



\*\*\* 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**  
**City Hall, City Council Chambers**  
**400 Robert D. Ray Dr.**

January 27, 2014 4:30 PM

I. **CLOSED SESSION – 3:30 PM**

- [14-0100](#) (A) Roll Call. **Present: Cownie, Gray, Mahaffey, Moore and Voss. Absent: Coleman and Hensley. Council Member Coleman entered during item I(C).**
- [14-0101](#) (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 Upon Roll Call 5-2.**
- [14-0102](#) (C) Closed Session.
- [14-0103](#) (D) Terminate closed session and reconvene in open session. **Moved by Moore to adopt. Motion Carried 6-1. Absent: Hensley.**
- [14-0104](#) (E) Motion to adjourn. **Moved by Moore to adjourn at 4:09 PM. Motion Carried 6-1. Absent: Hensley.**

\* \* \* \* \*

**INVOCATION:** Council Member Skip Moore

[14-0105](#)

1. ROLL CALL: **Present: Cownie, Gray, Mahaffey, Moore and Voss. Absent: Coleman and Hensley. Council Member Coleman entered during item 8(B). Council Member Hensley entered the meeting during item 41 via telephone.**

[14-0106](#)

2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Mahaffey to adopt. Motion Carried 5-2.**

[14-0107](#)

3. APPROVING CONSENT AGENDA \* – items 3 through 40: **Moved by Mahaffey to adopt the balance of the consent agenda. Motion Carried 5-2.**

**\*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**

[14-0108](#)

4. [Approving](#) Alcoholic Beverage License Applications for the following: **Moved by Mahaffey to adopt. Motion Carried 5-2.**

**NEW APPLICATIONS**

(A)	EAST 25 <sup>TH</sup> STREET PUB	509 E 25TH ST	C Liquor
(B)	<del>GOLDEN TRIANGLE</del>	<del>1130 E 9TH ST</del>	<del>C Beer/Wine</del>
(C)	KELLYS LITTLE NIPPER	1701 E GRAND AVE	C Liquor
(D)	MAD MEATBALL	401 SE 5TH ST	C Liquor
(E)	MISFITS	607 SE 30TH ST	C Liquor
(F)	RESIDENCE INN DES MOINES	100 SW WATER ST	B Liquor

**RENEWAL APPLICATIONS**

(G)	CASEYS #2244	2150 E ARMY POST	C Beer
(H)	DAHLS FOODS	1819 BEAVER AVE	E Liquor
(I)	FLYING MANGO	4345 HICKMAN RD	C Liquor
(J)	GIT N GO STORE #18	6501 SE 14TH ST	C Beer
(K)	LA CRUZ #3	3900 E 14TH ST	C Beer
(L)	LIFT	222 4TH STREET	C Liquor
(M)	MACCABEES DELI & JUDAICA	1150 POLK BLVD	B Wine
(N)	MICHELLES LOUNGE	3925 E 14TH ST	C Liquor
(O)	PALMERS DELI & MARKET	2843 INGERSOLL	C Liquor
(P)	PATTONS RESTAURANT	1552 E GRAND AVE	C Beer/Wine
(Q)	PUEBLO VIEJO	3841 E 14TH ST	C Liquor
(R)	QUINTONS BAR & GRILL	506 E GRAND AVE	C Liquor
(S)	SAMBETTIS *(1)	1430 2ND AVE	C Liquor
(T)	SNAKE PIT LOUNGE	3100 MCKINLEY AVE	A Liquor
(U)	TROPHYS SPORTS BAR	2701 DOUGLAS AVE	C Liquor
(V)	WASABI TAO	400 WALNUT ST	C Liquor

### TRANSFER TO NEW LOCATION

- (w) CAMPBELLS CONCESSIONS            3000 E GRAND AVE    B Beer  
Temporary transfer to the Cattle Barn for the Iowa Beef Expo on February 9 – 16, 2014.
- (x) ELWELL FAMILY FOOD                3000 E GRAND AVE    C Liquor  
Temporary transfer to the Cattle Barn for the Iowa Beef Expo on February 9 – 16, 2014.

[14-0109](#)

- 4-I [Consideration](#) of 5-day Class C Liquor License Application for Taste! To Go and Catering for Venture School Des Moines event on February 4, 2014. Pending approval of Building, Electrical, Fire and Zoning Departments. Sponsor: Council Member Hensley. **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- 5. Consideration of renewal Alcoholic Beverage License Applications for Nat Food Mart, 1443 2<sup>nd</sup> Avenue, continued from January 13, 2014.

