

SUMMARY OF DES MOINES CITY COUNCIL MEETING

March 20, 2000 4:30 P.M.

PROCLAMATIONS - 4:00 P.M.:

(a) Mental Retardation and Developmental Disabilities Awareness Month

INVOCATION: Pastor John Chadwick, Grace Lutheran Church

00-704 1. ROLL CALL: **Present: Daniels, Brooks, Coleman, Flagg, Hensley, and Vlassis. Absent: McPherson.**

00-705 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Coleman to adopt. Motion Carried 6-1.**

00-706 3. APPROVING CONSENT AGENDA - items 3 through 58: **Moved by Coleman to adopt the balance of the Consent Agenda. Motion Carried 6-1.**

LICENSES AND PERMITS:

Approving

00-707 4. Communication from Legal Department regarding March 20, 2000 License and Permit Agenda. **Moved by Coleman to receive and file. Motion Carried 6-1.**

Class "B" Beer Licenses

00-708 5. Sommani Vongxay dba Nut Pob Restaurant, 3318 Indianola Avenue; Renewal - Expires 3-28-00 (With Sunday Sales) - Application submitted 2-28-00. **Moved by Coleman to adopt. Motion Carried 5-1. Pass: Flagg.**

00-709 6. Allen Stern Smith dba Power Punch Productions, 2500 Fleur Drive - AIB College Fitness Center; New Application for 5 day License for special event on April 1, 2000 - Application submitted 3-14-00. Subject to submission of acceptable building, electrical, zoning and fire inspections and vice report. **Moved by Coleman to adopt. Motion Carried 6-1.**

Class "C" Beer Licenses

00-710 7. Robert Scott James dba Four Mile Texaco, 3732 Easton; Renewal - Expires 3-31-00 (With Sunday Sales) - Application submitted 2-14-00. **Moved by Coleman to adopt. Motion Carried 6-1.**

Class "C" Liquor Licenses

00-711 8. Donald T. Florence dba Gabe and Walkers, 204 Indianola Avenue; New Application (With Sunday Sales) - Application submitted 2-9-00. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-712 9. Highland Park Country Club, Inc., Joan Erickson, President dba Highland Park Country Club, 518 Euclid Avenue; Renewal - Expires 3-28-00 (With Sunday Sales) - Application submitted 3-1-00. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-713 10. Hawkeye Elks Lodge 160, Ronald McClain, Director dba Hawkeye Elks Lodge 160, 1401 East Walker; Renewal - Expires 3-27-00 (With Sunday Sales) - Application submitted 1-21-00. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-714 11. LC's, Inc., Connie Lee Bale, President dba LC's Corner, 344 Southeast Jackson; Renewal - Expires 4-4-00 (With Sunday Sales) - Application submitted 2-22-00. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-715 12. Bistro Restaurants LLC, Jeremy A. Morrow, Partner dba Montage, 2724 Ingersoll; New Application submitted 2-22-00. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-716 13. Kile West Corporation, Catherine S. Kile, President dba Sunrise Tap, 4155 Easton Blvd; Renewal - Expires 3-31-00 (With Sunday Sales) - Application submitted 2-21-00. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-717 14. Wheely's Bar & Grill, Inc., Terry L. Dell, President dba Wheely's Bar & Grill, 4369 Merle Hay Road; Renewal - Expires 3-31-00 (With Sunday Sales) - Application submitted 2-28-00. **Moved by Coleman to adopt. Motion Carried 6-1.**

Class "E" Liquor Licenses

00-718 15. Hy-Vee, Inc., Ronald D. Pearson, President dba Hy Vee #5, 1111 Army Post Road; Renewal - Expires 4-20-00 - Application submitted 2-21-00. **Moved by Coleman to adopt. Motion Carried 6-1.**

Authorizing

00-719 16. City Clerk to issue Cigarette Licenses. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-720 17. City Clerk to issue Coin-Operated Amusement Machine Licenses. **Moved by Coleman to adopt. Motion Carried 6-1.**

