



\*\*\* 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**

July 15, 2013 4:30 PM

I. CLOSED SESSION – 3:30 PM.

- [13-1066](#) (A) Roll Call. **Present: Cownie, Griess, Hensley, Mahaffey, Meyer and Moore. Absent: Coleman. Council Member Coleman entered the meeting during item C.**
- [13-1067](#) (B) Recess, and reconvene in closed session pursuant to Section 21.5(c) of the Code of Iowa to discuss pending litigation. **Moved by Moore to adopt. Motion Carried 6-1. Absent: Coleman.**
- [13-1068](#) (C) Closed Session.
- [13-1069](#) (D) Terminate closed session and reconvene in open session. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1070](#) (E) Motion to adjourn. **Moved by Mahaffey to adjourn at 4:31 PM. Motion Carried 7-0.**

\* \* \* \* \*

**INVOCATION:** Council Member Mahaffey

- [13-1071](#) 1. **ROLL CALL: Present: Cownie, Coleman, Griess, Hensley, Mahaffey, Meyer and Moore.**

**Request from Mayor Cownie to allow Mothers Against Violence to speak.**

[13-1072](#)

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

[13-1073](#)

- 3. APPROVING CONSENT AGENDA \* – items 3 through 44: **Moved by Hensley to adopt the balance of the Consent Agenda. Motion Carried 7-0.**

**\*Note: These are routine items and will be enacted by one roll call vote without separate discussion unless someone, Council or public, requests an item be removed to be considered separately.**

**LICENSES AND PERMITS**

[13-1074](#)

- 4. **Approving Alcoholic Beverage License Applications for the following: Moved by Hensley to adopt. Motion Carried 7-0. Council Member Coleman votes “No” on items (S) Smokin’ Joes #4 and (T) Southside Tobacco & Liquor.**

**NEW APPLICATIONS**

|     |                    |                  |             |
|-----|--------------------|------------------|-------------|
| (A) | AKEBONO RESTAURANT | 215 10TH ST      | C Beer/Wine |
| (B) | BLU                | 215 E WALNUT ST  | C Beer/Wine |
| (C) | BRECKS             | 207 4TH ST       | C Liquor    |
| (D) | MASTER JACKS       | 3000 E GRAND AVE | C Liquor    |
| (E) | SUPER STOP         | 727 SE 14TH ST   | C Beer      |
| (F) | TURSIS LATIN KING  | 1203 LOCUST      | B Wine      |

**RENEWAL APPLICATIONS**

|       |                           |                    |               |
|-------|---------------------------|--------------------|---------------|
| (G)   | AIR LANES                 | 4200 FLEUR DR      | C Liquor      |
| (H)   | AIRPORT HOLIDAY INN       | 6111 FLEUR DR      | B Liquor      |
| (I)   | BLANK GOLF COURSE         | 711 COUNTY LINE    | C Liquor      |
| (J)   | CAPITAL PUB & HOT DOG CO  | 400 SE 6TH ST      | C Liquor      |
| (K)   | CHUCKS RESTAURANT         | 3608 6TH AVE       | C Liquor      |
| (L)   | DES MOINES AMVETS POST #2 | 2818 5TH AVE       | C Liquor      |
| (M)   | ISLAS DEL PACIFICO        | 1434 DES MOINES ST | C Liquor      |
| (N)   | JASPER WINERY             | 2400 GEORGE FLAGG  | C Native Wine |
| (O)   | LOCUST TAP                | 434 E LOCUST ST    | C Liquor      |
| (P)   | ORLONDOS                  | 4337 PARK AVE      | C Liquor      |
| (Q)   | RICHARD O JACOBSON        | 3000 E GRAND AVE   | C Liquor      |
| (R)   | SAKARI SUSHI LOUNGE       | 2605 INGERSOLL     | C Liquor      |
| * (S) | SMOKIN' JOES #4           | 2800 E UNIVERSITY  | E Liquor      |
| * (T) | SOUTHSIDE TOBACCO         | 2424 SW 9TH ST     | E Liquor      |
| (U)   | TEQUILA RESTAURANT        | 2824 EASTON BLVD   | C Liquor      |
| (V)   | WAVELAND GOLF COURSE      | 4908 UNIVERSITY    | C Liquor      |

**OUTDOOR SERVICE APPLICATIONS**

|     |                       |                  |        |
|-----|-----------------------|------------------|--------|
| (W) | CONFLUENCE BREWING CO | 1235 THOMAS BECK | B Beer |
|-----|-----------------------|------------------|--------|

Temporary in conjunction with RAGBRAI on July 23, 2013. Pending approval of Building Department.

