



\*\*\* 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**

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

**Municipal Service Center, Council Chambers**

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

**Des Moines, Iowa 50317**

June 12, 2017

4:30 PM

I. **CLOSED SESSION – Ewing Conference Room 213 - 4:00 PM**

[17-0933](#)

(A) Roll Call. **Present: Coleman, Gatto, Gray, Hensley, Moore and Westergaard. Absent: Cownie. Mayor Cownie entered the meeting during item B.**

[17-0934](#)

(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 Moore to adopt. Motion Carried 6-1. Absent: Cownie.**

[17-0935](#)

(C) Closed Session.

[17-0936](#)

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

[17-0937](#)

(E) Motion to adjourn. **Moved by Gatto to adjourn at 4:29 PM. Motion Carried 7-0.**

\* \* \* \* \*

**INVOCATION:** Council Member Hensley

- [17-0938](#) 1. ROLL CALL: **Present: Cownie, Coleman, Gatto, Gray, Hensley, Moore and Westergaard.**
- [17-0939](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0940](#) 3. APPROVING CONSENT AGENDA \* – items 3 through 47: **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**

- [17-0941](#) 4. **Approving Alcoholic Beverage License Applications for the following: Moved by Hensley to adopt all items except item F. Motion Carried 7-0. Moved by Coleman to continue item F to the June 26, 2017 Council meeting. Motion Carried 7-0. Council Member Coleman votes “NO” on items M, O, and X. Council Member Gatto declares a conflict of interest and abstains from voting on item N.**

**NEW APPLICATIONS**

(A) BERK AND CHESTERS	5800 FLEUR DR	C Liquor
<del>(B) BIG ALS BBQ &amp; CATERING</del>	<del>1810 ARMY POST RD</del>	<del>C Liquor</del>
(C) PITA PIT	200 4TH ST	C Liquor
(D) PORTERMILL	5800 FLEUR DR	C Liquor
(E) STOCKMANS INN	3000 E GRAND AVE	B Beer
(F) TIPSY CROW TAVERN	102 3RD ST	C Liquor
(G) TRIPLE DOUBLE	910 HULL AVE	C Liquor

**RENEWAL APPLICATIONS**

(H) AKEBONO RESTAURANT	215 10TH ST	C Liquor
(I) BLANK PARK ZOO	7401 SW 9TH STREET	C Liquor
(J) BLAZE PIZZA	300 W MLK JR PKWY	C Beer/Wine
(K) CJS II	316 E 30TH ST	C Liquor
(L) COURT AVENUE BREWING CO	309 COURT AVE	C Liquor
(M) EXPRESS GROCERY STORE	3428 MLK JR PKWY	C Beer
(N) FORTE BANQUET	615 3RD ST	C Liquor
(O) GIT N GO STORE #11	3940 E 29TH ST	C Beer
(P) KELLYS LITTLE NIPPER	1701 E GRAND AVE	C Liquor

(Q)	LA FAVORITA	1700 E GRAND AVE	C Beer
(R)	MAGNOLIA	1420 LOCUST ST	C Liquor
(S)	NEW CHINA BUFFET & GRILL	1201 E ARMY POST	B Beer
(T)	QUICK STAR	2701 INGERSOLL	C Beer
(U)	QUIK TRIP #516	1000 E UNIVERSITY	C Beer
(V)	QUIK TRIP #535	1501 E GRAND AVE	C Beer
(W)	STREETCAR 209/ROOFTOP *(1)	525 E GRAND AVE	C Liquor
(X)	TOBACCO OUTLET PLUS #519	3019 SE 14TH ST	C Beer

### SPECIAL EVENT APPLICATIONS

(Y) CAPTAIN ROYS 1900 SAYLOR RD Fourteen (14) Day License  
Class B Beer License for events on July 3 – 16, 2017.

(Z) COMMONS OFF THE CLOCK 313 WALNUT ST Five (5) Day License  
Class B Beer License for an event on June 23, 2017.

(AA) COMMONS OFF THE CLOCK 313 WALNUT ST Five (5) Day License  
Class B Beer License for an event on July 7, 2017.

