



**\*\*\* 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**

**June 11, 2012 4:30 PM**

**PROCLAMATIONS – 4:15 PM**

**DREAM BIG – READ! and OWN THE NIGHT!**

**INVOCATION:** Council Member Brian Meyer

- [12-0852](#) 1. ROLL CALL: **Present: Cownie, Coleman, Griess, Hensley, Mahaffey, Meyer and Moore.**
- I. Update from Mayor Cownie regarding his recent DC trip.
- [12-0853](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0854](#) 3. APPROVING CONSENT AGENDA \* – items 3 through 45: **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**

12-0855

4. Approving Alcoholic Beverage License Applications for the following: **Moved by Hensley to adopt. Motion Carried 7-0.**

**NEW APPLICATIONS**

- (A) HY VEE FOOD STORE #1 3330 M LK JR PKWY B Wine  
(B) LA TAPATIA 2 3504 MERLE HAY RD C Beer

**RENEWAL APPLICATIONS**

- (C) CJS II 316 E 30TH ST C Liquor  
(D) COURT AVENUE BREWING 309 COURT AVE C Liquor  
(E) DEN 4369 MERLE HAY RD C Liquor  
(F) GIT N GO STORE #11 3940 E 29TH ST C Beer  
(G) GIT N GO STORE #31 2601 SW 9TH ST C Beer  
~~(H) KELLYS LITTLE NIPPER 1701 E GRAND AVE C Liquor~~  
(I) LA FAVORITA 1700 E GRAND AVE C Beer  
(J) OKOBOJI GRILL 6050 SE 14TH ST C Liquor  
(K) OLD WEST MEXICAN 4138 FLEUR DR C Liquor  
~~(L) OPEN SESAME 313 E LOCUST ST C Liquor~~  
(M) QUIK TRIP #516 1000 E UNIVERSITY C Beer  
(N) QUIK TRIP #535 1501 E GRAND AVE C Beer  
(O) TOBACCO OUTLET PLUS #519 3019 SE 14TH ST B Beer

**OUTDOOR SERVICE APPLICATIONS**

- (P) BOURBON ST 500 ARMY POST RD C Liquor  
Permanent outdoor service area.  
~~(Q) HOUSE OF BRICKS 525 E GRAND AVE C Liquor~~  
~~Permanent outdoor service area.~~

**SPECIAL EVENTS APPLICATIONS**

- (R) 4TH DOWN SPORTS BAR 217 4TH ST Five (5) Day License  
Class B Beer License for MCC 41 After Party on June 16, 2012. Pending approval of Building and Electrical Departments.  
(S) BUZZARD BILLYS 615 3RD ST Five (5) Day License  
Class B Beer License for Summer Bier Garden Tour on June 22 – 23, 2012. Pending approval of Electrical and Fire Departments.  
(T) CHEFS KITCHEN 601 LOCUST ST Five (5) Day License  
Class C Liquor License for various events. Pending approval of Building Department.  
(U) COUNTRY BLAST 2201 GEORGE FLAGG Five (5) Day License  
Class C Liquor License for event on June 23 – 24, 2012.

- (V) DES MOINES ARTS FESTIVAL 1203 LOCUST ST Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for an event on June 22 – 24, 2012.
- (W) DES MOINES ARTS FESTIVAL 1302 LOCUST ST Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for an event on June 22 – 24, 2012.
- (X) DES MOINES ARTS FESTIVAL 1501 LOCUST ST Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for an event on June 22 – 24, 2012.
- (Y) DES MOINES ARTS FESTIVAL 1310 GRAND AVE Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for an event on June 22 – 24, 2012.
- (Z) DES MOINES ARTS FESTIVAL 1426 GRAND AVE Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for an event on June 22 – 24, 2012.
- (AA) DM BICYCLE COLLECTIVE 1215 LOCUST ST Five (5) Day License  
Class B Beer License for Clips of Faith on June 15, 2012.
- (BB) OCCASIONS MADE RIGHT 1312 LOCUST ST Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for a wedding reception on June 16,  
2012. Pending approval of Building Department.
- (CC) ZOMBIE BURGER 25 E LOCUST ST Five (5) Day License  
Class B Beer License for Iowa Craft Brew Festival on June 16, 2012.
- (DD) HOST 520 ROBERT D RAY Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for Accidental Fashion Show on June  
16, 2012. Pending approval of Building, Electrical, Fire and Zoning Departments.