(X) DES MOINES IZAAK WALTON 4343 GEORGE FLAGG C Liquor  
Temporary in conjunction with RAGBRAI on July 23, 2013.

(Y) JESSES EMBERS 3301 INGERSOLL C Liquor  
Temporary for 50 Year Celebration on July 21, 2013.

(Z) ORLONDOS 4337 PARK AVE C Liquor  
Temporary in conjunction with RAGBRAI on July 23, 2013. Pending approval of Building  
Department.

### **SPECIAL EVENT APPLICATIONS**

(AA) DOWNTOWN EVENTS 25 E WALNUT ST Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for RAGBRAI on July 23, 2013.

(BB) DOWNTOWN EVENTS 2201 GEORGE FLAGG Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for RAGBRAI on July 23, 2013.

(CC) HEROES 216 COURT AVE Five (5) Day License  
Class C Liquor License for Cornucopia on July 20, 2013. Pending approval of Building, Electrical,  
Fire and Zoning Departments.

(DD) IOWA CRAFT BEER 3000 E GRAND AVE B Beer  
Fourteen day license for the Iowa State Fair from August 8 – 18, 2013.

(EE) JAZZ IN JULY 1701 6 Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for an event on July 20, 2013.

(FF) MVP SPORTS 4600 PARK AVE Five (5) Day License  
Class C Liquor License in conjunction with RAGBRAI on July 23, 2013. Pending approval of  
Building and Electrical Departments.

(GG) PARKS AREA 3012 6TH AVE Five (5) Day License  
Class B Beer License for Rendezvous on Riverview event on August 2, 2013.

(HH) PARKS AREA 3012 6TH AVE Five (5) Day License  
Class B Beer License for Rendezvous on Riverview event on July 26, 2013.

(II) ROCK CORNSTALK 615 GRUBER ST Five (5) Day License  
Class C Liquor License for festival on July 27, 2013. Pending approval of Building Department.

(JJ) TURSIS LATIN KING 1203 LOCUST Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for Viva L Italia festival on July 26 – 27, 2013.

(KK) VIVA L ITALIA 1203 LOCUST Five (5) Day License  
Class B Beer License for festival on July 26 – 27, 2013.

(LL) VIVA L ITALIA 1203 LOCUST Five (5) Day License  
Class B Beer License for festival on July 26 – 27, 2013.

- [13-1075](#) 4-I [Consideration](#) of temporary outdoor service area for River Walk Hub Spot at 215 Water Street for special events on July 23-24, 2013. Pending approval of Building, Electrical, Fire and Zoning Departments. **Moved by Hensley to adopt. Motion Carried 7-0.**

#### **PUBLIC IMPROVEMENTS**

- [13-1076](#) 5. [Approving](#) and authorizing the execution of Iowa Department of Transportation Agreement for South Union Street Bridge over Middle South Creek Replacement. ([Council Communication No. 13-367](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1077](#) 6. [Approving](#) Change Order No. 7 with Reilly Construction Co., Inc. for additional work on the Indianola Avenue Widening Phase 2 Project, not to exceed \$123,625.65. ([Council Communication No. 13-368](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1078](#) 7. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects. ([Council Communication No. 13-348](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

#### **SPECIAL ASSESSMENTS**

- [13-1079](#) 8. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2013-07. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1080](#) 9. [Approving](#) deletion of NAC-Emergency Assessment at 1314 18<sup>th</sup> Street. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1081](#) 10. [Approving](#) deletion of Rental Inspection Assessment at 1418 Hutton Street. **Moved by Hensley to adopt. Motion Carried 7-0.**

#### **LAND/PROPERTY TRANSACTIONS**

- [13-1082](#) 11. [Accepting](#) donation of land by Hubbell Realty Company and dedicating the land and additional adjoining City-owned land as a public alley between SW 8<sup>th</sup> and SW 9<sup>th</sup> Streets and south of West Martin Luther King Jr. Parkway. ([Council Communication No. 13-359](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1083](#) 12. [Releasing](#) restrictive covenants reserved in the prior conveyance of a segment of vacated alley within property at 1300 Des Moines Street now proposed to be acquired by Des Moines Area Community College. ([Council Communication No. 13-360](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