PUBLIC IMPROVEMENTS

00-721 18. Resolution Ordering Construction of Des Moines Metropolitan Wastewater Reclamation Authority, Wastewater Reclamation Facility, Process Control System Replacement,

Receiving of Bids, (5-2-00), and Setting Date of Hearing, (5-15-00), (Construction Estimate - \$3,063,435). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-722 (A) Amendment Four to professional services agreement with EMA Services, Inc., George Mathes, President, St. Paul, MN, to perform professional services in connection with installation and implementation of the New Process Control System at the WRA Wastewater Treatment Plant Facility, for compensation not to exceed \$739,634. ([Council Communication No. 00-097](#)). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-723 19. Approving Agreement with Veenstra and Kimm, Inc., (Robert Veenstra Jr., President, WDSM) to perform professional services in conjunction with conceptual design of Upper Union Park Watershed Sewer Separation Project in an amount not to exceed \$115,740. ([Council Communication No. 00-098](#)). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-724 20. Approving and accepting change order to roof repair contract with Western Waterproofing Co. in the amount of \$18,422 for additional roof repairs to three buildings at Wastewater Reclamation Facility. ([Council Communication No. 00-095](#)). **Moved by Vlassis to adopt. Motion Carried 5-1-1. Pass: Flagg.**

00-725 21. Approving Change Order No. 1 with Insituform Technologies USA Inc., for additional work in conjunction with the 1998 Sanitary Trunk Sewer Relining Contract in an amount not to exceed \$29,700. ([Council Communication No. 00-101](#)). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-726 22. Approving Change Order No. 1 with Larson & Larson Construction, LLC, for additional work in conjunction with Union Park Carousel Pavilion contract in an amount not to exceed \$15,436. ([Council Communication No. 00-103](#)). **Moved by Vlassis to adopt. Motion Carried 6-1.**

00-727 23. Approving contract and bond for emergency sanitary sewer repair on 42nd Street in 1000 Block with Van Hauen & Associates, Inc. (Mark Van Hauen, President, Clive) - \$26,062. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-728 24. Authorizing City Engineer to proceed with sidewalk construction, waivers signed by two property owners, (see roll call for list). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-729 25. Authorizing City Engineer to repair, replace or reconstruct sidewalks at 58 locations, (call the City Clerk's Office for list). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-730 26. Approving Private Construction Contract between Breiholz Construction Company, (David J. Ward, President-Contractor), and St. Augustin Catholic Church, (Rev. Msgr. Frank Bognanno, Pastor-Owner) for construction of Storm Sewer Improvements Storm Sewer work across Grand Avenue at Tonawanda Drive to service St. Augustin Catholic Church and Plymouth Congregational Church. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-731 27. Approving partial payments on 1999 Sidewalk Replacement Program and Water Service Backflow Preventers public improvement projects. **Moved by Coleman to adopt. Motion Carried 6-1.**

SPECIAL ASSESSMENTS

00-732 28. Authorizing Assessment Clerk to delete assessment charges for sidewalk on private property on 1999 Sidewalk Replacement Program Schedule No. 2000-34. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-733 29. Authorizing Assessment Clerk to correct NAC-Emergency Order Special Assessment Schedule 1998-42 to delete 1076 21st Street in the amount of \$125.00. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-734 30. Authorizing Assessment Clerk to correct NAC-Emergency Order Special Assessment Schedule 1999-45 to delete 4101 SW 28th Street in the amount of \$125.00. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-735 31. Authorizing Assessment Clerk to correct NAC-Emergency Orders Assessment Schedule No. 1999-47 by deleting 828 E. 29th Street in the amount of \$125.00, 3720 Chicago Avenue, in the amount of \$125.00 and 1316 Arthur Avenue in the amount of \$135.00. **Moved by Coleman to adopt. Motion Carried 6-1.**