[12-0856](#)

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

[12-0857](#)

- 6. [Consideration](#) of Class E Liquor License for Oasis Grocery & Liquor, 2917 Payne Road, **Moved by Hensley to approve. Motion Carried 6-1. Nays: Coleman.**

## PUBLIC IMPROVEMENTS

- 7. Ordering construction of the following:

[12-0858](#)

- (A) [Gray's](#) Lake Trail Connection: Receiving of bids, (6-26-12), Setting date of hearing, (7-9-12), Construction estimate, \$293,000. ([Council Communication No. 12-287](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[12-0859](#)

- (B) [2012](#) Park Playground Improvements: Receiving of bids, (6-26-12), Setting date of hearing, (7-9-12), Construction estimate, \$165,000. ([Council Communication No. 12-293](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [12-0860](#) (C) [2012](#) Sewer Repair – Contract 2: Receiving of bids, (6-26-12), Setting date of hearing, (7-9-12), Construction estimate, \$406,000. ([Council Communication No. 12-292](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0861](#) (D) [2012](#) HMA Pavement Scarification and Resurfacing: Receiving of bids, (6-26-12), Setting date of hearing, (7-9-12), Construction estimate, \$725,155. ([Council Communication No. 12-296](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0862](#) 8. [Authorization](#) to proceed with conceptual design, including issuance of a Request for Proposals (RFP) for professional services for the Roosevelt Cultural District Streetscape. ([Council Communication No. 12-284](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0863](#) 9. [Approving](#) Change Order No. 2 with Reilly Construction Co., Inc. for additional work on the 2012 Levee Improvements – Contract 1, not to exceed \$43,298.10. ([Council Communication No. 12-295](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0864](#) 10. [Approving](#) Change Order No. 14 with Dean Snyder Construction Company for additional work on the Fire Department Training and Logistics Facility, not to exceed \$27,654.93. ([Council Communication No. 12-288](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
11. Approving private construction contracts for the following:
- [12-0865](#) (A) [Kelly](#) Cortum, Inc. and Git-N-Go Stores for storm sewer improvements to 890 County Line Road at SW 9<sup>th</sup> Street. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0866](#) (B) [Nehring](#) Construction, Inc. and Des Moines Independent Community School District for paving improvements to 806 Hoffman Avenue at Madison Elementary School. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0867](#) 12. [Communications](#) from contractors requesting permission to sublet certain items on public improvement projects. **Moved by Hensley to adopt. Motion Carried 7-0.**
13. Accepting completed construction and approving final payment for the following:
- [12-0868](#) (A) [2011](#) Designated Neighborhood Sidewalk Replacement Program, T K Concrete Inc. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0869](#) (B) [Dean's](#) Lake Storm Sewer Crossing Improvements, Reilly Construction Co., Inc. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0870](#) (C) [2011](#) Expanded Street Resurfacing Program – Contract 2, OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving. **Moved by Hensley to adopt. Motion Carried 7-0.**

[12-0871](#) (D) [2011](#) Sidewalk Replacement Program, T K Concrete Inc. **Moved by Hensley to adopt. Motion Carried 7-0.**

[12-0872](#) (E) [Demolition](#) at Southern Meadows Phase 2, 2800 SE 8<sup>th</sup> Street, DeCarlo Demolition Company. **Moved by Hensley to adopt. Motion Carried 7-0.**

#### LAND/PROPERTY TRANSACTIONS

[12-0873](#) 14. [Acceptance](#) of Deed Restriction Covenant at 6505 Indianola Avenue for the E. Army Post Road and Indianola Avenue Culvert Extension Project. **Moved by Hensley to adopt. Motion Carried 7-0.**

