



**\*\*\* 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 '16-' 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**

**\*\*NEW LOCATION\*\***

**Municipal Service Center, Council Chambers**

**1551 E. M. L. King Jr. Pkwy.**

**Des Moines, Iowa 50317**

**June 27, 2016**

**4:30 PM**

**INVOCATION:** Council Member Gatto

- [16-1011](#) 1. ROLL CALL: **Present: Cownie, Coleman, Gatto, Gray, Hensley, Moore and Westergaard.**
- [16-1012](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**
- [16-1013](#) 3. APPROVING CONSENT AGENDA \* – items 3 through 52: **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**

[16-1014](#)

4. Approving Alcoholic Beverage License Applications for the following: **Moved by Gatto to adopt. Motion Carried 7-0. Council Member Coleman votes No on items B and H. Council Members Coleman and Moore vote No on item T.**

**NEW APPLICATIONS**

(A)	BLAZE PIZZA	300 W MLK JR PKWY	C Beer/Wine
* (B)	BROTHER MART	4121 SE 14TH ST	C Beer
<del>(C)</del>	<del>BUBBA SOUTHERN COMFORTS</del>	<del>200 10TH ST</del>	<del>C Liquor</del>
(D)	KELLYS LITTLE NIPPER	1701 E GRAND AVE	C Liquor

**RENEWAL APPLICATIONS**

(E)	BUFFALO WILD WINGS	4345 MERLE HAY RD	C Liquor
(F)	CASEYS #2676	2106 ECHO VALLEY	C Beer
(G)	CHEFS KITCHEN	1903 BEAVER AVE	C Liquor
* (H)	DOWNTOWN PANTRY	218 6TH AVENUE	E Liquor
(I)	DRUGTOWN WINE & SPIRITS	4100 UNIVERSITY	E Liquor
(J)	EL PALOMINO	3116 E 14TH ST	C Beer
(K)	EXILE BREWING COMPANY	1514 WALNUT ST	C Liquor
(L)	H & A MINI MART	145 UNIVERSITY	C Beer
(M)	HY VEE FOOD STORE #4	4605 FLEUR DR	E Liquor
(N)	HY VEE FOOD STORE #5	1107 E ARMY POST	E Liquor
(O)	J & J PIZZA PUB	2500 MLK JR PKWY	C Liquor
(P)	SAVE A LOT	3200 SW 9TH ST	C Beer
(Q)	SCIENCE CENTER OF IOWA	401 W MLK JR PKWY	C Liquor
(R)	SOUTH TOWN TAP	3803 SW 9TH ST	C Liquor
(S)	SPLASH SEAFOOD	303 LOCUST ST	C Liquor
* (T)	US GAS	3000 SW 9TH ST	E Liquor
(U)	W CHINA BUFFET	100 E EUCLID AVE	C Beer/Wine
(V)	WAKONDA CLUB	3915 FLEUR DR	C Liquor

**SPECIAL EVENTS APPLICATIONS**

- (W) 515 ALIVE MUSIC FESTIVAL 1418 GRAND AVE Five (5) Day License  
Class C Liquor License for music festival on July 22 – 23, 2016.
- (X) BUD TENT 3000 E GRAND Ave Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for Goodguys event on July 1 – 3, 2016.
- (Y) GARDEN NIGHTCLUB 519 PARK ST Five (5) Day License  
Class C Liquor License for a wedding reception on July 2, 2016.
- (Z) GATEWAY MARKET MLK 4700 GRAND AVE Five (5) Day License  
Class C Liquor License for a wedding reception on July 9, 2016.
- (AA) DSM MUSIC COALITION 1013 LOCUST ST Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for 80/35 music festival on July 8 – 9, 2016.

(BB) DSM MUSIC COALITION 1418 GRAND AVE Five (5) Day License  
Class C Liquor License for 80/35 music festival on July 8 – 9, 2016.

