



*** 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

July 24, 2017

4:30 PM

I. **CLOSED SESSION – 3:15 PM - Ewing Conference Room 213**

- [17-1206](#) (A) Roll Call. **Present: Cownie, Gatto, Gray, Hensley, Moore and Westergaard. Absent: Council Member Coleman entered the meeting during item “C”.**
- [17-1207](#) (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 6-1. Absent: Coleman.**
- [17-1208](#) (C) Closed Session.
- [17-1209](#) (D) Terminate closed session and reconvene in open session. **Moved by Moore to adopt. Motion Carried 7-0.**
- [17-1210](#) (E) Motion to adjourn. **Moved by Gatto to adjourn at 4:28. Motion Carried 7-0.**

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PROCLAMATIONS – 4:15 PM

National Night Out

INVOCATION: Council Member Moore

- [17-1211](#) 1. ROLL CALL: **Present: Cownie, Coleman, Gatto, Gray, Hensley, Moore and Westergaard.**
- [17-1212](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1213](#) 3. APPROVING CONSENT AGENDA * – items 3 through 52: **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

- [17-1214](#) 4. Approving Alcoholic Beverage License Applications for the following: **Moved by Hensley to adopt. Motion Carried 7-0.**

NEW APPLICATIONS

(A)	W CHINA BUFFET	100 E EUCLID AVE	B Beer
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RENEWAL APPLICATIONS

(B)	AIRPORT HOLIDAY INN	6111 FLEUR DR	B Liquor
(C)	APPLEBEES NEIGHBORHOOD	3900 MERLE HAY RD	C Liquor
(D)	APPLEBEES NEIGHBORHOOD	6301 SE 14TH ST	C Liquor
(E)	BEECHWOOD LOUNGE *(1)	416 E WALNUT ST	C Liquor
(F)	BOWLERAMA	1313 E DIEHL AVE	C Liquor
(G)	CHRISTIANIS EVENTS	520 ROBERT D RAY	C Liquor
(H)	DERRYS LOUNGE	4845 MERLE HAY RD	C Liquor
(I)	DRAKE UNIVERSITY	2875 UNIVERSITY	C Liquor
(J)	EAST SIDE EDDIES	3517 E 26TH ST	C Liquor
(K)	EL PATIO MEXICAN	611 37TH ST	C Liquor
(L)	GIT N GO STORE #26	2140 E PARK AVE	C Beer
(M)	GIT N GO STORE #7	3000 MERLE HAY RD	C Beer

(N)	INGERSOLL TAP	2837 INGERSOLL	C Liquor
(O)	JOKERS	216 COURT AVE	C Liquor
(P)	LA HACIENDA MEXICAN	6250 SE 14TH ST	C Liquor
(Q)	LA PIZZA HOUSE	1440 MAURY ST	C Liquor
(R)	LATIN KING RESTAURANT	2200 HUBBELL AVE	C Liquor
(S)	MARGARITA MEXICAN	400 SE 6TH ST	C Liquor
(T)	MISS VS HONKY TONK	1833 HUBBELL AVE	C Liquor
(U)	OLD WEST BARBEQUE	3000 E GRAND AVE	B Beer
(V)	ORLONDOS	4337 PARK AVE	C Liquor
(W)	PHAT DADDYZ BBQ	508 INDIANOLA RD	C Liquor
(X)	RICHARD O JACOBSON	3000 E GRAND AVE	C Liquor
(Y)	RICOCHET	504 E LOCUST ST	C Beer/Wine
(Z)	SAKARI SUSHI LOUNGE	2605 INGERSOLL	C Liquor
(AA)	SMOKIN' JOES #4	2800 E UNIVERSITY	E Liquor
(BB)	STAR BAR	2811 INGERSOLL	C Liquor
(CC)	SUPER QUICK	303 SE 30TH ST	E Liquor
(DD)	TEQUILA RESTAURANT	2824 EASTON BLVD	C Liquor
(EE)	VIVIANS	400 WALNUT ST	C Liquor
(FF)	ZOMBIE BURGER	300 E GRAND AVE	C Liquor

OUTDOOR SERVICE APPLICATIONS

(GG) MAINGATE 2956 E GRAND AVE C Liquor
Temporary from August 10 – 17, 2017 in conjunction with the Iowa State Fair.

