



*** 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, Council Chambers
400 Robert D. Ray Dr.
Des Moines, Iowa 50309

September 22, 2014 4:30 PM

I. **CLOSED SESSION – 3:30 PM**

- [14-1435](#) (A) Roll Call. **Present: Cownie, Gatto, Gray, Hensley, Mahaffey and Moore. Absent: Coleman. Council Member Coleman entered the meeting during item I(C).**
- [14-1436](#) (B) Recess, and reconvene in closed session pursuant to Section 21.5, subsection 1, paragraph C, of the Iowa Code, to discuss necessary strategy with counsel in matters that are presently in litigation or where litigation is imminent, where its disclosure would be likely to prejudice or disadvantage the position of the City. **Moved by Gatto to adopt. Motion Carried upon roll call 6-1. Absent: Coleman.**
- [14-1437](#) (C) Closed Session.
- [14-1438](#) (D) Terminate closed session and reconvene in open session. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [14-1439](#) (E) Motion to adjourn. **Moved by Gatto to adjourn at 4:08 PM. Motion Carried 7-0.**

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SPECIAL PRESENTATIONS – 4:10 PM

Recognition of Chief Judy Bradshaw

PROCLAMATIONS – 4:15 PM

Italian Heritage Month

INVOCATION: Council Member Gatto

[14-1440](#)

1. ROLL CALL: **Present: Cownie, Coleman, Gatto, Gray, Hensley, Mahaffey and Moore. Mayor Cownie participated in the meeting by telephone.**

[14-1441](#)

2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Coleman to adopt. Council Member Coleman requested that item 54-I be considered in the Consent Agenda. Motion Carried 7-0.**

[14-1442](#)

3. APPROVING CONSENT AGENDA * – items 3 through 51, 54-I: **Moved by Coleman 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

[14-1443](#)

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

NEW APPLICATIONS

(A)	DRAKE LEVITT HALL	2507 UNIVERSITY	C Beer/Wine
(B)	EL TENAMPA	111 ARMY POST RD	C Liquor
(C)	EXPRESS GROCERIES	1016 UNIVERSITY	C Beer
(D)	HY VEE MARKET CAFE #2	2540 E EUCLID AVE	C Liquor
(E)	HY VEE MARKET CAFE #4	4605 FLEUR DR	C Liquor
(F)	MAINGATE	2956 E GRAND AVE	C Liquor

RENEWAL APPLICATIONS

(G)	ANDYS PLACE	5114 SW 9TH ST	C Liquor
(H)	BARCADIUUM	102 3RD ST	C Liquor
(I)	BEER CAN ALLEY	216 COURT AVE	C Liquor
(J)	BISTRO MONTAGE	2724 INGERSOLL	C Liquor
(K)	CASEYS #44	4560 E 14TH ST	C Beer
(L)	DM IZAAK WALTON LEAGUE	4343 GEORGE FLAGG	C Liquor

(TT) HY VEE WFP 100 LOCUST ST Five (5) Day License
Class C Liquor License for a wedding reception on October 4, 2014. Pending approval of Fire Department.

(UU) ST ANTHONY CHURCH 15 INDIANOLA RD Five (5) Day License
Special Class C Liquor License (Beer/Wine) for Fall Festival on September 26 – 28, 2014. Pending approval of Electrical and Zoning Departments.

[14-1444](#) 5. [Consideration](#) of renewal Class E Liquor License with C Beer & B Wine for Oasis Grocery & Liquor, 2917 Payne Rd. **Moved by Gray to continue to the October 6, 2014 Council meeting. Motion Carried 7-0.**

[14-1445](#) 6. [City](#) Clerk to issue Cigarette Licenses. **Moved by Coleman to adopt. Motion Carried 5-2. Nays: Cownie and Moore.**

[14-1446](#) 7. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Coleman to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

[14-1447](#) 8. [Approving](#) Professional Services Agreement with Bolton & Menk, Inc. for professional services for the 42nd Street Streetscape, not to exceed \$190,464. ([Council Communication No. 14-459](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