LAND/PROPERTY TRANSACTIONS

00-736 32. Approving temporary electric easement with MidAmerican Energy Company, (Greg Abel, President) on M.L. King Parkway Paving-S.W. 2nd Street to S.W. 7th Street. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-737 33. Warranty Deed and Future Title Work Compensation in conjunction with Birch Lane Paving from Bryan K. Cheek and Barbara J. Cheek, 1230 Birch Lane - \$1,472. **Moved by Coleman to adopt. Motion Carried 6-1.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

00-738 34. Resignation of Mark Tezak, submitting his resignation from the Civil Service Commission effective immediately. **Moved by Coleman to receive, file and accept the resignation with appreciation for service. Motion Carried 6-1.**

CITY PLAN COMMISSION RECOMMENDATIONS

00-739 35. Regarding recommended DENIAL of City Council initiated request to consider renaming a portion of Keosauqua Way to Watson Powell Avenue. **Moved by Hensley to receive and file. Motion Carried 6-1.**

00-740 (A) Communication from Traffic Safety Committee recommending APPROVAL of renaming a portion of Keosauqua Way to Watson Powell Avenue. **Moved by Flagg to receive, file and rename the East/West segment as Watson Powell Way, and refer to Legal for preparation of proper legislation. Motion Carried 6-1.**

00-741 36. Regarding recommended approval of request from City Engineer to vacate a portion of Mulberry Street right of way from a line 148.5 feet West of 13th Street extending to 16th Street. **Moved by Coleman to adopt and to refer to the City Manager and Legal Department for implementation. Motion Carried 5-1-1. Nays: Flagg.**

SETTING DATE OF HEARINGS

00-742 37. On Plan and Zoning Commission recommendation to approve request from Easter Lake Estates, Inc., represented by Ronald Woods, to rezone property located at 700 E. County Line Road, from "R1-80" (One Family Residential District) and "R-5" (Mobile Home Residential District) to "R-3" (Multiple Family Residential District), with the condition the applicant work with the staff to study redesign of the units to include off-set roof lines (3-27-00). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-743 38. On Plan and Zoning Commission recommendation to approve request from Samann, L.C., represented by Steven R. Smith, to rezone property located at 3400 6th Avenue from an "R1-60" (One Family, Low Density Residential District) to a "C-1" (Neighborhood Retail Commercial District), with the condition that the applicant landscape and beautify the property and agree not to extend parking into the adjoining residentially zoned property (4-3-00). **Moved by Coleman to adopt. Motion Carried 6-1.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

00-744 39. Approving payment of \$6,233.45 to Nyemaster, Goode, McLaughlin, Voigts, West, Hansell & O'Brien, P.C. for services relating to collective bargaining. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-745 40. Approving payment of \$930.95 to George LaMarca of LaMarca & Landry, P.C. for representation of Officer Greg Dickel in case of Thomas, et al. v. Dickel, et al., Case No. CL 73934. **Moved by Coleman to approve payment. Motion Carried 6-1.**

00-746 41. Approval of payment of \$3,297.72 to Randy Duncan of Duncan, Green, Brown, Langeness & Eckley to represent City in matters involving the airport parking garages. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-747 42. Approval of payment of \$2,159.50 to Jim Nervig of Petosa, Petosa, Boecker & Nervig to provide legal services in conjunction with real estate acquisition and leasing matters, and other legal services for the Airport Board. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-748 43. Approving payment of \$10,000 to Bonnie Rubin for claim against City for a full and complete release in favor of City to settle claim for false arrest. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-749 44. Approving payment of \$21,358.50 to William G. Cooksey for settlement of Workers' Compensation claim for injury suffered in course and scope of employment. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-750 45. Approving payment of \$14,200 to Willie Frank Bailey for settlement of workers' compensation claim as compromise special case settlement and extension of benefits subject to the Iowa Workers' Compensation Commissioner. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-751 46. Approving payment of \$5,764.96 to James M. Hightshoe for Workers' Compensation claim for injury suffered in course and scope of employment. **Moved by Coleman to adopt. Motion Carried 6-1.**

