



\*\*\* 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 '17-' 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**  
**Municipal Service Center, Council Chambers**  
**1551 E. M.L. King Jr. Pkwy.**  
**Des Moines, Iowa 50317**

February 20, 2017  
4:30 PM

I. **CLOSED SESSION – 3:00 PM Ewing Conference Room 213**

[17-0240](#)

- (A) Roll Call. **Present: Cownie, Gatto, Hensley, Moore and Westergaard. Absent: Coleman and Gray. Council Members Coleman and Gray entered the meeting during item C. Council Member Coleman participated in the meeting by telephone.**

[17-0241](#)

- (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 Hensley to adopt. Motion Carried 5-2. Absent: Coleman and Gray.**

[17-0242](#)

- (C) Closed Session.

[17-0243](#)

- (D) Terminate closed session and reconvene in open session. **Moved by Gatto to adopt. Motion Carried 7-0.**

[17-0244](#)

- (E) Motion to adjourn. **Moved by Gatto to adjourn at 4:19 PM. Motion Carried 7-0.**

**INVOCATION:** Council Member Hensley

- [17-0245](#) 1. ROLL CALL: **Present: Cownie, Coleman, Gatto, Gray, Hensley, Moore and Westergaard.**
- [17-0246](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0247](#) 3. APPROVING CONSENT AGENDA \* – items 3 through 42: **Moved by Hensley to adopt the balance of the Consent Agenda. Motion Carried 7-0.**

**\*Note: These are routine items and will be enacted by one roll call vote without separate discussion unless someone, Council or public, requests an item be removed to be considered separately.**

**LICENSES AND PERMITS**

- [17-0248](#) 4. Approving Alcoholic Beverage License Applications for the following: **Moved by Hensley to adopt. Motion Carried 7-0. Council Member Coleman votes No on items D, H and I.**

**NEW APPLICATION**

(A) CASEYS #3518 1907 ARMY POST RD E Liquor

**RENEWAL APPLICATIONS**

(B)	BUZZARD BILLYS	615 3RD ST	C Liquor
(C)	CENTERPLATE	1 LINE DR	C Liquor
* (D)	CENTRAL CITY LIQUOR * (1)	1460 2ND AVE	E Liquor
(E)	CHUCKS	3608 6TH AVE	C Liquor
(F)	EL TANAMPA	111 ARMY POST RD	C Liquor
(G)	GATEWAY MARKET MLK	2002 WOODLAND	C Liquor
* (H)	GIT N GO STORE #28	3274 E UNIVERSITY	C Beer
* (I)	H & A MINI MART *(1)	5901 FLEUR DR	E Liquor
(J)	HAMPTON INN DM AIRPORT	5001 FLEUR DR	C Beer
(K)	HY VEE FOOD STORE #1	3330 MLK JR PKWY	C Beer
(L)	INGERSOLL LIQUOR	3500 INGERSOLL	E Liquor
(M)	IOWA CUB CLUB	1 LINE DR	C Liquor
(N)	MARLENES	1938 SE 6TH ST	C Liquor
(O)	SAINTS PUB + PATIO	4041 URBANDALE	C Liquor
(P)	SHOWROOM	4100 MERLE HAY RD	C Liquor
(Q)	SIMONS	5800 FRANKLIN AVE	C Liquor
(R)	THAI FLAVORS	1254 E 14TH ST	C Beer/Wine
(S)	WEST END LOUNGE	2309 FOREST AVE	C Liquor
(T)	WOOLYS	504 E LOCUST ST	C Liquor

**SPECIAL EVENT APPLICATION**

- (U) IOWA CRAFT BEER TENT      313 WALNUT ST      Five (5) Day License  
Class B Beer License for Hoops & Hops on March 16-18, 2017.

