



*** 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

December 8, 2014 4:30 PM

I. CLOSED SESSION – 3:30 PM

- [14-1814](#) (A) Roll Call. **Present: Coleman, Gatto, Gray, Hensley, Mahaffey and Moore. Absent: Cownie. Mayor Cownie entered the meeting during item C.**
- [14-1815](#) (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 and to Section 20.17(3) of the Iowa Code to discuss collective bargaining strategy. **Moved by Gatto to adopt. Motion Carried 6-1.**
- [14-1816](#) (C) Closed Session.
- [14-1817](#) (D) Terminate closed session and reconvene in open session. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-1818](#) (E) Motion to adjourn. **Moved by Mahaffey to adjourn at 4:35 PM. Motion Carried 7-0.**

* * * * *

PROCLAMATIONS – 4:15 PM

Holiday Food Project Weeks

Human Rights Month

INVOCATION: Council Member Christine Hensley

[14-1819](#)

1. **ROLL CALL: Present: Cownie, Coleman, Gatto, Gray, Hensley, Mahaffey and Moore.**

[14-1820](#)

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

[14-1821](#)

3. **APPROVING CONSENT AGENDA * – items 3 through 53: Moved by Gatto 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

[14-1822](#)

4. **Approving Alcoholic Beverage License Applications for the following: Moved by Gatto to adopt all items except (C) Oasis and (Q) Scores Sports Bar. Moved by Gray to continue items (C) and (Q) to the December 22nd Council meeting. Council requests that the applicant for Oasis be present, and that a Good Neighbor Agreement be negotiated with Scores. The City Manager and City Attorney will meet with the Alcoholic Beverages Commissioner to discuss issues in Des Moines. Council Members Coleman and Moore vote “No” on item (S). Council Member Moore votes “No” on item (N). Motion Carried 7-0.**

NEW APPLICATIONS

(A)	DES MOINES SOCIAL CLUB	901 CHERRY ST	C Liquor
(B)	KICKSTAND BAR & GRILL	400 SE 6TH ST	C Liquor
* (C)	OASIS GROCERY & LIQUOR	2917 PAYNE RD	C Beer
(D)	STRUDL HAUS	1951 INDIANOLA	C Beer/Wine
(E)	WALLACE CENTERS OF IOWA	756 16TH ST	B Beer

RENEWAL APPLICATIONS

(F)	B & B SUPER MARKET	2001 SE 6TH ST	C Beer
(G)	EASTGATE LAUNDROMAT	1424 E OVID AVE	B Beer
(H)	FELIX & OSCARS	4050 MERLE HAY	C Liquor
(I)	FONGS PIZZA	223 4TH ST	C Liquor

(J)	HY VEE FOOD STORE #2	2540 E EUCLID AVE	E Liquor
(K)	HYATT PLACE	418 6TH AVE	B Liquor
(L)	LA TAPATIA	1440 DES MOINES ST	C Beer
(M)	LA TAPATIA III	4007 SE 13TH ST	C Beer
* (N)	LICKETY LIQUOR	2501 HUBBELL AVE	E Liquor
(O)	LOS LAURELES	1518 E GRAND AVE	C Liquor
(P)	LOVELY FOOD MART *(1)	4600 FLEUR DR	C Beer
* (Q)	SCORES SPORTS BAR	2335 HICKMAN RD	C Liquor
(R)	SMOKE SHOP *(1)	1918 SE 14TH ST	E Liquor
* (S)	SUPER QUICK 2	1824 HUBBELL AVE	E Liquor
(T)	TRIANGLE TAP	2506 POST ST	C Liquor
(U)	TUMEA AND SONS	1501 SE 1ST ST	C Liquor
(V)	WAVERLY	2120 INGERSOLL	C Liquor
(W)	WEST END WINES	22 9TH ST	C Liquor

OUTDOOR SERVICE APPLICATION

(X)	BLAZING SADDLE	416 E 5TH ST	C Liquor
-----	----------------	--------------	----------

Permanent.