CITY MANAGER COMMUNICATIONS

00-752 47. Submitting out-of-state travel request for Jeff Dier, Eric Moorman, Mark Durham, Drue Powers, David Blaylock, and Eric Anderson. ([Council Communication No. 00-093](#)). **Moved by Coleman to adopt. Motion Carried 6-1.**

APPROVING

00-753 48. Approval of grant agreements with HUD for funding of 2000 Consolidated Plan for period of January 1, 2000 to December 31, 2000, \$5,119,000 (CDBG), \$1,282,000 (HOME), and \$180,000 (ESG). **Moved by Hensley to adopt. Motion Carried 6-1.**

00-754 49. Approving submission of application for 2000-2001 Weed & Seed funding to Executive Office for Weed & Seed (EOWS) in amount of \$175,000. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-755 50. Approval of required Categorical Assistance Progress Report for period of July 1, 1999 to December 31, 1999 to be submitted to U.S. Department of Justice/Executive Office for Weed & Seed. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-756 51. Competitive Progress Report for the 2nd Quarter of FY 1999-2000 for the Des Moines Metropolitan WRA Wastewater Reclamation Facility. ([Council Communication No. 00-100](#)). **Moved by Coleman to adopt. Motion Carried 6-1.**

52. Bids for the following:

00-757 (A) Clarke Mosquito Control Products, Inc., (Roselle, IL., J. Lyell Clarke III, President) for annual contract with four (4) renewal options for mosquito control chemicals to be used by the Community Development Department

(Neighborhood Inspections Division), \$34,980. (Five bids mailed-two received). **Moved by Coleman to adopt. Motion Carried 6-1.**

WITHDRAWN 00-758 (B) Wood Roofing and Sheet Metal Co., (1720 SW 1st Street, Don Parsons, President) for metal roof replacements on buildings at Fairmont Park, Pioneer Park and Tower to be used by the Park and Recreation Department, \$25,440. (Four bids mailed-three received).

00-759 (C) D & K Turf Products, (5191 NE 17th Street, Steve Krantz, President) for lawn chemicals, seed and turf products for use at Grandview and Waveland Golf courses to be used by the Park and Recreation Department, \$35,988.55. (Twenty bids mailed-ten received). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-760 (D) Mario's Company Lawn Care, (4010 - 41st Street, Mario Rodriquez, President) for annual contract with two (2) renewal options for mowing and trimming at Woodland, Simms and Oak Grove cemeteries to be used by the Park and Recreation Department, \$4,250. (Six bids mailed-four received). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-761 (E) Elliott Equipment Co., (60 NW 54th Avenue, Gene Elliott, President) for purchase of a replacement refuse truck to be used by the Public Works Department, \$99,085. (Thirteen bids mailed-six received). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-762 (F) O'Halloran International, Inc., (751 East Market Street, James O'Halloran President) for purchase of eight (8) replacement refuse compaction truck chassis to be used by the Public Works Department (Solid Waste), \$307,242. (Six bids mailed-three received). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-763 (G) Sutphen Corporation, (Amlin, Ohio, Drew Sutphen, President) for emergency repair services and required parts for two aerial ladder fire trucks with single source area-wide distributor. (Municipal Code Sections 2-86(a)(7) and Section 2-88(b), \$16,500. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-764 52. (H) Bid awarded to Perkin Elmer LLC, (Norwalk, CT., Robert J. Rosenthal, President) for purchase of spectrometer to be used by the Engineering Department (Wastewater Reclamation Facility), \$95,692.30. (Twelve bids mailed-three received). ([Council Communication No. 00-092](#)). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-765 (I) SnoTec Equipment, Inc., (Paul, Idaho, Nyle Greenwell, President) for purchase of a replacement street pavement striper to be used by the Engineering Department (Traffic and Transportation Division), \$193,789. (Four bids mailed-

one received). ([Council Communication No. 00-091](#)). **Moved by Coleman to adopt. Motion Carried 5-1-1. Nays: Hensley.**

