



\*\*\* 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 '12-' 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**

February 27, 2012  
4:30 PM

**SPECIAL PRESENTATIONS – 4:15 PM**

National Environmental Hall of Fame

Friends of Des Moines Parks – Check Presentation

**INVOCATION:** Council Member Meyer

- [12-0260](#) 1. ROLL CALL: **Present: Cownie, Coleman, Griess, Hensley, Mahaffey, Meyer and Moore.**
- [12-0261](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0262](#) 3. APPROVING CONSENT AGENDA \* – items 3 through 40: **Moved by Meyer 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**

[12-0263](#)

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

**NEW APPLICATIONS**

(A)	LUNAR COFFEE BAR	3701 INGERSOLL	C Liquor
(B)	WOOLYS	504 E LOCUST ST	C Liquor

**RENEWAL APPLICATIONS**

(C)	CENTERPLATE	1 LINE DR	C Liquor
(D)	CENTRAL CITY LIQUOR	1460 2ND AVE	E Liquor
(E)	GATEWAY MARKET MLK	2002 WOODLAND	C Liquor
(F)	GIT N GO STORE #28	3274 E UNIVERSITY	C Beer
(G)	HAWKEYE PANTRY	501 LOCUST ST	E Liquor
(H)	HOTEL FORT DES MOINES	1000 WALNUT ST	B Liquor
(I)	HY VEE FOOD STORE #1	3330 MLK JR PKWY	C Beer
(J)	INGERSOLL LIQUOR	3500 INGERSOLL	E Liquor
(K)	J BENJAMINS	5800 FRANKLIN AVE	C Liquor
(L)	LINN SUPER MARKET	3805 6TH AVE	C Beer
(M)	RACCOON RIVER BREWING	200 10TH ST	C Liquor
(N)	SAINTS PUB + PATIO	4041 URBANDALE	C Liquor
(O)	SCORNOVACCAS PIZZA	3900 E 14TH ST	B Beer

**SPECIAL EVENTS APPLICATIONS**

- (P) BARATTAS 519 PARK ST Five (5) Day License  
Class C Liquor License for a wedding reception on March 17, 2012.
- (Q) BLAZING SADDLE 1120 MULBERRY ST Five (5) Day License  
Class C Liquor License for an event on March 3, 2012. Pending approval of Building, Electrical, Fire and Zoning Departments.
- (R) MICKEYS IRISH PUB 202 3RD ST Five (5) Day License  
Class C Liquor License for St. Patty's Day Tent Party on March 17, 2012. Pending approval of Building, Electrical and Fire Departments.

[12-0264](#)

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

[12-0265](#)

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

## PUBLIC IMPROVEMENTS

- [12-0266](#) 7. [Approving](#) and authorizing the application for a Department of Transportation TIGER discretionary Grant for the Southeast Connector Project between SE 14th Street and SE 30th Street. ([Council Communication No. 12-081](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [12-0267](#) 8. [Approving](#) recommendation regarding naming convention for East Martin Luther King, Jr. Parkway from SE 14th Street to SE 30th Street. ([Council Communication No. 12-080](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [12-0268](#) 8-I [Approving](#) execution of a takeover agreement by and between the City of Des Moines and Merchants Bonding Company (Mutual) providing for the completion of the Lower Union Park Sewer Separation project, pursuant to a voluntary default by Van Hauen & Associates, Inc. **Moved by Meyer to adopt. Motion Carried 7-0.**
- [12-0269](#) 9. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects. **Moved by Meyer to adopt. Motion Carried 7-0.**
10. Approving completed construction and final payment for the following:
- [12-0270](#) (A) [Downtown](#) Parking System Wayfinding Signage-Phase 2, The Waldinger Corporation. **Moved by Meyer to adopt. Motion Carried 7-0.**
- [12-0271](#) (B) [2011](#) Park Parking Lot ADA Modifications, Grimes Asphalt & Paving Corporation. **Moved by Meyer to adopt. Motion Carried 7-0.**
- [12-0272](#) (C) [Parking](#) Facility Pedestrian Wayfinding Signs, KWS, Inc. **Moved by Meyer to adopt. Motion Carried 7-0.**
- [12-0273](#) (D) [Sargent](#) Park Natural Playscape, The Hansen Company, Inc. **Moved by Meyer to adopt. Motion Carried 7-0.**