SPECIAL EVENTS APPLICATIONS

(Y)	LAO AMERICAN ASSOC	3000 E GRAND AVE	Five (5) Day License Class B Beer License with Class B Native Wine for private social event on December 31, 2014.
-----	--------------------	------------------	--

[14-1823](#) 5. [Consideration](#) of Class C Beer Permit renewal for La Preferida, 2300 Hickman Road. (Zoning Department recommends denial, motion is to DENY). **Moved by Gray to deny due to no Conditional Use Permit being granted, pursuant to Section 134-954 of the Des Moines Municipal Code. Motion Carried 7-0.**

[14-1824](#) 6. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Gatto to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

[14-1825](#) 7. [Approving](#) Professional Services Agreement with HDR Engineering, Inc. for conceptual design services for Lower Oak Park and Highland Park Sewer Separation Project, not to exceed \$462,330. ([Council Communication No. 14-573](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[14-1826](#) 8. [Approving](#) Private Construction Contract between Vanderpool Construction, Inc. and Islamic and Educational Center “EZAN” of Greater Des Moines for storm sewer improvements in 6206 Douglas Avenue, \$42,271.95. **Moved by Gatto to adopt. Motion Carried 7-0.**

9. Approving completion and acceptance of the Private Construction Contract for Stanton Acres North between Priority Excavating LLC and Kruse Construction, LLC for the following:

[14-1827](#)

(A) [Sanitary](#) Sewer Improvements. **Moved by Gatto to adopt. Motion Carried 7-0.**

[14-1828](#)

(B) [Storm](#) Sewer Improvements. **Moved by Gatto to adopt. Motion Carried 7-0.**

[14-1829](#)

10. [Approving](#) completion and acceptance of the Private Construction Contract for Paving Improvements for Stanton Acres North between Concrete Technologies, Inc. and Kruse Construction, LLC. **Moved by Gatto to adopt. Motion Carried 7-0.**

11. ~~Approving completion and acceptance of the Private Construction Contract for Zoo improvements between Neumann Brothers, Inc. and Blank Park Zoo Foundation for the following:~~

WITHDRAWN

[14-1830](#)

~~(A) [Australian](#) Trail Adventure.~~

WITHDRAWN

[14-1831](#)

~~(B) [Quarantine](#)/Holding Building, Gibbons Holding Building, Sea Lion Pool and remainder of the Australian Trail Adventure.~~

[14-1832](#)

12. [Approving](#) completion and acceptance of the Private Construction Contract for Paving Improvements for The Woods of Copper Creek Plat 2 between Alliance Construction Group, LLC and HDR Land Development, LLC. **Moved by Gatto to adopt. Motion Carried 7-0.**

[14-1833](#)

13. [Approving](#) completion and acceptance of the Private Construction Contract for Adjacent Improvements, Locust Street between Kline Electric, Inc. and Edmundson Art Foundation, Inc. d/b/a Des Moines Art Center. **Moved by Gatto to adopt. Motion Carried 7-0.**

[14-1834](#)

14. [Approving](#) completion and acceptance of the Private Construction Contract for Sculpture Lighting System Improvements, for John and Mary Pappajohn Sculpture Park, 15th Street & Grand Avenue between Kline Electric, Inc. and Des Moines Art Center. **Moved by Gatto to adopt. Motion Carried 7-0.**

[14-1835](#)

15. [Approving](#) completion and acceptance of the Private Construction Contract for Principal Riverwalk Signage and Skating Canopy Improvements between Jensen Construction Company and Principal Life Insurance Company. **Moved by Gatto to adopt. Motion Carried 7-0.**

[14-1836](#)

16. [Approving](#) completion and acceptance of the Private Construction Contract for Storm and Sanitary Sewer Improvements for the Woods of Copper Creek Plat 2, NE 47th and 48th Street and Wisconsin, between Vanderpool Construction, Inc. and HDR Land Development, LLC. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [14-1837](#) 17. [Communication](#) from contractors requesting permission to sublet certain items on Public Improvement Projects. **Moved by Gatto to adopt. Motion Carried 7-0.**
18. Accepting completed construction and approving final payment for the following:
- [14-1838](#) (A) [Fire](#) Station No. 10 Reroofing – Pella Roofing & Insulation, Inc. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [14-1839](#) (B) [2013](#) Designated Neighborhood Sidewalk Replacement Program – T.K. Concrete. **Moved by Hensley to adopt; refer to the City Manager and Public Works Director to report on the status of the sidewalks along Ingersoll from 42nd to 43rd. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [14-1840](#) 19. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2014-10. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [14-1841](#) 20. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2014-10. **Moved by Gatto to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [14-1842](#) 21. [Establishing](#) fair market value of property owned by Principal Mutual Life Insurance Company at 300 Maple Street for the Des Moines and Raccoon Rivers – Levee Closures Project. ([Council Communication No. 14-570](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [14-1843](#) 22. [Recommendation](#) from Mayor Frank Cownie to reappoint Bob Mahaffey to the Aging Resources of Central Iowa Board of Directors, for a one-year term commencing January 1, 2015 through December 31, 2015. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [14-1844](#) 23. [Recommendation](#) from Mayor Frank Cownie to appoint Jonathan Rosenbloom to the Plan and Zoning Commission, Seat 2, for a five-year term commencing July 1, 2012 to expire July 1, 2017. **Moved by Gatto to adopt. Motion Carried 7-0.**

