



**\*\*\* 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 '14-' preceding each item on the agenda is a roll call number assigned by the City Clerk. Please refer to this number when requesting information or copies.

**SUMMARY OF DES MOINES CITY COUNCIL MEETING**

**January 13, 2014 4:30 PM**

**Reception 3:30 – 4:00 PM**

**Great Hall, 2<sup>nd</sup> Floor**

**400 Robert D. Ray Drive**

**Bill Gray, Council Member Ward I  
Christine Hensley, Council Member Ward III  
Skip Moore, Council Member At-Large**

**Oath of Office Ceremony 4:00 – 4:15 PM**

**Municipal Housing Governing Board Meeting 4:15 PM**

**PROCLAMATION – Grand View University 2013 NAIA Football National Champions**

**INVOCATION: Council Member Mahaffey**

[14-0004](#) 1. **ROLL CALL: Present: Cownie, Coleman, Gray, Hensley, Mahaffey, Voss and Moore.**

I Approving reappointment of the following:

[14-0005](#) (A) **City Manager. Moved by Coleman to adopt. Motion Carried 7-0.**

[14-0006](#) (1) **Report** from Mayor Cownie, on behalf of the Personnel Sub-Committee, regarding the City Manager transition and appointment process. **Moved by Coleman to receive, file and approve the recommendations as contained in the attached letter. A summary of the appointment process and timeline will be made available on the City website. Motion Carried 7-0.**

- [14-0007](#) (B) City Attorney. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [14-0008](#) (1) Approving reorganization plan of the Litigation Division of the Legal Department. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [14-0009](#) (2) Approving appointment of Carol J. Moser as Deputy City Attorney for the Litigation Division. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [14-0010](#) (C) City Clerk. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [14-0011](#) (D) Chief Deputy City Clerk. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [14-0012](#) (E) Chief Deputy City Attorney, Deputy City Attorneys and Assistant City Attorneys. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [14-0013](#) II Approving recommendation of Mayor Cownie for appointment of Council Member Bob Mahaffey as Mayor Pro Tem for Calendar year 2014. **Moved by Moore to adopt. Motion Carried 7-0.**
- [14-0014](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-0015](#) 3. APPROVING CONSENT AGENDA \* – items 3 through 49: **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**

- [14-0016](#) 4. Approving Alcoholic Beverage License Applications for the following: **Moved by Gray to adopt; continue item (T) Nat Food Mart to the January 27, 2014 Council meeting and refer it to the Legal Department to negotiate a Good Neighbor Agreement. \*Council Member Coleman votes “No” on item (T) Nat Food Mart. Motion Carried 7-0.**

**RENEWAL APPLICATIONS**

(A)	ALBA RESTAURANT	519 DES MOINES ST	C Liquor
(B)	BEAVER TAP	4050 URBANDALE	C Liquor
(C)	CAFE DI SCALA	644 18TH ST	C Liquor
(D)	CASEYS #2322	4331 PARK AVE	C Beer
(E)	CASEYS #2641 *(1)	2849 E EUCLID AVE	C Beer
(F)	CHADS CLUB 2000	422 INDIANOLA AVE	C Liquor
(G)	CONEY ISLAND #2	3700 SW 9TH ST	B Beer
(H)	DES MOINES ASIAN FOOD	1623 6TH AVE	C Beer

(I)	DIAMOND JACKS	3000 E GRAND AVE	C Liquor
(J)	GIT N GO STORE #24	1142 42ND ST	C Beer
(K)	GIT N GO STORE #29	4900 URBAN DALE	C Beer
(L)	GIT N GO STORE #32	2911 DOUGLAS AVE	C Beer
(M)	GUSTO PIZZA CO	1905 INGERSOLL	C Beer/Wine
(N)	HAIKU	1315 31ST ST	C Liquor
(O)	HY VEE WINE & SPIRITS *(1)	3424 MLK PKWY	E Liquor
(P)	JIFFY #924 *(2)	3718 SW 9TH ST	C Beer
(Q)	KUM & GO #573	5830 SE 14TH ST	E Liquor
(R)	KWONG TUNG RESTAURANT	2721 INGERSOLL	C Beer/Wine
(S)	MARIANAS	1305 UNIVERSITY	B Beer
*(T)	NAT FOOD MART *(2)	1443 2ND AVENUE	E Liquor
(U)	OVERBOARD	1101 ARMY POST RD	C Liquor
(V)	TARGET T2041	5901 DOUGLAS AVE	E Liquor
<del>(W)</del>	<del>WASABI TAO</del>	<del>400 WALNUT ST</del>	<del>C Liquor</del>

