried 7-0.**



- [11-0127](#) 44. Amending Chapter 74 of the Municipal Code regarding bike and related equipment rental fees. ([Council Communication No. 11-044](#)) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [11-0128](#) 45. Amending Chapter 74 of the Municipal Code regarding 2011 Golf Course Fees. ([Council Communication No. 11-045](#)) **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

#### COMMUNICATIONS/REPORTS

- [11-0129](#) 46. From Chair of the Park and Recreation Board regarding 2011 Financial Assistance Program for various Park and Recreation Department programs and facilities. **Moved by Hensley to receive and file. Motion Carried 7-0.**
- [11-0130](#) 47. From Joseph Galloway, 3622 Davisson Road, to speak regarding a proposed Model Bicycle Ordinance. **Moved by Hensley to receive and file comments and refer to the City Manager to schedule a Council workshop on this topic; notify Mr. Galloway and Ruth Randleman of the date of the workshop. Motion Carried 7-0.**
- [11-0131](#) 48. From Highland Park SSMID Board regarding the recommended budget for Fiscal Year commencing July 1, 2011. **Moved by Mahaffey to receive and file. Motion Carried 7-0.**
- [11-0132](#) 49. Receipt of 2010 Polk County Assessor's Annual Report. **Moved by Hensley to receive and file. Motion Carried 7-0.**

#### HEARINGS (OPEN AT 5:05 P.M.) (ITEMS 50 THRU 55)

- [11-0133](#) 50. On assessment of \$500 penalty to the following liquor license holders for violation of Iowa alcoholic beverage laws (sale to minor): **Moved by Coleman to adopt. Motion Carried 7-0.**
- (A) La Paris Café, 1517 2<sup>nd</sup> Avenue.
- (B) West End Lounge, 2309 Forest Avenue.
- [11-0134](#) 51. On assessment of \$1,500 penalty and 30-day suspension of liquor license at Best Trip, 1516 SE 1<sup>st</sup> Street for violation of Iowa alcoholic beverage laws (sale to minor). **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-0135](#) 52. On agreement for acquisition of tax sale deeds to 3132 Kingman Boulevard and 1147 27<sup>th</sup> Street and conveyance to Denis Marchand for development of housing. ([Council Communication No. 11-042](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [11-0136](#) 53. On conveyance of underground electric line easement at 2211 Littell Avenue to MidAmerican Energy Company, \$1. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0137](#) 54. On conveyance of City-owned properties located near I-235 and Martin Luther King Jr. Parkway to Hatch Development Group, LLC, \$24,000 (properties III and VI, continued from January 10, 2011). ([Council Communication No. 11-033](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0138](#) 55. On proposed Amendment to First (2010) Year Action Plan of the 2010-14 U.S. Department of Housing and Urban Development (HUD) Consolidated Plan. ([Council Communication No. 11-041](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [11-0139](#) (A) Amending 2010 Program allocations for the HOME Investments Partnerships Program to add a Tenant Based Rental Assistance (TBRA) Activity. **Moved by Coleman to adopt. Motion Carried 7-0.**

\*\* END HEARINGS AT 5:14 P.M. \*\*

#### CITY MANAGER RECOMMENDATIONS

- [11-0140](#) 56. Regarding application by Hewlett Packard Company to Iowa Department of Economic Development seeking financial assistance from Grow Iowa Values Fund, High Quality Jobs Creation Program and other State programs and preliminary approval of Terms of Agreement for expansion of facility at 3600 Army Post Road. ([Council Communication No. 11-039](#)) **Moved by Hensley to receive and file, and to authorize and direct the Mayor to sign on behalf of the City of Des Moines as a sponsor to the application of Hewlett-Packard Company to the Iowa Department of Economic Development, for State assistance such as, but not limited to the High Quality Jobs Creation Program, sales tax rebates and investment tax credits, for the expansion of the Hewlett-Packard facility at 3600 Army Post Road. The City Manager will review ways to encourage the new employees to buy homes in Des Moines. Motion Carried 7-0.**

#### BOARD OF HEALTH

- [11-0141](#) 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:
- [11-0142](#) (A) 3740 Indianapolis Avenue, main structure and garage structure, Titleholder: Adair Holdings, LLC. **Moved by Griess to adopt. Motion Carried 7-0.**

- [11-0143](#) (B) [2704](#) Lyon Street, accessory structure (shed), Titleholder: Judy J. Firestine. **Moved by Griess to adopt. Motion Carried 7-0.**
- [11-0144](#) (C) [1257](#) E. 12<sup>th</sup> Street, main structure, Titleholder: Gustavo Estrada. **Moved by Griess to adopt. Motion Carried 7-0.**
- [11-0145](#) MOTION TO ADJOURN. **Moved by Griess to adjourn at 5:58 PM. Motion Carried 7-0.**