[14-1845](#) 24. [Recommendation](#) from Council Member Christine Hensley to appoint Seth Gray to the Urban Design Review Board, Seat 6, for a three-year term commencing June 30, 2012 to expire June 30, 2015. **Moved by Gatto to adopt. Motion Carried 7-0.**

[14-1846](#) 25. [Communication](#) from Mary McGee, advising of her resignation from the Access Advisory Board, Seat 3, effective immediately. **Moved by Gatto to receive, file and accept resignation with appreciation for her service. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

[14-1847](#) 26. [Regarding](#) request from Linden Street Investments, LLC, 1430 Linden Street, for vacation of the following segments of right-of-way: **Moved by Gatto to receive and file the Plan and Zoning Commission communication and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**

(A) Linden Street from 14th Street to Ingersoll Avenue.

(B) North/south alley between 14th and 15th Street from Grand Avenue to a point approximately 121 feet to the north.

SETTING DATE OF HEARINGS

[14-1848](#) 27. [On](#) vacation of air space over portions of E. Walnut Street and E. 2nd Street adjoining 210 E. Walnut Street and for conveyance of an easement to 201, LLC for \$866, (12-22-14). **Moved by Gatto to adopt. Motion Carried 7-0.**

[14-1849](#) 28. [On](#) request from Wayne Russell, LLC to rezone 2301 SW 9th Street from “C-0” (Commercial-Residential) to “C-2” (General Retail and Highway-Oriented Commercial) to allow conversion of the existing restaurant use to a tavern use, (12-22-14). **Moved by Gatto to adopt. Motion Carried 7-0.**

[14-1850](#) 29. [On](#) request from Casey’s Marketing Company (owner) represented by Melani Samora (agent) to rezone property at 4560 and 4570 East 14th Street from “C-2” (General Retail and Highway-Oriented Commercial) and Ltd. “C-2” to “PUD” (Planned Unit Development), to allow redevelopment of the existing gas station/convenience store property with a new 4,606-sqaure foot gas station/convenience store with canopy islands for 10 standard fueling locations and four (4) tractor-trailer Diesel fueling locations. Additional subject property is owned by V&C Real Estate, LLC, (12-22-14). **Moved by Gatto to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [14-1851](#) 30. [Approving](#) payment to Ahlers & Cooney, PC for consultation services in conjunction with collective bargaining, \$4,192.50. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [14-1852](#) 31. [Approving](#) payment to Hall & Associates for representation in the matter entitled Iowa League of Cities v. United States Environmental Protection Agency, \$191.70. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [14-1853](#) 32. [Approving](#) retention of Martin Kenworthy and Duncan, Green, Brown & Langeness to represent the City on matters related to construction disputes. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [14-1854](#) 33. [Approving](#) payment to Belin McCormick Law Firm in conjunction with Kragnes v. City of Des Moines, \$3,193.83. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [14-1855](#) 34. [Approving](#) a settlement agreement for workers' compensation claim for Richard Benning. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [14-1856](#) 35. [Approving](#) payment to Nick Cardamon for settlement agreement for claim for property damage. **Moved by Gatto to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- [14-1857](#) 36. [Submitting](#) travel and training requests for T. M. Franklin Cownie, John Herzog, Amanda Leo, Robert Mezera, Nekesha Palmer and Josh Rhamy. ([Council Communication No. 14-582](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