#### TRANSFER TO NEW LOCATION

(X) ELWELL FAMILY FOOD CENTER 3000 E GRAND AVE C Liquor  
Temporary to the Cattle Barn due to the Blue Ribbon Bacon Festival on February 1, 2014.

(Y) FEDERAL DISTRIBUTORS INC 3000 E GRAND AVE C Beer/Wine  
Temporary to the Susan Knapp Amphitheater due to the Blue Ribbon Bacon Festival on February 1, 2014.

(Z) RICHARD O JACOBSON 3000 E GRAND AVE C Liquor  
Temporary to the Agricultural Building due to the Blue Ribbon Bacon Festival on February 1, 2014.

#### SPECIAL EVENTS APPLICATIONS

(AA) BLUE RIBBON BACON FEST 3000 E GRAND AVE Five (5) Day License  
Class C Liquor License for Blue Ribbon Bacon Festival on February 1, 2014.

(BB) BLUE RIBBON BACON FEST 3000 E GRAND AVE Five (5) Day License  
Class C Liquor License for Blue Ribbon Bacon Festival on February 1, 2014.

(CC) BLUE RIBBON BACON FEST 3000 E GRAND AVE Five (5) Day License  
Class C Liquor License for Blue Ribbon Bacon Festival on February 1, 2014.

(DD) DES MOINES EMBASSY 901 CHERRY ST Five (5) Day License  
Class C Liquor License for YPC Kick Off Party on January 24, 2014. Pending approval of Building, Electrical, Fire and Zoning Departments.

[14-0017](#)

5. [Consideration](#) of Class C Liquor License for Johnny Mac's Bar & Grill, 2279 Hubbell Avenue, continued from December 23, 2013. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

[14-0018](#) 6. [Consideration](#) of Class E Liquor License with C Beer and B Wine for Super Stop, 727 SE 14<sup>th</sup> Street, continued from December 9, 2013. **Moved by Hensley to adopt. Motion Carried 4-3. Nays: Cownie, Coleman and Moore.**

[14-0019](#) 7. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Hensley to adopt. Motion Carried 7-0.**

## **PUBLIC IMPROVEMENTS**

8. Ordering construction of the following:

[14-0020](#) (A) [E.](#) 4<sup>th</sup> Street at Walnut & Court Traffic Signal Installation: Receiving of bids, (1-28-14), Setting date of hearing, (2-10-14), Construction estimate, \$265,000. ([Council Communication No. 14-008](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-0021](#) (B) [Euclid](#) Avenue Intersection Improvements at Cornell and Oxford Streets: Receiving of bids, (1-28-14), Setting date of hearing, (2-10-14), Construction estimate, \$1,240,000. ([Council Communication No. 14-007](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-0022](#) 9. [Approving](#) Iowa Department of Transportation Agreement for use of local agency roads as detours for Polk U.S. 6 (Euclid Avenue) Bridge Replacement over Four Mile Creek. ([Council Communication No. 14-006](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-0023](#) 10. [Approving](#) private construction contract between Beal Derkenne Construction LLC and Neighborhood Development Corporation for paving and storm sewer improvements in 1720 Indianola Avenue. **Moved by Hensley to adopt. Motion Carried 7-0.**