[14-0110](#)

- (A) [Class](#) E Liquor License. **Moved by Gray to adopt. Motion Carried 5-2.**

[14-0111](#)

- (B) [Class](#) C Beer Permit. **Moved by Gray to adopt. Motion Carried 5-2.**

[14-0112](#)

- 6. [Consideration](#) of renewal Class C Liquor License for Galaxies Bar & Grill, 2718 Douglas Avenue. (Zoning Department recommends denial) **Moved by Gray to deny for failure to submit a requested audit to verify restaurant use to meet Zoning requirement. Motion Carried 5-2.**

[14-0113](#)

- 7. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Mahaffey to adopt. Motion Carried 5-2.**

### PUBLIC IMPROVEMENTS

- 8. Ordering construction of the following:

[14-0114](#)

- (A) [E. 30<sup>th</sup> Street & Dean Avenue Intersection Improvements](#): Receiving of bids, (2-11-14), Setting date of hearing, (2-24-14), Construction Estimate, \$711,000. ([Council Communication No. 14-023](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2.**

[14-0115](#)

- (B) [Fire Station Number 10 Reroofing](#): Receiving of bids, (2-25-14), Setting date of hearing, (3-10-14), Construction Estimate, \$58,000. ([Council Communication No. 14-024](#)) **Moved by Moore to adopt. Motion Carried 6-1. Absent: Hensley.**

[14-0116](#)

- 9. [Approving](#) Professional Services Agreement with Shuck-Britson, Inc. for the Des Moines River Downtown Bridges Evaluation, not to exceed \$171,397. ([Council Communication No. 14-022](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2.**

- [14-0117](#) 10. [Approving](#) Professional Services Agreement with Shuck-Britson, Inc. for Design and Construction Phase Services for the Grand Avenue over Des Moines River Bridge Replacement, not to exceed \$626,169. ([Council Communication No. 14-019](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [14-0118](#) 11. [Approval](#) of FY2013-2014 Annual Right-of-Way (ROW) Management Fee. ([Council Communication No. 14-020](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2.**
12. Approving completion and acceptance of the following Private Construction Contracts:
- [14-0119](#) (A) [Signalization](#) Improvements, 602 Cherry Street between Baker Electric, Inc. and The Weitz Company, LLC. **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [14-0120](#) (B) [Storm](#) Sewer Improvements, 602 Cherry Street between Elder Corporation and The Weitz Company, LLC. **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [14-0121](#) (C) [Sewer](#) Improvements, Market Street between SW 2<sup>nd</sup> Street and Water Street between Baxter Construction Company and Waterfront Lodging, Inc. **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [14-0122](#) (D) [Storm](#) Sewer Improvements, Scott Avenue and SE 20<sup>th</sup> Street between Elder Corporation and Kemin Industries. **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [14-0123](#) (E) [Storm](#) Sewer Improvements, 900 Mulberry Street between Elder Corporation and Des Moines Social Club. **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [14-0124](#) (F) [Storm](#) Sewer Improvements, 890 County Line Road at SW 9<sup>th</sup> Street between Kelly Cortum, Inc. and Git-N-Go Stores. **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [14-0125](#) (G) [Paving](#) Improvements, 1910 Cottage Grove between Nehring Construction, Inc. and Smokey Row. **Moved by Mahaffey to adopt. Motion Carried 5-2.**
13. Accepting completed construction and approving final payment for the following:
- [14-0126](#) (A) [SW](#) 9<sup>th</sup> Street and Dart Way Intersection Improvements, Grimes Asphalt & Paving Corp. **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [14-0127](#) (B) [Southeast](#) Connector Paving – SW 2<sup>nd</sup> Street to SE 6<sup>th</sup> Street, Correll Contractor, Inc. & Subsidiary. **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [14-0128](#) (C) [Greenwood](#) Pond Detention Basin Repairs, J & K Contracting, LLC. **Moved by Mahaffey to adopt. Motion Carried 5-2.**

- [14-0129](#) (D) [2011](#) Critical Sanitary Sewer Lining, SAK Construction, LLC. **Moved by Mahaffey to adopt. Motion Carried 5-2.**