[12-0874](#) 15. [Approving](#) release of PUD Restoration Bond in the amount of \$23,320 for satisfactory completion of the required grading and site restoration for the Grand View University Parking Lot Expansion Project. ([Council Communication No. 12-261](#)) **Moved by Hensley to adopt. Motion Carried 6-0. Council Member Mahaffey declares a conflict of interest and abstains from voting.**

#### BOARDS/COMMISSIONS/NEIGHBORHOODS

16. Appointments to the Neighborhood Revitalization Board for the following:

[12-0875](#) (A) [Alecia](#) Kates, Seat 14 – Representative from the Neighborhood Development Corporation. **Moved by Hensley to adopt. Motion Carried 7-0.**

[12-0876](#) (B) [Andy](#) Clark, Seat 15 – Representative from the Neighborhood Finance Corporation. **Moved by Hensley to adopt. Motion Carried 7-0.**

[12-0877](#) 17. [Recommendation](#) from Council Member Bob Mahaffey to reappoint Marjorie Ramsey to the Neighborhood Revitalization Board, Seat 3, for a three-year term commencing June 30, 2012 to expire June 30, 2015. **Moved by Hensley to adopt. Motion Carried 7-0.**

[12-0878](#) 18. [Communication](#) from Sharon Murphy advising of her resignation from the Neighborhood Revitalization Board, Seat 9, effective immediately. **Moved by Hensley to receive, file and accept resignation with appreciation for her service. Motion Carried 7-0.**

[12-0879](#) 19. [Recommendation](#) from Council Member Halley Griess to reappoint James Noblin to the Access Advisory Board, Seat 4, for a four-year term commencing June 15, 2012 to expire June 15, 2016. **Moved by Hensley to adopt. Motion Carried 7-0.**

[12-0880](#) 20. [Recommendation](#) from Council Member Bob Mahaffey to reappoint Marlon Mormann to the Urban Design Review Board, Seat 9, for a three-year term commencing June 30, 2012 to expire June 30, 2015. **Moved by Hensley to adopt. Motion Carried 7-0.**

## COMMUNICATIONS FROM PLANNING AND ZONING

[12-0881](#) 21. [Regarding](#) request from Cathedral Church of St. Paul for vacation and conveyance of the north/south alley adjoining 815 High Street to allow development of a pedestrian plaza on the east side of the existing cathedral. **Moved by Hensley to receive and file and refer to the Engineering Department, Real Estate Division. Motion Carried 6-0. Council Member Moore declares a conflict of interest and abstains from voting.**

[12-0882](#) (A) [Setting](#) date of hearing on vacation and conveyance of north/south alley adjoining 815 High Street to the Cathedral Church of St. Paul, \$1,000, (6-25-12). **Moved by Hensley to adopt. Motion Carried 6-0. Council Member Moore declares a conflict of interest and abstains from voting.**

## SETTING DATE OF HEARINGS

[12-0883](#) 22. [On](#) vacation and conveyance of a portion of the north/south alley right-of-way, north of Euclid Avenue between 2<sup>nd</sup> Avenue and 3<sup>rd</sup> Street to Iowa CVS Pharmacy, LLC for \$20,000, (6-25-12). **Moved by Hensley to adopt. Motion Carried 7-0.**

[12-0884](#) 22-I [Regarding](#) request from Lazarus Investments, LLC to rezone property located at 1100 Euclid Avenue from “R-2” (Two-Family Residential) to Ltd. “C-1” (Neighborhood Retail Commercial), to allow for redevelopment of the property for a dental clinic (6-25-12). Sponsor: Mahaffey. **Moved by Hensley to adopt. Motion Carried 7-0.**