11. Approving completion of private construction contracts for the following:

[14-0024](#) (A) [Paving](#) improvements, 3617 SE 14<sup>th</sup> Street, between Edge Commercial, LLC and CF Investors, LLC. **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-0025](#) (B) [Sanitary](#) sewer improvements, Lot 20 Wakonda Plat 1 (1700 Park Avenue), between Detrick Excavating Inc. and Wakonda Living, LLC. **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-0026](#) (C) [Paving](#) improvements, 979 Oakridge Drive, between Koester Construction Co., Inc. and Silver Oaks Associates, LP. **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-0027](#) (D) [Sanitary](#) sewer improvements, 2106 Echo Valley Drive, between Kenyon Construction, Inc. and Casey's Marketing Company. **Moved by Hensley to adopt. Motion Carried 7-0.**

- [14-0028](#) (E) [Sanitary](#) and storm sewer improvements, 4212 Douglas Avenue, between Nelsen Plumbing Company and Zhu & Chen Enterprises, LLC. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-0029](#) (F) [Sanitary](#) sewer improvements, 1536 E. Army Post Road, between Detrick Excavating Inc. and the Weitz Company, LLC. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-0030](#) (G) [Paving](#) improvements, 1600 block of School Street at new Edmunds Elementary School, between Stahl Construction Co. and Des Moines Independent Community School District. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-0031](#) (H) [Paving](#) improvements, 5830 SE 14<sup>th</sup> Street, between Henning Construction Co., Inc. and Kum & Go, LC. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-0032](#) 12. [Communication](#) from Edge Commercial, LLC requesting permission to sublet certain items on the Police Department Evidence Storage Facility Phase II. **Moved by Hensley to adopt. Motion Carried 7-0.**
13. Accepting completed construction and approving final payment for the following:
- [14-0033](#) (A) [Good](#) Park Playground Improvements, Joiner Construction Co., Inc. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-0034](#) (B) [McHenry](#) Park Improvements, Joiner Construction Co., Inc. **Moved by Hensley to adopt. Motion Carried 7-0.**

#### **SPECIAL ASSESSMENTS**

- [14-0035](#) 14. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2014-01. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-0036](#) 15. [Approving](#) deletion of NAC-Emergency Assessment at 2105 Lay Street. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-0037](#) 16. [Approving](#) deletion of NAC-Emergency Assessment at 2606 51<sup>st</sup> Street. **Moved by Hensley to adopt. Motion Carried 7-0.**

## LAND/PROPERTY TRANSACTIONS

- [14-0038](#) 17. [Acceptance](#) of property documents for the Euclid Avenue Intersection Improvements Project. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-0039](#) 18. [Approving](#) and authorizing the execution of amendment to the Contract of Purchase with Norfolk Southern Railway Company for the Southeast Connector Project. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-0040](#) 19. [Approving](#) donation agreements with Wells Fargo Bank, NA and authorizing acquisition of 1302 4<sup>th</sup> Street and 2820 E. 38<sup>th</sup> Street. ([Council Communication No. 14-014](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-0041](#) (A) [Setting](#) date of hearing for conveyance of 1302 4<sup>th</sup> Street and 2820 E. 38<sup>th</sup> Street to Greater Des Moines Habitat for Humanity, \$9,800, (1-27-14). **Moved by Hensley to adopt. Motion Carried 7-0.**

## BOARDS/COMMISSIONS/NEIGHBORHOODS

- [14-0042](#) 20. [Approving](#) Primary and Alternate representatives to the Wastewater Reclamation Authority (WRA) for calendar year 2014. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-0043](#) 21. [Approving](#) Regular and Alternate appointments to the Metropolitan Planning Organization (MPO) and to the Transportation Technical Committee (TTC) of the MPO. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-0044](#) 22. [Communication](#) from Shirley Daniels advising of her resignation from the Plan and Zoning Commission, Seat 2. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-0045](#) 22-I [Recommendation](#) from Mayor Frank Cownie to appoint Jason Ekstrom to the Housing Services Board, Seat 1, for a three-year term commencing January 13, 2014 to expire June 30, 2017. **Moved by Hensley to adopt. Motion Carried 7-0.**

