



*** 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 '13-' 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

City Hall, City Council Chambers
400 Robert D. Ray Drive

June 24, 2013
4:30 PM

INVOCATION: Council Member Meyer

- [13-0962](#) 1. ROLL CALL: **Present: Cownie, Coleman, Griess, Hensley, Mahaffey, Meyer and Moore.**
- [13-0963](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-0964](#) 3. APPROVING CONSENT AGENDA * – items 3 through 42: **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

- [13-0965](#) 4. Approving Alcoholic Beverage License Applications for the following: **Moved by Hensley to adopt. Motion Carried 7-0. *Council Member Coleman votes No on item (HH) US Gas.**

NEW APPLICATIONS

(A) BEER BUCKET AND BURGERS	910 HULL AVE	C Liquor
(B) BRECKS	207 4TH ST	C Liquor

(C)	CANS	2956 E GRAND AVE	C Liquor
(D)	HOSHI SUSHI LOUNGE	2314 UNIVERSITY	C Beer/Wine

RENEWAL APPLICATIONS

(E)	BEAVERDALE VFW CLUB	4029 URBAN DALE	A Liquor
(F)	BLANK PARK ZOO	7401 SW 9TH STREET	C Liquor
(G)	BUFFALO WILD WINGS	4345 MERLE HAY RD	C Liquor
(H)	CASEYS #2676	2106 ECHO VALLEY	C Beer
(I)	CHEFS KITCHEN	1903 BEAVER AVE	C Liquor
(J)	DAHLS FOODS	4121 FLEUR DR	E Liquor
(K)	DES MOINES PLAYHOUSE	831 42ND ST	C Liquor
(L)	DRUGTOWN WINE AND SPIRITS	4100 UNIVERSITY	E Liquor
(M)	EL PALOMINO	3116 E 14TH ST	C Beer
(N)	EXILE BREWING COMPANY	1514 WALNUT ST	C Liquor
(O)	FORTE BANQUET BY BARATTAS	615 3RD ST	C Liquor
(P)	H & A MINI MART	145 UNIVERSITY AVE	C Beer
(Q)	HOLIDAY INN DOWNTOWN	1050 6TH AVE	B Liquor
(R)	HOUSE OF BRICKS	525 E GRAND AVE	C Liquor
(S)	HY VEE FOOD STORE #4	4605 FLEUR DR	E Liquor
(T)	HY VEE FOOD STORE #5	1107 E ARMY POST RDE	Liquor
(U)	LA HACIENDA EVENT CENTER	900 E ARMY POST RD	C Liquor
(V)	LA PARIS CAFE	1517 2ND AVE	C Liquor
(W)	MAIN GATE	2956 E GRAND AVE	C Liquor
(X)	PEGGYS INC	3020 FOREST AVE	C Liquor
(Y)	PRINCIPAL FINANCIAL	600 7TH ST	C Liquor
(Z)	QUIK TRIP #530	2300 E 14TH ST	C Beer
(AA)	RED POPPY	2925 INGERSOLL AVE	C Liquor
(BB)	SAVE A LOT	3200 SW 9TH ST	C Beer
(CC)	SCIENCE CENTER OF IOWA	401 W ML KING JR PKWY	C Liquor
(DD)	SOUTH TOWN TAP	3803 SW 9TH ST	C Liquor
(EE)	SOUTHSIDE TOBACCO & LIQUOR	2424 SW 9TH ST	E Liquor
(FF)	SPLASH SEAFOOD BAR & GRILL	303 LOCUST ST	C Liquor
(GG)	STOCKMANS INN	3000 E GRAND AVE	B Beer
*(HH)	US GAS	3000 SW 9TH ST	E Liquor
(II)	VETERANS MEMORIAL/HYVEE	833 5TH AVENUE	C Liquor
(JJ)	W CHINA BUFFET	100 E EUCLID AVE	C Beer/Wine
(KK)	WAKONDA CLUB	3915 FLEUR DR	C Liquor

SPECIAL EVENT APPLICATIONS

(LL) DES MOINES SOCIAL CLUB 900 MULBERRY ST Five (5) Day License
Special Class C Liquor License for Artquack on June 27, 2013. Pending approval of Building Department.

(MM) GREATER DSM MUSIC 1418 GRAND AVE Five (5) Day License
Class C Liquor License for 80-35 Concert on July 5-6, 2013. Pending approval of Electrical Department.