APPROVING

WITHDRAWN

- [14-1858](#) 37. ~~City Manager and his designees to enter into negotiations to consolidate the program services and service area of the Des Moines Community Action Agency with Red Rock Area Community Action Program, Inc. ([Council Communication No. 14-562](#))~~
- [14-1859](#) 38. [2014-2015 Community Action Agency Tenant Based Rental Assistance \(TBRA\) Contract with Iowa Community Action Agency Association \(ICAA\).](#) ([Council Communication No. 14-563](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [14-1860](#) 39. [Assignment](#) of tax sale certificate to NFC Properties, LLC for rehabilitation of housing at 671 37th Street. ([Council Communication No. 14-574](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [14-1861](#) 40. [Partial](#) release of judgment liens for 1802 Jefferson Avenue. ([Council Communication No. 14-572](#)) **Moved by Gatto to approve. Motion Carried 7-0.**
- [14-1862](#) 41. [Preliminary](#) terms of agreement with Employers Mutual Casualty Company (EMC) for proposed new construction at 8th Street and Walnut Street and authorizing execution of business financial assistance application as the project sponsor. ([Council Communication No. 14-566](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [14-1863](#) 42. [Appointment](#) of Doug Harvey as Primary Representative, and Sandra Morris as Secondary Representative to the Polk County E911 Service Board, one-year terms commencing January 1, 2015. **Moved by Gatto to adopt. Motion Carried 7-0.**
- WITHDRAWN
[14-1864](#) 43. ~~Agreement with Des Moines Water Works to provide employee health benefits to Des Moines Water Works employees. (Council Communication No. 14-579)~~
- [14-1865](#) 44. [Mayor](#) to execute conflict and waiver form and authorizing the retention of Ahlers & Cooney, PC to provide limited legal representation in discussions with Des Moines Water Works. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [14-1866](#) 45. [Non-acceptance](#) of 2014 COPS Hiring Grant award. ([Council Communication No. 14-564](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [14-1867](#) 46. [Receipt](#) of the 2013-14 Annual Report of the Greater Des Moines Public Art Foundation. **Moved by Gatto to receive and file. Motion Carried 7-0.**
- [14-1868](#) 47. [Authorizing](#) the Mayor's approval of City of Norwalk Revenue Bonds, (Wellmark YMCA Project). **Moved by Gatto to adopt. Motion Carried 7-0.**

48. Bids from the following:

- [14-1869](#) (A) [Capital](#) City Equipment (Mark Kruse, President) for three replacement utility equipment trailers as requested by Fleet Maintenance, \$29,370. (Ten bids mailed, three proposals received). ([Council Communication No. 14-578](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [14-1870](#) (B) [Genrich](#) Sales (Brian Genrich, President) for three replacement slope mowers as requested by Fleet Maintenance, \$225,000. (Three bids mailed, two proposals received). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [14-1871](#) (C) [O'Halloran](#) International Inc. (Jim O'Halloran, President) for one replacement tandem axle truck tractor as requested by Fleet Maintenance, \$94,259. (Six bids mailed, four proposals received). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [14-1872](#) (D) [Midwest](#) Underground Supply (Dan Folkman, Owner) for one forestry mulcher as requested by Fleet Maintenance, \$153,179. (Four bids mailed, three proposals received). **Moved by Gatto to adopt. Motion Carried 7-0.**
- WITHDRAWN
[14-1873](#) (E) ~~[Ronald C. Peck Corporation](#) (Ron Peck, Owner) and [Auction Outlet](#) (Sandy Matchinsky, Owner) for an annual contract with up to four additional one-year renewal options to furnish auctioneering services as requested by the Police Department, annual estimated cost \$50,000. (Nine bids mailed, two proposals received).~~
- [14-1874](#) (F) [Rosenbauer](#) South Dakota LLC (Harold Boer, President) for one replacement ladder truck as requested by the Fire Department, \$838,210. (Four bids mailed, two proposals received). ([Council Communication No. 14-580](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [14-1875](#) (G) [Carahsoft](#) Technology Corporation (Godfrey R. Sullivan, President and CEO) per US General Services Administration contract for a Splunk Enterprise System used to monitor and analyze massive amounts of data for troubleshooting problems and investigating security incidents that are internet related as requested by the IT Department, \$75,891.13. ([Council Communication No. 14-567](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [14-1876](#) (H) [Insight](#) Public Sector (Kenneth Lamneck, President) for Websense maintenance and support services for three years per the U.S. Communities contract as requested by the IT Department, \$64,287. ([Council Communication No. 14-565](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [14-1877](#) 49. [Civil](#) Service Promotional List for Building Inspector. **Moved by Gatto to receive and file. Motion Carried 7-0.**

- [14-1878](#) 50. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of December 8 and 15, 2014 and to draw [checks](#) for the bills of the Des Moines Municipal Housing Agency for the weeks of December 8 and 15, 2014 and to draw checks for biweekly payroll due on December 12, 2014. **Moved by Gatto to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

- [14-1879](#) 51. [Amending](#) Chapter 114 of the Municipal Code submitting traffic regulation changes as follows: **Moved by Gatto that this ordinance do now pass, [#15,328](#). Motion Carried 7-0.**

- (A) Revisions to the Municipal Code to agree with current signing conditions.
- (B) Parking restrictions along SW 14th Street and Casady Drive to accommodate new medians installed as part of the SW 14th Quiet Street project.