00-766 (J) Bid awarded to Midlands Business Equipment, Inc.,(Grimes,IA., Jerry Stadlander, President) for six (6) cash registers to be used by the Park and Recreation Department, \$18,549. Bid from North Country Business Products did not meet specifications, therefore non-compliant. (Five bids mailed-four received). ([Council Communication No. 00-099](#)). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-767 53. Approving City of Des Moines Legislative Update for the 78th Iowa General Assembly. (Report available on Monday). **Moved by Coleman to receive and file the report. Motion Carried 6-1.**

00-768 54. Civil Service Entrance List for Firefighter, Public Works Assistant, and Promotional List for Police Sergeant. **Moved by Flagg to receive and file; refer the issue of a Department Director possibly hiring a relative to the City Manager for review. Motion Carried 6-1.**

00-769 55. Receipt of Insurance for various City projects and functions for recording by the City Clerk.**Moved by Coleman to adopt. Motion Carried 6-1.**

00-770 56. Authorizing Finance Director to draw checks on check registers of March 17, 2000 and March 24, 2000, and to draw checks for bills of the Des Moines Municipal Housing Agency for the weeks beginning March 13, 2000 and March 20, 2000, and to draw checks for biweekly payroll due employees on March 24, 2000. **Moved by Coleman to adopt. Motion Carried 6-1.**

ORDINANCES - SECOND CONSIDERATION

00-771 57. Amending Chapter 27 of the Municipal Code regarding the following traffic regulation changes: **Moved by Coleman that this ordinance be considered and given second vote for passage. Motion Carried 6-1.**

(1) Corner Clearance Parking Restriction--South Side of Kirkwood Avenue west of South Union Street.

(2) Corner Clearance Parking Restriction--South Side of Wolcott Street East of SW 12th Street.

00-722 (A) Final consideration of ordinance above, (waiver requested by Council Member Hensley), requires 6 votes. **Moved by Coleman that the rule requiring that ordinances 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, [#13,801](#). Motion Carried 6-1.**

00-773 58. On amendment to the "C-3A" Central Business District Support Commercial District regulation, to remove the requirement for off-street parking for residential and for C-1 commercial uses. **Moved by Coleman that this ordinance be considered and given second vote for passage. Motion Carried 6-1.**

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

COUNCIL REQUESTS

00-774 59. From Council Member George Flagg to discuss concerns from Sandra L. Borg, 4423 West Euclid regarding Porky's Tenderloin at 4444 Douglas Avenue. **Moved by Flagg to receive, file and discuss; refer to City Manager and staff to work with restaurant owners and neighbors toward a solution. Council Members Coleman and Vlassis will be available to assist with this issue. Motion Carried 6-1.**

COMMUNICATIONS/REPORTS

00-775 60. Request from North of Grand Neighborhood Association (Kimberly Hansen, 4015 Woodland Avenue) to present John Bellizzi with a Certificate of Appreciation. **Moved by Hensley to receive, file and grant the request. Motion Carried 6-1.**

**** Council considered Hearing Items 65 through 76 next ****

00-776 61. From Gerald LaBlanc regarding transferring John R. Grubb's funds from the Woodland Cemetery Endowment fund to the Woodland Restoration Fund. **Moved by Hensley to receive, file and approve the request. Motion Carried 6-1.**

00-777 62. From Kurt Just, 1218 Virginia regarding police matters. **Moved by Flagg to receive, file and grant request to speak; maintain status quo and leave to discretion of the Police Chief. Motion Carried 6-1.**