[12-0885](#) 23. [On](#) conveyance by installment contract of 1740 Garfield Avenue (Logan Community Center) to Joshua Christian Academy, Inc., \$100,000, (6-25-12). ([Council Communication No. 12-306](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[12-0886](#) 24. [On](#) request to rezone 1540 Scott Avenue from “M-2” (Heavy Industrial) to “PUD” (Planned Unit Development) and approve the “City of Des Moines Municipal Services Center PUD Conceptual Plan” to allow the initial phase of development of a municipal services campus with approximately 85,000-square foot facility for offices, shops, and storage; and a 50,000-square foot outdoor storage yard for combined functions of the Parks and Recreation, Public Works, and Engineering Departments of the City, (6-25-12). **Moved by Hensley to adopt. Motion Carried 7-0.**

[12-0887](#) 25. [On](#) request from Alawi Habib to rezone 2410 Hickman Road from Ltd. “C-2” (General Retail and Highway-Oriented Commercial) to “C-2” (General Retail and Highway-Oriented Commercial) to allow for use of the property for a vehicle display lot, (6-25-12). **Plan and Zoning Commission recommends DENIAL. Moved by Moore to adopt. Motion Carried 7-0.**

26. Number not Used.

- [12-0888](#) 27. On proposed Urban Renewal Plan for the Ingersoll-Grand Commercial Urban Renewal Area, (7-9-12). ([Council Communication No. 12-304](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

#### LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [12-0889](#) 28. Approving payment of \$2,303 to Ahlers & Cooney, P.C. with respect to general matters. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0890](#) 29. Approving payment of \$45,959.25 to Charlene Ramirez for workers' compensation claim. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0891](#) 30. Approving payment of \$80,000 to Gerald Marchant and his attorney, Larry Krpan, for workers' compensation claim. **Moved by Hensley to adopt. Motion Carried 7-0.**

#### CITY MANAGER COMMUNICATIONS

- [12-0892](#) 31. Submitting travel and training requests for Daniel Blom, T.M. Franklin Cownie, Jeffrey Lester, Kevin Risk and Kathleen Vanderpool. ([Council Communication No. 12-297](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0893](#) 32. Regarding amended preliminary terms of agreement with The Alexander Company, for redevelopment of the former downtown Younkers Department Store, 813 Walnut Street. ([Council Communication No. 12-260](#)) **Moved by Hensley to receive, file and approve amended preliminary terms of agreement as set forth in the accompanying Council Communication and to direct the City Manager to proceed with negotiations of formal agreements with The Alexander Company consistent with such terms. Motion Carried 7-0.**

#### APPROVING

- [12-0894](#) 33. New Loan Template for the Home Investment Partnerships (HOME) Owner-Occupied Rehabilitation Program. ([Council Communication No. 12-300](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0895](#) 34. City Manager to request Tax Sale Certificates from the Polk County Treasurer's Office for the public nuisance at 650 18<sup>th</sup> Street and assign to developer for rehabilitation. ([Council Communication No. 12-301](#)) **Moved by Hensley to adopt; refer to the City Manager to review tax sale certificates for 679 - 18<sup>th</sup> and 692 - 17<sup>th</sup> at the June 25<sup>th</sup> Council Meeting. Motion Carried 7-0.**
- [12-0896](#) 34-I. Waiver of City's Special Assessments and City Inspection Fees to all for redevelopment of the parcel at 1702 Forest Avenue. **Moved by Hensley to adopt. Motion Carried 7-0.**