[14-1448](#) 9. [Approving](#) completion and recommending acceptance of the Private Construction Contract for paving improvements, 600 7th Street between Ryan Companies US, Inc. and Principal Life Insurance Company. **Moved by Coleman to adopt. Motion Carried 7-0.**

[14-1449](#) 10. [Communication](#) from contractors requesting permission to sublet certain items on Public Improvement Projects. **Moved by Coleman to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

[14-1450](#) 11. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2014-08. **Moved by Coleman to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

[14-1451](#) 12. [Approving](#) acquisition of 1161 22nd Street through tax deed, authorization to request release of property taxes and special assessments, and release of all City liens and special assessments in order to encourage housing redevelopment. ([Council Communication No. 14-469](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

[14-1452](#) 13. [Authorization](#) to proceed with acquisition of the necessary right-of-way and easements for the E. Euclid Avenue and Dixon Street traffic signal upgrade project. ([Council Communication No. 14-460](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

[14-1453](#) 14. [Dedicating](#) Easton Boulevard right-of-way between Stewart Street and E. 18th Street. **Moved by Coleman to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

[14-1454](#) 15. [Approving](#) recommendation from Mayor T. M. Franklin Cownie to appoint Dylan Jones to the Access Advisory Board, Seat 10, for a three-year term commencing June 15, 2014 to expire June 15, 2017. **Moved by Coleman to adopt. Motion Carried 7-0.**

16. Recommendations from Mayor T. M. Franklin Cownie to reappoint the following:

[14-1455](#) (A) [James](#) Johnson to the Building and Fire Code Board of Appeals, Seat 15, for a three-year term commencing April 1, 2012 to expire April 1, 2015. **Moved by Coleman to adopt. Motion Carried 7-0.**

[14-1456](#) (B) [Ida](#) Miles to the Citizen Odor Board, Seat 1, for a three-year term commencing April 1, 2012 to expire April 1, 2015. **Moved by Coleman to adopt. Motion Carried 7-0.**

[14-1457](#) (C) [Joe](#) Henry to the Civil Service Commission, Seat 3, for a four-year term commencing April 1, 2014 to expire April 1, 2018. **Moved by Coleman to adopt. Motion Carried 7-0.**

WITHDRAWN

[14-1458](#) (D) [Patricia](#) Barry to the ~~Historic Preservation Commission, Seat 1, for a three-year term commencing March 28, 2013 to expire March 28, 2016.~~

[14-1459](#) (E) [Deirdre](#) Henriquez to the Housing Services Board, Seat 9, for a three-year term commencing June 30, 2014 to expire June 30, 2017. **Moved by Coleman to adopt. Motion Carried 7-0.**

[14-1460](#) (F) [Susan](#) Huppert to the Water Works Board of Trustees, Seat 3, for a six-year term commencing April 1, 2013 to expire April 1, 2019. **Moved by Coleman to adopt. Motion Carried 7-0.**