(NN) GREATER DSM MUSIC 1013 LOCUST ST Five (5) Day License
Special Class C Liquor License for 80-35 Concert on July 5-6, 2013. Pending approval of Electrical Department.

(OO) GREATER DSM MUSIC 1307 LOCUST ST Five (5) Day License
Special Class C Liquor License for 80-35 Concert on July 5-6, 2013.

(PP) GREATER DSM MUSIC 1203 LOCUST Five (5) Day License
Special Class C Liquor License for 80-35 Concert on July 5-6, 2013.

(QQ) PARKS AREA FOUNDATION 3612 6TH AVE Five (5) Day License
Class B Beer License for Sweet Corn Feed on July 13, 2013.

(RR) PARKS AREA FOUNDATION 3012 6TH AVE Five (5) Day License
Class B Beer License for Rendezvous on Riverview Event on July 19, 2013.

(SS) PARKS AREA FOUNDATION 3012 6TH AVE Five (5) Day License
Class B Beer License for Rendezvous on Riverview Event on July 12, 2013.

(TT) PARKS AREA FOUNDATION 3012 6TH AVE Five (5) Day License
Class B Beer License for Rendezvous on Riverview Event on July 5, 2013.

[13-0966](#) 5. [City](#) Clerk to issue Cigarette Licenses. **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Cownie and Moore.**

[13-0967](#) 6. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Hensley to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

7. Ordering construction of the following:

[13-0968](#) (A) [2013](#) Expanded Street Resurfacing Program – Contract 2: Receiving of bids, (7-16-13), Setting date of hearing, (7-29-13), Construction estimate, \$1,670,000. ([Council Communication No. 13-305](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[13-0969](#) (B) [2013](#) Designated Neighborhood Sidewalk Replacement Program: Receiving of bids, (7-16-13), Setting date of hearing, (7-29-13), Construction estimate, \$401,425. ([Council Communication No. 13-304](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[13-0970](#) 8. [Approving](#) and authorizing Iowa Department of Transportation (IDOT) Agreement for E. 30th Street and Dean Avenue Intersection Improvements. ([Council Communication No. 13-302](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[13-0971](#) 9. [Approving](#) Professional Services Agreement with Brown Engineering Company for the Des Moines Skywalk Bridge Roof Analysis & Design, not to exceed \$124,333. ([Council Communication No. 13-320](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[13-0972](#) 10. [Approving](#) Private Construction Contract between J. E. Dunn Construction Company and Principal Life Insurance Company for Storm Sewer Improvements in Grand Avenue between 8th Street and 11th Street. **Moved by Hensley to adopt. Motion Carried 7-0.**

[13-0973](#) 11. [Communication](#) from Contractors requesting permission to sublet certain items on public improvement projects. **Moved by Hensley to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

[13-0974](#) 12. [Levying](#) assessments for costs of nuisance abatement – NAC Emergency Orders (Community Development), Schedule No. 2013-06. **Moved by Hensley to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

[13-0975](#) 13. [Establishing](#) fair market value of property for the Euclid Avenue Intersection Improvements Project. ([Council Communication No. 13-301](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

[13-0976](#) 14. [Approving](#) recommendation from Mayor Frank Cownie to reappoint Jule Thorsen to the Library Board of Trustees, Seat 1, for a six-year term commencing July 1, 2013 to expire July 1, 2019. **Moved by Hensley to approve. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

15. Items regarding request from the Neighborhood Revitalization Board to amend the Des Moines' 2020 Community Character Plan to incorporate the Gray's Lake Neighborhood Plan as an element:

[13-0977](#) (A) [Approving](#) the Plan. ([Council Communication No. 13-308](#)) **Moved by Hensley to approve. Motion Carried 7-0.**

[13-0978](#) (B) [Communication](#) from Plan and Zoning Commission. **Moved by Hensley to approve the proposed amendment. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

16. On proposed issuance of General Obligation Bonds for the following, (7-15-13): ([Council Communication No. 13-343](#))
- [13-0979](#) (A) [\\$1,250,000](#) (Urban Renewal Purposes). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-0980](#) (B) [\\$24,000,000](#) (Essential Corporate Purpose). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-0981](#) 17. [On](#) petition to continue and adjust the boundaries of the Downtown Des Moines Self-Supported Municipal Improvement District (SSMID), (7-15-13). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-0982](#) (A) [Communication](#) from Plan and Zoning Commission. **Moved by Hensley to receive and file the report and recommendation of the Plan and Zoning Commission. Motion Carried 7-0.**
- [13-0983](#) 18. [On](#) conveyance of property adjacent to 814 Bell Avenue to Cloyd and Teresa Gerard, \$25, (7-15-13). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-0984](#) 19. [On](#) adoption by reference of the International Fire, Building, and other standard codes, (7-15-13). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-0985](#) 20. [On](#) request from Kelli Wulfekuhle (owner) to rezone property in the vicinity of 1617 Oakland Avenue from “R1-60” (One-Family Low-Density Residential) to “R-3” (Multiple Residential District) to allow the future consideration of a Conditional Use Permit for the premises for a correctional placement residence use, (7-15-13). **Moved by Hensley to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