(CC) DSM MUSIC COALITION 1102 LOCUST ST Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for 80/35 music festival on July 8 – 9, 2016.

(DD) DSM MUSIC COALITION 1307 LOCUST ST Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for 80/35 music festival on July 8 – 9, 2016.

(EE) NICKS 1106 ARMY POST RD Five (5) Day License  
Class B Beer License for Classic Car Show on July 15, 2016.

(FF) NICKS 1106 ARMY POST RD Five (5) Day License  
Class B Beer License for Classic Car Show on July 8, 2016.

(GG) NICKS 1106 ARMY POST RD Five (5) Day License  
Class B Beer License for Classic Car Show on July 1, 2016.

(HH) PARKS AREA FOUNDATION 710 CORNING AVE Five (5) Day License  
Class B Beer License for Rendezvous on Riverview event on July 22, 2016.

(II) PARKS AREA FOUNDATION 710 CORNING AVE Five (5) Day License  
Class B Beer License for Rendezvous on Riverview event on July 15, 2016.

(JJ) PARKS AREA FOUNDATION 710 CORNING AVE Five (5) Day License  
Class B Beer License for Rendezvous on Riverview event on July 8, 2016.

[16-1015](#) 5. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits. **Moved by Gatto to adopt. Motion Carried 5-2. Nays: Cownie and Moore.**

[16-1016](#) 6. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Gatto to adopt. Motion Carried 7-0.**

## **PUBLIC IMPROVEMENTS**

7. Ordering construction of the following:

[16-1017](#) (A) [Municipal](#) Buildings Reroofing – Contract 2: Receiving of bids, (7-12-16), Setting date of hearing, (7-25-16). Construction estimate, \$189,350. ([Council Communication No. 16-349](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[16-1018](#) (B) [Pioneer](#) Park Road Reconstruction: Receiving of bids, (7-12-16), Setting date of hearing, (7-25-16). Construction estimate, \$810,000. ([Council Communication No. 16-350](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[16-1019](#) (C) [Police](#) Station North and South Elevator Replacement: Receiving of bids, (7-12-16), Setting date of hearing, (7-25-16). Construction estimate, \$450,000. ([Council Communication No. 16-351](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [16-1020](#) (D) [Women](#) of Achievement Bridge Deck Surface Replacement: Receiving of bids, (7-12-16), Setting date of hearing, (7-25-16). Construction estimate, \$160,000. ([Council Communication No. 16-341](#)) **Moved by Hensley to refer to the City Manager to contact the Riverfront Development Authority to include this item at their next meeting and to make arrangements to receive the operation and maintenance documents. Motion Carried 7-0.**
- [16-1020-I](#) (1) Council discussion regarding creating a policy that addresses the City's oversight of projects that eventually are turned over to the City. **Moved by Moore to refer to the City Manager for review and recommendation. Motion Carried 7-0.**
- [16-1021](#) (E) [2016-2017](#) HMA Pavement Scarification and Resurfacing: Receiving of bids, (7-12-16), Setting date of hearing, (7-25-16). Construction estimate, \$540,000. ([Council Communication No. 16-347](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1022](#) 8. [Approving](#) Supplemental Agreement No. 1 to the Professional Services Agreement with Snyder & Associates, Inc. for additional design phase services and construction phase services for Yeader Creek Grade Control Improvements, Phase 1 Project, for an additional amount not to exceed \$59,150. ([Council Communication No. 16-343](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1023](#) 9. [Approving](#) Supplemental Agreement No. 1 to the Professional Services Agreement with Snyder & Associates, Inc. for preliminary and final designs and bidding assistance for the Near West Side Sewer Separation Project, for an additional amount not to exceed \$1,456,896.38. ([Council Communication No. 16-352](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1024](#) 10. [Approving](#) Private Construction Contract between Gator Excavating, Inc. and Eagle View Lofts, LLC for sanitary sewer improvements in Eagle View Lofts at 712 SE 6<sup>th</sup> Street, \$10,337.90. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1025](#) 11. [Communication](#) from contractors requesting permission to sublet certain items on Public Improvement Projects. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1026](#) 12. [Accepting](#) completed construction and approving final payment for 2015-2016 Expanded Street Resurfacing Program – Contract 1 – Grimes Asphalt and Paving Corporation. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1027](#) 13. [Approving](#) and authorizing the execution of agreement for Cooperative Public Service between Polk County, Iowa and the City for the hot mix asphalt repairs to Meredith Drive. ([Council Communication No. 16-342](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1028](#) 14. [Approving](#) Amendment No. 2 to Cooperative Agreement with Iowa Department of Natural Resources (IDNR) to fund Easter Lake Watershed Quality Improvement Project. ([Council Communication No. 16-348](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [16-1029](#) 15. [Approving](#) and authorizing the execution of Iowa Department of Transportation (IDOT) Agreement for E. 30<sup>th</sup> Street Viaduct over Union Pacific Railroad Rehabilitation. ([Council Communication No. 16-355](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1030](#) 16. [Approving](#) and authorizing the execution of Iowa Department of Transportation (IDOT) Agreement for 42<sup>nd</sup> Street Streetscape Improvements. ([Council Communication No. 16-354](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1031](#) 17. [Approving](#) and authorizing the execution of Iowa Department of Transportation (IDOT) Agreement for Martin Luther King, Jr. Parkway and Prospect Road Traffic Signal Installation. ([Council Communication No. 16-356](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