## BOARDS/COMMISSIONS/NEIGHBORHOODS

- [13-1084](#) 13. [Approving](#) recommendation from Mayor Frank Cownie to appoint Roger Nowadzky to the Sister Cities Commission, Seat 2, for a five-year term commencing April 28, 2010 to expire April 28, 2015. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1085](#) 14. [Communication](#) from Cyndi Chen, advising of her resignation from the Park and Recreation Board, Seat 1, effective immediately. **Moved by Hensley to receive, file and accept resignation with appreciation for her service. Motion Carried 7-0.**
- [13-1086](#) 15. [Accepting](#) resignation from Michael Simonson from the Plan and Zoning Commission, Seat 3, and recommendation from Mayor Frank Cownie for appointment to the Park and Recreation Board, Seat 1, for a four-year term commencing June 30, 2012 to expire June 30, 2016. **Moved by Hensley to accept resignation with appreciation for his service and approve the appointment. Motion Carried 7-0.**
- [13-1087](#) 16. [Approving](#) recommendation from Mayor Frank Cownie to appoint Jann Freed to the Plan and Zoning Commission, Seat 3, for a five year-term commencing July 1, 2011 to expire July 1, 2016. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1088](#) 17. [Communication](#) from Richard R. Bason, advising of his resignation from the Housing Appeals Board, Seat 5, effective August 15, 2013. **Moved by Hensley to receive, file and accept resignation with appreciation for his service. Motion Carried 7-0.**
- [13-1089](#) 17-I [Approving](#) recommendation from Council Member Christine Hensley to appoint Sarah Oltrogge to the Housing Appeals Board, Seat 6, for a three-year term commencing March 16, 2011 to expire March 16, 2014. **Moved by Hensley to adopt. Motion Carried 7-0.**

## COMMUNICATIONS FROM PLANNING AND ZONING

- [13-1090](#) 18. [Regarding](#) vacation of the north/south segment of alley lying between E. Martin Luther King Jr. Parkway and Raccoon Street from SE 5<sup>th</sup> Street to SE 6<sup>th</sup> Street and refer to the City Manager for review of possible lease options. **Moved by Hensley to receive and file and refer to the City Manager for review of possible lease options. Motion Carried 7-0.**

## SETTING DATE OF HEARINGS

- [13-1091](#) 19. [On](#) assessment of \$500 penalty to the following Alcoholic Beverage license holders for violation of Iowa Alcoholic Beverage laws, sale to minor, (7-29-13). **Moved by Hensley to adopt. Motion Carried 7-0.**
- (A) Oasis Grocery & Liquor, 2917 Payne Road.
  - (B) Des Moines Valero #202, 821 E. Euclid Avenue.
  - (C) Lot 33 Café Bar & Lounge, 3701 Ingersoll Avenue.
  - (D) Des Moines Valero #204, 3733 Easton Blvd.
  - (E) Fast Trip, 1516 SE 1<sup>st</sup> Street.
- [13-1092](#) 20. [On](#) assessment of \$1,500 penalty and 30-day suspension of Class C Beer License for Quick Star at 2701 Ingersoll Avenue for violation of Iowa Alcoholic Beverage laws, sale to minor, (7-29-13). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1093](#) 21. [On](#) assessment of \$1,500 penalty and 30-day suspension of Class E Liquor License for University Groceries at 2121 University Avenue for violation of Iowa Alcoholic Beverage laws, sale to minor, (7-29-13). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1094](#) 22. [On](#) proposed Amendments to the Fourth Year (2013) Action Plan of the 2010-2014 U.S. Department of Housing and Urban Development (HUD) Consolidated Plan, (8-26-13). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1095](#) (A) [Environmental](#) Review Record, Finding of No Significant Impact on the Environment and publish Notice of Intent to Request Release of Funds, (8-26-13). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1096](#) 23. [On](#) application from Transport Companions LLC for Certificate of Public Convenience and Necessity to operate a limousine service, (7-29-13). **Moved by Hensley to adopt. Motion Carried 7-0.**

## LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [13-1097](#) 24. [Approving](#) payment to Ahlers & Cooney, PC Law Firm with respect to general matters, \$1,222. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1098](#) 25. [Approving](#) payment to Todd Lawless for workers' compensation settlement, \$69,000. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1099](#) 26. [Approving](#) additional payments to Bob Brown Collision, \$10,177.98 and Enterprise Rent-A-Car, \$1,468.45 for a total amount of \$11,646.43, as the result of an auto accident claim by Susan Lucas. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1100](#) 26-I [Approving](#) payment to Bunker Family Enterprises, LC and Rhiner Plumbing Company for a claim for property damage of a private sewer line at 1505 University Avenue. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1101](#) 27. [Approving](#) mutual release of all claims and settlement agreement. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1102](#) 28. [Approving](#) payment of billings from Peddicord, Wharton, Spencer, Hook, Barron & Wegman in conjunction with retention of Scott Beattie to represent Police Officer Judy Smith, \$931.50. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1103](#) 29. [Approving](#) payment to Belin McCormick Law Firm in conjunction with Kragnes v. City of Des Moines, \$1,980. **Moved by Hensley to adopt. Motion Carried 7-0.**

## CITY MANAGER COMMUNICATIONS

- [13-1104](#) 30. [Submitting](#) travel and training requests for T.M. Franklin Cownie, Jeff May and John TeKippe. ([Council Communication No. 13-375](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

## APPROVING

- [13-1105](#) 31. [Amendment](#) #15 to the Des Moines Community Development Block Grant – Disaster Recovery (CDBG-DR) to accept a supplemental award for multi-family housing new production for East Village Growth Partners, LLC, not to exceed \$3,000,000 plus general administration, not to exceed, \$61,224. ([Council Communication No. 13-370](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1106](#) 32. [FY](#) 2014 Community Impact Investment Agreement with United Way of Central Iowa for the Community Action Agency Financial Education Program. ([Council Communication No. 13-346](#)) **Moved by Hensley to approve. Motion Carried 7-0.**

- [13-1107](#) 33. [Second](#) Amendment to the development agreement with Indigo Dawn, LLC for the renovation of 800 19<sup>th</sup> Street extending completion date to December 31, 2014 and repayment schedule. ([Council Communication No. 13-361](#)) **Moved by Hensley to approve and refer to the City Manager to provide periodic updates to the Council and to the Sherman Hill Neighborhood Association. Motion Carried 7-0.**
34. Items regarding Palisade Systems, Inc. (400 Locust Street): ([Council Communication No. 13-364](#))
- [13-1108](#) (A) [Settlement](#) agreement and release of the economic development loan agreement with the secured note holders. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1109](#) (B) [Contract](#) Termination Agreement – Iowa Economic Development Authority (IEDA) Iowa Values Fund Forgivable Loan. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1110](#) 35. [Second](#) Amendment to the loan agreement with American Healthways Services, Inc. ([Council Communication No. 13-362](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1111](#) 36. [Neighborhood](#) Commercial Revitalization Program (NCR) loan for \$170,000 and a Façade Grant for \$15,000 to Gassmann Real Estate, LLC for renovations and expansion of the commercial building at 2822 and 2806 6<sup>th</sup> Avenue, Des Moines. ([Council Communication No. 13-363](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [13-1112](#) 37. [Parking](#) License Agreement with Fleming Master Tenant, LLC for the 8<sup>th</sup> & Mulberry Parking Garage. ([Council Communication No. 13-352](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1113](#) 38. [Microsoft](#)-Iowa Anti-Trust Settlement Benefit in the amount of \$130,886. ([Council Communication No. 13-347](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1114](#) 39. [Use](#) of various City facilities as poll sites for the School Election to be held on Tuesday, September 10, 2013. **Moved by Hensley to approve. City Clerk will notify the Parks Department and the Housing Services Department to arrange access to the buildings. Motion Carried 7-0.**
- [13-1115](#) 40. [Application](#) from Christ The King Catholic Church requesting approval for a banner across SW 9<sup>th</sup> Street to promote the Annual Sweet Corn Festival from August 1 to August 30, 2013. **Moved by Hensley to receive, file and approve banner design. Motion Carried 7-0.**