## LAND/PROPERTY TRANSACTIONS

- [12-0274](#) 11. [Approving](#) 39 tax abatement applications for improvements completed in 2011. ([Council Communication No. 12-096](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**

## BOARDS/COMMISSIONS/NEIGHBORHOODS

- [12-0275](#) 12. [Appointment](#) of Christine Pardee, representative of the Plan and Zoning Commission, and Madelyn Tursi, representative of Des Moines Area Community College Board of Directors to the Enterprise Zone Commission for a two-year term commencing February 27, 2012 to expire February 27, 2014. ([Council Communication No. 12-089](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**

- [12-0276](#) 12-I [Recommendation](#) from Council Member Chris Coleman to appoint Christine Manbeck to the Human Rights Commission, Seat 3, for a three-year term commencing April 1, 2011 to expire April 1, 2014. **Moved by Meyer to adopt. Motion Carried 7-0.**

## COMMUNICATIONS FROM PLANNING AND ZONING

- [12-0277](#) 13. [Regarding](#) request from City Engineer to vacate SE 19<sup>th</sup> Street from a point approximately 97 feet south of Raccoon Street to Scott Avenue and SE 19<sup>th</sup> Street from E. Market Street to a point approximately 78 feet north of Raccoon Street of right-of-way in furtherance of Southeast Connector project, subject to conditions. **Moved by Meyer to receive and file and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**

- [12-0278](#) 14. [Regarding](#) request from Available Material Handling, LLC for vacation of the following public street segments to assemble with adjoining property at 607 SE 21<sup>st</sup> Court, subject to conditions: **Moved by Meyer to receive and file and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**

(A) Shaw Street from Union Pacific Railroad to north/south alley.

(B) SE 21<sup>st</sup> Court from Scott Avenue to the Union Pacific Railroad.

- [12-0279](#) 15. [Regarding](#) request from St. Anthony's Roman Catholic Church, 1808 SW 1<sup>st</sup> Street, for vacation of undeveloped SW 1<sup>st</sup> Street right-of-way, subject to conditions. **Moved by Meyer to receive and file and refer to the Engineering Department, Real Estate Division, and to authorize the City Real Estate Administrator to sign an application to the Zoning Board of Adjustment for any relief necessary for the Church's intended use of the property. Motion Carried 7-0.**

## SETTING DATE OF HEARINGS

- [12-0280](#) 16. **On** conveyance of a permanent underground electric easement at 102 45<sup>th</sup> Street to MidAmerican Energy Company, \$1, (3-12-12). **Moved by Meyer to adopt. Motion Carried 7-0.**
- [12-0281](#) 17. **On** vacation and conveyance of a segment of Linden Street, west of 14<sup>th</sup> Street, to Wellmark Holdings, Inc. in exchange for a permanent easement for street right-of-way connecting the east terminus of the remaining Linden Street to Ingersoll Avenue, (3-12-12). **Moved by Meyer to adopt. Motion Carried 7-0.**
- [12-0282](#) 18. **On** request from Thomas Yaw to rezone 931 SE 21<sup>st</sup> street from “M-1” (Light Industrial) to Ltd. “M-2” (Heavy Industrial), subject to conditions, (3-12-12). **Moved by Meyer to adopt. Motion Carried 7-0.**
- [12-0283](#) 19. **On** Renewal of Parking Lease Agreement with Nelson Development, LLC for 418 E. Grand Avenue, (3-12-12). ([Council Communication No. 12-092](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**

## LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [12-0284](#) 20. **Approving** payment to Hall & Associates for representation in Iowa League of Cities v. United States Environmental Protection Agency, \$4,448.67. **Moved by Meyer to adopt. Motion Carried 7-0.**
- [12-0285](#) 21. **Approving** payment of \$19,076.25 to Brian McKenzie and his attorney, Jim Lawyer, for a worker’s compensation claim. **Moved by Meyer to adopt. Motion Carried 7-0.**

## CITY MANAGER RECOMMENDATIONS

- [12-0286](#) 22. **Regarding** amendment to the Tree Preservation Principles for City Property, Public Improvement Projects and Utilities regarding control administration of City Tree Replacement Fund. ([Council Communication No. 12-086](#)) **Moved by Coleman to adopt. Motion Carried 5-2. Nays: Hensley and Meyer.**

## CITY MANAGER COMMUNICATIONS

- [12-0287](#) 23. **Submitting** travel and training requests for Joseph Brandstatter, Steve Brown, Douglas Romig and Dana Wingert. ([Council Communication No. 12-085](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**

**APPROVING**

- [12-0288](#) 24. [Certification](#) of Local Government Approval for Nonprofit Organizations to receive Emergency Shelter Grant (ESG) funds from the State of Iowa. **Moved by Meyer to adopt. Motion Carried 7-0.**
- [12-0289](#) 25. [Sub-Recipient Contract](#) with Polk County to partner in the implementation of the U.S. Housing and Urban Development (HUD) Lead-Based Paint Hazard Control Program. ([Council Communication No. 12-084](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [12-0290](#) 26. [Neighborhood](#) Development Corporation Application to Iowa Economic Development Authority for Enterprise Zone Benefits for construction of 11 residential units at 1938 SE 6<sup>th</sup> Street in the River South Enterprise Zone. ([Council Communication No. 12-087](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
27. Applications to Iowa Economic Development Authority for Enterprise Zone Benefits for Housing Projects at NE 46<sup>th</sup> and Hubbell in the NE Hubbell/Broadway Enterprise Zone Avenue for the following:
- [12-0291](#) (A) [The](#) Baker Creek Senior Living I, LLLP. **Moved by Meyer to adopt. Motion Carried 7-0.**
- [12-0292](#) (B) [The](#) Baker Creek Senior Living II, LLLP. ([Council Communication No. 12-094](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [12-0293](#) 28. [Issuance](#) of Certificate of Completion for Metro Lofts, north of Vine Street between 2<sup>nd</sup> Avenue and 3<sup>rd</sup> Streets. **Moved by Moore to adopt, subject to the Municipal Arborist's approval of the street trees. Motion Carried 6-1. Absent: Coleman.**
- [12-0294](#) 29. [Skywalk](#) Agreement with KC Real Estate, L.C., for the building at 420 Watson Powell, Jr. Way. **Moved by Meyer to adopt. Motion Carried 7-0.**
- [12-0295](#) 30. [Grant](#) Agreement on behalf of LEIN Region 5 Information Sharing Office (Sub Grantee) with the State of Iowa Homeland Security and Emergency Management Division (HSEMD) for the FFY2011 State Homeland Security Program (SHSP) Intelligence and Information Sharing Initiative. ([Council Communication No. 12-095](#)) **Moved by Meyer to approve. Motion Carried 7-0.**
- [12-0296](#) 31. [Grant](#) Agreement on behalf of LEIN Region 5 Information Sharing Office (Sub Grantee) with the State of Iowa Homeland Security and Emergency Management Division (HSEMD) for the FFY2011 State Homeland Security Program (SHSP) National Infrastructure Protection Plan (NIPP). ([Council Communication No. 12-099](#)) **Moved by Meyer to approve. Motion Carried 7-0.**