00-778 63. Approving receipt of petitions regarding the Grandshire Area Sanitary Sewer Project. **Moved by Brooks to receive, file and refer to City Manager to start the formal process to implement this project. Motion Carried 6-1.**

00-779 64. Petition from neighbors in the vicinity of E. 30th and E. Ovid requesting a "No Parking Anytime" sign to be placed approximately forty (40) feet past the first driveway north of E. Ovid and E. 30th Street on the east side. **Moved by Vlassis to receive, file, approve and refer to City Manager and City Engineer. Motion Carried 6-1.**

INFORMAL HEARINGS (Opened at 5:30 P.M.) (Item 65)

00-780 65. On Notice of Appeal to the denial of the application for a Solicit Funds License from Antonio Ward dba United Youth Careers, Inc., 1420 University. **Moved by Hensley to deny the appeal, and to uphold the decision of the City Clerk to deny issue of the license, applicant may reapply one year from this date. Motion Carried 5-1-1. Nays: Coleman.**

HEARINGS (Opened at 5:55 P.M.) (Items 66 thru 76)

00-781 66. On application from Ora Thomas, Thomas Used Cars, to rezone property at 1211, 1215, 1221 and 1223 E. 21st Street, and 1214, 1216 and 1220 Ure Street, from "R1-60" (One Family Low Density Residential) to a "C-2" (General Retail and Highway Oriented Commercial), to allow used automobile sales and future building addition. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-782 (A) First consideration of ordinance above. **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**

00-783 67. On recommended approval of application from Thomas Wong, to rezone property at 1215 and 1217 Ure Street, from Ltd. "C-1" (Neighborhood Retail Commercial) and "R1-60" (One Family Low Density Residential) to "C-2" (General Retail and Highway Oriented Commercial), to allow for a new sales office and detail shop for used automobile sales operation with the condition that parking not be extended into the residential area north. **Moved by Brooks to adopt. Motion Carried 6-1.**

00-784 (A) First consideration of ordinance above. **Moved by Brooks that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**

68. On matters regarding the merger of the Riverpoint Capitol-Center Development Area and the Capitol-Center Development Area Urban Renewal Projects into a new project to be known at the Metro Center Urban Renewal Project. ([Council Communication No. 00-096](#)).

00-785 (A) Report and recommendation from the Urban Renewal Board regarding the proposed urban renewal amendments. **Moved by Vlassis to approve. Motion Carried 5-1-1. Nays: Flagg.**

00-786 (B) Report and recommendation from the City Plan and Zoning Commission regarding the proposed amendments' conformance with the Des Moines 2000 Land Use Plan. **Moved by Vlassis to adopt. Motion Carried 5-1-1. Nays: Flagg.**

00-787 (C) Report and recommendation from the Community Development Director on the merger of the two urban renewal project areas. **Moved by Vlassis to receive and file. Motion Carried 5-1-1. Nays: Flagg.**

00-788 (D) Closing hearing on the proposed Eighth Amendment to the Urban Renewal Plan for the Riverpoint Capitol-Center Development Area Urban Renewal Project, and adopting such Amendment merging such project in the Metro Center Urban Renewal Project. **Moved by Vlassis to adopt. Motion Carried 5-1-1. Nays: Flagg.**

00-789 (E) Closing hearing on the proposed Thirty-third Amendment to the Capitol-Center Development Area Urban Renewal Project, and adopting such amendment merging such project into the Metro Center Urban Renewal Project. **Moved by Vlassis to adopt. Motion Carried 5-1-1. Nays: Flagg.**

00-790 68. (F) First reading of ordinance amending the prior ordinances creating the separate tax increment financing (TIF) districts for the two urban renewal projects to merge the two TIF districts into a single TIF district for the Metro Center Urban Renewal Project. **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 5-1-1. Nays: Flagg.**

00-791 68. (G) Final consideration of ordinance above, (waiver requested by City Manager), requires 6 votes. **Moved by Vlassis to adopt final passage. Motion Failed 5-1-1. Nays: Flagg. Place on 3-27-00 agenda to consider.**

69. On matters regarding the redevelopment of the Allied Gateway Campus located between 10th and 13th Streets and between Locust and Mulberry Streets for use as a home or regional office facility by Nationwide Mutual Insurance Company and its related businesses, containing a new office building having approximately 500,000 square feet and a new parking garage for approximately 2,500 vehicles. ([Council Communication No. 00-104](#)).