- [14-1880](#) 52. [On](#) vacation of a segment of the north/south alley adjoining 120 2nd Avenue. **Moved by Gatto that this ordinance do now pass, [#15,329](#). Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

- [14-1881](#) 53. [Amending](#) Chapter 114 of the Municipal Code submitting traffic regulation changes as follows: **Moved by Gatto that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

- (A) Revised parking meter spaces in front of 201 E. Walnut Street.
- (B) Installation of a traffic signal at E. Euclid Avenue and Oxford Avenue.

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

ORDINANCES - FIRST CONSIDERATION

54. Amending Chapter 26 of the Municipal Code to update the International Energy Conservation Code (IECC) and National Electrical Code (NEC): ([Council Communication No. 14-568](#))

- [14-1882](#) (A) [First](#) consideration of ordinance adopting the 2012 edition of the IECC and deleting and amending portions thereof. **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- [14-1883](#) (B) **First** consideration of ordinance adopting the 2014 edition of the NEC, and deleting and amending portions thereof. **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [14-1884](#) 55. **Amending** Chapter 114 of the Municipal Code submitting traffic regulation changes as follows: (**Council Communication No. 14-571**) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- (A) Speed Limit Revision – 56th Street from University Avenue to Franklin Avenue.
- (B) Speed Limit Revision – Army Post Road from SW 42nd Street to Iowa 28.
- (C) Parking Restriction Removal – Holcomb Avenue, west of 24th Street.
- (D) All-way Stop – E. 13th Street and Morton Avenue.
- [14-1885](#) (E) Final consideration of ordinance above, requires six votes. **Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #15,330. Motion Carried 7-0.**

COUNCIL REQUESTS

- [14-1886](#) 56. **From** Council Member Joe Gatto to discuss naming of a new street to access the new Cownie Baseball Complex near SE 22nd Street and Hartford Avenue. **Moved by Gatto to name the new Cownie Baseball Complex parking lot road as Bill Reichardt Way. Motion Carried 7-0.**
- [14-1887](#) 57. **From** Council Member Bill Gray regarding City-initiated request to vacate the east/west segment of alley in the block bounded by Forest Avenue, Indiana Avenue, 3rd Street and 4th Street in the vicinity of 334 Forest Avenue. (**Council Communication No. 14-576**) **Moved by Gray to receive and file Council Communication No. 14-576, and to refer the request to vacate the east/west segment of alley in the block bounded by Forest Avenue, Indiana Avenue, 3rd Street and 4th Street in the vicinity of 334 Forest Avenue to the Community Development Department and Plan and Zoning Commission for review and recommendation as a City-initiated vacation request. Motion Carried 7-0.**
- [14-1888](#) 58. **From** Council Member Bill Gray to speak regarding the naming of a proposed new disc golf course at Prospect Park, 1225 Prospect Road, in honor of Becky Zallek. **Moved by Gray to receive and file such proposal and refer to the City Manager and Park and Recreation Board for review and recommendation. Motion Carried 7-0.**

- [14-1889](#) 59. [From](#) Council Member Skip Moore to discuss street light outages. **Moved by Moore to receive and file comments and refer to the City Manager to work with MidAmerican Energy on a process to report outages. Motion Carried 7-0.**
- [14-1890](#) 59-I [Request](#) from Council Member Skip Moore to speak regarding the Locust Tap, 434 E. Locust Street. **Moved by Moore to direct the City Manager and Legal Department to negotiate terms whereby the building remains closed until deficiencies identified in the facility are corrected, and including a term that if reopened without inspector approval, the parties agree that same would be evidence of a violation of the good moral character requirement of the City's liquor code and the City may revoke the liquor license on that basis; and to direct the City Manager and City Legal to review status of all dealings with any entity owned by Mr. Blunck and commence appropriate action, such review to be independent of the Locust Tap situation. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