SPECIAL EVENT APPLICATIONS

~~(HH) 515 ALIVE 2201 GEORGE FLAGG Five (5) Day License
Class B Beer License for music festival on August 18 – 19, 2017.~~

(II) ABOVE & BEYOND CANCER 800 E GRAND AVE Five (5) Day License
Class B Beer License for 2017 Iowa State Criterium Championship on August 6, 2017. Pending approval of Electrical, Fire, Police and Zoning Departments.

(JJ) BIRDS NEST 3000 E GRAND AVE C Beer/Wine
Fourteen day license for the Iowa State Fair from August 10 – 20, 2017.

(KK) BUDWEISER STAGE 3000 E GRAND AVE B Beer
Fourteen day license for the Iowa State Fair from August 10 – 20, 2017.

(LL) CAPTAIN ROYS 1900 SAYLOR RD Five (5) Day License
Class B Beer License for events on July 31 – August 13, 2017. Pending approval of Buidling and Zoning Departments.

(MM) CAPTAIN ROYS 1900 SAYLOR RD Five (5) Day License
Class B Beer License for events on August 14 - 27, 2017. Pending approval of Zoning Department.

(NN) COMMONS OFF THE CLOCK 313 WALNUT ST Five (5) Day License
Class B Beer License for an event on July 28, 2017.

(OO) DELLA VITI 335 E GRAND AVE Five (5) Day License
Special Class C Liquor License (Beer/Wine) for Protected Bike Lane Demonstration on August 7, 2017.

(PP) GRANDFATHERS BARN 3000 E GRAND AVE C Native Wine
Fourteen day license for the Iowa State Fair from August 10 – 20, 2017.

(QQ) HY VEE 519 PARK ST Five (5) Day License
Special Class C Liquor License (Beer/Wine) for an event on July 29, 2017.

(RR) IOWA CRAFT BEER TENT 3000 E GRAND AVE B Beer
Fourteen day license for the Iowa State Fair from August 10 – 20, 2017.

(SS) KNAPP STAGE 3000 E GRAND AVE B Beer
Fourteen day license for the Iowa State Fair from August 10 – 20, 2017.

(TT) TOP OF THE VINE 3000 E GRAND AVE C Beer/Wine
Fourteen day license for the Iowa State Fair from August 10 – 20, 2017.

- [17-1215](#) 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

- [17-1216](#) 6. [Acceptance](#) of proposal from MidAmerican Energy Company for relocation of electrical facilities for the Leetown Creekway Box Culvert project, \$53,220.49. ([Council Communication No. 17-554](#)) **Moved by Moore to adopt. Motion Carried 7-0.**

- [17-1217](#) 7. [Approving](#) Professional Services Agreement with HR Green, Inc. for the Emergency Balustrade Wall Replacement East Side between Grand Avenue and Locust Street, not to exceed \$86,500. ([Council Communication No. 17-553](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [17-1218](#) 8. [Approving](#) Professional Services Agreement with WSP USA, Inc. for professional services for the Women of Achievement Pedestrian Bridge Inspection, not to exceed \$34,294. ([Council Communication No. 17-558](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [17-1219](#) 9. [Approving](#) Professional Services Agreement with Terracon Consultants, Inc. for Municipal Services Center (MSC) - Phase 2 Environmental and Geotechnical Services, not to exceed \$30,450. ([Council Communication No. 17-556](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