(BB) EMBASSY CLUB – WFP 100 LOCUST ST Five (5) Day License  
Class C Liquor License for an event on June 16, 2017.

(CC) GREATER DSM MUSIC 1307 LOCUST ST Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for 80/35 Music Festival on July 7 – 8, 2017.

(DD) GREATER DSM MUSIC 1013 LOCUST ST Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for 80/35 Music Festival on July 7 – 8, 2017.

(EE) GREATER DSM MUSIC 1418 GRAND AVE Five (5) Day License  
Class C Liquor License for 80/35 Music Festival on July 7 – 8, 2017.

(FF) GREATER DSM MUSIC 1102 LOCUST ST Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for 80/35 Music Festival on July 7 – 8, 2017.

(GG) HY VEE 4025 TONAWANDA Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for Shakespeare on the Lawn on June 15 - 19, 2017.

(HH) IOWA BEEF STEAK HOUSE 1201 E EUCLID AVE Five (5) Day License  
Class C Liquor License for bike night on June 27, 2017.

(II) ROR 710 CORNING AVE Five (5) Day License  
Class B Beer License for Rendezvous on Riverview event on July 7, 2017.

(JJ) ROR 710 CORNING AVE Five (5) Day License  
Class B Beer License for Rendezvous on Riverview event on July 14, 2017.

(KK) ROR 710 CORNING AVE Five (5) Day License  
Class B Beer License for Rendezvous on Riverview event on July 21, 2017.

(LL) WOODYS PICKLE SHACK      1500 E ARMY POST      Five (5) Day License  
Class B Beer License for bike night on July 6, 2017.

- [17-0942](#)      5. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits. **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Cownie and Moore.**
- [17-0943](#)      6. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Hensley to adopt. Motion Carried 7-0.**

## **PUBLIC IMPROVEMENTS**

7. Ordering construction of the following:
- [17-0944](#)      (A) [2017](#) Traffic Signal Repairs and E. Grand Complete Street Conversion: Receiving of bids, (6-27-17), Setting date of hearing, (7-10-17). Construction estimate, \$382,000. ([Council Communication No. 17-478](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0945](#)      (B) [Parks](#) Restroom Facilities: Receiving of bids, (6-27-17). Setting date of hearing, (7-10-17). Construction estimate, \$99,000. ([Council Communication No. 17-473](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0946](#)      8. [Approving](#) Change Order No. 2 with Cramer and Associates, Inc. for the Grand Avenue Bridge over Des Moines River Replacement, not to exceed \$38,788.40. ([Council Communication No. 17-477](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
9. Approving private construction contracts between The Underground Company, LLC and Easter Lake Land Company, LLC. for the following:
- [17-0947](#)      (A) [Sanitary](#) Sewer Improvements in Lakeview Ridge Plat 2 along SE 34<sup>th</sup> Street, south of Evergreen Avenue. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0948](#)      (B) [Storm](#) Sewer Improvements in Lakeview Ridge Plat 2 along SE 34<sup>th</sup> Street, south of Evergreen Avenue. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0949](#)      10. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects. **Moved by Hensley to adopt. Motion Carried 7-0.**

11. Accepting completed construction and approving final payment for the following:

- [17-0950](#) (A) [2016](#) Sidewalk Replacement Program, TK Concrete, Inc. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0951](#) (B) [2017](#) Municipal Building Reroofing – Contract 1, Academy Roofing & Sheet Metal of the Midwest, Inc. d/b/a Academy Roofing & Sheet Metal Co. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0952](#) (C) [SW](#) 9<sup>th</sup> Widening – Titus Avenue to Kenyon Avenue, Concrete Technologies. **Moved by Hensley to adopt. Motion Carried 7-0.**