- [14-1891](#) 60. [Receipt](#) of petition in favor of paving E. 32nd Street from Kinsey Avenue to Washington Avenue. **Moved by Mahaffey to receive, file and refer to the City Manager and City Engineer for review and recommendation. Motion Carried 7-0.**
- [14-1892](#) 61. [Receipt](#) of the Des Moines Water Works budget for calendar year ending December 31, 2015. **Moved by Gatto to receive and file. Motion Carried 7-0.**

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 62 THRU 68)

- [14-1893](#) 62. [On](#) Lease Agreement with Scranton Manufacturing Co. Inc. for the rental of one refuse truck up to an eight-month period at \$7,800 per month rental payments plus fees and other charges. ([Council Communication No. 14-584](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-1894](#) (A) [Authorizing](#) execution of the Master Lease Agreement and related documents. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-1895](#) 63. [On](#) vacation of the south 10 feet of Oak Park Avenue from 8th Street to a point 400 feet to the west to allow for dedicated parking for senior residents of Oak Park Manor. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [14-1896](#) (A) [First](#) consideration of ordinance above. **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- [14-1897](#) (B) [Final](#) consideration of ordinance above (waiver requested by the Housing Services Director), 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, [#15,331](#). Motion Carried 7-0.**
- [14-1898](#) 64. [On](#) conveyance of City-owned property adjacent to 1070 39th Street to James and Cara Sink, \$50. ([Council Communication No. 14-569](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-1899](#) 65. [On](#) request from 304 15th Street LLC (owner), represented by Jake Christensen (Officer), to rezone property at 304 15th Street, to remove the “D-O” (Downtown Overlay) District designation and remove the prohibition of off-premises advertising signs and to continue to the January 26, 2015 Council Meeting: ([Council Communication No. 14-577](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- ~~(A) **Alternate A** — Deny the proposed rezoning.~~
- OR**
- ~~(B) **Alternate B** — continue to December 22, 2014 at 5:00 PM and direct the City Manager and Legal Department to prepare necessary legislation to approve rezoning subject to conditions acceptable to the City and the Owner.~~
- [14-1900](#) 66. [On](#) status and effectiveness of projects funded with Neighborhood Stabilization Program 3 (NSP3) Funds. ([Council Communication No. 14-581](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [14-1901](#) 67. [Dismissing](#) proceedings on request from Khanna Family Investments, Inc. to rezone 2917 Payne Road. **Moved by Gray to continue to December 22, 2014 at 5:00 PM. Motion Carried 7-0.**
- [14-1902](#) 68. [Reject](#) bid received on E. Euclid & Dixon Traffic Signal Upgrade, 15.1% over project estimate, and to close the hearing on the plans, specifications, form of contract documents, and Engineer’s estimate. ([Council Communication No. 14-575](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**

*** END HEARINGS AT 5:50 PM ***

APPROVING

- [14-1903](#) 69. [Urban](#) Renewal Development Agreement with Wilkins Building, LLC for an \$18.7 million historic restoration of 713 Walnut and approving Conceptual Development Plan. ([Council Communication No. 14-583](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

EXTRA ITEMS

- [14-1904](#) 1. [Rescission](#) of the Resolution of Necessity on 10th Street Streetscape from Walnut Street to Mulberry Street. Sponsor: Mayor Cownie. **Moved by Hensley to adopt. Motion Carried 7-0.**

BOARD OF HEALTH

- [14-1905](#) MOTION TO CONVENE. **Moved by Mahaffey 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:

- [14-1906](#) (A) [1018](#) E. 12th Street, commercial building structure; Titleholder: Sergio Colin. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [14-1907](#) (B) [3309](#) Sims Drive, garage structure and accessory building; Titleholder: Craig Hall. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [14-1908](#) 2. [Notification](#) from West Bend dated October 27, 2014 stating their insured, Select Holdings One, LC, 1530 E. 16th Street, sustained a fire loss and a fire escrow/demolition reserve is being held. **Moved by Mahaffey to receive and file and to direct the City Attorney bring legal action within one hundred eighty (180) days of receipt of notice if owner(s) has not demolished or renovated the structure. Motion Carried 7-0.**

- [14-1909](#) MOTION TO ADJOURN. **Moved by Gray to adjourn at 6:24 PM. Motion Carried 7-0.**

View City Council agendas online at www.dmgov.org



All-America City
1949 1976 1981 2003 2010