10. Number not used.

- [17-1220](#) 11. [Approving](#) Supplemental Agreement No. 1 to the Professional Services Agreement with Veenstra & Kimm, Inc. for preliminary and final designs and bidding assistance for the River Bend and King Irving Sewer Separation Project, not to exceed \$828,386. ([Council Communication No. 17-557](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1221](#) 12. [Approving](#) Supplemental Agreement No. 1 to the Professional Services Agreement with Veenstra & Kimm, Inc. for design services for the Little Four Mile Trunk Sanitary Sewer Project, not to exceed \$143,266. ([Council Communication No. 17-555](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1222](#) 13. [Approving](#) Private Construction Contract between McAninch Corporation and Bridge District, LLC for paving and storm improvements in Bridge District - Velocity Apartments. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1223](#) 14. [Approving](#) Private Construction Contract between Halbrook Excavating, Inc. and Russell D. Parks for sanitary sewer improvements in Waveland Park Townhomes Plat 1. **Moved by Hensley to adopt. Motion Carried 7-0.**
15. Approving completion of Private Construction Contracts for the following:
- [17-1224](#) (A) [Storm](#) Sewer Improvements, Summersfield Plat 3 located on E. 48th Street, north of E. Merced Street, between McAninch Corporation and Summersfield, LLC. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1225](#) (B) [Sanitary](#) Sewer Improvements, Summersfield Plat 3 located on E. 48th Street, north of E. Merced Street, between McAninch Corporation and Summersfield, LLC. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1226](#) (C) [Paving](#) Improvements, Summersfield Plat 3 located on E. 48th Street, north of E. Merced Street, between Alliance Construction Group, LLC and Summersfield, LLC. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1227](#) 16. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects. **Moved by Hensley to adopt. Motion Carried 7-0.**
17. Accepting completed construction and approving final payment for the following:
- [17-1228](#) (A) [2015](#) Roadway Reconstruction Program, Grimes Asphalt and Paving Corporation. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1229](#) (B) [Traffic](#) Signal Battery Back-Up, Iowa Signal Inc. **Moved by Hensley to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [17-1230](#) 18. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2017-07. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1231](#) 19. [Approving](#) deletion of NAC-Emergency Assessment at 220 E. Wall Avenue. **Moved by Hensley to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [17-1232](#) 20. [Authorizing](#) and approving the relocation of a public ingress and egress easement across a portion of vacated E. 33rd Street and vacated E. Thompson Avenue and a partial release of a public utility easement and agreement to maintain private utilities in place with St. Joseph's Church. **Moved by Hensley to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [17-1233](#) 21. [Admission](#) of the City of Norwalk to the Greater Des Moines Sister Cities Commission. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1234](#) 22. [Approving](#) recommendation from Council Member Bill Gray to appoint William Sherman, Seat 9, on the Greater Des Moines Sister Cities Commission for a 5-year term commencing April 28, 2017 and ending April 28, 2022. **Moved by Hensley to adopt. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [17-1235](#) 23. [On](#) vacation of portions of SE 6th Street and SE 7th Street between vacated E. Market Street and vacated E. Elm Street and conveyance of building encroachment easements; and conveyance of a portion of previously vacated E. Market Street right-of-way between SE 6th Street and SE 7th Street to District at 6th, LLC in exchange for a permanent easement for public ingress and egress over property owned by District at 6th, LLC, (8-14-17). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1236](#) 24. [On](#) vacation and conveyance of City alley right-of-way adjoining 1212 Hutton Street to Katy S. Brown, \$150, (8-14-17). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1237](#) 25. [On](#) conveyance of excess City-owned property at 132 and 136 Reigart Street to Premier Crete, Inc., \$51,030, (8-14-17). **Moved by Hensley to adopt. Motion Carried 7-0.**