### **SPECIAL ASSESSMENTS**

- [17-0953](#) 12. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2017-05. **Moved by Hensley to adopt. Motion Carried 7-0.**
13. Approving deletion of NAC-Emergency Assessment at the following:
- [17-0954](#) (A) [1322](#) Idaho Street. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0955](#) (B) [687](#) 28<sup>th</sup> Street. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0956](#) (C) [2019](#) 30<sup>th</sup> Street from 2016. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0957](#) (D) [2019](#) 30<sup>th</sup> Street from 2013. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0958](#) (E) [2019](#) 30<sup>th</sup> Street from 2012. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0959](#) (F) [832](#) 24<sup>th</sup> Street from 2005. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0960](#) (G) [832](#) 24<sup>th</sup> Street from 2014. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0961](#) (H) [832](#) 24<sup>th</sup> Street from 2015, Roll Call 15-1234. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0962](#) (I) [832](#) 24<sup>th</sup> Street from 2015, Roll Call 15-1771. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0963](#) (J) [832](#) 24<sup>th</sup> Street from 2011. **Moved by Hensley to adopt. Motion Carried 7-0.**

## LAND/PROPERTY TRANSACTIONS

- [17-0964](#) 14. [Authorizing](#) and approving release of easement for public utility and easement for drainage within Central Terminal Park Subdivision (Mattern Avenue and E. 17<sup>th</sup> Street). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0965](#) 15. [Approval](#) of PUD Restoration and Subdivision Bond for Beaver Cove Plat 1, located at 4209 Lower Beaver Road. ([Council Communication No. 17-461](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0966](#) 16. [Approving](#) Final Subdivision Plat Brook Landing Plat 1, located in the vicinity of 3300 E. 56<sup>th</sup> Street. ([Council Communication No. 17-463](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0967](#) 17. [Approving](#) Final Subdivision Plat Summersfield Plat 3, located east of E. 46<sup>th</sup> Street and southeast of Hubbell Avenue. ([Council Communication No. 17-468](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

## BOARDS/COMMISSIONS/NEIGHBORHOODS

- [17-0968](#) 18. [Approving](#) recommendation from the Urban Design Review Board to reappoint Amanda Nagle to the Skywalk Committee, Seat 2, for the remainder of the term expiring on June 30, 2019. **Moved by Hensley to approve the reappointment of Amanda Nagle to Seat 2 of the Skywalk Committee for the remainder of the term expiring on June 30, 2019. Motion Carried 7-0.**

## COMMUNICATIONS FROM PLANNING AND ZONING

- [17-0969](#) 19. [Regarding](#) request from Larry Butler for vacation of a dead-end segment of SW 19<sup>th</sup> Street adjoining 1821 Frazier Avenue to allow private access to garage. **Moved by Hensley to receive and file communication from the Plan and Zoning Commission and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**
- [17-0970](#) 20. [Regarding](#) request from 322 E Court, LLC for vacation of the east/west alley adjoining 322 E. Court Avenue to allow it to be assembled with the adjoining parcels. **Moved by Hensley to receive and file communication from the Plan and Zoning Commission and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0. Motion Carried 7-0.**
- [17-0971](#) 21. [Regarding](#) petition to establish the Sherman Hill Self-Supported Municipal Improvement District (SSMID) and to set the date of hearing, (7-10-17). **Moved by Hensley to adopt. Motion Carried 7-0.**

## SETTING DATE OF HEARINGS

- [17-0972](#) 22. On conveyance of City-owned property at 911 25<sup>th</sup> Street to Mark and Nancy McCaune, \$15,000 and payment of delinquent taxes and special assessments, (6-26-17). ([Council Communication No. 17-469](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0973](#) 23. On request from Arnold Dewitt to rezone property in the vicinity of 3917 Mahaska Avenue from “R1-60” (One-Family Low-Density Residential) to “C-2” (General Retail and Highway-Oriented Commercial) to allow expansion of the existing mini-warehouse complex, subject to conditions, (6-26-17). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0974](#) 24. On the proposed Second Amendment to the Urban Renewal Plan for the Ingersoll-Grand Commercial Urban Renewal Area, (7-24-17). ([Council Communication No. 17-471](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0975](#) 25. On proposed Citizen Participation Plan for the U.S. Department of Housing and Urban Development Consolidated Plan, (7-24-17). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0976](#) 26. On Des Moines Parks and Recreation Department request to vacate Royal Park at 1809 8<sup>th</sup> Street, (6-26-17). ([Council Communication No. 17-460](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

## LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [17-0977](#) 27. Approving payment of billings from the Belin McCormick Law Firm on matters related to environmental issues related to landfills, \$845. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0978](#) 28. Approving payment to Kenworthy Law, PC on matters related to construction disputes, \$16,052.65. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0979](#) 29. Approving payment to Peddicord, Wharton, Spencer, Hook, Barron & Wegman, LLP to represent former Police Officer Tyson Teut, \$737.50. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0980](#) 30. Approving payment to Derek Thomas for a personal injury claim. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0981](#) 31. Approving payment to Thanh Tran for a property claim. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0982](#) 32. Approving payment to Timothy Wahl for a property claim. **Moved by Hensley to adopt.**

**Motion Carried 7-0.**

## **CITY MANAGER COMMUNICATIONS**

- [17-0983](#) 33. [Submitting](#) travel and training requests for Benjamin Campbell and John Tekippe. ([Council Communication No. 17-486](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

## **APPROVING**

- [17-0984](#) 34. [First](#) Amendment to the Development Agreement with Eagle View Lofts, LLC for the redevelopment of property located at SE 6<sup>th</sup> Street and Shaw Street, extending the construction deadline to September 30, 2017. ([Council Communication No. 17-472](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [17-0985](#) 35. [Issuance](#) of Certificate of Completion to Iowa Machine Shed Co. for the AC Hotel at 401 E. Grand Avenue. **Moved by Hensley to adopt. Motion Carried 7-0.**

- [17-0986](#) 36. [Amendment](#), Assumption, and Subordination of Neighborhood Stabilization Program Agreement with Neighborhood Development Corporation (NDC) for 1938 SE 6<sup>th</sup> Street (Sevastopol Station). ([Council Communication No. 17-462](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

37. Items regarding Tax Sale Certificates:

- [17-0987](#) (A) [Request](#) to Polk County Treasurer for Tax Sale Certificates and acquisition of properties through tax sale process. ([Council Communication No. 17-459](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [17-0988](#) (B) [Request](#) to Polk County Board of Supervisors to assign Tax Sale Certificates to the City, authorization for execution of Polk County Agreements, approval of City acquisition of properties 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. 17-459](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [17-0989](#) 38. [Amendment](#) to Agreement with Carney & Appleby, PLC to provide State Legislative Lobbying Services. ([Council Communication No. 17-485](#)) **Moved by Hensley to approve. Motion Carried 7-0.**

- [17-0990](#) 39. [Proposal](#) from RDG Planning and Design for professional consultant services for the development of a Parks and Recreation Comprehensive Plan, \$249,638. ([Council Communication No. 17-458](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**