#### **SPECIAL ASSESSMENTS**

- [16-1032](#) 18. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development) Schedule No. 2016-06. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1033](#) 19. [Approving](#) deletion of rental inspection assessment at 3031 Grand Avenue, Unit 304. **Moved by Gatto to adopt. Motion Carried 7-0.**

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

- [16-1034](#) 20. [Establishing](#) fair market value of property owned by William E. and Sheryl L. Paterson at 2071 E. University Avenue for the East University Avenue and Hubbell Avenue Intersection Improvement Project. ([Council Communication No. 16-357](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1035](#) 21. [Permanent](#) easement for water main right-of-way granted by the Des Moines Airport Authority for the use and benefit of the Board of Water Works Trustees of the City of Des Moines, Iowa **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1036](#) 22. [Approving](#) assignment of lease by lessee for billboard leases located at 63<sup>rd</sup> Street south of Grand Avenue, and located west of I-235 south of Ovid Avenue. **Moved by Gray to continue to the July 11, 2016 Council Meeting. Motion Carried 7-0.**
- [16-1037](#) 23. [Approving](#) release of perpetual public ingress and egress easement reservation over a portion of vacated alley right-of-way for the property at 927 8<sup>th</sup> Street. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [16-1038](#) 24. [Receive](#) and file communication from the Des Moines Airport Authority Board recommending the sale of excess real property located at the southeast corner of Highway 28 and Army Post Road, and authorizing City staff to proceed with the disposition of such property in compliance with State and Federal requirements. **Moved by Gatto to adopt. Motion Carried 7-0.**

#### **BOARDS/COMMISSIONS/NEIGHBORHOODS**

25. Recommendations from Council Member Joe Gatto to reappoint the following:

- [16-1039](#) (A) [Bart](#) Caldwell to the Building and Fire Code Board of Appeals, Seat 14, for a three-year term commencing April 1, 2014 to expire April 1, 2017. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [16-1040](#) (B) [Donald](#) Stockton to the Building and Fire Code Board of Appeals, Seat 7, for a three-year term commencing April 1, 2015 to expire April 1, 2018. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [16-1041](#) (C) [Colleen](#) MacRae to the Urban Design Review Board, Seat 11, for a three-year term commencing June 30, 2016 to expire June 30, 2019. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [16-1042](#) 25-I [Communication](#) from Tim Fitzgerald advising of his resignation from the Plan and Zoning Commission, Seat 14, effective July 22, 2016. **Moved by Gatto to receive, file and accept resignation with appreciation for his service. Motion Carried 7-0.**