- [17-1238](#) 26. On conveyance of an underground electric easement across a portion of Glendale Cemetery to MidAmerican Energy Company, \$1, (8-14-17). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1239](#) 27. On request from ASA, LLC d/b/a Action Auto Body to rezone property at 1501 Keosauqua Way and 1157 15th Street from “C-2” (General Retail and Highway-Oriented Commercial) and “R-3” (Multiple-Family Residential) to Limited “M-1” (Light Industrial), (8-14-17). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1240](#) 28. On request from Brian Johnson to rezone property located at 1916 Dean Avenue from “R1-60” (One-Family Low-Density Residential) to Ltd. “M-1” (Light Industrial) to allow the split-zoned property to be used legally for the owner’s existing roofing contractor business, (8-14-17). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1241](#) 29. On the designation of the Trolley Loop at 49th & University as a local landmark, (8-14-17). **Moved by Hensley to adopt. Motion Carried 7-0.**
30. Directing advertisement for sale of the following General Obligation Bonds, and approving electronic bidding procedures and Official Statement, (bonds will be sold at 10:00 AM on August 2, 2017 and a special Council meeting will be held at 4:30 PM, (8-2-17)): [Preliminary Official Statement](#) ([Council Communication No. 17-561](#))
- [17-1242](#) (A) Series 2017A, \$44,410,000. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1243](#) (B) Series 2017B, \$9,160,000. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1244](#) (C) Series 2017C, \$5,305,000, General Obligation Annual Appropriation Bonds. **Moved by Hensley to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [17-1245](#) 31. Approving payment to Ahlers & Cooney, PC Law Firm with respect to general/bond related matters, \$1,148.33. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1246](#) 32. Approving payment to Belin McCormick Law Firm for consulting and legal services, \$570. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1247](#) 33. Approving payment to Belin McCormick Law Firm on matters related to environmental issues related to landfills, \$1,495. **Moved by Hensley to adopt. Motion Carried 7-0.**

34. Approving payment to the following for workers' compensation claims:

- [17-1248](#) (A) [Mark](#) Bothwell. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1249](#) (B) [Albert](#) Salazar. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1250](#) (C) [Robert](#) Van Cleave. **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-1251](#) 35. [Approving](#) payment to Jacob Shnurman for a condemnation appeal claim. **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-1252](#) 36. [Communication](#) from Legal Department concerning settlements made by the City Attorney, not exceeding \$5,000. **Moved by Hensley to receive, file and affirm settlements made by City Attorney. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

[17-1253](#) 37. [Submitting](#) travel and training requests for Cody Brigman, Timothy Peak, Kevin Risk, Danny White and Lucas Wilson. ([Council Communication No. 17-567](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

APPROVING

[17-1254](#) 38. [Certification](#) of Local Government Approval for Catholic Charities Emergency Family Shelter to receive Emergency Solutions Grant (ESG) Funds from the State of Iowa. **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-1255](#) 39. [Preliminary](#) terms of agreement with Carey Investments, LLC for Neighborhood Commercial Revitalization Program Loan for renovations at 1700 E. University Avenue. ([Council Communication No. 17-562](#)) **Moved by Moore to approve the preliminary terms of agreement as set forth in Council Communication No. 17-562 and to direct the City Manager or his designee to negotiate final terms of agreement for future consideration by the City Council. Motion Carried 7-0.**

[17-1256](#) 40. [First](#) Amendment to Urban Renewal Agreement for Sale of Real Estate with Helena Industries, Inc. for the expansion of its facility at 3525 Vandalia Road. ([Council Communication No. 17-547](#)) **Moved by Moore to adopt. Motion Carried 7-0.**

[17-1257](#) 41. [Agreement](#) with Ingersoll Square Phase III Associates, LP to treat the sale of ownership and control of that entity as a sale of the Ingersoll Square Phase III property owned by that entity for purpose of the Urban Renewal Development Agreement. ([Council Communication No. 17-566](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [17-1258](#) 42. [Sherman](#) Hill Neighborhood Plan update as an element of the PlanDSM: Creating Our Tomorrow Plan. ([Council Communication No. 17-560](#)) **Moved by Hensley to approve. Motion Carried 7-0.**
- [17-1259](#) 43. [Certificate](#) of Completion acknowledging the satisfactory completion of an emergency access road to provide an alternate means of vehicular access to Broadway Business Park Plat 2 in the vicinity of E. 50th Street and Broadway Avenue. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1260](#) 44. [Agreements](#) with Des Moines Area Community College (DMACC) for EMT and Paramedic Training. ([Council Communication No. 17-548](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1261](#) 45. [Seventh](#) extension of agreement with Airport Authority. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1262](#) 46. [Application](#) from LifeServe Blood Center requesting approval to place arch at the finish line for the Run for Blood on August 5th, 2017, subject to approval from appropriate City departments. **Moved by Hensley to receive, file and approve. Motion Carried 7-0.**
- [17-1263](#) 47. [Receive](#) and file Quarterly Treasurer's Report as of June 30, 2017. **Moved by Hensley to receive and file. Motion Carried 7-0.**
48. Abatement of public nuisances at the following addresses:
- [17-1264](#) (A) [1650](#) Martin Luther King Jr. Parkway a/k/a 2003 Washington Avenue. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1265](#) (B) [1108](#) 13th Street. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1266](#) (C) [3017](#) Dean Avenue. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1267](#) (D) [2726](#) Ashby Avenue. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1268](#) 49. [Exception](#) to procurement ordinance competitive bidding requirements for good cause and approving a contract with Carney and Appleby, PLC for design and facilitation of a community education research survey, \$62,000. ([Council Communication No. 17-565](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