- [17-0249](#)      5. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits. **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Cownie and Moore.**

**PUBLIC IMPROVEMENTS**

6. Ordering construction of the following:

- [17-0250](#)      (A) [George](#) Flagg Parkway Resurfacing from Park Avenue to SW 30<sup>th</sup> Street: Receiving of bids, (3-7-17), Setting date of hearing, (3-20-17). Construction estimate, \$1,575,000. ([Council Communication No. 17-087](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [17-0251](#)      (B) [E.](#) 2nd Street Reconstruction from E. Locust Street to E. Grand Avenue: Receiving of bids, (3-7-17), Setting date of hearing, (3-20-17). Construction estimate, \$565,000. ([Council Communication No. 17-089](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [17-0252](#)      (C) [2017](#) Sidewalk Replacement Program: Receiving of bids, (3-7-17), Setting date of hearing, (3-20-17). Construction estimate, \$550,000. ([Council Communication No. 17-090](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [17-0253](#)      (D) [2017](#) ADA Sidewalk Ramp Program – Contract 1: Receiving of bids, (3-7-17), Setting date of hearing, (3-20-17). Construction estimate, \$675,000. ([Council Communication No. 17-085](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

7. Approving completion and acceptance of private construction contracts between The Underground Company, Ltd. and Easter Lake Land Company, LLC for the following in Lake View Ridge Plat 1:

- [17-0254](#)      (A) [Sanitary](#) Sewer Improvements. **Moved by Hensley to adopt. Motion Carried 7-0.**

- [17-0255](#)      (B) [Storm](#) Sewer Improvements. **Moved by Hensley to adopt. Motion Carried 7-0.**

- [17-0256](#)      8. [Accepting](#) completed construction and approving final payment for 2016 Skywalk Roof Replacement, Rubber Roofing Systems, Inc. **Moved by Hensley to adopt. Motion**

**Carried 7-0.**

- [17-0257](#) 9. [Granting](#) an exception for floodplain development to Less Than Trinity LLC d/b/a Captain Roy's for the concession area at Birdland Marina pursuant to Des Moines Municipal Code Section 50-35(c). ([Council Communication No. 17-093](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

#### **SPECIAL ASSESSMENTS**

- [17-0258](#) 10. [Levying](#) Assessments for costs of Public Works Emergency Sewer Repair Schedule No. 2017-01. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0259](#) 11. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2017-02. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0260](#) 12. [Approving](#) deletion of Rental Inspection Assessment at 3306 SE 5<sup>th</sup> Street. **Moved by Hensley to adopt. Motion Carried 7-0.**

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

- [17-0261](#) 13. [Approving](#) tax abatement applications for the additional value added by improvements completed during 2016 (146 applications). ([Council Communication No. 17-081](#)) **Moved by Hensley to adopt. Motion Carried 6-0. Council Member Gray declares a conflict of interest and abstains from voting.**
- [17-0262](#) 14. [Authorization](#) to proceed with acquisition of the necessary property interests for the Lower Oak Park and Highland Park Sewer Separation Project. ([Council Communication No. 17-086](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0263](#) 15. [Authorization](#) to proceed with acquisition of the necessary property interests for the SE 1<sup>st</sup> Street and Van Buren Street/SE 4<sup>th</sup> Street and Van Buren Street Stormwater Pump Station Project. ([Council Communication No. 17-096](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

## BOARDS AND COMMISSIONS

- [17-0264](#) 15-I [Approving](#) recommendation from Mayor Cownie to reappoint the following members to the Water Works Board of Trustees: Leslie Gearhart to Seat 2 for a six-year term commencing April 1, 2017 expiring April 1, 2023 and David Carlson to Seat 5 for a six-year term commencing April 1, 2015 expiring April 1, 2021. Sponsor: Mayor Cownie. **Moved by Hensley to approve. Motion Carried 7-0.**

## COMMUNICATIONS FROM PLANNING AND ZONING

- [17-0265](#) 16. [Regarding](#) request from 12<sup>th</sup> Street Lofts, LLC for vacation of surface rights in 12<sup>th</sup> Street and Mulberry Street adjoining 121 12<sup>th</sup> Street to allow for entrance door swings to the adjoining residential development. **Moved by Hensley to receive and file the Communication from the Plan and Zoning Commission, and to refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**