- [12-0897](#) 35. [Assignment](#) of tax sale certificates to Greater Des Moines Habitat for Humanity Inc. and HOME Opportunities Made Easy (HOME) Incorporated for the development of low- to moderate-income owner-occupied housing. ([Council Communication No. 12-276](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0898](#) 36. [Des](#) Moines Fire Department and Des Moines Area Community College EMS Field Experience Agreement. ([Council Communication No. 12-302](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0899](#) 37. [Application](#) from the Des Moines Arts Festival requesting banners across the streets on the entrances at 12<sup>th</sup> & Grand, 12<sup>th</sup> & Locust, 12<sup>th</sup> & Walnut, 13<sup>th</sup> & Walnut, and 16<sup>th</sup> & Locust for the 2012 Des Moines Arts Festival from June 20-25, 2012. **Moved by Hensley to receive, file and approve. Motion Carried 7-0.**
38. Communications from Downtown Community Alliance regarding banner designs for the following:
- [12-0900](#) (A) [Court](#) Avenue District. **Moved by Hensley to receive, file and approve banner design. Motion Carried 7-0.**
- [12-0901](#) (B) [Hy-Vee](#) Triathlon – Locust Street. **Moved by Hensley to receive, file and approve banner design. Motion Carried 7-0.**
39. Bids from the following:
- [12-0902](#) (A) [ABC](#) Electrical Contractors (W. David Ward, President) for streetlight fixture replacement services along Martin Luther King Jr. Blvd. (Ingersoll Avenue to SW 16<sup>th</sup> Street) for use by the Engineering Department Traffic & Transportation Division, \$38,083 additional expenditure. (Nine bids mailed, four received). ([Council Communication No. 12-283](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0903](#) (B) [Midwest](#) Safety Counselors Inc. (Robert H. Petersen, President) for air purifying respirators to be used by Weapons of Mass Destruction (SWAT) Tactical Officer Task Force teams, \$43,164. (Seven bids mailed, six received). ([Council Communication No. 12-303](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0904](#) (C) [Hutchinson](#) Salt Co. (Larry Bingham, President) for joint purchase along with the City of West Des Moines, Polk County and 20 other public entities representing the Central Iowa Salt Group (CISG) for rock salt to be used by the Public Works Department, \$206,867. (Eight bids mailed, four received). ([Council Communication No. 12-268](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**



- [12-0905](#) (D) [Ed Stivers Ford](#) (Don Politte, General Manager) for six (6) replacement pickup trucks per State of Iowa Contract for use by the Park & Recreation and Public Works Departments, \$133,782. ([Council Communication No. 12-280](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0906](#) (E) [Menards](#) to issue blanket purchase orders for miscellaneous building materials and supplies to be purchased during fiscal year 2013 per State of Iowa Contract for use by the Public Works Department, estimated annual cost \$85,000. ([Council Communication No. 12-274](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0907](#) (F) [TMC](#) Auto Body (Craig Peters, Owner) for auto body repair services to be used during fiscal year 2013 per State of Iowa Contract for use by the Fleet Maintenance Center, estimated annual cost \$50,000. ([Council Communication No. 12-279](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0908](#) 40. [Procurement](#) of stormwater pump station repair services for two existing pump station sites from Electric Pump & Tool Services, \$68,772.29. ([Council Communication No. 12-266](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0909](#) 41. [Exception](#) to procurement ordinance competitive bidding requirements for good cause and approving procurement of 2300 tons of rock salt from the City of West Des Moines to be used by Public Works Department, \$128,593. ([Council Communication No. 12-267](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0910](#) 42. [Exception](#) to procurement ordinance competitive bidding requirements for good cause and approving an agreement with Iowa State University Center for Transportation Research and Education (CRTE) for updating of the Pavement Management System for use by the Public Works Department, \$70,000. ([Council Communication No. 12-269](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0911](#) 43. [Civil](#) Service Entrance Lists for Assistant Surveyor and Recreation Program Coordinator and Promotional List for GIS Specialist. **Moved by Hensley to receive and file. Motion Carried 7-0.**
- [12-0912](#) 44. [Authorizing](#) Finance Director to draw checks on [registers](#) for weeks of June 11 and 18, 2012; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for weeks of June 11 and 18, 2012; and to draw checks for biweekly payroll due June 15, 2012. **Moved by Hensley to adopt. Motion Carried 7-0.**

**ORDINANCES - FINAL CONSIDERATION**

[12-0913](#)

45. Amending Chapter 114 of the Municipal Code submitting traffic regulation changes as follows: **Moved by Hensley that this ordinance do now pass, #[15,110](#). Motion Carried 7-0.**

- (A) Parking Restriction – north side of Hull Avenue between E. 14<sup>th</sup> and E. 15<sup>th</sup> Street.
- (B) Garbage Day Parking Restriction Removal – east side of 31<sup>st</sup> Street from and including the cul-de-sac, south of Carpenter Avenue, Fridays.
- (C) Requested changes to update the ordinance to match current field conditions.