50. Purchases from the following:

[17-1269](#)

(A) [Midwest](#) L & I (Stephen Sandahl, President) for 327 trees to be planted along various public right-of-way locations for use by the Public Works Department, \$101,423.78. (Twelve (12) potential bidders, three received). **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-1270](#)

(B) [OneNeck](#) IT Solutions (Terry Swanson, President and CEO) for eight (8) Hewlett Packard servers for use in the upcoming Computer Aided Dispatch (CAD) software update per State of Iowa Contract for use by the Police Department, \$70,172.06. ([Council Communication No. 17-544](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-1271](#)

(C) [Watchguard](#) Video (Stephan Coffman, President) as sole area-wide provider to purchase forty (40) additional body-worn cameras, software licenses and warranties to be compatible with existing equipment for use by the Police Department, \$63,400. ([Council Communication No. 17-545](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-1272](#)

(D) [Heartland](#) Business Systems (Peter Helander, President) for replacement Cisco network equipment for an upgrade to the City's core network per State of Iowa Contract for use by the IT Department, \$512,736. ([Council Communication No. 17-543](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-1273](#)

51. [Civil](#) Service Entrance Lists for Public Works Customer Service Representative, Administrative Assistant, Transportation Planner and Fire Fighter and Promotional Lists for Sewer Cleaning Equipment Operator and Assistant Fire Chief. **Moved by Hensley to receive and file. Motion Carried 7-0.**

[17-1274](#)

52. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of July 24, 31 and August 7, 2017; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of July 24, 31 and August 7, 2017; and to draw checks for biweekly payroll due on August 4, 2017. **Moved by Hensley to adopt. Motion Carried 7-0.**

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

ORDINANCES - FIRST CONSIDERATION

- [17-1275](#) 53. **Amending** Chapter 26 of the Municipal Code regarding buildings and building regulations. (**Council Communication No. 17-546**) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [17-1276](#) (A) **Final** consideration of ordinance above (waiver requested by the Community Development Director), 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, #15,597. Motion Carried 7-0.**
- [17-1277](#) (B) **Amending** the Schedule of Fees for fees imposed by Chapter 26. **Moved by Hensley to adopt. Motion Carried 7-0.**
54. Items regarding the Civil and Human Rights Commission:
- [17-1278](#) (A) **First** consideration of an ordinance amending Chapter 62 of the Municipal Code regarding establishment, appointment, composition and terms. (**Council Communication No. 17-564**) **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [17-1279](#) (B) **Final** consideration of ordinance above (waiver requested by the Human Rights Director), 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, #15,598. Motion Carried 7-0.**
- [17-1280](#) (C) **Approving** amendments to the Civil and Human Rights Commission Rules and Regulations. **Moved by Gatto to adopt. Motion Carried 7-0.**

COUNCIL REQUESTS

- [17-1281](#) 55. **From** Council Member Christine Hensley to revisit the Traffic Analysis Policy requirements and issues regarding it. **Moved by Hensley to receive and file comments and refer to the City Manager for review and recommendation regarding the policy to see if it's working as intended. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

- [17-1282](#) 56. **From** Lisa Legge and residents of Central Iowa Shelter and Services to speak regarding removal or rate reduction of the meters in front of 1420 Mulberry Street. **Moved by Hensley to receive and file. Ms. Legge did not appear at the meeting. Motion Carried 7-0.**
- [17-1283](#) 57. **From** Robert L. Martin, 2117 36th Street, to speak regarding lack of enforcement of the Fireworks Ordinance. **Moved by Gray to receive and file comments. Motion Carried 7-0.**