21. Approving payment to the following for workers’ compensation:
- [13-0986](#) (A) [Charlene](#) Ramirez, \$14,672.93. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-0987](#) (B) [Jan](#) Choda, \$15,685.38. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-0988](#) 22. [Approving](#) payment to Belin McCormick Law Firm in conjunction with Kragnes v. City of Des Moines, \$390. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-0989](#) 22-I [Approving](#) payment to Alma McAfee and her attorney, Robert B. Garver, as the result of a trip and fall accident at 6th and Walnut Streets, \$12,500. **Moved by Hensley to adopt. Motion Carried 7-0.**

APPROVING

- [13-0990](#) 23. [Community](#) Services Block Grant (CSBG) Community Action Plan application for the 2014 CSBG Program Year. ([Council Communication No. 13-310](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

WITHDRAWN

- [13-0991](#) 24. ~~Neighborhood Commercial Revitalization (NCR) Program Loan, \$170,000 and a Façade Grant, \$15,000 to Gassmann Real Estate, LLC for renovations and expansion of 2806 and 2822 6th Avenue. (Council Communication No. 13-316)~~

- [13-0992](#) 25. [Memorandum](#) of Understanding with Iowa Department of Natural Resources (IDNR), Polk County Conservation Board, Polk County Soil and Water Conservation District, Iowa Department of Agriculture and Land Stewardship and Natural Resources Conservation Service for implementation of Easter Lake Water Quality Management Plan Project, Phase 1. ([Council Communication No. 13-338](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [13-0993](#) 26. [Receive](#) and file letters of interest on City-owned property in the SE Agribusiness Urban Renewal Project Area at SE 15th Street and E. Martin Luther King Jr. Parkway, and refer to the City Manager to develop a process for land sale and development. ([Council Communication No. 13-342](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [13-0994](#) 27. [Grant](#) Application and Memorandum of Understanding with Polk County for funding from the 2013 Edward Byrne Justice Assistance Grant to be used for purchase of law enforcement equipment, \$143,494. ([Council Communication No. 13-340](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [13-0995](#) 28. [Emergency](#) Services Clinical/Field Affiliation Agreement between Des Moines Fire Department and University of Iowa Hospitals and Clinics. ([Council Communication No. 13-313](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [13-0996](#) 29. [Pledge](#) of Support of the National Weather Service Stormready Program as a participant of the Polk County Emergency Management Commission. ([Council Communication No. 13-337](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

30. Number Not Used.

- [13-0997](#) 31. [Donation](#) Agreement with Wells Fargo Bank, N.A. and authorizing acquisition of 1406 21st Street. ([Council Communication No. 13-328](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [13-0998](#) (A) [Setting](#) date of hearing on conveyance of 1406 21st Street to Anawim Housing, \$4,800, (7-15-13). **Moved by Hensley to adopt. Motion Carried 7-0.**

- [13-0999](#) 32. [Declaring](#) an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the Des Moines General Fund for certain original expenditures paid in conjunction with the economic development grant for the Blank Park Zoo Foundation. ([Council Communication No. 13-334](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1000](#) 33. [Issuance](#) of a Certificate of Completion for the N.D. 22 Fleming, LLC Historic Adaptive Reuse of the Fleming Building at 218 6th Avenue. ([Council Communication No. 13-341](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1001](#) 34. [Annual](#) property and casualty insurance renewals. ([Council Communication No. 13-335](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
35. Communications from Downtown Community Alliance for approval of the design of the following banners:
- [13-1002](#) (A) [On](#) behalf of the Greater Des Moines Convention & Visitors Bureau for banners to be displayed on SW 2nd and 3rd Street in July and August for the annual Baseball Tournament. **Moved by Hensley to receive, file and approve banner design. Motion Carried 7-0.**
- [13-1003](#) (B) [On](#) behalf of the Des Moines Symphony for banners to be displayed in downtown Des Moines in the Western Gateway and Locust Street from September to November to celebrate their new season. **Moved by Hensley to receive, file and approve banner design. Motion Carried 7-0.**
- [13-1004](#) (C) [On](#) behalf of Unity Point Health for banners to be displayed in the Western Gateway mid July through October. **Moved by Hensley to receive, file and approve banner design. Motion Carried 7-0.**
- [13-1005](#) 36. [Application](#) from the Park and Recreation Department requesting approval for a banner across the Court Avenue Bridge to promote National Park and Recreation Month to be displayed July 12, 2013. **Moved by Hensley to receive, file and approve banner design. Motion Carried 6-1. Nays: Moore.**