[14-1461](#) 17. [Communication](#) from Michael Bowser, Chair of Des Moines Civil and Human Rights Commission, regarding Strategic Plan update. **Moved by Coleman to receive and file. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [14-1462](#) 18. On conveyance of 1201 Crocker Street to 1201 Crocker, LLC for incorporation into adjoining property for redevelopment, \$160,000, (10-6-14). **Moved by Coleman to adopt. Motion Carried 7-0.**
- [14-1463](#) 19. On vacation and conveyance of a segment of east/west alley right-of-way adjoining 1204 Hartford Avenue to RJS Properties, LLC, \$25 and the conveyance of a segment of east/west alley right-of-way adjoining 916 and 920 Hartford Avenue to Easter Lake Estates, Inc., \$75, (10-6-14). **Moved by Coleman to adopt. Motion Carried 7-0.**
- [14-1464](#) 20. On vacation and conveyance of a dead-end segment of east/west alley right-of-way, east of E. 28th Street, between Indianapolis and Kinsey Avenue to Randall Van Gundy, \$50, Esther Halterman, \$50, Faith Tabernacle, Inc., \$75 and Robert and Barbara Henderson, \$100, (10-6-14). **Moved by Coleman to adopt. Motion Carried 7-0.**
- [14-1465](#) 21. On request from QuikTrip Corporation to rezone 2426 and 2428 Hubbell Avenue and 2401 Easton Boulevard from “C-1” (Neighborhood Retail Commercial), Ltd. “M-1” (Light Industrial) and “M-1” (Light Industrial) to Ltd. “C-2” (General Retail and Highway-Oriented Commercial), (10-6-14). **Moved by Coleman to adopt. Motion Carried 7-0.**
- [14-1466](#) 22. On request from Khanna Family Investments, Inc. to rezone 2917 Payne Road from “C-1” (Neighborhood Retail Commercial) to “C-2” (General Retail and Highway-Oriented Commercial) to allow a limited food sales establishment selling alcoholic liquor whereby sales of liquor, wine, beer and tobacco products does not exceed 40% of gross revenues, (10-6-14). **Moved by Coleman to adopt. Motion Carried 7-0.**
- [14-1467](#) 23. On proposed 2015-19 Five Year Des Moines Strategic Plan and 2015 Action Plan for the U.S. Housing and Urban Development (HUD) Consolidated Plan, (11-3-14). ([Council Communication No. 14-467](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [14-1468](#) 24. On intent to acquire property for recreational trail purposes and authorize acquisition of necessary property interests from various property owners for the McHenry Trail Connection project, (10-6-14). **Moved by Coleman to adopt. Motion Carried 7-0.**
- [14-1469](#) 25. On consideration of License Agreement with Iowa Network Services, Inc. for use of City-owned property, south of 1063 14th Place, \$500, (10-6-14). **Moved by Coleman to adopt. Motion Carried 7-0.**
- [14-1470](#) 26. On proposed amendments to subdivision ordinance (Chapter 106) to authorize Community Development to provide notification to adjoining owners and collection of a notification cost from applicants of preliminary subdivision plats, (10-6-14). **Moved by Coleman to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [14-1471](#) 27. [Approving](#) payment to Belin McCormick Law Firm and reimbursement of photocopy and postage costs, \$548.76. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [14-1472](#) 28. [Approving](#) payment to Charles Gabus Ford on behalf of a claim for property damage as a result of a motor vehicle accident for claimant Tony Truong. **Moved by Coleman to adopt. Motion Carried 7-0.**

APPROVING

- [14-1473](#) 29. [Initial](#) Low-Income Home Energy Assistance Program (LIHEAP) contract with the Iowa Department of Human Rights/Division of Community Action Agencies for energy related assistance for low-income persons from October 1, 2014 to September 30, 2015. ([Council Communication No. 14-452](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [14-1474](#) 30. [Second](#) Amendment to the Economic Development Financial Assistance Contract with Kemin Industries, Inc. and the Iowa Economic Development Authority (IEDA). ([Council Communication No. 14-463](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [14-1475](#) 31. [Grant](#) Agreement with Iowa Economic Development Authority (IEDA) for the Solar Ready Iowa Pilot Local Government project. ([Council Communication No. 14-462](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [14-1476](#) 32. [Subordination](#) Agreement and subordination of City HOME Loan Security Interests to allow refinancing of the primary loan for the renovation of 2714 Ingersoll Avenue, MEM Investment LLC. ([Council Communication No. 14-468](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [14-1477](#) 33. [Agreement](#) with The U.S. Geological Survey for the operation and maintenance of five (5) Stream Gaging Stations. ([Council Communication No. 14-472](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [14-1478](#) 34. [Grant](#) agreement with Iowa Homeland Security and Emergency Management Department (IHSEMD) for Cyber Risk Reduction Grant and approving agreement with Iowa Office of Chief Information Officer (ICIO) to transfer such grant funds to ICIO and for ICIO to implement. ([Council Communication No. 14-451](#)) **Moved by Coleman to approve. Motion Carried 7-0.**