- [13-1116](#) 41. [Addendum](#) to KB Solution Koch Brothers equipment agreement with Koch Brothers (Dutch Koch, President) for copier equipment, related services and toner supply for a three-year term beginning July 3, 2013, with up to three one-year renewal options. ([Council Communication No. 13-344](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
42. Bids from the following:
- [13-1117](#) (A) [Goering](#) Plumbing (Kevin Goering, President) for water service stop box relocation services for use by the Street Maintenance Division of the Public Works Department, \$62,953. (Ten bids mailed, four received.) **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Coleman.**
- [13-1118](#) (B) [Central](#) Iowa Mechanical (Larry Goode, President) for an annual contract with two additional one-year renewal options for Plumbing and HVAC services for use by the Park & Recreation Department, annual estimate \$130,000. (Eight Bids mailed, five received.) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1119](#) (C) [Hewlett](#) Packard Co. (Mark Hurd, President) for replacement employee desktop personal computers per the Western States Contracting Alliance (WSCA) contract purchase agreement for use by IT Department, \$100,000. ([Council Communication No. 13-351](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1120](#) (D) [Logan](#) Contractors Supply (Bruce Logan, President) sole area-wide distributor for Crafcro crack sealant (Roadsaver 221) and detackifier (Detack) pavement maintenance products for use with existing Crafcro pavement preservation equipment during FY 2014 for use by the Street Maintenance Division of the Public Works Department, annual estimate \$65,000. ([Council Communication No. 13-353](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1121](#) (E) [Grainger](#) Industrial Supply for a blanket purchase order for miscellaneous industrial supplies and equipment per the Western States Contracting Alliance (WSCA) contract purchase agreement for use by the Public Works Department during FY 2014, annual estimate \$42,000. ([Council Communication No. 13-354](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1122](#) (F) [Menards](#) stores for a blanket purchase order for miscellaneous building materials and supplies per State of Iowa Contract to be used during FY 2014 by the Public Works Department, annual estimate \$85,000. ([Council Communication No. 13-374](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1123](#) (G) [Bound](#) Tree Medical (Jeff Prestel, President), Midwest Medical Supply (Gary Reeve, President), Southeastern Emergency Equipment (Donald Pleasants, President) for an annual contract with two additional one-year renewal options to furnish medical and pharmaceutical supplies for use by the Fire Department, annual estimate \$195,000. ([Council Communication No. 13-349](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [13-1124](#) 42-I [Authorizing](#) Finance Director to draw checks on [registers](#) for weeks of July 15 and July 22, 2013; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for weeks of July 15 and July 22, 2013; and to draw checks for biweekly payroll due on July 26, 2013. **Moved by Hensley to adopt. Motion Carried 7-0.**

#### ORDINANCES - FINAL CONSIDERATION

- [13-1125](#) 43. [Amending](#) Chapter 114 of the Municipal Code regarding traffic regulation changes as follows: **Moved by Hensley that this ordinance do now pass, [#15,203](#). Motion Carried 7-0.**
- (A) Beaver and Aurora traffic signals.
  - (B) 44<sup>th</sup> Street parking restriction revisions – north of College Avenue.
  - (C) SW 5<sup>th</sup> and Virginia – Reversal of stop signs.

#### ORDINANCES - SECOND CONSIDERATION

- [13-1126](#) 44. [On](#) rezoning of 3629 59<sup>th</sup> Street from “R-3” (Multiple Residential) to Ltd. “C-2” (General Retail and Highway Oriented Commercial). **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**
- [13-1127](#) (A) [Final](#) consideration of ordinance above (waiver requested by the Community Development Director), 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, [#15,204](#). Motion Carried 7-0.**

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

## ORDINANCES - FIRST CONSIDERATION

- [13-1128](#) 45. **Amending** Chapter 114 of the Municipal Code regarding traffic regulation changes as follows: (**Council Communication No. 13-369**) **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- (A) Installation of new parking meters – City of Des Moines surface lot on the SE corner of E. 4<sup>th</sup> Street and E. Grand Avenue.
  - (B) Two-sided parking restriction – Beaver Avenue between Madison Avenue and Shawnee Avenue.
  - (C) Reverse the side of existing parking – Greenwood Drive between Tonawanda Drive and 42<sup>nd</sup> Street.
  - (D) One-sided parking restriction change – North Valley Drive from SW 56<sup>th</sup> Street to SW 59<sup>th</sup> Street.
  - (E) Two-sided parking restriction – E. Sheridan Avenue between Idaho Street and E. 16<sup>th</sup> Street.