#### SPECIAL ASSESSMENTS

- [14-0130](#) 14. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2014-01. **Moved by Mahaffey to adopt. Motion Carried 5-2.**

15. Approving deletion of rental inspection assessments for the following:

- [14-0131](#) (A) [3522](#) E. Euclid Avenue. **Moved by Mahaffey to adopt. Motion Carried 5-2.**

- [14-0132](#) (B) [4144](#) E. 29<sup>th</sup> Street. **Moved by Mahaffey to adopt. Motion Carried 5-2.**

#### LAND/PROPERTY TRANSACTIONS

- [14-0133](#) 16. [Acceptance](#) of temporary easement from Eight Ways, LLC for the Beaver Avenue Streetscape Project. **Moved by Mahaffey to adopt. Motion Carried 5-2.**

- [14-0134](#) 17. [Partial](#) release of Subdivision Improvement Bond from Merchants Bonding Company in the amount of \$42,791 be reduced to \$10,698 for partial completion of required sidewalk and recreational trail improvements in Carman Estates Plat 4 in the vicinity of SE 24<sup>th</sup> Street and E. Porter Avenue. ([Council Communication No. 14-038](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2.**

- [14-0135](#) 18. [Approving](#) Tax Abatement Applications for additional value added by improvements completed during 2013, (80 applications). ([Council Communication No. 14-029](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2.**

- [14-0136](#) 19. [Authorization](#) to proceed with acquisition of the necessary right-of-way and easements for the Martin Luther King, Jr. Parkway – 19<sup>th</sup> Street Signal Improvements project. ([Council Communication No. 14-021](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2.**

## BOARDS/COMMISSIONS/NEIGHBORHOODS

- [14-0137](#) 20. [Approving](#) appointment of Ben Brackett, as the Neighborhood Development Corporation representative to the Neighborhood Revitalization Board, Seat 14. **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [14-0138](#) 21. [Approving](#) Neighborhood Development Corporation 2014 Board of Directors. **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [14-0139](#) 22. [Attendance](#) Reports for various City Boards and Commissions for January 1 through December 31, 2013. **Moved by Mahaffey to receive and file, and express our appreciation to all, especially those with perfect attendance. Motion Carried 5-2.**
- [14-0140](#) 22-I [Approving](#) reappointment of Bob Mahaffey to the Aging Resources of Central Iowa Board of Directors. **Moved by Mahaffey to approve. Motion Carried 5-2.**

## SETTING DATE OF HEARINGS

- [14-0141](#) 23. [On](#) conveyance of property purchased for the Euclid Avenue Intersection Improvements project to the State of Iowa for the benefit and use of the Iowa Department of Transportation (IDOT), (2-10-14). **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [14-0142](#) 24. [On](#) Third Amendment to the Urban Renewal Plan for the Southside Economic Development District Urban Renewal Area, (3-10-14). ([Council Communication No. 14-034](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [14-0143](#) 25. [On](#) Sixth Amendment to the SE Agribusiness Urban Renewal Plan, (3-10-14). ([Council Communication No. 14-028](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [14-0144](#) 26. [On](#) 14<sup>th</sup> Amendment to the Metro Center Urban Renewal Plan, (3-10-14) ([Council Communication No. 14-036](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [14-0145](#) 27. [On](#) Waiver Request to the Department of Housing and Urban Development (HUD), to incur program year 2014 Pre-Award Costs for Community Development Block Grant funds (CDBG) and Emergency Solutions Grant Funds (ESG), (2-24-14). **Moved by Mahaffey to adopt. Motion Carried 5-2.**

## LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [14-0146](#) 28. [Approving](#) payment to Hall & Associates for representation in the matter entitled Iowa League of Cities v. United States Environmental Protection Agency, \$1,235.77. **Moved by Mahaffey to adopt. Motion Carried 5-2.**

## CITY MANAGER COMMUNICATIONS

- [14-0147](#) 29. [Submitting](#) travel and training requests for T.M. Franklin Cownie, Lorna Garcia, Amanda Leo and Michael Ludwig. ([Council Communication No. 14-040](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2.**