37. Bids from the following:

- [13-1006](#) (A) [Karl](#) Chevrolet (Carl Moyer, Owner) to furnish auto body repair services to be used during fiscal year 2014 by the Fleet Maintenance Center, \$50,000 estimated annual cost. ([Council Communication No. 13-330](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Coleman.**
- [13-1007](#) (B) [Graybar](#) Electric (Kathy Mazarella, President) to furnish miscellaneous electrical products and supplies to be used during fiscal year 2014 by the Park & Recreation Department, \$50,000 estimated annual cost. ([Council Communication No. 13-331](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1008](#) (C) [Menards](#) (Frank Blake, CEO) to furnish miscellaneous building materials and supplies to be used during fiscal year 2014 by the Park & Recreation Department, \$65,000 estimated annual cost. ([Council Communication No. 13-332](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1009](#) 38. [Amendment](#) to the Microsoft Enterprise Agreement to add licensing for Office 365 software, a subscription based office suite built around the standard Microsoft Office platform. ([Council Communication No. 13-336](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1010](#) 39. [Exception](#) to competitive procurement process and approving 3-month extension to agreement with EMC Risk Services (Barb A. Sullivan, President) to provide workers' compensation bill review, bill payment and claims management for July 1, 2013 through September 30, 2013. ([Council Communication No. 13-327](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1011](#) 40. [Civil](#) Service Entrance Lists for Traffic Signal Technician, Neighborhood Inspections Supervisor and Police Officer. **Moved by Hensley to receive and file. Motion Carried 6-0. Council Member Moore declares a conflict of interest and abstains from voting.**
- [13-1012](#) 41. [Authorizing](#) Finance Director to draw checks on [registers](#) for weeks of June 24 and July 1 and July 8, 2013; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for weeks of June 24 and July 1 and July 8, 2013; and to draw checks for biweekly payroll due June 28 and July 12, 2013. **Moved by Hensley to adopt. Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

- [13-1013](#) 42. Amending Chapter 114 of the Municipal Code regarding traffic regulation changes as follows: **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**
- (A) Beaver and Aurora traffic signals.
 - (B) 44th Street parking restriction revisions – north of College Avenue.
 - (C) SW 5th and Virginia – Reversal of stop signs.

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

ORDINANCES - FIRST CONSIDERATION

- [13-1014](#) 43. Amending Chapter 114 of the Municipal Code submitting traffic regulation changes as follows: (Council Communication No. 13-323) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- (A) Parking Restriction – 6th Avenue from Cherry to Mulberry Street.
 - (B) Revision of Parking Meter Time Limits – E. 4th Street from E. Walnut to Des Moines Street.
 - (C) 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, #15,197. Motion Carried 7-0.**

[13-1015](#)

COUNCIL REQUESTS

- [13-1016](#) 44. Request from Council Member Brian Meyer to discuss parking lot at the Cownie Baseball Park. **Moved by Meyer to refer to the City Manager for review and recommendation and to consider additional police presence at SE 22nd and Hartford during busy times. Motion Carried 7-0.**
- [13-1017](#) (A) Authorization to proceed with design of a parking lot for the James W. Cownie Baseball Facility. **Moved by Meyer to adopt. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

- [13-1018](#) 45. **From** Tina Reed, 1956 South Union Street, to speak regarding a street name change for her street. **Moved by Hensley to receive, file and refer to the City Manager for review and recommendation. Motion Carried 7-0.**

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 46 THRU 60)