- [16-1043](#) 26. [Recommendation](#) from Council Member Linda Westergaard to reappoint Michael Young to the Access Advisory Board, Seat 5, for a four-year term commencing June 15, 2016 to expire June 15, 2020. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [16-1044](#) 27. [Communication](#) from Teresa Weidmaier advising of her resignation from the Historic Preservation Commission, Seat 8, 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

- [16-1045](#) 28. Regarding City initiated request for vacation of a segment of West Martin Luther King Jr. Parkway right-of-way (ROW) located at the northwest corner of West Martin Luther King Jr., Parkway and 16<sup>th</sup> Street. **Moved by Gatto to receive and file the communication from the Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**

## SETTING DATE OF HEARINGS

- [16-1046](#) 29. On conveyance of a portion of vacated north/south alley right-of-way located east of and adjoining 1023 25<sup>th</sup> Street to Christopher H. Draper for \$25, (7-11-16). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1047](#) 30. On Amendment to Lease Agreement with Drake University to add a license allowing installation of a water line, (7-11-16). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1048](#) 31. On request from The Des Moines Community Playhouse for the 1<sup>st</sup> Amendment to the Des Moines Playhouse PUD Conceptual Plan on property at 831 42<sup>nd</sup> Street, to allow an elevator corridor addition and new sign allowances, including an additional freestanding monument sign with electronic display. (7-11-16). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1049](#) 32. On request from Children and Families of Iowa to rezone property at 1011 Park Avenue from “R1-60” (One-Family Low-Density Residential) to Limited “C-1” (Neighborhood Retail Commercial) to allow conversion of the existing supervised group residence to professional offices for agency human services staff. (7-11-16). **Moved by Gatto to adopt. Motion Carried 7-0.**

## LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [16-1050](#) 33. Approving payment for property claim from DL Peterson Trust, Element Vehicle Management Services, LLC, Subrogee. **Moved by Gatto to adopt. Motion Carried 7-0.**



## CITY MANAGER COMMUNICATIONS

- [16-1051](#) 34. [Submitting](#) travel and training request for David Ness. ([Council Communication No. 16-359](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

## APPROVING

- [16-1052](#) 35. [Donation](#) Agreement with Eagle View Lofts, LLC, regarding grading services for Allen Park, E. 6<sup>th</sup> and Maury Street. ([Council Communication No. 16-360](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [16-1053](#) 36. [Urban](#) Renewal Development Agreement with 317 E. Court, LLC, and 322 E. Court, LLC for the redevelopment, adaptive reuse and restoration of the existing buildings at 317 E. Court Avenue and 322 E. Court Avenue for commercial development and approving Conceptual Development Plan. ([Council Communication No. 16-335](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [16-1054](#) 37. [Use](#) of various City facilities as poll sites for the General Election on Tuesday, November 8, 2016. **Moved by Gatto to approve. City Clerk will notify the Parks Department and the Housing Services Department to arrange access to the buildings. Motion Carried 7-0.**

- [16-1055](#) 38. [Home](#) Investment Partnership Program (HOME) Agreements with Home Opportunities Made Easy, Incorporated (HOME, INC.) for development of six single-family homes using Community Housing Development Organization set-aside funds. ([Council Communication No. 16-340](#)) **Moved by Westergaard to adopt. Motion Carried 7-0.**

- [16-1056](#) 39. [2016](#) Edward Byrne Memorial Justice Assistance Grant (JAG) \$162,844 and Memorandum of Understanding with the City of West Des Moines to be used for purchase of law enforcement equipment. ([Council Communication No. 16-325](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [16-1057](#) 40. [Annual](#) Insurance Renewal for July 1, 2016 – Property and Casualty Insurance with Jester Insurance Services, Inc. ([Council Communication No. 16-363](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [16-1058](#) 41. [Amendment](#) to the Neighborhood Development Corporation (NDC) Bylaws. ([Council Communication No. 16-338](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [16-1059](#) 42. [Urban](#) Renewal Development Agreement with College Hill Associations, L.P., for the renovation of College Hill Apartments and the construction of a new commercial office building at 921 6<sup>th</sup> Avenue and approving Conceptual Development Plan. ([Council Communication No. 16-336](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**