## SETTING DATE OF HEARINGS

- [17-0266](#) 17. [On](#) Second Amendment to Lease Agreement with South Des Moines Little League for the James W. Cownie Baseball Park, (3-6-17). ([Council Communication No. 17-080](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0267](#) 18. [On](#) Amendment of Lease Agreement with Greater Des Moines Baseball Co. (Iowa Cubs) for lease of Principal Park, (3-6-17). ([Council Communication No. 17-079](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [17-0268](#) 19. [On](#) 2016 U.S. Department of Housing and Urban Development (HUD) Consolidated Annual Performance and Evaluation Report (CAPER), (3-20-17). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0269](#) 20. [On](#) appeal by Quik Trip Corporation of the conditions of a site plan for property at 1501 E. Grand Avenue, (3-6-17). **Moved by Hensley to adopt. Motion Carried 7-0.**
21. On items regarding the budget, (3-6-17):
- [17-0270](#) (A) [On](#) consideration of the recommended Capital Improvement Program for fiscal years 2017-2018 through 2022-2023. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0271](#) (B) [On](#) amendment to the annual budget for current fiscal year ending June 30, 2017. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0272](#) (C) [On](#) proposed budget for the fiscal year ending June 30, 2018. **Moved by Gatto to adopt. Motion Carried 7-0.**

22. Items regarding proposed General Obligation Bonds for the following, (3-6-17): ([Council Communication No. 17-102](#))

- [17-0273](#) (A) [Resolution](#) electing classifications and procedures for proposed bond projects. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0274](#) (B) [On](#) issuance of not to exceed \$25,420,000 (for Essential Corporate Purposes). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0275](#) (C) [On](#) issuance of not to exceed \$4,550,000 (for Essential Corporate Urban Renewal Purposes). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0276](#) (D) [On](#) issuance of not to exceed \$7,780,000 (for Essential Corporate Urban Renewal Purposes). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0277](#) (E) [On](#) issuance of not to exceed \$955,000 (for General Corporate Purposes). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0278](#) (F) [On](#) issuance of not to exceed \$995,000 (for General Corporate Purposes). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0279](#) (G) [On](#) issuance of not to exceed \$920,000 (for General Corporate Purposes). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0280](#) (H) [On](#) issuance of not to exceed \$735,000 (for General Corporate Purposes). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0281](#) (I) [On](#) issuance of not to exceed \$970,000 (for General Corporate Purposes). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0282](#) (J) [On](#) issuance of not to exceed \$520,000 (for General Corporate Purposes). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0283](#) (K) [On](#) issuance of not to exceed \$970,000 (for General Corporate Purposes). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0284](#) (L) [On](#) issuance of not to exceed \$740,000 (for General Corporate Purposes). **Moved by Hensley to adopt. Motion Carried 7-0.**

## LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [17-0285](#) 23. [Approving](#) payment to Ahlers & Cooney, PC Law Firm with respect to general matters, \$416.50. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0286](#) 24. [Approving](#) retention of Charles Becker and Belin McCormick, PC for representation on environmental issues related to landfills. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0287](#) 25. [Approving](#) payment to Jose Esteban for a workers' compensation claim. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0288](#) 26. [Approving](#) payment for the property damage claim of Hickman Properties. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0289](#) 27. [Approving](#) payment for the property claim of Benjamin D. Nichols. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0290](#) 28. [Approving](#) payment for the property claim of Lisbeth Aguilar. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0291](#) 29. [Approving](#) payment for the property claim of Bryan and Kasandra Hufford. **Moved by Hensley to adopt. Motion Carried 7-0.**

## CITY MANAGER COMMUNICATIONS

- [17-0292](#) 30. [Submitting](#) travel and training requests for Pa Goldbeck, Laura Graham, Rebecca Peppmeier, Alisha Rankin, Diane Rauh, Hannah Schabilion, Eric Scott, Trudy Simonson, Paul Stout, Theodore Stroope and Steve Woody. ([Council Communication No. 17-101](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