- [14-1479](#) 35. [Proposal](#) from MidAmerican Energy Company for the undergrounding of overhead electric lines for the Artisan Row, LLC project at 1623 Grand Avenue. ([Council Communication No. 14-470](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [14-1480](#) 36. [Proposal](#) for a school flasher system and related implementation services from Traffic & Parking Control Co., Inc. ([Council Communication No. 14-461](#)) **Moved by Coleman to approve. Motion Carried 7-0.**
- [14-1481](#) 37. [Intergovernmental](#) 28E Agreement with Iowa Alcoholic Beverages Division to perform retailer compliance checks for sale of alcoholic beverages, tobacco, alternative nicotine and vapor products to minors. ([Council Communication No. 14-453](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [14-1482](#) 38. [Acceptance](#) of 2015 Governor's Traffic Safety Bureau (GTSB) grant, \$173,500. ([Council Communication No. 14-455](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [14-1483](#) 39. [Fiscal](#) Year 2014 Annual Federal Equitable Sharing Agreement and Certification. ([Council Communication No. 14-454](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [14-1484](#) 40. [Fiscal](#) Year 2014 City Street Financial Report to the Iowa Department of Transportation. ([Council Communication No. 14-466](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [14-1485](#) 41. [Communication](#) from Downtown Community Alliance on behalf of Des Moines Convention & Visitors Bureau requesting approval of banner design for banners to be displayed on poles in downtown Des Moines in October on Riverpoint banner poles. **Moved by Coleman to receive, file and approve banner design. Motion Carried 7-0.**
- [14-1486](#) 42. [Application](#) from the Public Works Department requesting approval for a banner across the Court Avenue Bridge to promote the annual Snow Show to be displayed Saturday, October 4, 2014. **Moved by Coleman to receive, file and approve banner design. Motion Carried 7-0.**
- [14-1487](#) 43. [Application](#) from Des Moines Oktoberfest, LLC requesting approval for a banner across The Depot Arch on 4th Street to promote the Oktoberfest event on September 26-27, 2014. **Moved by Coleman to receive, file and approve banner design. Motion Carried 7-0.**
- [14-1488](#) 44. [Bid](#) from Deeter Foundry (Bill Barrett, CEO) for manhole castings as requested by the Public Works Department, \$67,350. (Seven bids mailed, three received). **Moved by Coleman to adopt. Motion Carried 7-0.**

[14-1489](#)

45. [Civil](#) Service Promotional Lists for Senior Traffic Device Maintenance Worker, Traffic Signal System Chief and WRF Facilities Engineer. **Moved by Coleman to receive and file. Motion Carried 7-0.**

[14-1490](#)

46. [Authorizing](#) Finance Director to draw checks on registers for the weeks of September 22 and 29, 2014 and to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of September 22 and 29, 2014 and to draw checks for biweekly payroll due on October 3, 2014. **Moved by Coleman to adopt. Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

[14-1491](#)

47. [Amending](#) Chapter 114 of the Municipal Code submitting traffic regulation changes as follows: **Moved by Coleman that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

(A) Long-term metered parking – 15th Street between Walnut and Mulberry.

(B) Relocation of Loading Zone – E. 7th Street between E. Locust and E. Walnut.

(C) Physically Handicapped Person Parking Space Violation fee - change to coincide with Iowa Code.

[14-1492](#)

48. [Amending](#) Chapters 50 and 82 of the Municipal Code, to bring the Flood Plain Development Regulations into compliance with the minimum requirements for participation in the National Flood Insurance Program. **Moved by Coleman that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

[14-1493](#)

(A) [Final](#) consideration of ordinance above (waiver requested by the Community Development Department), requires six votes. **Moved by Coleman 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, [#15,311](#). Motion Carried 7-0.**

[14-1494](#)

49. [Amending](#) Chapter 74 of the Municipal Code regarding Parks and Recreation Fees. **Moved by Coleman that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

[14-1495](#)

(A) [Final](#) consideration of ordinance above (waiver requested by the Park and Recreation Department), requires six votes. **Moved by Coleman 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, [#15,312](#). Motion Carried 7-0.**

50. Number not used.

[14-1496](#)

51. [Rezoning](#) of 126 E. 28th Court from “M-1” (Light Industrial) to “R1-60” (One-Family Low-Density Residential) to allow the existing single-family dwelling to be a permitted use. **Moved by Coleman that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

[14-1497](#)

(A) [Final](#) consideration of ordinance above (waiver requested by the applicant), requires six votes. **Moved by Coleman 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, [#15,313](#). Motion Carried 7-0.**