## COUNCIL REQUESTS

- [13-1129](#) 46. **Request** from Council Member Brian Meyer to discuss food trucks in Des Moines. **Moved by Meyer to receive and file comments; refer to the City Manager and City Attorney for review and recommendation. Motion Carried 7-0.**

## COMMUNICATIONS/REPORTS

- [13-1130](#) 47. **From** representatives of St. Augustin Church to speak regarding its properties located in the vicinity of 40<sup>th</sup> and Grand Avenue. **Moved by Hensley to receive and file comments. St. Augustin representatives plan to speak at the August 26 Council meeting regarding their plan. Motion Carried 7-0.**
- [13-1131](#) 48. **From** Anna Mundy, 4228 Holland Drive, to speak regarding the hours of splash pads/wading pools. **Moved by Coleman to receive and file comments; refer to the City Manager for review and recommendation for funding options for wading pools in all high-use parks to be implemented as soon as possible and to seek support from the Friends of Des Moines Parks organization. Motion Carried 7-0.**

## INFORMAL HEARINGS

- [13-1132](#) 49. On construction of the E. Gray Street sidewalk from Indianola Avenue to 341 E. Gray. **Moved by Meyer to adopt. Motion Carried 6-1. Absent: Griess.**
- [13-1133](#) 50. On construction of the E. Sheridan Avenue sidewalk from 2658 E. Sheridan to Hubbell Avenue. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

## HEARINGS (OPENED AT 5:15 P.M.) (ITEMS 51 THRU 62)

- [13-1134](#) 51. On conveyance of 1406 21<sup>st</sup> Street to Anawim Housing, \$4,800. ([Council Communication No. 13-371](#)) **Moved by Griess to adopt. Motion Carried 7-0.**
- [13-1135](#) 52. On conveyance of property adjacent to 814 Bell Avenue to Cloyd and Teresa Gerard, \$25. ([Council Communication No. 13-356](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Moore.**
- [13-1136](#) 53. 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) to allow the future consideration of a Conditional Use Permit for the premises for a correction placement residence use. (Plan and Zoning Commission recommends DENIAL.) **Moved by Griess to deny the proposed rezoning. Motion Carried 7-0.**
- [13-1137](#) (A) Recommendation of Plan and Zoning Commission to amend the 2020 Community Character Plan to revise the future land use designation from Low-Density Residential to Medium-Density Residential. (Recommendation is to DENY.) **Moved by Griess to deny the proposed amendment. Motion Carried 7-0.**
- [13-1138](#) 54. On prior approval of a partial exemption from property taxation for Helena Industries, Inc., 3525 Vandalia Road. **Moved by Meyer to adopt. Motion Carried 7-0.**
- [13-1139](#) 55. On adoption by reference of the International Fire, Building, and other standard codes. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1140](#) (A) First consideration of ordinance above amending Chapter 46 of the Municipal Code regarding adoption of the International Fire Code and amendments. ([Council Communication No. 13-378](#)) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- [13-1141](#) (B) [First](#) consideration of ordinance above amending Chapter 26 to adopt the 2012 editions of the International Building Code; International Residential Code; International Existing Building Code; International Mechanical Code; International Fuel Gas Code; Uniform Plumbing Code and the 2009 edition of the International Energy Conservation Code. ([Council Communication No. 13-377](#)) **Moved by Hensley that this ordinance be considered and given first vote for passage and to direct that City Manager and staff review and make a recommendation to the Council regarding the adoption and implementation of a green building code such as the 2012 International Green Construction Code (Igce) published by the International Code Council. Motion Carried 7-0.**
- [13-1142](#) 56. [On](#) petition to continue and adjust the boundaries of the Downtown Des Moines Self-Supported Municipal Improvement District, (SSMID). ([Council Communication No. 13-372](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
57. Items regarding issuance of General Obligation Bonds, (these items will be voted on separately): ([Council Communication No. 13-373](#))
- [13-1143](#) (A) [Hearing](#) on issuance of not to exceed \$1,250,000 General Obligation Bonds for Urban Renewal purposes. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1144](#) (1) [Authorization](#) for additional action. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1145](#) (B) [Hearing](#) on issuance of not to exceed \$24,000,000 General Obligation Bonds for Essential Corporate purposes. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [13-1146](#) (1) [Authorization](#) for additional action. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [13-1147](#) (C) [Resolution](#) directing advertisement for sale of \$37,985,000 General Obligation Bonds, Series 2013A, and \$22,535,000 General Obligation Refunding Bonds, Series 2013B, and approving distribution of a preliminary Official Statement and use of electronic bidding procedures in conjunction with the sale of the bonds, (bonds will be sold at 10:00 AM on Wednesday, July 24<sup>th</sup> and special Council meeting will be held at 4:30 PM). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1148](#) 58. [On](#) E. 37<sup>th</sup> Street Sanitary Sewer – E. Euclid Avenue to Hubbell Avenue: Resolution approving plans, specifications, form of contract documents, engineer’s estimate and designating lowest responsible bidder as T K Concrete, Inc. (Tony J. VerMeer, President), \$158,518. ([Council Communication No. 13-357](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2. Nays: Cownie and Moore.**
- [13-1149](#) (A) [Approving](#) contract and bond, and permission to sublet. **Moved by Mahaffey to adopt. Motion Carried 5-2. Nays: Cownie and Moore.**