## APPROVING

- [17-0293](#) 31. **Preliminary** Terms of Agreement with Thompson Properties, LC for the construction of a new 50,000 square foot warehouse and operations center at 1105 and 1125 E. Broadway. ([Council Communication No. 17-084](#)) **Moved by Hensley to receive, file and approve the preliminary terms of agreement as set forth in the Council Communication No. 17-084 and to direct the Office of Economic Development to proceed with negotiation of a formal agreement with Thompson Properties, LC consistent with the terms set forth in Council Communication No. 17-084. Motion Carried 7-0.**
- [17-0294](#) 32. **Support** of an application for Economic Development Assistance from the Iowa Economic Development Authority (IEDA) and approving preliminary terms of agreement with Cognizant Technology Solutions U.S. Corporation and the Iowa Economic Development Authority (IEDA). ([Council Communication No. 17-083](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0295](#) 33. **Fifth** Extension of Agreement with Airport Authority to May 31, 2017. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0296](#) 34. **\$50,000** contribution to Iowa Agricultural Water Alliance to implement conservation practices through the Natural Resource Conservation Service Regional Conservation Partnership Program. ([Council Communication No. 17-074](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0297](#) 35. **Receipt** of communication from the Highland Park SSMID Board regarding the recommended budget for the Highland Park Self-Supported Municipal Improvement District (SSMID) for Fiscal Year commencing July 1, 2017. **Moved by Hensley to receive and file. Motion Carried 7-0.**
- [17-0298](#) 36. **Directing** the City Manager to establish an open data program, implement a plan to develop reasonable practices, require Department Directors to compile data in approved form, develop a system for use and dissemination of data and report to Council. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0299](#) 37. **Proposal** for Insurance Agent Broker Services and authorizing the City Manager to negotiate and execute a contract with Jester Insurance Services, Inc. in the amount of \$50,000 per year beginning March 1, 2017 for three years with up to three automatic one-year renewal terms at \$52,500 per year. ([Council Communication No. 17-103](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0300](#) 38. **Donation** and Construction Agreement with Musco Sports Lighting, LLC regarding Fifth Street Bridge Lighting. ([Council Communication No. 17-078](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**



- [17-0301](#) 39. [Grant](#) application for the FY2018 Governor’s Traffic Safety Bureau (GTSB), \$194,400. ([Council Communication No. 17-077](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0302](#) 40. [Communication](#) from Downtown Community Alliance on behalf of the Iowa State Fair requesting approval of banner designs for banners to be displayed on Locust Street, Grand Avenue, and E. Locust Street in July and August, 2017. **Moved by Hensley to receive, file and approve banner design. Motion Carried 7-0.**
- [17-0303](#) 41. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of February 20 and 27, 2017; and to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of February 20 and 27, 2017 and to draw checks for biweekly payroll due on March 3, 2017. **Moved by Hensley to adopt. Motion Carried 7-0.**

**ORDINANCES - FINAL CONSIDERATION**

- [17-0304](#) 42. [Amending](#) Chapter 114 of the Municipal Code regarding traffic regulation changes as follows: **Moved by Hensley that this ordinance do now pass, #15,559. Motion Carried 7-0.**
  - (A) One-side parking restriction – Carman Estates Plat 9.
  - (B) Renumbering Municipal Code sections to agree with alphabetical order.
  - (C) Municipal Code updates related to the renaming of Army Post Road to Willow Creek Avenue.
  - (D) Snow route modifications – 55<sup>th</sup> Street.

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

**ORDINANCES - FIRST CONSIDERATION**

- [17-0305](#) 43. [Amending](#) Chapter 114 of the Municipal Code submitting traffic regulation changes as follows: ([Council Communication No. 17-098](#)) **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
  - (A) Code modifications related to Lake View Ridge Plat 1 residential development, SE 34<sup>th</sup> Street.
  - (B) Code correction – E. 50<sup>th</sup> Street.
- [17-0306](#) 44. [Amending](#) Chapter 118 of the Municipal Code regarding a Private Property Protection Program. ([Council Communication No. 17-075](#)) **Moved by Gray that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- [17-0307](#) 45. [Amending](#) Chapter 118 of the Municipal Code regarding Stormwater Management Utility (Best Management Rebate Program). ([Council Communication No. 17-076](#)) **Moved by Westergaard that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

#### COUNCIL REQUESTS

- [17-0308](#) 45-I [Request](#) from Council Member Skip Moore to allow Iowa Citizens for Community Improvement to speak regarding the Des Moines Water Works. **Moved by Hensley to receive and file comments. Motion Carried 7-0.**

#### COMMUNICATIONS/REPORTS

- [17-0309](#) 46. [From](#) Dante Vignaroli, 710 39<sup>th</sup> Street, to speak regarding a National 3x3 Basketball Tournament. **Moved by Hensley to receive and file comments. Motion Carried 7-0.**

#### HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 47 THRU 56)

- [17-0310](#) 47. [On](#) vacation and conveyance of a portion of the east/west alley right-of-way lying north of and adjoining 816 Shaw Street to Linda K. Casas, \$75. ([Council Communication No. 17-091](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [17-0311](#) (A) [First](#) consideration of ordinance above. **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- [17-0312](#) (B) Final consideration of ordinance above, 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, [#15,560](#). Motion Carried 7-0.**

- [17-0313](#) 48. [On](#) conveyance of a permanent easement for air space above City-owned property and a permanent easement for encroachment on vacated City alley located north of and adjoining 401 Locust Street to Hotel Des Moines, LP, \$14,300. ([Council Communication No. 17-100](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [17-0314](#) 49. [On](#) conveyance of a permanent easement for encroachment on City-owned property adjoining 2208 Maish Court to Douglas Rian Roby and Barbara Ann Roby, \$25, and adjoining 2240 Maish Court to Kenneth J. Richards, \$25. ([Council Communication No. 17-099](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [17-0315](#) 50. [On](#) request from Commercial Bag & Textile, Inc. to rezone a portion of 1244 2<sup>nd</sup> Avenue

from Ltd. “M-1” (Light Industrial) to amended Ltd. “M-1” to allow the owner to retain buildings constructed on the property inadvertently without masonry block material. **Moved by Gray to adopt. Motion Carried 7-0.**

[17-0316](#)

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

[17-0317](#)

(B) [Final](#) consideration of ordinance above (waiver requested by the applicant), requires six votes. **Moved by Gray 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, [#15,561](#). Motion Carried 7-0.**

[17-0318](#)

51. [On](#) request from 4000 Ingersoll Park Houses, LP to amend the Plymouth Congregational Church PUD Conceptual Plan for property located at 4016-4126 Ingersoll Avenue, 526-550 40<sup>th</sup> Street and 527-535 41<sup>st</sup> Street to remove the proposed office space on the ground floor and increase the dwelling units from 24-26, subject to conditions. **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-0319](#)

52. [On](#) approval of the Second Amendment to Lease Agreement with SRE Bulldog Hotel Owner, LLC for the Des Moines Marriott Downtown. ([Council Communication No. 17-095](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Coleman.**

[17-0320](#)

53. [On](#) adoption by reference in Chapter 60 of the International Property Maintenance Code 2015 Edition. ([Council Communication No. 17-082](#)) **Moved by Westergaard to adopt. Motion Carried 7-0.**

[17-0321](#)

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

[17-0322](#)

(B) [Final](#) consideration of ordinance above (waiver requested by the Community Development Director), requires six votes. **Moved by Westergaard 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, [#15,562](#). Motion Carried 7-0.**

[17-0323](#)

(C) [Amendment](#) to the schedule of Administrative Penalties. **Moved by Westergaard to adopt. Motion Carried 7-0.**

[17-0324](#) 54. **On** Park Avenue Elementary Pedestrian Bridge Removal and Site Improvements: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating lowest responsible bidder as T K Concrete Inc. (Tony J. Ver Meer, President), \$551,765.75. ([Council Communication No. 17-094](#)) **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Gatto and Moore.**

[17-0325](#) (A) **Approving** contract and bond and permission to sublet. **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Gatto and Moore.**

[17-0326](#) (B) **Agreement** for cooperative public service with the Des Moines Independent School District for the removal of the pedestrian bridge crossing SW 9<sup>th</sup> Street and construction of the associated improvements. ([Council Communication No. 17-092](#)) **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Gatto and Moore.**

[17-0327](#) 55. **On** SW 14<sup>th</sup> Street and McKinley Avenue Traffic Signal Replacement: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating lowest responsible bidder as Voltmer Electric, Inc. (Gerad Voltmer, Vice President), \$150,368.21. ([Council Communication No. 17-097](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-0328](#) (A) **Approving** contract and bond and permission to sublet. **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-0329](#) 56. **On** continuation of hearing on Walnut Street Bus Lane from 9<sup>th</sup> Street to 10<sup>th</sup> Street to March 20, 2017 at 5:00 PM. (Continued from February 6, 2017 meeting) ([Council Communication No. 17-088](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

\*\*\* END OF HEARINGS AT 5:52 PM \*\*\*

[17-0330](#) MOTION TO ADJOURN. **Moved by Hensley to adjourn at 5:59 PM. Motion Carried 7-0.**