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

[14-1498](#)

51-I [Amending](#) Chapter 102 of the Municipal Code regarding Right-of-Way Management Fees. **Moved by Hensley to continue this item indefinitely, and refer to the City Manager and City Attorney to work with the Taxpayer’s Association and other interested parties for review and recommendation regarding options. Motion Carried 7-0.**

OR

WITHDRAWN
[14-1499](#)

(A) ~~[Alternate](#) Ordinance ([Council Communication No. 14-473](#))~~

ORDINANCES - FIRST CONSIDERATION

[14-1500](#)

52. [Amending](#) Chapter 2 of the Municipal Code regarding releasing paid-off loans and security interests. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

53. Items regarding the Civil and Human Rights Commission charging and collecting fair housing training fees: ([Council Communication No. 14-456](#))

[14-1501](#)

(A) [First](#) consideration of ordinance amending Chapter 62 of the Municipal Code. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[14-1502](#)

(B) [Final](#) consideration of ordinance above (waiver requested by the Civil and Human Rights Director), 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, [#15,314](#). Motion Carried 7-0.**

[14-1503](#) (C) [Amending](#) the Schedule of Fees. ([Council Communication No. 14-457](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-1504](#) 54. [Amending](#) Chapter 74 of the Municipal Code regarding facility hours at the Brenton Ice Skating Rink and support pavilion. ([Council Communication No. 14-464](#)) **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[14-1505](#) (A) [Final](#) consideration of ordinance above (waiver requested by Park and Recreation Department), requires six votes. **Moved by Gatto 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, [#15,315](#). Motion Carried 7-0.**

[14-1506](#) (B) [Amendment](#) to Concession Agreement for Brenton Skating Plaza. **Moved by Gatto to adopt. Motion Carried 7-0.**

COUNCIL REQUEST

[14-1507](#) 54-I [Receipt](#) of report from Chair of Personnel Subcommittee and approval of recommendations contained therein and to continue to October 6, 2014. **Moved by Coleman to continue to October 6, 2014 Council meeting. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

[14-1508](#) 55. [From](#) Chris Aldinger, 5711 SW 9th Street, to speak regarding SW 9th Open Street Event held September 7, 2014. **Moved by Hensley to receive and file comments. Motion Carried 7-0.**

[14-1509](#) 56. [From](#) Margaret Filk, 2400 Hickman Road, B-5, #105, to speak regarding Section 8, Low-income housing and homeless people. **Moved by Gray to receive and file comments; Ms. Filk did not appear at the meeting. Motion Carried 7-0.**

[14-1510](#) 57. [From](#) John Rowen, Director of Polk County General Services, regarding request to vacate the north/south alley adjacent to 120 2nd Avenue. **Moved by Hensley to receive, file and refer to the Community Development Department and Plan and Zoning Commission for review and recommendation. Motion Carried 7-0.**

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 58 THRU 62)

58. On items regarding 400 SE 7th Street and 401 SE 6th Street:

[14-1511](#) (A) Amending the Des Moines 2020 Community Character Land Use Plan. **Moved by Gatto to continue to October 6, 2014 Council meeting at 5:00 PM. Motion Carried 7-0.**

[14-1512](#) (B) Rezoning from “M-1” (Light Industrial) to “C-3B” (Central Business Mixed-Use) to allow mixed-use development with multiple-family residential dwellings. **Moved by Gatto to continue to October 6, 2014 Council meeting at 5:00 PM. Motion Carried 7-0.**

[14-1513](#) (C) First consideration of ordinance above. **Moved by Gatto to continue to October 6, 2014 Council meeting at 5:00 PM. Motion Carried 7-0.**

WITHDRAWN

[14-1514](#) (D) Final ~~consideration of ordinance above (waiver requested by the applicant), requires six votes.~~

[14-1515](#) 59. On assessment of \$500 penalties to liquor license holders for violation of Iowa Alcoholic Beverage Laws, sale to minor. **Moved by Gatto to adopt. Motion Carried 7-0.**

(A) Tequilas Liquor Store, 1434 Des Moines St. Ste. 5.