## COMMUNICATIONS FROM PLANNING AND ZONING

- [14-0046](#) 23. Regarding a request from Hubbell Realty Company for approval of a preliminary plat “Brownstones on 5<sup>th</sup> Street Plat 1” at 440 SW 5<sup>th</sup> Street to allow subdivision of the property into 28 parcels for row dwelling units, subject to conditions. **Moved by Hensley to receive and file. Motion Carried 7-0.**

## SETTING DATE OF HEARINGS

- [14-0047](#) 24. On conveyance of permanent underground electric line easement on City-owned property, east of SE 12<sup>th</sup> Street and north of E. Martin Luther King, Jr. Parkway, to MidAmerican Energy Company for the Southeast Connector Project, \$1, (1-27-14). **Moved by Hensley to adopt. Motion Carried 7-0.**

- [14-0048](#) 25. On conveyance of a permanent easement for recreational trail and a permanent access easement to the Polk County Conservation Board for the Army Post Bridge – Great Western Trail Project, \$1, (1-27-14). **Moved by Hensley to adopt. Motion Carried 7-0.**

- [14-0049](#) 26. On vacation and conveyance of a segment of Ingersoll Avenue right-of-way adjoining 525 17<sup>th</sup> Street to Artisan Row, LLC in exchange for a comparable parcel of land adjoining 1623 Grand Avenue, (1-27-14). **Moved by Hensley to adopt. Motion Carried 7-0.**

- [14-0050](#) 27. On request from Kwik Trip, Inc. d/b/a Tobacco Outlet Plus to rezone 3409 SW 9th Street to allow a future conditional use application for continued use of the property for a business where more than 40 percent of the gross receipts from sales may be derived from the sale of beer, wine or tobacco products, (1-27-14). **Moved by Hensley to adopt. Motion Carried 7-0.**

- [14-0051](#) 28. On request from Kwik Trip, Inc. d/b/a Tobacco Outlet Plus to rezone 3301 E. Euclid Avenue to allow a future conditional use application for continued use of the property for a business where more than 40 percent of the gross receipts from sales may be derived from the sale of beer, wine or tobacco products, (1-27-14). **Moved by Hensley to adopt. Motion Carried 7-0.**

- [14-0052](#) 29. On a request from C & S Properties II, LC to rezone property at 4140 E. 14<sup>th</sup> Street to allow expansion of a legal non-conforming light industrial use with outdoor storage, (1-27-14). **Moved by Hensley to adopt. Motion Carried 7-0.**

## LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [14-0053](#) 30. [Approving](#) payment to Ahlers & Cooney, PC with respect to general matters, \$1,764. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-0054](#) 31. [Receive](#), file and affirm settlements made by City Attorney, not exceeding \$5,000. **Moved by Hensley to receive, file and affirm settlements made by City Attorney. Motion Carried 7-0.**
- [14-0055](#) 32. [Approving](#) payment to Belin McCormick Law Firm in conjunction with Kragnes v. City of Des Moines, Iowa, \$2,340. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-0056](#) 32-I [Approving](#) contract for legal services. **Moved by Hensley to adopt. Motion Carried 7-0.**

## CITY MANAGER COMMUNICATIONS

- [14-0057](#) 33. [Submitting](#) travel and training requests for T. M. Franklin Cownie, Jay Mattas, Jeffery Van Maanen and Steve Waymire. ([Council Communication No. 14-012](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

## APPROVING

- [14-0058](#) 34. [Master](#) Subordination Agreement and Estoppel Certificate for the mixed use project at 2005 Ingersoll Avenue by Ingersoll Square Phase III Associates, L.P., represented by Frank Levy (officer) establishing the priority of the City's urban renewal and HOME mortgages and covenants. ([Council Communication No. 14-015](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-0059](#) 35. [Amendment](#) to Intergovernmental 28E Agreement for the Promotion of Tourism and Convention Activities in the Greater Des Moines, Iowa area adding the City of Polk City. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-0060](#) 36. [Certification](#) of Local Government approval for Nonprofit Organizations to receive Emergency Shelter Grant Funds from State of Iowa. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-0061](#) 37. [Subordination](#) Agreement with Iowa State Bank and 420 East Locust, Ltd. to facilitate new renovations at 420 E. Locust Street. ([Council Communication No. 14-011](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**