## APPROVING

- [14-0148](#) 30. [2013](#) U.S. Department of Housing and Urban Development (HUD) Continuum of Care Program Application. ([Council Communication No. 14-042](#)) **Moved by Coleman to approve the application as presented, but authorize the City Manager to amend the grant application if a Charter is approved by the end of the week, that meets regulatory and legal requirement. Motion Carried 6-1. Absent: Hensley.**
- [14-0149](#) 31. [Iowa](#) Department of Natural Resources REAP (Resource Enhancement and Protection) Grant Agreement for MacRae Park improvements, \$300,000. ([Council Communication No. 14-035](#)) **Moved by Mahaffey to approve. Motion Carried 5-2.**
- [14-0150](#) 32. [Agreement](#) to transfer Iowa Homeland Security and Emergency Management Division (IHSEMD) for Cyber Risk Reduction Grant Funds to Iowa Department of Administrative Services (IDAS). ([Council Communication No. 14-037](#)) **Moved by Mahaffey to approve. Motion Carried 5-2.**
- [14-0151](#) 33. [First](#) Amendment to the Development Agreement with RE Properties 1, LLC (Tim Rypma, Member) and Subordination Agreement with RE Properties 1, LLC and Central State Bank for 424 E. Locust Street. ([Council Communication No. 14-018](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [14-0152](#) 34. [Receipt](#) of the Comprehensive Annual Financial Report (CAFR) prepared by McGladrey and Pullen, LLP for fiscal year ending June 30, 2013. ([Council Communication No. 14-030](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [14-0153](#) 35. [Receive](#) and file Quarterly Treasurer's Report as of December 31, 2013. **Moved by Mahaffey to receive and file. Motion Carried 5-2.**
- [14-0154](#) 36. [Purchase](#) of systems furniture workstations and office furniture along with storage cabinets, task lighting, seating, and tables to be installed in the Municipal Service Center, Phase 1 from Pigott, Inc. per the U.S. Communities Agreement, \$252,000. ([Council Communication No. 14-041](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2.**

37. Bids from the following:

[14-0155](#)

- (A) [Vogel](#) Paint & Wax Co., Inc. (Drew Vogel, President) per State of Iowa Department of Transportation Contract (IDOT) for traffic paint as requested by the Traffic & Transportation Division of the Engineering Department, \$50,000. ([Council Communication No. 14-025](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2.**

[14-0156](#)

- (B) [Louie's](#) Floor Covering, (Randy Croat, President) for an annual contract with two additional one-year renewal options to furnish carpet and tile installation services for the Building Services Division as requested by the Parks & Recreation Department, annual estimated amount \$40,000. (Seven bids mailed, one received). ([Council Communication No. 14-032](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2.**

[14-0157](#)

38. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of January 27 and February 3, 2014, and to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of January 27 and February 3, 2014 and to draw checks for biweekly payroll due on February 7, 2014. **Moved by Mahaffey to adopt. Motion Carried 5-2.**

#### ORDINANCES - FINAL CONSIDERATION

[14-0158](#)

39. [Amending](#) Chapter 26 of the Municipal Code regarding operation of steam boilers and engines, and the licensing of power engineers and firemen. **Moved by Mahaffey that this ordinance do now pass, [#15,255](#). Motion Carried 5-2.**

#### ORDINANCES - SECOND CONSIDERATION

40. On request to rezone 1414 Fremont Street 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:

[14-0159](#)

- (A) [Second](#) consideration or ordinance above. **Moved by Mahaffey that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

[14-0160](#)

- (B) [Final](#) consideration of ordinance above (waiver requested by applicant), requires six votes. **Moved by Mahaffey that the rule requiring that an ordinance must be considered and voted on for passage at two Council Meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#15,256](#). Motion Carried 7-0.**

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



HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 41 THRU 47)

[14-0161](#)

41. On request from Kwik Trip, Inc. d/b/a Tobacco Outlet Plus to rezone 3301 E. Euclid Avenue from the “C-1” (Neighborhood Retail Commercial) and “FW” (Floodway) to Ltd. “C-2” (General Retail and Highway-Oriented Commercial), “U-1” (Floodplain) and “FW”(Floodway) 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, and continuing hearing on the portions to be rezoned to “U-1” and “FW”. **Moved by Mahaffey to adopt; to continue the hearing on the rezoning of the portion of the property located within the floodplain; and to approve the rezoning of a portion of the property outside the floodplain to a Ltd. “C-2” District, subject to final passage of the rezoning ordinance. Motion Carried 6-1. Nays: Cownie.**

[14-0162](#)

- (A) First consideration of ordinance above to approve rezoning for only that part to be rezoned to Ltd. “C-2” (General Retail and Highway-Oriented Commercial). **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Nays: Cownie.**

[14-0163](#)

- (B) Final consideration of ordinance above (waiver requested by the applicant), requires six votes. **Moved by Mahaffey that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#15,257](#). Motion Carried 6-1. Nays: Cownie.**

WITHDRAWN

[14-0164](#)

- (C) Consideration of Class C Beer Permit with B Wine renewal for Tobacco Outlet Plus #521.