00-792 (A) Resolution approving and authorizing the Allied Gateway Campus Project within the amended Riverpoint Capitol-Center Development Area Urban Renewal Project now known as the Metro Center Urban Renewal Project, and authorizing the City Manager to proceed with the acquisition of properties and property interests for the said Allied Gateway Campus Project. **Moved by Hensley to adopt. Motion Carried 5-1-1. Nays: Flagg.**

00-793 (B) Close hearing on the vacation of portions of 11th Street right-of-way between Locust and Mulberry Streets; on the vacation of the public alleys in the six blocks bounded by Locust, Mulberry, 10th and 13th Streets; on the vacation of the subterranean space under and the air rights over the Walnut Street right-of-way from the alley between 10th and 11th Streets extending west to 13th Street; and on the vacation of the subterranean space under and the air rights over the

12th Street right-of-way between Locust and Mulberry Streets. **Moved by Hensley to adopt. Motion Carried 5-1-1. Nays: Flagg.**

00-794 (C) First reading of ordinance vacating the rights-of-way, subterranean spaces and air rights described above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 5-1-1. Nays: Flagg.**

00-795 69. (D) Final consideration of ordinance above, (waiver requested by City Manager), requires 6 votes. **Moved by Hensley to adopt final passage. Motion Failed 5-1-1. Nays: Flagg. Place on 3-27-00 agenda to consider.**

00-796 (E) Approving contract for sale of land for private redevelopment with Nationwide Mutual Insurance Company which provides for the sale of approximately 5 1/2 blocks between Locust, Mulberry, 10th and 13th Streets, including the 11th Street right-of-way, the intervening alleys, and air rights over and tunneling rights under the Walnut and 12th Street rights-of-way (but excluding the Hotel Fort Des Moines) and for the payment by the City of economic development grants. **Moved by Hensley to adopt, SUBJECT TO execution of the agreement with the owners/operators of the Hotel Fort Des Moines concerning the issues regarding the acquisition of the parking lots used by the Hotel, and finalization of the Skywalk Agreements, all to be in a form satisfactory to the City Manager and City Attorney; and subject to final passage of vacation ordinance. Motion Carried 5-1-1. Nays: Flagg.**

*** * Extra Item 3 was considered with Item 69 * ***

70. NUMBER NOT USED.

00-797 71. On Grandview Park Road Improvements: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as P.G. Construction Inc., (Keith Purdy, President, 34 S.E. Gray Street), \$43,339.75. [\(Council Communication No. 00-102\)](#). **Moved by Vlassis to adopt. Motion Carried 6-1.**

00-798 (A) Approving contract and bond and permission to sublet. **Moved by Vlassis to adopt. Motion Carried 6-1.**

00-799 72. On Martin Luther King, Jr., Parkway Asbestos Removal Contract No. 4 East/West: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Active Thermal Concepts, Inc., (Terry R. Beard, Owner, Cedar Rapids, IA), \$119,885. **Moved by Hensley to adopt. Motion Carried 6-1.**

00-800 (A) Approving contract and bond, and permission to sublet. **Moved by Hensley to adopt. Motion Carried 6-1.**

00-801 73. On Martin Luther King, Jr., Parkway Demolition & Asbestos Removal, Contract No. 8 North/South: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as L.A. Company, Linda L. Wicker, Owner, 1226 Adams Street), \$26,231. **Moved by Hensley to adopt. Motion Carried 6-1.**