- [14-0062](#) 38. [Receipt](#) of a Certified Local Government (CLG) Grant Award from the State Historical Society of Iowa for the North of Grand historic survey. ([Council Communication No. 14-009](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-0063](#) 39. [Support](#) for the application by Des Moines Community Playhouse for a grant under the Vision Iowa, Community Attraction and Tourism Program. ([Council Communication No. 14-002](#)) **Moved by Hensley to defer action. Staff will work with Clear Channel Communications and the Playhouse regarding the future of the billboard. Motion Carried 7-0.**
- [14-0064](#) 40. [Parking](#) License Agreement with Wells Fargo Bank, NA for parking spaces in the Eighth and Mulberry Parking Garage. ([Council Communication No. 14-004](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-0065](#) 41. [Use](#) of various City Facilities as poll sites for the City of Des Moines Special Election to be held on Tuesday, March 4, 2014. **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.**
42. Bids from the following:
- [14-0066](#) (A) [IPS](#) Group (Dave King, President) sole area-wide distributor for credit card and smart card enabled parking meter units as requested by the Traffic & Transportation Division of the Engineering Department, \$86,490. ([Council Communication No. 14-003](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-0067](#) (B) [POM](#) Inc. (Seth Ward II, Owner/President) sole area-wide distributor for replacement parking meter parts as requested by the Traffic & Transportation Division of the Engineering Department, \$43,713.68. ([Council Communication No. 14-003](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-0068](#) (C) [Video](#) Recording Solutions (Lynda Miller, President) for an interview room audio video recording system as requested by the Police Department, \$43,624.96. (Four bids mailed, three received.) ([Council Communication No. 14-013](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-0069](#) 43. [Civil](#) Service Promotional List for Sewer Maintenance Worker. **Moved by Hensley to receive and file. Motion Carried 7-0.**
- [14-0070](#) 44. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of January 13 and 20, 2014, and to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of January 13 and 20, 2014 and to draw checks for biweekly payroll due on January 24, 2014. **Moved by Hensley to adopt. Motion Carried 7-0.**

**ORDINANCES - FINAL CONSIDERATION**

- [14-0071](#) 45. Amending Chapter 42 of the Municipal Code regarding administrative hearing and abatement process for nuisances associated with the use and maintenance of drainage facilities. **Moved by Hensley that this ordinance do now pass, #15,250. Motion Carried 7-0.**
- [14-0072](#) 46. Establishing the Beaverdale Self-Supported Municipal Improvement District (SSMID) and providing for establishment of a combined capital improvement and operation fund and the levy of an annual tax. **Moved by Hensley that this ordinance do now pass, #15,251. Motion Carried 7-0.**

**ORDINANCES - SECOND CONSIDERATION**

- [14-0073](#) 47. Amending Chapter 74 of the Municipal Code regarding Park and Recreation fees. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**
- [14-0074](#) (A) Final consideration or ordinance above, (waiver requested by Park and Recreation Department), requires six votes. **Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #15,249. Motion Carried 7-0.**
- [14-0075](#) 48. Amending Chapter 70 of the Municipal Code regarding hunting permit application fees. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**
- [14-0076](#) (A) Final consideration of ordinance above (waiver requested by Park and Recreation Department), requires six votes. **Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #15,252. Motion Carried 7-0.**
- [14-0077](#) 49. Amending Chapter 26 of the Municipal Code regarding operation of steam boilers and engines, and the licensing of power engineers and firemen. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

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

## ORDINANCES - FIRST CONSIDERATION

- [14-0078](#) 50. **Amending** Chapter 114 of the Municipal Code regarding traffic regulation changes as follows: ([Council Communication No. 14-005](#)) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-0. Council Member Voss declares a conflict of interest and abstains from voting.**
- (A) Peak Hour Parking Restriction 7:00 am to 9:00 am – west side of E. 6<sup>th</sup> Street, north of Grand Avenue.
- (B) Revision to Municipal Code to clarify traffic control at the intersection of 38<sup>th</sup> Street and Crocker Street.
- (C) Creating Bus Loading Zone for Central Campus on Grand Avenue, west of 19<sup>th</sup> Street.
- [14-0079](#) (D) Final consideration of ordinance above. **Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #15,253. Motion Carried 7-0.**