42. On request from Kwik Trip, Inc. d/b/a Tobacco Outlet Plus to rezone 3409 SW 9th Street from “C-1” (Neighborhood Retail Commercial) to Ltd. “C-2” (General Retail and Highway-Oriented Commercial) 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:

[14-0165](#)

- (A) Resolution to Deny the Request. **Moved by Hensley to adopt and deny the proposed rezoning. Motion Carried 7-0.**

OR

WITHDRAWN

[14-0166](#)

- (B) ALTERNATE RESOLUTION: to ~~Approve~~ the Request.

WITHDRAWN

[14-0167](#)

- (1) First consideration of ordinance above.

WITHDRAWN

[14-0168](#)

- (2) Final consideration of ordinance above (waiver requested by applicant), requires six votes.

43. Items regarding 4140 E. 14<sup>th</sup> Street, C&S Properties II, LC:

[14-0169](#)

- (A) [Approving](#) amendment to the Des Moines 2020 Community Character Land Use Plan to change the future land use designation from Commercial: Auto-Oriented, Small-scale Strip Development to General Industrial. **Moved by Moore to approve the proposed amendment. Motion Carried 7-0.**

[14-0170](#)

- (B) [Hearing](#) to rezone the property from “C-2” (General Retail and Highway-Oriented Commercial) to Ltd. “M-1” (Light Industrial) to allow expansion of a legal non-conforming light industrial use with outdoor storage. **Moved by Moore to adopt and approve the rezoning, subject to final passage of the rezoning ordinance, and refer to the City Manager to provide a report with the second reading, addressing why this rezoning is different from the proposed rezoning at 4141 E. 14<sup>th</sup> Street that was recently denied. Motion Carried 7-0.**

[14-0171](#)

- (C) [First](#) consideration of ordinance above. **Moved by Moore that this ordinance be considered and given first vote for passage, and refer to the City Manager to provide a report with the second reading, addressing why this rezoning is different from the proposed rezoning at 4141 E. 14<sup>th</sup> Street that was recently denied. Motion Carried 7-0.**

WITHDRAWN

[14-0172](#)

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

[14-0173](#)

44. [On](#) 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. ([Council Communication No. 14-039](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-0174](#)

45. [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. **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-0175](#)

46. [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. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

[14-0176](#)

47. [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. **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-0177](#) (A) **Final** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[14-0178](#) (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, #15,258. Motion Carried 7-0.**

**\*\* END OF HEARINGS AT 5:36 PM \*\***

### **APPROVING**

[14-0179](#) 48. **The** Southwest 14<sup>th</sup> Quiet Street Conceptual Plan. ([Council Communication No. 14-031](#)) **Moved by Voss to approve. Motion Carried 6-1. Absent: Hensley.**

### **EXTRA ITEMS**

[14-0180](#) 1. **Approving** Memorandum of Agreement with Des Moines Area Regional Transit Authority (DART) to establish policies and procedures relating to operation of the Center Street Park and Ride Facility. Sponsor: Mayor Cownie. ([Council Communication No. 14-043](#)) **Moved by Mahaffey to adopt. Motion Carried 6-1. Absent: Hensley.**

### **BOARD OF HEALTH**

[14-0181](#) MOTION TO CONVENE. **Moved by Moore that the City Council adjourn and convene as a Board of Health. Motion Carried 7-0.**

[14-0182](#) 1. **Approving** the Legal Department to proceed with court action seeking authority to abate the public nuisance at 1715 Clark Street, fire-damaged main structure, Titleholder: Lisa Cruz a/k/a Lisa Ann Hyde. **Moved by Gray to adopt. Motion Carried 7-0.**

[14-0183](#) MOTION TO ADJOURN. **Moved by Gray to adjourn at 5:40 PM. Motion Carried 7-0.**

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