- [17-0991](#) 40. [Metropolitan](#) Planning Organization (MPO) Work Plan and Assessment for Fiscal Year 2017-18, \$210,330. ([Council Communication No. 17-466](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0992](#) 41. [Use](#) of various City Facilities as poll sites for the School Election on Tuesday, September 12, 2017. **Moved by Hensley to approve. Motion Carried 7-0.**
42. Approving banner applications from the following:
- [17-0993](#) (A) [Just](#) Go Faster requesting approval for a start and finish arch to be displayed on June 17, 2017, for the Run to Exile on Walnut Street at Exile Brewing Co. **Moved by Hensley to receive, file and approve. Motion Carried 7-0.**
- [17-0994](#) (B) [Des](#) Moines Arts Festival requesting approval for banners to be placed on scaffolding entrances at 12th & Grand, 12th & Locust, 12th & Walnut, and 16th & Locust on June 23 through June 25, 2017. **Moved by receive, file and approve. Motion Carried 7-0.**
43. Release of fire escrow at the following:
- [17-0995](#) (A) [2711](#) South Union Street. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0996](#) (B) [2411](#) Woodland Avenue. **Moved by Hensley to adopt. Motion Carried 7-0.**
44. Bids from the following:
- [17-0997](#) (A) [Communication](#) Innovators (Josh Knight, President) for fiber optic cable installation services for connection between the Armory, City Hall and Police Department building for use by the IT Department, \$30,467. (Thirteen (13) potential bidders, six received). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0998](#) (B) [SupplyWorks](#) (Michael Mulhern, CEO) for an industrial riding sweeper to be used at the municipal parking garages per US Communities Contract for use by the Engineering Department, \$64,649.28. ([Council Communication No. 17-476](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0999](#) (C) [Intergraph](#) Corporation d/b/a Hexagon Safety & Infrastructure (Steven Cost, President) as sole area-wide distributor for procurement of an upgrade to the City's existing Computer Aided Dispatch (CAD) system for use by the Police Department, \$604,956.20. ([Council Communication No. 17-457](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [17-1000](#) (D) [IPS](#) Group (Dave King, President) as sole area-wide distributor for monthly software support fees and transaction fees for credit card enabled meters during fiscal year 2017 for use by the Engineering Department, additional \$20,000. ([Council Communication No. 17-475](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- (E) Now item 44-I.
- [17-1001](#) 44-I [Non](#)-competitive procurement for access to electronic research materials and services for fiscal year 2018 from Thomson Rueters to be used by the Legal Department, estimated annual cost \$30,000. ([Council Communication No. 17-484](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1002](#) 45. [Exception](#) to the procurement ordinance request for proposals requirement for good cause and authorizing the Information Technology Director to negotiate and execute an agreement with Nestingen, Inc. d/b/a RelyDB for database administrative and architectural services. ([Council Communication No. 17-470](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1003](#) 46. [Civil](#) Service Entrance Lists for Customer Service Representative, Facilities Administrative Coordinator and GIS Manager and Promotional Lists for Senior Radio Technician, Fire Captain and Medium Equipment Operator. **Moved by Hensley to receive and file. Motion Carried 7-0.**
- [17-1004](#) 47. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of June 12 and June 19, 2017; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of June 12 and June 19, 2017; and to draw checks for biweekly payroll due on June 23, 2017. **Moved by Hensley to adopt. Motion Carried 7-0.**

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

## ORDINANCES - FINAL CONSIDERATION

- [17-1005](#) 48. [Amending](#) Chapter 46 of the Municipal Code regarding fireworks and pyrotechnic special effects material, as amended. **Moved by Gatto that this ordinance do now pass, #15,586. Motion Carried 4-3. Nays: Cownie, Hensley and Westergaard.**

## ORDINANCES - SECOND CONSIDERATION

- [17-1006](#) 49. [Amending](#) Chapter 60 of the Municipal Code regarding real estate contract sales inspections, as amended. ([Council Communication No. 17-465](#)) **Moved by Hensley that this ordinance be considered and given second vote for passage; refer to the City Manager to schedule a Work Session on this topic prior to final consideration of the ordinance. Motion Carried 7-0.**

## ORDINANCES - FIRST CONSIDERATION

- [17-1007](#) 50. [Amending](#) Chapters 42 and 102 of the Municipal Code regarding maintenance of border areas. ([Council Communication No. 17-479](#)) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- [17-1008](#) 51. [Amending](#) Chapter 114 of the Municipal Code regarding the Traffic Safety Advisory Committee. ([Council Communication No. 17-483](#)) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

## COUNCIL REQUESTS

- [17-1009](#) 52. [From](#) Christine Hensley to speak regarding a limited-duration moratorium on allowing any rentals within secondary dwelling units. **Moved by Hensley to receive and file comments and refer to the City Manager and City Attorney for review and recommendation and to schedule a Work Session on this topic. Motion Carried 7-0.**

## COMMUNICATIONS/REPORTS

- [17-1010](#) 53. [From](#) K. Pat Reynolds, 3104 Scott Street, New Virginia, to speak regarding non-compliance of violations at 1220 Kenyon Avenue. **Moved by Hensley to receive and file comments and refer to the City Manager and ask staff to reach out to Mr. Reynolds to discuss the process. Motion Carried 7-0.**
- [17-1011](#) 54. [From](#) Heather Ryan, 1253 E. 37<sup>th</sup> Court, to speak regarding the Odor Hotline and the Odor Board. **Moved by Westergaard to receive and file comments and document presented by Ms. Ryan. Motion Carried 7-0.**