## COUNCIL REQUESTS

- [14-0080](#) 51. **From** Council Member Bill Gray, to discuss concerns regarding the intersection of Hickman Road and Merle Hay Road. **Moved by Gray to receive, file and refer to the City Manager for review and recommendation. Motion Carried 7-0.**
- [14-0081](#) 52. **From** Council Member Carl Voss, to speak regarding an ordinance amendment that would require establishments that play or have live music to keep their doors closed. **Moved by Voss to receive and file comments, and refer to the City Manager for review and recommendation and to initiate the process. Motion Carried 7-0.**
- [14-0082](#) 52-I **From** Council Member Christine Hensley to discuss charges for water hook-ups for developing property in Des Moines. **Moved by Hensley to refer to the City Manager to meet with the Des Moines Water Works, area developers and the Community Development Department to review the matter. Motion Carried 7-0.**

## COMMUNICATIONS/REPORTS

- [14-0083](#) 53. **From** the City of Clive requesting to terminate their participation in the Homeland Security 28E Agreement. **Moved by Hensley to deny the request. Motion Carried 7-0.**

**HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 54 THRU 55)**

54. Items regarding property at 1414 Fremont Street, University Group LLC:

[14-0084](#) (A) Amendment to the Des Moines 2020 Community Character Land Use Plan, to revise the existing future land designation from Public/Semi-Public to Commercial: Auto-Oriented, Community Commercial. **Moved by Mahaffey to approve and adopt the proposed amendment. Motion Carried 7-0.**

[14-0085](#) (B) Hearing on request to rezone the property from “R1-60” (One-Family Low-Density Residential) to Ltd. “C-2” (General Retail and Highway-Oriented Commercial) to allow redevelopment as a commercial center. **Moved by Mahaffey to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 7-0.**

[14-0086](#) (C) First consideration of ordinance above. **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

WITHDRAWN

[14-0087](#) (D) ~~Final consideration of ordinance above (waiver requested by the applicant), requires six votes.~~

[14-0088](#) 55. On application from Diversity Insurance, Inc. to rezone 1533 and 1541 E. Grand Avenue from “C-2” (General Retail and Highway-Oriented Commercial) to Ltd. “NPC” (Neighborhood Pedestrian Commercial). **Moved by Voss to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 7-0.**

[14-0089](#) (A) First consideration of ordinance above. **Moved by Voss that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[14-0090](#) (B) Final consideration of ordinance above (waiver requested by the applicant), requires six votes. **Moved by Voss 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, [#15,254](#). Motion Carried 7-0.**

\* \* \* END OF HEARINGS AT 5:15 PM \* \* \*

## APPROVING

- [14-0091](#) 56. [Review](#) of Zoning Board of Adjustment decision granting a use variance to allow property at 6220 Grand Avenue to be used as an amusement entertainment enterprise business. ([Council Communication No. 14-016](#)) **Moved by Hensley to receive and file the staff report and comments received, and to adopt alternative C. (C) The City Council declines to remand the decision to the Zoning Board of Adjustment. The decision of the Board becomes final on this date. Motion Carried 7-0.**
- [14-0092](#) 57. [Demolition](#) permit by [implosion](#) for Iowa Methodist Medical Center School of Nursing, 1117 Pleasant Street. ([Council Communication No. 14-010](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

## EXTRA ITEMS

- [14-0093](#) 1. [Approval](#) of Contract with Century Link (Glen F. Post, President) for purchase, installation and maintenance of an Intrado VIPER call routing system. Sponsor: Mayor Cownie. ([Council Communication No. 14-017](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [14-0094](#) MOTION TO ADJOURN. **Moved by Voss to adjourn at 5:38 PM. Motion Carried 7-0.**

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