- [16-1060](#) 43. [Communication](#) of fire escrow being held for 720 Euclid Avenue. **Moved by Gatto to receive and file and to direct the City Attorney to bring legal action within one hundred eighty (180) days of certified mail notice dated March 31, 2016, if owner(s) has not demolished or renovated the structure. Motion Carried 7-0.**
- [16-1061](#) 44. [Receive](#) and file petition to establish the Roosevelt Cultural District Self-Supported Municipal Improvement District, (SSMID) and refer it to the Plan and Zoning Commission for report and recommendation. **Moved by Gatto to receive, file and refer the Petition to the City Plan and Zoning Commission for preparation of an evaluative report on the merit and feasibility of establishing the Roosevelt Cultural District SSMID and to make recommendations with respect to the establishment of the project. The Commission is further requested to submit its report and recommendation for receipt by the City Council at its regular meeting on July 25, 2016. Motion Carried 7-0.**
- [16-1062](#) 45. [Application](#) from the Color Run, LLC, requesting approval for banners to be placed at the starting line at 1248 E. Court Avenue, E. Sixth Street, W. Martin Luther King, Jr. Parkway, E. Martin Luther King, Jr. Parkway, SE 6<sup>th</sup> Street, and E. 13<sup>th</sup> Street on July 9, 2016. **Moved by Gatto to receive, file and approve banner design. Motion Carried 7-0.**
- [16-1063](#) 46. [Proposal](#) of Environmental Systems Research Institute Inc. (ESRI) for consulting services to review, upgrade, and support an Enterprise Geographic Information System (GIS) and approving contract. ([Council Communication No. 16-331](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1064](#) 47. [Termination](#) Agreement to cancel bid acceptance and award to Rosenbauer South Dakota, LLC for Bid #16-021 for Mid-Mount Aerial Ladder Truck. ([Council Communication No. 16-329](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
48. Bids from the following:
- [16-1065](#) (A) [Central](#) Salt LLC (Thomas Peterson) for joint purchase along with the City of West Des Moines, Polk County and 26 other public entities representing the Central Iowa Salt Group (CISG) for rock salt to be used by the Public Works Department, \$594,510. (Eleven potential bidders, four received). ([Council Communication No. 16-333](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1066](#) (B) [Jerico](#) Services (John Marshall, General Manager) for calcium chloride and Smith Fertilizer and Grain (Max Smith, President) for Geomelt for joint purchase along with the cities of West Des Moines, Waukee, Johnston and Windsor Heights, as well as Dallas County to provide deicing chemicals to be used by the Public Works Department, \$121,600. (Seventeen potential bidders, six received). ([Council Communication No. 16-332](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [16-1067](#) (C) [Baker](#) Group (BJ Baker III, Chairman & CEO) for building automation products and services for security enhancements per State of Iowa Contract to be used by the Park & Recreation Department, \$76,486. ([Council Communication No. 16-328](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1068](#) (D) [Menards](#) for blanket purchase orders for miscellaneous building materials and supplies to be purchased during fiscal year 2017 per State of Iowa Contract to be used by the Public Works Department, estimated annual cost \$100,000. ([Council Communication No. 16-334](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1069](#) (E) [Menards](#) for blanket purchase orders for miscellaneous building materials and supplies to be purchased during fiscal year 2017 per State of Iowa Contract to be used by the Park & Recreation Department, estimated annual cost \$65,000. ([Council Communication No. 16-327](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1070](#) (F) [Graybar](#) Electric (Kathy Mazzarella, President) for blanket purchase orders for miscellaneous electrical products and supplies to be purchased during fiscal year 2017 per US Communities Contract to be used by the Park & Recreation Department, estimated annual cost \$50,000. ([Council Communication No. 16-326](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1071](#) (G) [AP/M](#) Permaform (Bill Shook, President), as sole area-wide distributor, for blanket purchase orders for high-strength grout products (for use with previously purchased sewer manhole rehabilitation equipment) to be purchased during fiscal year 2017 for use by the Public Works Department, estimated annual cost \$85,000. ([Council Communication No. 16-337](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1072](#) (H) [Hewlett-Packard Co.](#) (Meg Whitman, President) for annual maintenance and support for existing Hewlett Packard Storage Area Network Servers (SANS) mass storage system per State of Iowa Contract to be used by the IT Department, \$78,741.96 ([Council Communication No. 16-330](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1073](#) (I) [Foster](#) & Freeman (David Tobin, President) and Sirchie Acquisition Company (John Roby, President) for various equipment used for forensics for use by the Police Department, \$46,281.38. (Fifteen potential bidders, two received). ([Council Communication No. 16-324](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1074](#) 49. [Civil](#) Service Entrance Lists for Housing Services Administrative Secretary, Assistant Planner, Street Maintenance Worker, Wastewater Facility Maintenance and Reliability Manager, Fire Equipment Mechanic, and Promotion List for Fire Lieutenant. **Moved by Gatto to receive and file. Motion Carried 7-0.**