- [13-1019](#) 46. **On** vacation and lease of public right-of-way for a sidewalk café at 400 Walnut Street. ([Council Communication No. 13-325](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1020](#) (A) **First** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [13-1021](#) (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, [#15,198](#). Motion Carried 7-0.**
- [13-1022](#) (C) **Consideration** of permanent outdoor service area for Gramercy Tap and Wasasbi Tao. (Pending approval of Building, Electrical, Fire and Zoning Departments.) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1023](#) 47. **On** vacation and conveyance of a portion of north/south and east/west alley right-of-way adjoining 501 Grand Avenue to Polk County, \$1. ([Council Communication No. 13-319](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1024](#) (A) **First** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [13-1025](#) (B) **Final** consideration of ordinance above (waiver requested by Polk County), 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, [#15,199](#). Motion Carried 7-0.**
- [13-1026](#) 48. **On** conveyance of property in the vicinity of US Highway 65 and the Skunk River to Polk County Conservation Board, \$75,000. ([Council Communication No. 13-324](#)) **Moved by Moore to adopt. Motion Carried 7-0.**

- [13-1027](#) 49. **On** conveyance of 1220 Creston Avenue to Third LLC, subject to conditions \$200. ([Council Communication No. 13-322](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [13-1028](#) 50. **On** proposed 13th Amendment to the Metro Center Urban Renewal Plan. ([Council Communication No. 13-311](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Coleman.**
- [13-1029](#) 51. **On** proposed First Amendment to the Urban Renewal Plan for the Merle Hay Commercial Urban Renewal Area. ([Council Communication No. 13-326](#)) **Moved by Griess to adopt. Motion Carried 7-0.**
- [13-1030](#) (A) **Approving** Urban Renewal Development Agreement for redevelopment of a portion of Merle Hay Mall. ([Council Communication No. 13-318](#)) **Moved by Griess to adopt. Motion Carried 7-0.**
52. Items regarding rezoning of 3629 59th Street, (Rich Eychaner):
- [13-1031](#) (A) **To** amend the Des Moines' 2020 Community Character Plan to revise the future land use designation from Low-Density Residential to Commercial Auto-Oriented Small-Scale Strip Development. **Moved by Griess to approve the proposed amendment. Motion Carried 5-2. Absent: Coleman and Meyer.**
- [13-1032](#) (B) **Hearing** to rezone the property from "R-3" (Multiple Residential) to Ltd. "C-2" (General Retail and Highway Oriented Commercial). **Moved by Griess to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 5-2. Absent: Coleman and Meyer.**
- [13-1033](#) (C) **First** consideration of ordinance above. **Moved by Griess that this ordinance be considered and given first vote for passage. Motion Carried 5-2. Absent: Coleman and Meyer.**

53. Items regarding the Younkers Building, 713 Walnut Street:

- [13-1034](#) (A) **Hearing** on vacation of portions of the 7th Street, 8th Street and Walnut Street rights-of-way adjoining the Younkers Building and conveyance of an easement to legalize the existing building encroachment. ([Council Communication No. 13-317](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1035](#) (B) **First** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [13-1036](#) (C) **Final** consideration of ordinance above (waiver requested by the applicant), requires 6 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, [#15,200](#). Motion Carried 7-0.**
- [13-1037](#) (D) **Approving** First Amendment to the Urban Renewal Development Agreement with Alexander Company for the \$36,000,000 Historic Renovation of the former Younkers Building. ([Council Communication No. 13-309](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

54. Items regarding property at 3500 Kingman Blvd., Scott Harstook and Dennis Groenenboom, (purchasers) and Parker Street Foundation and Harold Wells (owners) (continued from the June 10, 2013 Council meeting):

- [13-1038](#) (A) **To** amend the Des Moines 2020 Community Character Plan to revise the existing future land use designation from Low-Density Residential, to Commercial Pedestrian-Oriented Neighborhood Node. **Moved by Hensley to approve the proposed amendment. Motion Carried 7-0.**
- [13-1039](#) (B) **Hearing** to rezone the property from “R1-60” (One-Family Low-Density Residential) to Ltd. “NPC” (Neighborhood Pedestrian Commercial) to allow use for assembly and small offices. ([Council Communication No. 13-329](#)) **Moved by Hensley to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 7-0.**
- [13-1040](#) (C) **First** consideration or ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [13-1041](#) (D) **Final** consideration of ordinance above (waiver requested by applicant), requires 6 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, [#15,201](#). Motion Carried 7-0.**

55. Items regarding the rezoning of 3525 Vandalia Road, to allow expansion of the existing chemical production plant to develop a 100,000 square foot warehousing addition for Helena Industries:

[13-1042](#)