- [12-0297](#) 32. [Receive](#) and file notification on the establishment of the Des Moines Police Department High-Risk Youth fund by the Community Foundation of Greater Des Moines. **Moved by Griess to approve. Motion Carried 7-0.**
- [12-0298](#) 33. [Greater](#) Des Moines Botanical Garden Named Giving Policy. ([Council Communication No. 12-090](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [12-0299](#) 34. [Amendment](#) No. 3 to operating contract with Des Moines Metropolitan Wastewater Reclamation Authority (WRA) to address insurance matters. ([Council Communication No. 12-102](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [12-0300](#) (A) [Amendment](#) to insurance agent/broker services contract with Jester Insurance Services, Inc. ([Council Communication No. 12-104](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [12-0301](#) 35. [Submittal](#) of a National Endowment for the Arts (NEA) Grant Application for the 6<sup>th</sup> Avenue Streetscape Project. ([Council Communication No. 12-106](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
36. Bids from the following:
- [12-0302](#) (A) [Terpstra](#) Woodworking & Remodeling (Brad Terpstra, President) for replacement cabinets and countertops at four fire stations (2, 5, 7 and 9) for use by the Fire Department, \$85,404. (Fourteens bids mailed, four received). **Moved by Meyer to adopt. Motion Carried 7-0.**
- [12-0303](#) (B) [Watson](#) Furniture Group Inc. (Clif McKenzie, President) for replacement modular furniture for use by the Police Department, \$117,529.20. (Nine bids mailed, four received). ([Council Communication No. 12-100](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [12-0304](#) (C) [Central](#) Iowa Mechanical (Larry Goode, Jr., President) and Baker Mechanical (B.J. Baker III, President) for an annual contract with two (2) additional one-year renewal options to furnish plumbing services related to the construction and/or maintenance of City-owned sanitary sewer mains for use by the Public Works Department, annual estimated amount \$80,000. (Eleven bids mailed, four received). **Moved by Meyer to adopt. Motion Carried 7-0.**
- [12-0305](#) (D) [Timber](#) Pine Inc. (Lisa Mitchell, President), TNT Landscaping (John Church, Owner) and Midwest Lawn & Irrigation (Steve Sandahl, President) for plant materials for installation along various City right-of-way locations for use by the Public Works Department, \$115,420. (Twelve bids mailed, four received). ([Council Communication No. 12-083](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**

- [12-0306](#) (E) [POM](#) Incorporated (Seth Ward II, President), as sole area-wide distributor, for parking meter equipment for a planned replacement program for use by the Traffic & Transportation Department, \$129,886.60. ([Council Communication No. 12-077](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [12-0307](#) (F) [Hewlett](#) Packard Co. (Mark Hurd, President) for servers to expand and upgrade to the City's existing Computer Aided Dispatch (CAD) and Records Management System (RMS) systems per Western States Contracting Alliance (WSCA) price agreement, \$120,163.06. ([Council Communication No. 12-074](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [12-0308](#) 37. [Civil](#) Service Entrance Lists for Customer Service Representative and Engineer I. **Moved by Meyer to receive and file. Motion Carried 7-0.**
- [12-0309](#) 38. [Non](#)-competitive purchase of an upgrade to City's CAD system and addition of an incident reporting program from Intergraph Corporation (Halsey Wise, President) sole area-wide distributor, \$478,095. ([Council Communication No. 12-098](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [12-0310](#) 39. [Authorizing](#) Finance Director to draw checks on [registers](#) for weeks of February 27 and March 5, 2012; to draw checks for [bills](#) of the Des Moines Municipal Housing Agency for weeks of February 27 and March 5, 2012; and to draw checks for biweekly payroll due March 9, 2012. **Moved by Meyer to adopt. Motion Carried 7-0.**

**ORDINANCES - SECOND CONSIDERATION**

- [12-0311](#) 40. [Amending](#) Chapter 114 of the Municipal Code relating to the operation of bicycles. **Moved by Meyer that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [12-0312](#) (A) Final consideration of ordinance above, requires six votes. **Moved by Meyer that this ordinance do now pass, [#15,083](#). Motion Carried 7-0.**