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 58 THRU 66)

- [17-1284](#) 58. **To** correct the vacation of a segment of Ingersoll Avenue right-of-way located north of and adjoining 539 Polk Boulevard and conveyance to Elizabeth J. Carter and Jared M. Carter, \$150. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1285](#) (A) **First** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [17-1286](#) 59. **On** vacation and conveyance of a dead-end segment of SW 19th Street adjoining 1821 Frazier Avenue to Larry J. Butler and Mary E. Butler, \$300. ([Council Communication No. 17-552](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1287](#) (A) **First** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [17-1288](#) 60. **On** conveyance of vacated City right-of-way located south of and adjoining 12 Fulton Drive to Dustin L. Schaefer and Cynthia A. Schaefer, \$100. ([Council Communication No. 17-550](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-1289](#) 61. **On** conveyance of excess City-owned property at E. 18th Street and Easton Boulevard to Des Moines Independent Community School District, \$1. **Moved by Westergaard to adopt. Motion Carried 7-0.**

62. Items regarding 3212 Merle Hay Road, 5801 Hickman Road and 2315 59th Street, continued from July 10, 2017 meeting.

[17-1290](#)

(A) **Amend** the existing PlanDSM: Creating Our Tomorrow Plan Future Land Use Designation from Low Density Residential and Low-Medium Density Residential to Community Mixed Use. **Moved by Gray to adopt and approve the proposed amendment. Motion Carried 7-0.**

[17-1291](#)

(B) **Hearing** on request from Hy-Vee, Inc. to rezone 3212 Merle Hay Road, 5801 Hickman Road and 2315 59th Street from “R1-60” (One-Family Low-Density Residential) and “C-1” (Neighborhood Retail Commercial) to “C-2” (General Retail and Highway-Oriented Commercial) to allow for anticipated redevelopment with a gas station/convenience store with more than eight fueling locations and a coffee shop with drive-through window. **Moved by Gray to adopt. Motion Carried 7-0.**

[17-1292](#)

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

[17-1293](#)

(D) **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, #15,599. Motion Carried 7-0.**

63. On items regarding request from Hubbell Realty Company to rezone property in the vicinity of 1300 Tuttle Street:

[17-1294](#)

(A) **Amend** the existing PlanDSM Creating Our Tomorrow future land use designation from Downtown Mixed Use to Neighborhood Mixed Use. **Moved by Hensley to approve the proposed amendment. Motion Carried 7-0.**

[17-1295](#)

(B) **Hearing** to rezone from “C-3B” (Central Business Mixed Use) and “FW” (Floodway) to “PUD” (Planned Unit Development) and to approve the “Gray’s Station” PUD Conceptual Plan to allow redevelopment of 83.73 acres with mixed use, low-medium density residential, high density residential, and open space areas. **Moved by Hensley to adopt; refer to the City Manager to provide additional information prior to the second consideration of the ordinance regarding the following: 1. Affordable Housing component. 2. Clarify details regarding requirement for 75% minimum 2-story height. 3. Information regarding the eagle nest on the north side of the Raccoon River. 4. Details regarding the Development Plan and City incentives. Motion Carried 7-0.**

[17-1296](#)

(C) **First** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- [17-1297](#) 64. **On** the proposed Second Amendment to the Urban Renewal Plan for the Ingersoll-Grand Commercial Urban Renewal Area. ([Council Communication No. 17-563](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-1298](#) 65. **On** proposed Citizen Participation Plan for the U.S. Department of Housing and Urban Development Consolidated Plan. ([Council Communication No. 17-559](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [17-1299](#) 66. **On** 100 E. 2nd Street Site Grading and Improvements: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as MPS Engineers, PC d/b/a Kingston Services, PC (Dan Hutton, President), \$141,600.00. ([Council Communication No. 17-549](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-1300](#) (A) **Approving** contract and bond. **Moved by Gatto to adopt. Motion Carried 7-0.**

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

- [17-1301](#) MOTION TO ADJOURN. **Moved by Hensley to adjourn at 5:35 PM. Motion Carried 7-0.**

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