- [16-1075](#) 50. Authorizing Finance Director to draw checks on registers for the weeks of June 27, and July 4, 2016; and to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of June 27 and July 4, 2016; and to draw checks for biweekly payroll due on July 8, 2016. **Moved by Gatto to adopt. Motion Carried 7-0.**

**ORDINANCES - FINAL CONSIDERATION**

- [16-1076](#) 51. Amending Chapter 114 of the Municipal Code submitting traffic regulation changes for Two-sided parking restriction – E. 27<sup>th</sup> Street from Hubbell Avenue to Hull Avenue. **Moved by Gatto that this ordinance do now pass, #15,484. Motion Carried 7-0.**

**ORDINANCES - SECOND CONSIDERATION**

- [16-1077](#) 52. On vacation of segments of street right-of-way in the vicinity of 1628 E. 42<sup>nd</sup> Street. **Moved by Gatto that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

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

**ORDINANCES - FIRST CONSIDERATION**

- [16-1078](#) 53. Amending Chapter 114 of the Municipal Code submitting traffic regulation changes as follows: (Council Communication No. 16-358) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- (A) Revisions regarding the opening of Tuttle Street between SW 9<sup>th</sup> Street and SW 11<sup>th</sup> Street.
  - (B) Revisions regarding the closure of Hull Avenue between Delaware Avenue and Dixon Street.
  - (C) Removal of Parking Restriction – north side of Leland Avenue from Airport parking lot driveway to 250 feet east.
  - (D) Parking Restriction – south side of E. Maxwellton Drive from 101 E. Maxwellton Drive to 129 E. Maxwellton Drive.

## COMMUNICATIONS/REPORTS

- [16-1079](#) 54. **From** James Piggee, 1602 23<sup>rd</sup> Street, to speak regarding the abandoned and unsafe houses in his neighborhood. **Moved by Gray to receive and file. Mr. Piggee did not appear. Motion Carried 7-0.**
- [16-1080](#) 55. **From** Bill Bergell, 5824 Forest Avenue, to speak regarding making a law to keep bicyclists off main streets during morning and afternoon rush hours. **Moved by Gray to receive and file. Mr. Bergell did not appear. Motion Carried 7-0.**
- [16-1081](#) 56. **From** William Jay, 2522 E. Walnut Street, to speak regarding parking on E. 26<sup>th</sup> Street from Dean to Easton during the Iowa State Fair. **Moved by Gatto to receive and file comments; refer to the City Manager to work with the Police Department to add temporary no-parking signs to the Police Order on E. 26<sup>th</sup> Street from Dean Avenue to University, during the Iowa State Fair. Motion Carried 7-0.**