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



## ORDINANCES - FIRST CONSIDERATION

- [12-0313](#) 41. Amending Chapter 114 of the Municipal Code regarding traffic regulation changes as follows: (Council Communication No. 12-075) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- (A) Traffic control at SW 26<sup>th</sup> Street and Thornton Avenue.
- (B) School Loading and Unloading area on Grand Avenue, west of 17<sup>th</sup> Street.
- (C) ~~Addition of morning rush hour restrictions on the south side of Locust between 13<sup>th</sup> and 15<sup>th</sup> Street.~~
- [12-0314](#) (D) Final consideration of ordinance above, 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, #15,084. Motion Carried 7-0.**

## COMMUNICATIONS/REPORTS

- [12-0315](#) 42. From Beaverdale area businesses to speak regarding next steps for moving the Beaverdale Streetscape forward. **Moved by Griess to refer to the City Manager to arrange a meeting with members of the business community and Neighborhood Association to discuss the streetscape guidelines and funding; and refer to the Legal Department to prepare formal documents to create the SSMID. Motion Carried 7-0.**

## HEARINGS (OPEN AT 5:08 P.M.) (ITEMS 43 THRU 52)

43. On items regarding issuance of General Obligation Bonds for FY 2012-13 Capital Improvement Budget: (Council Communication No. 12-105)
- [12-0316](#) (A) \$17,925,000 (Essential Corporate Purposes). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0317](#) (1) Authorization for additional action. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0318](#) (B) \$11,130,000 (Urban Renewal Purposes). **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [12-0319](#) (1) Authorization for additional action. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

- [12-0320](#) (C) [\\$820,000](#) (General Corporate Purposes – Library Facilities). **Moved by Coleman to adopt. Motion Carried 7-0.**
- [12-0321](#) (1) [Authorization](#) for additional action. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [12-0322](#) (D) [\\$970,000](#) (General Corporate Purposes – Municipal Buildings). **Moved by Coleman to adopt. Motion Carried 7-0.**
- [12-0323](#) (1) [Authorization](#) for additional action. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [12-0324](#) (E) [\\$880,000](#) (General Corporate Purposes – Police, Public Works, Municipal Buildings). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0325](#) (1) [Authorization](#) for additional action. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0326](#) (F) [\\$260,000](#) (General Corporate Purposes – Miscellaneous Improvements). **Moved by Griess to adopt. Motion Carried 7-0.**
- [12-0327](#) (1) [Authorization](#) for additional action. **Moved by Griess to adopt. Motion Carried 7-0.**
- [12-0328](#) (G) [\\$1,000,000](#) (General Corporate Purposes – Police Station Improvements). **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [12-0329](#) (1) [Authorization](#) for additional action. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [12-0330](#) (H) [\\$845,000](#) (General Corporate Purposes – Municipal Buildings, Recreational Facilities). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0331](#) (1) [Authorization](#) for additional action. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0332](#) (I) [Authorizing](#) issuance of not to exceed \$33,830,000 General Obligation Bonds and levying a tax for the payment. **Moved by Hensley to adopt. Motion Carried 7-0.**

44. Items regarding the budget:

- [12-0333](#) (A) [On](#) amendment to the annual budget for current fiscal year ending June 30, 2012. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0334](#) (B) [On](#) proposed annual budget for fiscal year ending June 30, 2013 and adoption of the Capital Improvement Program (CIP) for 2012-2013/2017-2018. ([Council Communication No. 12-101](#)) **Moved by Coleman to adopt; direct the City Manager to establish a monitoring process of the reductions being implemented, and prepare a plan to respond to any significant reductions of service levels in the areas discussed. The City Manager to prepare a long-term strategy for future Council discussion. Motion Carried 6-1. Nays: Griess.**