- [13-1150](#) 59. [On](#) Indianola Avenue Widening – Phase 3: Resolution approving plans, specifications, form of contract documents, engineer’s estimate and designating lowest responsible bidder as Corell Contractor, Inc. & Subsidiary (Grant Corell, President), \$3,356,690.18. ([Council Communication No. 13-355](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [13-1151](#) (A) [Approving](#) contract and bond, and permission to sublet. **Moved by Meyer to adopt. Motion Carried 7-0.**
- [13-1152](#) 60. [On](#) 2013 Expanded Street Resurfacing Program – Contract 1: Resolution approving plans, specifications, form of contract documents, engineer’s estimate and designating lowest responsible bidder as OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving (James Gauger, President), \$919,433.50. ([Council Communication No. 13-358](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [13-1153](#) (A) [Approving](#) contract and bond, and permission to sublet. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [13-1154](#) 61. [On](#) 2013 Sidewalk Replacement Program: Resolution approving plans, specifications, form of contract documents, engineer’s estimate and designating lowest responsible bidder as Lamberti Concrete of Iowa, Inc. (Miquel Hadsall, President), \$371,853.50. ([Council Communication No. 13-365](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [13-1155](#) (A) [Approving](#) contract and bond. **Moved by Moore to adopt. Motion Carried 7-0.**
- [13-1156](#) 62. [On](#) 2013 Sewer Repair-Contract 1: Resolution approving plans, specifications, form of contract documents, engineer’s estimate and designating lowest responsible bidder as The Underground Company, Ltd. (Duane Burkhardt, President), \$310,869.90. ([Council Communication No. 13-366](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1157](#) (A) [Approval](#) of contract and bond, and permission to sublet. **Moved by Hensley to adopt. Motion Carried 7-0.**

\*\*\* END OF HEARINGS AT 5:58 PM\*\*\*

## APPROVING

- [13-1158](#) 63. [Real](#) Estate Property Exchange and Grant Agreement with Clear Channel Outdoor, Inc. and authorizing acquisition of property at 849 Army Post Road. ([Council Communication No. 13-376](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**

[13-1159](#)

- (A) [Setting](#) Date of Hearing on Amended and Restated Billboard Lease with Clear Channel Outdoor, Inc. on City-owned property west of I-235 between Ovid Avenue and Hull Avenue, (7-29-13). **Moved by Meyer to adopt and refer to the City Manager to report on the trees in the area and the length of the lease. Motion Carried 7-0.**

[13-1160](#)

- (B) [Setting](#) Date of Hearing on Amended and Restated Billboard Lease with Clear Channel Outdoor, Inc. on City-owned property at 227 63<sup>rd</sup> Street, (7-29-13). **Moved by Meyer to adopt and refer to the City Manager to report on the trees in the area and the length of the lease. Motion Carried 7-0.**

[13-1161](#)

64. [Intergovernmental](#) 28E Agreement with The Des Moines Metropolitan Wastewater Reclamation Authority (WRA) for the design and construction of the Easter Lake Spine Trail as part of the WRA Southern Tier Interceptor, Phase 10, Segment 15-16 Project. ([Council Communication No. 13-379](#)) **Moved by Meyer to defer for two weeks. Motion Carried 7-0.**

[13-1162](#)

MOTION TO ADJOURN. **Moved by Griess to adjourn at 6:36 PM. Motion Carried 7-0.**

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