(A) [To](#) amend the Des Moines 2020 Community Character Plan to revise the future land use designation from Planned Business Park to General Industrial. **Moved by Meyer to approve the proposed amendment. Motion Carried 7-0.**

[13-1043](#)

(B) [Hearing](#) on rezoning the property from “PUD” (Planned Unit Development) to Ltd. “M-2” (Heavy Industrial). **Moved by Meyer to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 7-0.**

[13-1044](#)

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

[13-1045](#)

(D) [Final](#) consideration of ordinance above (waiver requested by Helena Industries), requires 6 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, [#15,202](#). Motion Carried 7-0.**

[13-1046](#)

(E) [Setting](#) date of hearing to consider partial exemption from property taxation, (7-15-13). ([Council Communication No. 13-315](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**

[13-1047](#)

56. [Issuing](#) a Conditional Certificate of Appropriateness for the relocation of Norden Hall, from 709 E. Locust, terminating the designation as a Local Landmark and designating 425 E. Grand Avenue as a Local Landmark upon relocation to that address. ([Council Communication No. 13-333](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**

[13-1048](#)

(A) [Approving](#) Urban Renewal Agreement for Sale of Land for Private Redevelopment with 425 East Grand, LLC to develop Disposition Parcel No. 02-02A (425 E. Grand Avenue) in the Metro Center Urban Renewal Project. ([Council Communication No. 13-339](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**

[13-1049](#)

(B) [Approving](#) Conceptual Development Plan and execution of Special Warranty Deed to 425 East Grand, LLC. **Moved by Meyer to adopt. Motion Carried 7-0.**

- [13-1050](#) 57. **On** 2013 City-Wide Portland Cement Concrete (PCC) Pavement Restoration Program: Resolution approving plans, specifications, form of contract documents, engineer's estimate and designating lowest responsible bidder as Absolute Concrete Construction, Inc., (Sonny E. Hall, President), \$313,500. ([Council Communication No. 13-303](#)) **Moved by Coleman to adopt. Motion Carried 6-1. Nays: Moore.**
- [13-1051](#) (A) **Approving** contract and bond. **Moved by Coleman to adopt. Motion Carried 6-1. Nays: Moore.**
- [13-1052](#) 58. **On** 2013 HMA Pavement Scarification and Resurfacing: Resolution approving plans, specifications, form of contract documents, engineer's estimate and designating lowest responsible bidder as Grimes Asphalt & Paving Corp., (Kurt Rasmussen, President), \$938,052.50. ([Council Communication No. 13-306](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [13-1053](#) (A) **Approving** contract and bond, and permission to sublet. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [13-1054](#) 59. **On** 7th Street & Laurel Street Traffic Signal Installation: Resolution approving plans, specifications, form of contract documents, engineer's estimate and designating lowest responsible bidder as Iowa Signal Inc., (Wayne Lesley, President), \$94, 607.94. ([Council Communication No. 13-312](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1055](#) (A) **Approving** contract and bond, and permission to sublet. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1056](#) 60. **On** Police Department Evidence Storage Facility – Phase II: Resolution approving plans, specifications, form of contract documents, engineer's estimate and designating lowest responsible bidder as Edge Commercial, LLC, (Jason Ceretti, Partner), \$1,460,200. ([Council Communication No. 13-314](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1057](#) (A) **Approving** contract and bond, and permission to sublet. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1058](#) (B) **Approving** Supplemental Agreement No. 1 to the Professional Services Agreement with Shive Hattery, Inc. for the Police Department Evidence Storage Facility – Phase II, not to exceed \$27,400. **Moved by Hensley to adopt. Motion Carried 7-0.**

([Council Communication No. 13-307](#))

*** END OF HEARINGS AT 6:50 PM ***

APPROVING

- [13-1059](#) 61. [Approving](#) Professional Services Agreement with Stantec Consulting Services Inc, for professional services in conjunction with the levee assessment and analysis, not to exceed \$1,558,000. ([Council Communication No. 13-321](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

EXTRA ITEM

- [13-1060](#) 1. [Request](#) to speak from Amanda Fusaro, 4320 SW 9th Street, regarding signage for motorcycles in the vicinity of 210 Indianola Avenue. Sponsor: Council Member Hensley. **Moved by Meyer to receive and file comments and petition; refer to the City Manager and Traffic and Transportation Division for review and recommendation. Motion Carried 7-0.**

- [13-1061](#) MOTION TO ADJOURN. **Moved by Meyer to adjourn at 6:50 PM. Motion Carried 7-0.**