- [12-0335](#) (C) **Diminution** of employees. ([Council Communication No. 12-082](#)) **Moved by Coleman to adopt and direct the City Manager to establish a monitoring process of the reductions to the Fire Department and prepare a plan to respond to any significant service level reductions. Motion Carried 5-1. Nays: Meyer. Council Member Moore declares a conflict of interest and abstains from voting.**
- [12-0336](#) 45. **On** vacation and conveyance of a permanent easement within a portion of excess SW 8<sup>th</sup> Street right-of-way adjoining 729 Bell Avenue to Kristin Konchalski, \$200. ([Council Communication No. 12-079](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0337](#) (A) **First** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [12-0338](#) (B) **Final** consideration of ordinance above (waiver requested by 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, [#15,085](#). Motion Carried 7-0.**
- [12-0339](#) 46. **On** conveyance of 1443 12<sup>th</sup> Street and 1529 13<sup>th</sup> Street to Greater Des Moines Habitat for Humanity, Inc., \$13,500. ([Council Communication No. 12-078](#)) **Moved by Griess to adopt. Motion Carried 6-1. Absent: Coleman**
- [12-0340](#) 47. **On** request from Anthofer Holdings, LLC to rezone 2814 SE 14<sup>th</sup> Street to remove the “VDL” (Vehicle Display Lot Overlay District), subject to conditions. **Moved by Meyer to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 6-1. Absent: Coleman.**
- [12-0341](#) (A) **First** consideration of ordinance above. **Moved by Meyer that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Coleman.**
- [12-0342](#) (B) **Final** consideration of ordinance above (waiver 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, [#15,086](#). Motion Carried 6-1. Absent: Coleman.**

- [12-0343](#) 48. **On** request from Grand View University to rezone 2919 E. 14<sup>th</sup> Street and 1517 Hull Avenue from “R1-60” (One-Family Low-Density Residential) to “PUD” (Planned Unit Development) and approval of an amendment to PUD Concept Plan, subject to conditions. **Moved by Moore to adopt and approve the rezoning from the “C-2” (General Retail and Highway-Oriented Commercial) and “R1-60” (One-Family Low-Density Residential) to the “PUD” (Planned Unit Development) classification and the amended “PUD” Conceptual Plan, subject to final passage of the rezoning ordinance. Motion Carried 6-0. Council Member Mahaffey declares a conflict of interest and abstains from voting.**
- [12-0344](#) (A) **First** consideration of ordinance above. **Moved by Moore that this ordinance be considered and given first vote for passage. Motion Carried 6-0. Council Member Mahaffey declares a conflict of interest and abstains from voting.**
- [12-0345](#) (B) **Final** consideration of ordinance above (waiver requested by the applicant), requires six votes. **Moved by Moore 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, [#15,087](#). Motion Carried 6-0. Council Member Mahaffey declares a conflict of interest and abstains from voting.**
- [12-0346](#) 49. **On** request from ThermoKing Sales and Service, Inc. to rezone 4975 Hubbell Avenue from “A-1” (Agricultural) to Ltd. “M-1” (Light Industrial) to allow sales and service of recreational vehicles and refrigerated semi-tractor trailers and above-ground storage tanks of petroleum, subject to conditions. **Moved by Mahaffey to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 6-1. Absent: Coleman.**
- [12-0347](#) (A) **First** consideration of ordinance above. **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Coleman.**
- [12-0348](#) (B) **Final** consideration of ordinance above (waiver requested by the applicant), requires six votes. **Moved by Mahaffey 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, [#15,088](#). Motion Carried 6-1. Absent: Coleman.**

[12-0349](#)

50. **On** request from JZJL Holdings, LLC d/b/a QCSA Direct to rezone 1700 E. Aurora Avenue to revise the Ltd. “M-2” (Heavy Industrial) classification, with conditions that prohibits use of the property as a junk or salvage yard, to allow a towing and storage yard for motor vehicles and trailers including wrecked or damaged vehicles provided there is no salvaging, stacking or crushing of vehicles on the property. **Moved by Mahaffey to adopt the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 6-1. Absent: Coleman.**