(B) The Smoke Shop, 1918 SE 14th Street.

(C) Git-N-Go Store #42, 806 SE 14th Street.

60. On appeal by Daniel Chavez from the conditions imposed by the Historic Preservation Commission on the issuance of a Certificate of Appropriateness for replacement of windows at 1414 9th Street. (Council Communication No. 14-465)

[14-1516](#) (A) Affirming the decision. **Moved by Gray to adopt, and affirm the decision of the Historic Preservation Commission. Motion Carried 7-0.**

OR

WITHDRAWN

[14-1517](#) (B) Reversing the decision.

[14-1518](#) 61. On appeal by Majestic Consultants, LLC of the conditional approval of a site plan for 3512 Ingersoll Avenue and to continue to October 20, 2014 at 5:00 PM. **Moved by Hensley to adopt, and continue the hearing. Motion Carried 7-0.**

[14-1519](#) 62. [On](#) 2014 Sewer Repair – Contract 1: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designation of lowest responsible bidder as The Underground Company, Ltd. (Duane Burkhardt, President), \$228,574. ([Council Communication No. 14-458](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[14-1520](#) (A) [Approving](#) contract and bond, and permission to sublet. **Moved by Gatto to adopt. Motion Carried 7-0.**

*** END OF HEARINGS AT 5:11 PM ***

APPROVING

[14-1521](#) 63. [First](#) Amendment to the Amended and Restated Urban Renewal Development Agreement with River Point West LLC, a Parcel Development Agreement with Sherman Gray’s Landing Hotel Development, LLC for construction of a 102-room hotel and a Parcel Development Agreement with Gray’s Landing Office Development, LLC for construction of a 72,000 square foot office building in the River Point West Redevelopment area. ([Council Communication No. 14-471](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-1521-I](#) (A) Discussion regarding the comments by Doug Siedenbug, Managing Member of Capstone Ventures, LLC, which owns the business and property at 315 SW 14th Street. **Moved by Hensley to refer the request by Doug Siedenbug for the City to declare River Point West LLC, represented by George Sherman, Managing Member, in default for not having demolished the building on Parcel 15 (located at 301 SW 14th Street), and to compel the Developer to demolish such building, to the City Manager and Legal Department for report and recommendation back to the City Council within two weeks. Motion Carried 7-0.**

BOARD OF HEALTH

[14-1522](#) MOTION TO CONVENE. **Moved by Moore that the City Council adjourn and convene as a Board of Health. Motion Carried 7-0.**

1. Approving the Legal Department to proceed with court action seeking authority to abate the public nuisances at the following locations:

[14-1523](#) (A) [2619](#) SW 9th Street, commercial building structure, Titleholder: Keven Goetzel d\b\ a R & S Xpress, LTD; Mortgage Holder: Polk County Bank nka Grinnell State Bank. **Moved by Gatto to adopt. Motion Carried 7-0.**

[14-1524](#) (B) [4400](#) SW 26th Street, main structure, Titleholder: Ronald G. Smith; Mortgage Holder: CitiFinancial Servicing, LLC. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [14-1525](#) (C) [7085](#) Bloomfield Road, Lot 221, main structure, Titleholder: Des Moines Regency Manor, LLC; Mortgage Holder: US Bank, NA as Trustee for GE Commercial. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [14-1526](#) (D) [708](#) Buchanan Street, main structure, Titleholder: Meridian Holdings, LLC. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [14-1527](#) (E) [708](#) Hickman Road, fire-damaged main structure and garage, Titleholder: El Concept, LLC. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [14-1528](#) (F) [617](#) Porter Avenue, main structure, Titleholders: Elizabeth A. Varisco aka Elizabeth A. Olson, Martha J. Gathercole, Theodore R. Gathercole; Contract Buyer: Rodney Wolford d\b\ a Wolford Corporation. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [14-1529](#) (G) [2401](#) E. Walnut Street, commercial building structure, Titleholder: Oak Park Investments Partnership XX. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [14-1530](#) MOTION TO ADJOURN. **Moved by Hensley to adjourn at 5:11 PM. Motion Carried 7-0.**

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