## APPROVING

- [17-1012](#) 55. [Review](#) of Zoning Board of Adjustment decision granting an amendment to a use variance to allow the outdoor seating area to be on the north side of the building, rather than along the west side of the building at a restaurant selling alcoholic liquor, wine and beer at 2301 SW 9<sup>th</sup> Street, subject to conditions. ([Council Communication No. 17-467](#)) **Moved by Gatto to receive and file the staff report and comments received, and to adopt alternative C. (C) The City Council declines to remand the decision to the Zoning Board of Adjustment. The decision of the Board becomes final on this date. Motion Carried 7-0.**
- [17-1013](#) 56. [Appointment](#) of Robert Fagen as Finance Director and confirmation as City Treasurer. **Moved by Moore to adopt. Motion Carried 7-0.**

## HEARINGS (OPEN AT 5:25 P.M.) (ITEMS 57 THRU 63)

- [17-1014](#) 57. [On](#) vacation of a portion of City right-of-way adjoining 2301 Ingersoll Avenue and conveyance of a subsurface easement therein to 23 Ingersoll LLC, \$1,425. ([Council Communication No. 17-474](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1015](#) (A) [First](#) consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [17-1016](#) (B) 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, # [15,587](#). Motion Carried 7-0.**
- [17-1017](#) 58. [On](#) conveyance of vacated City right-of-way located south of and adjoining 4080 SE 15<sup>th</sup> Court to Joseph P. Lasack and Teresa A. Lasack, \$50. ([Council Communication No. 17-480](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-1018](#) 59. [On](#) conveyance of City-owned property located at 1720 7<sup>th</sup> Street to Hat Trick Renovation, LLC for redevelopment of housing and approving Acquisition Agreement. ([Council Communication No. 17-464](#)) **Moved by Gray to adopt. Motion Carried 7-0.**

[17-1019](#) 60. On request from Solid Ground LLC to rezone property located at 150 East County Line Road from “R1-80” (One-Family Residential District) to Limited “R1-60” (One-Family Low-Density Residential District) to allow subdivision of the property for minimum 60-foot wide single-family residential lots, subject to conditions. **Moved by Gatto to continue to the June 26, 2017 City Council meeting at 5:00 PM. Motion Carried 7-0.**

WITHDRAWN

[17-1020](#) (A) ~~First consideration of ordinance above.~~

WITHDRAWN

[17-1021](#) (B) ~~Final consideration of ordinance above (waiver requested by the applicant), requires six votes.~~

[17-1022](#) 61. Continuing hearing on request from Extreme Auto Plaza, Inc. to rezone property at 1453 E. 14<sup>th</sup> Street from Ltd. “C-2” (General Retail and Highway-Oriented Commercial) and “R-2A” (General Residential) to an amended Ltd. “C-2” to **June 26, 2017 at 5:00 PM.** (continued from May 22, 2017) **Moved by Westergaard to adopt. Motion Carried 7-0.**

[17-1023](#) 62. On Lower Oak and Highland Park Sewer Separation Phase 1: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Rognes Corp. d/b/a Rognes Corporation (Warren Rognes, President), \$2,448,565. ([Council Communication No. 17-481](#)) **Moved by Westergaard to adopt. Motion Carried 7-0.**

[17-1024](#) (A) Approving contract and bond, and permission to sublet. **Moved by Westergaard to adopt. Motion Carried 7-0.**

[17-1025](#) 63. On MacRae Park Road Reconstruction from Davis Avenue 500 feet North: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as TK Concrete Inc. (Tony J. Ver Meer, President), \$214,627. ([Council Communication No. 17-482](#)) **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Gray and Moore.**

[17-1026](#) (A) Approving contract and bond, and permission to sublet. **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Gray and Moore.**

\*\*\* END OF HEARINGS AT 5:35 PM \*\*\*

[17-1027](#) MOTION TO ADJOURN. **Moved by Gatto to adjourn at 6:10 PM. Motion Carried 7-0.**

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All-America City  
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