00-802 (A) Approving contract and bond, and permission to sublet. **Moved by Hensley to adopt. Motion Carried 6-1.**

00-803 74. On Des Moines Metropolitan Wastewater Reclamation Facilities - Biosolids Facilities: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and submission of bids accepted, received and filed and to be presented to City Council within the next thirty (30) days for further evaluation. **Moved by Brooks to adopt. Motion Carried 6-1.**

00-804 75. On Hearing Officer's Decision regarding vehicle impound appeal of Veronica Seville, 1710 7th Street, Suite 3. **Moved by Vlassis to continue to March 27, 2000. Motion Carried 6-1.**

00-805 76. On Hearing Officer's decision regarding vehicle impound appeal of Mary Rhiner, Post Office Box 4340. **Moved by Vlassis to uphold decision. Motion Carried 6-1.**

* * END HEARINGS at 6:25 P.M. * *
* * Council considered Items 61 through 64 next * *

APPROVING

00-806 77. Accepting developer-initiated redevelopment proposal from Ben's Keystone Construction, (Ben Taylor, 7997 NW 37th St, Ankeny, IA) to redevelop various parcels in the Logan Urban Renewal Area. **Moved by Hensley to approve. Motion Carried 6-1.**

00-807 (A) Authorizing advertisement for competing redevelopment proposals subject to certain requirements and authorizing notice of intent to enter into an agreement to purchase land for private redevelopment with Ben's Keystone Construction, L.C. ([Council Communication No. 00-094](#)). **Moved by Hensley to approve. Motion Carried 6-1.**

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EXTRA ITEMS

These extra items are filed after 5:00 P.M. on the Wednesday preceding a Council meeting and have been included upon the Amended Agenda by the City Clerk, with sponsorship of the Mayor or a City Council Member who shall deem the item of sufficient urgency to

warrant immediate Council action - said statement of urgency from the City Manager and/or appropriate Department Director shall be placed on file with the City Clerk.

00-808 1. Recommendation of Council Member Brooks for appointment of Pat Civitate, to the Greater Des Moines Sister City Commission, 5-year term to expire April 28, 2005. SPONSOR: Brooks. **Moved by Brooks to adopt. Motion Carried 6-1.**

00-809 2. Approving Collective Bargaining Agreement Extension with Des Moines Police Bargaining Unit to extend agreement through FY2000-2005 and to provide for wage increases over four-year contract extension. SPONSOR: Mayor Daniels. ([Council Communication No. 00-105](#)). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-810 3. Approving Agreement with Hotel Fort Des Moines in conjunction with Allied Gateway Campus Project. SPONSOR: Mayor Daniels. ([Council Communication No. 00-106](#)). **Moved by Hensley to adopt. Motion Carried 5-1-1. Nays: Flagg.**

A G E N D A

BOARD OF HEALTH

March 20, 2000

00-811 MOTION TO CONVENE. **Moved by Vlassis that the City Council Adjourn and Convene as a Board of Health. Motion Carried 6-1.**

AUTHORIZING

1. Court authority to abate the public nuisance at the following locations:

00-812 (A) 2918 Oxford, vacant, Titleholders: Donald R. Bishop, Phyllis R. Bishop. **Moved by Vlassis to adopt. Motion Carried 6-1.**

00-813 (B) 2803 Raccoon, vacant, Titleholders: Steven M. Beeman, Brenda Beeman. **Moved by Vlassis to adopt. Motion Carried 6-1.**

00-814 (C) 1367 E. 15th, vacant, Titleholder: Darlene L. Walker; Contract Buyer: Wanda Christy n/k/a Wanda S. Ore, James Ore; Legal Interest Holders: Fez, Inc. of Des Moines, Tax 42, Tax 103. **Moved by Vlassis to adopt. Motion Carried 6-1.**

00-815 MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 6:39 P.M. Motion Carried 6-1.**

DES MOINES-CITY OF SKYWALKS