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

**ORDINANCES - FINAL CONSIDERATION**

[12-0914](#)

46. On request from Arnold Dewitt to rezone property at 1241 E. 38<sup>th</sup> Street from “R1-60” (One-Family Low-Density Residential) to a Ltd. “C-2” (General Retail and Highway-Oriented Commercial). **Moved by Moore to continue to June 25<sup>th</sup> Council Meeting. Motion Carried 7-0.**

**COMMUNICATIONS/REPORTS**

WITHDRAWN

[12-0915](#)

~~47. From Susan Stropes, Granger, and Joshua Morton, Chariton, to speak regarding vicious dog requirements.~~

**HEARINGS (OPEN AT 5:03 P.M.) (ITEMS 48 THRU 58)**

[12-0916](#)

48. On proposed amendment to the Third Year (2012) Action Plan of the 2010-2014 U.S. Department of Housing and Urban Development (HUD) Consolidated Plan. ([Council Communication No. 12-307](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

49. On appeal by James Tully from decision of The Historic Preservation Commission regarding retention of a fence at 409 Franklin Avenue. ([Council Communication No. 12-299](#))

[12-0917](#)

(A) Affirming the decision. **Moved by Griess to adopt and affirm the decision of the Historic Preservation Commission. Motion Carried 7-0.**

OR

WITHDRAWN

[12-0918](#)

~~(B) **ALTERNATE RESOLUTION:** Reversing the decision.~~

50. On appeal by Donald Crouch from decision of The Historic Preservation Commission for construction of a deck at 1957 Arlington Avenue. ([Council Communication No. 12-281](#))

[12-0919](#)

- (A) [Affirming](#) the decision. **Moved by Griess to adopt and affirm the decision of the Historic Preservation Commission. Motion Carried 6-1. Nays: Cownie.**

OR

WITHDRAWN

[12-0920](#)

- ~~(B) **ALTERNATE RESOLUTION:** [Reversing](#) the decision.~~

[12-0921](#)

51. [On](#) vacation and conveyance of a portion of 15<sup>th</sup> Street adjoining 1440 Walnut Street for the Crane Building Redevelopment Project, \$12,600. ([Council Communication No. 12-290](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[12-0922](#)

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

[12-0923](#)

- (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, [#15,111](#). Motion carried 7-0.**

[12-0924](#)

52. [On](#) conveyance of 1202, 1204 and 1300 Scott Avenue (Lomar Building) to Midwest Automatic Fire Sprinkler Company, \$605,000 and to **continue to June 25, 2012 at 5:00 PM. Moved by Meyer to adopt. Motion Carried 7-0.**

[12-0925](#)

53. [On](#) conveyance of vacated SW 42<sup>nd</sup> Street and vacated Mahaska Parkway located south of Glenview Drive and River Oaks Drive to Sue Ann Cornick, Trustee of the Sue A. Cornick Revocable Trust, \$200, Kelly S. Stiles, \$400 and Sara R. Wells, \$400. ([Council Communication No. 12-286](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[12-0926](#)