[12-0350](#)

- (A) **First** consideration of ordinance above. **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Coleman.**

[12-0351](#)

- (B) **Final** consideration of ordinance above (waiver requested by the applicant), requires six votes. **Moved by Mahaffey 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, [#15,089](#). Motion Carried 6-1. Absent: Coleman.**

[12-0352](#)

51. **On** amendment to lease and service agreement with Metro Waste Authority for 1601 Harriett Street to add an additional 8.28 acres for operation of program for the collection and processing of yard waste materials. **Moved by Meyer to adopt. Motion Carried 6-1. Absent: Coleman.**

[12-0353](#)

52. **On** application of United Cab Ltd. to increase the number of taxicabs operated under their Certificate of Public Convenience and Necessity to Operate Taxicab Service from five (5) to ten (10) taxicabs. ([Council Communication No. 12-076](#)) **Moved by Meyer to adopt. Motion Carried 6-1. Absent: Coleman.**

\*\*\* END HEARINGS AT 7:02 PM \*\*\*

## APPROVING

53. Items regarding Animal Control Services:

[12-0354](#)

- (A) **First** consideration of ordinance Amending Chapter 18 of the Municipal Code regarding emergency care fee/reimbursement and animal relinquish fees and trap deposit. ([Council Communication No. 12-093](#)) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[12-0355](#) (1) [Final](#) consideration of ordinance above (waiver requested by Police Department), 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, #15,090. Motion Carried 7-0.**

[12-0356](#) (B) [Amendment](#) to schedule of fees applicable to animal relinquishments and live animal trap deposit. ([Council Communication No. 12-097](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[12-0357](#) (C) [Contract](#) with Animal Rescue League of Iowa, Inc. for lease of Animal Shelter, Animal Shelter Services and City Animal Control Services ([Council Communication No. 12-091](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

54. Number not used.

[12-0358](#) 55. [Intergovernmental](#) 28E Cooperative Agreement with Iowa Department of Natural Resources and Polk County Conservation Board to fund Easter Lake Water Quality Plan. ([Council Communication No. 12-088](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**

[12-0359](#) 56. [Authorization](#) to proceed with design, including issuance of a Request for Proposals (RFP) for professional services for the Walnut Street Streetscape Renovation. ([Council Communication No. 12-103](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

#### EXTRA ITEM

[12-0360](#) 1. [Authorizing](#) execution of title clearing documents for the sale of 801 University Avenue (Former Top Value Grocery Store). Sponsor: Council Member Griess. **Moved by Griess to adopt; refer to the City Manager to provide an update on the project and financing. Motion Carried 7-0.**

#### BOARD OF HEALTH

[12-0361](#) MOTION TO CONVENE. **Moved by Moore that the City Council adjourn and convene as a Board of Health. Motion Carried 6-1. Absent: Meyer.**

1. Approving the Legal Department to proceed with court action seeking authority to abate the public nuisance at the following locations:

[12-0362](#) (A) [1521](#) E. Pleasant View Drive, main structure, Titleholders: Sherman M. Holloway (deceased) and Doris I. Holloway. **Moved by Mahaffey to adopt. Motion Carried 6-1. Absent: Meyer.**

[12-0363](#)

(B) [3309](#) 1<sup>st</sup> Street, main structure and garage structure, Titleholders: Mark A. Louwerse and Lorene A. Louwerse; Mortgage Holder: Chase Home Finance, LLC. **Moved by Mahaffey to adopt. Motion Carried 6-1. Absent: Meyer.**

[12-0364](#)

MOTION TO ADJOURN. **Moved by Hensley to adjourn at 7:02 PM. Motion Carried 6-1. Absent: Coleman.**

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All-America City  
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