## APPROVING

- [16-1082](#) 57. **Agreements** to continue the Main Street Program for the 6<sup>th</sup> Avenue Corridor. (**Council Communication No. 16-339**) **Moved by Gray to adopt. Motion Carried 7-0.**

## HEARINGS (OPEN AT 5:05 P.M.) (ITEMS 58 THRU 65)

- [16-1083](#) 58. **On** request from Greg Wilson to rezone 801 SE 7<sup>th</sup> Street from “R1-60” (One-Family Low-Density Residential) to “M-1” (Light Industrial) to allow for continued use of the property for outside storage of a semi-tractor/trailer used for an independent trucking business operation. **Moved by Gatto to adopt and DENY the proposed rezoning, and to make the following findings of fact regarding the proposed rezoning: A. The City Plan and Zoning Commission voted 10-0 to recommend denial of the requested rezoning of the Property to “M-1” Light Industrial District. B. The PlanDSM: Creating Our Tomorrow Land Use Plan designates the Property as Low/Medium Density Residential. The proposed rezoning is not in conformance with said Plan and would require amending the Property to an Industrial designation. The Plan does not contemplate additional industrial use or development in the area. C. The character of the surrounding area is best suited by residential uses, and thus the proposed rezoning is not consistent with the character of the surrounding area. D. If the application of the existing zoning regulations has the effect of denying the owner all economic use of the Property, then the appropriate remedy is to seek relief from the Zoning Board of Adjustment. Motion Carried 7-0.**

- [16-1084](#) 59. On request from Neighborhood Investment Corporation, Inc. for the First Amendment to the Sherman Hill PUD Conceptual Plan on 1620 Pleasant Street and 701-711 16<sup>th</sup> Street to allow 20 percent of the gross floor area of the Mickle Center, 1620 Pleasant Street, to be used for a business incubator including a community commercial kitchen. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [16-1085](#) 60. On conveyance of the vacated north/south alley right-of-way adjoining 1429 Dixon Street to Kelvin Green for \$100 and adjoining 1433 Dixon Street to Daniel Chavez and Marina Goldamed for \$100. ([Council Communication No. 16-345](#)) **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [16-1086](#) 61. On conveyance of a portion of vacated north/south alley right-of-way located east of and adjoining 1653 Cleveland Avenue to James and Diedra D. Conley for \$25. ([Council Communication No. 16-346](#)) **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [16-1087](#) 62. On the proposed purchase of City-owned property in the SE Agrimergent Business Park by Crossroads Cold Storage, LLC pursuant to development agreement and approving Economic Development Assistance Contract with Iowa Economic Development Authority. ([Council Communication No. 16-362](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1088](#) 63. On the proposed Seventh Amendment to the Urban Renewal Plan for the SE Agribusiness Urban Renewal Area. ([Council Communication No. 16-361](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1089](#) 64. On request from Des Moines Cold Storage Company, Inc. for review and approval of a Second Amendment to the Vision Fuels PUD Conceptual Plan on property in the vicinity of 3805 Vandalia Road to allow development of a refrigerated warehousing and distribution facility. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-1090](#) 65. On Yeader Creek Grade Control Improvements: approving plans, specifications, form of contract documents, Engineer's estimate, receive and file bids and designating lowest responsible bidder as R.W. Excavating & Dozing, L.C., (Dan E. Wilson, Manager), \$899,393. ([Council Communication No. 16-353](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [16-1091](#) (A) Approving contract and bond, and permission to sublet. **Moved by Hensley to adopt. Motion Carried 7-0.**

**\*\*END HEARINGS AT 5:20 PM\*\***

- [16-1092](#) MOTION TO ADJOURN. **Moved by Moore to adjourn at 5:21 PM. Motion Carried 7-0.**

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All-America City