54. [On](#) proposed lease of City-owned property in the upper level of the 5<sup>th</sup> and Keo Way Parking Garage to Des Moines Daycare, LLC for \$41,064 for the first year and \$61,596 for subsequent years. ([Council Communication No. 12-308](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [12-0927](#) 55. On Downtown Dog Park: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating lowest responsible bidder as Joiner Construction, Co., Inc., (Zeb Joiner, Vice President), \$151,507.20. ([Council Communication No. 12-289](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0928](#) (A) Approving contract and bond, and permission to sublet. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-0929](#) 56. On John Pat Dorrian Trail Renovation: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating lowest responsible bidder as Elder Corporation, (Jared R. Elder II, President), \$430,000. ([Council Communication No. 12-285](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [12-0930](#) (A) Approving contract and bond, and permission to sublet. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [12-0931](#) 57. On 2012 Park Parking Lot ADA Improvements: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating lowest responsible bidder as Grimes Asphalt & Paving Corporation, (Kurt Rasmussen, President), \$133,349.35. ([Council Communication No. 12-294](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [12-0932](#) (A) Approving contract and bond, and permission to sublet. **Moved by Moore to adopt. Motion Carried 7-0.**
- [12-0933](#) 58. On 2012 Sidewalk Replacement Program: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating lowest responsible bidder as T K Concrete Inc., (Tony J. Ver Meer, President), \$292,725. ([Council Communication No. 12-291](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [12-0934](#) (A) Approving contract and bond, and permission to sublet. **Moved by Meyer to adopt. Motion Carried 7-0.**

\*\*\* END OF HEARINGS AT 5:35 PM \*\*\*

## APPROVING

- [12-0935](#) 59. Master Plan by the Greater Des Moines Botanical Garden, for the Des Moines Botanical Center. ([Council Communication No. 12-298](#)) **Moved by Mahaffey to adopt. Motion Carried 6-1. Nays: Moore**

[12-0936](#) 60. **Change** to the Debt Management Policy to allow for issuance of General Obligation debt to benefit City Enterprise funds. ([Council Communication No. 12-305](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

(A) Setting date of hearing on the following General Obligation Bonds, (6-25-12):

[12-0937](#) (1) **Not** to exceed \$13,500,000 Sanitary Sewer Bonds, (Essential Corporate Purposes). ([Council Communication No. 12-270](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

[12-0938](#) (2) **Not** to exceed \$11,000,000 Storm Water Bonds, (Essential Corporate Purposes). ([Council Communication No. 12-271](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

[12-0939](#) (3) **Not** to exceed \$13,500,000 Parking Bonds, (Urban Renewal Purposes). ([Council Communication No. 12-277](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

61. Declaring an official intent under treasury regulation 1.150-2 to issue debt to reimburse the Des Moines Stormwater Management Utility for certain original expenditures paid in conjunction with proposed projects:

[12-0940](#) (A) **City**-Wide Sanitary Sewer Projects, \$1,000,000, and Lining Sanitary Sewer Trunk and Lateral Sewers, \$5,000,000. ([Council Communication No. 12-272](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**

[12-0941](#) (B) **City**-Wide Storm Water Projects, \$1,200,000; Des Moines River Flood Mitigation Improvements, \$9,000,000; and Storm Water Pump Station Rehabilitation, \$1,100,000. ([Council Communication No. 12-273](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**

[12-0942](#) 62. **Review** of the May 23, 2012 decision of the Zoning Board of Adjustment to conditionally approve a use variance to allow temporary retention of a commercial business that involves outdoor storage of recreational vehicles at 7500 Bloomfield Road. (**Roll Call contains alternative motions**). ([Council Communication No. 12-278](#)) **Moved by Meyer to adopt the decision of the Zoning Board of Adjustment. The decision will become final on the date of the Council's action. Motion Carried 7-0.**

## **BOARD OF HEALTH**

[12-0943](#) 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:

- [12-0944](#) (A) [5708](#) SW 2<sup>nd</sup> Street, fire-damaged main structure and garage structure, Titleholder: Park Seven, LLC. **Moved by Griess to adopt. Motion Carried 7-0.**
- [12-0945](#) (B) [1322](#) 23<sup>rd</sup> Street, main structure and accessory structure, Titleholders: Darin Wilson and Christine Wilson. **Moved by Griess to adopt. Motion Carried 7-0.**
- [12-0946](#) (C) [2501](#) 24<sup>th</sup> Street, nursing home structure, Titleholder: Quincy Place, LLC. **Moved by Griess to adopt. Motion Carried 7-0.**
- [12-0947](#) MOTION TO ADJOURN. **Moved by Meyer to adjourn at 5:41 PM. Motion Carried 7-0.**

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