

SUMMARY OF DES MOINES CITY COUNCIL MEETING

DES MOINES CITY COUNCIL MEETING

April 24, 2000 4:30 P.M.

SPECIAL PRESENTATIONS - 4:00 P.M.

(a) Adin Davis, Iowa Region-NCCJ: Honest Conversations

(b) Presentation by Employees of Forestry Division of Arbor Day awards to:

1. Charlene and Bud Taylor

2. Bill and Nellie Ritchie

PROCLAMATIONS - 4:00 P.M.:

National Community Development Week 2000

Arbor Day 2000

INVOCATION: Council Member Mike McPherson, Ward II

00-1146 1. ROLL CALL: **Present: Daniels, Brooks, Coleman, Flagg, Hensley, McPherson, and Vlassis.**

00-1147 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1148 3. APPROVING CONSENT AGENDA - items 3 through 57: **Moved by Hensley to adopt the balance of the consent agenda. Motion Carried 7-0.**

LICENSES AND PERMITS:

Approving

00-1149 4. Communication from Legal Department regarding April 24, 2000 License and Permit Agenda. **Moved by Hensley to receive and file. Motion Carried 7-0.**

Class "C" Beer Licenses

WITHDRAWN00-1150 5. Hy Vee, Inc., John Brummit, Assistant Treasurer dba Drugtown/Regal Liquor, 4100 University Avenue; New Application (With Sunday Sales) - Application submitted 3-31-00. **Moved by**

00-1151 6. American Drug Stores, Inc., Barbra Nunziato, Assistant Secretary dba Osco Drug Store #488, 2821 E. Euclid Avenue; Renewal - Expires 5-13-00 (With Sunday Sales) - Application submitted 3-6-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1152 7. American Drug Stores, Inc., Barbra Nunziato, Assistant Secretary dba Osco Drug Store #842, 104 E. Euclid Avenue; Renewal - Expires 5-13-00 (With Sunday Sales) - Application submitted 3-6-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1153 8. QuikTrip Corporation, Chester Cadieux, President dba QuikTrip #515, 1421 Ingersoll; Renewal - Expires 5-11-00 (With Sunday Sales) - Application submitted 3-29-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

Class "B" Wine Licenses

WITHDRAWN00-1154 9. Hy Vee, Inc., John Brummit, Assistant Treasurer dba

Drugtown/Regal Liquor, 4100 University Avenue; New Application (With Sunday Sales) - Application submitted 3-31-00.

00-1155 10. American Drug Stores, Inc., Barbra Nunziato, Assistant Secretary dba Osco Drug Store #488, 2821 E. Euclid Avenue; Renewal - Expires 5-13-00 (With Sunday Sales) - Application submitted 3-6-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1156 11. American Drug Stores, Inc., Barbra Nunziato, Assistant Secretary dba Osco Drug Store #842, 104 E. Euclid Avenue; Renewal - Expires 5-13-00 (With Sunday Sales) - Application submitted 3-6-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1157 12. QuikTrip Corporation, Chester Cadieux, President dba QuikTrip #515, 1421 Ingersoll; Renewal - Expires 5-11-00 (With Sunday Sales) - Application submitted 3-29-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

Class "C" Beer-Wine

00-1158 13. Easy Starts Restaurant, Inc., Peter Lisdis, Owner dba Olympic Flame, 514 E. Grand Avenue; Renewal - Expires 5-13-00 - Application submitted 4-5-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

Class "C" Liquor Licenses

WITHDRAWN00-1159 14. RonBonj, Inc., Ronald Platt, Owner dba Bourbon Street, 500

Army Post Road; Renewal - Expires 5-7-00 (With Sunday Sales) - Application submitted 4-7-00.

00-1160 15. UPT Inc., Joe Gatto, President dba Baratta's Restaurant, 2320 S. Union; Renewal - Expires 4-30-00 (With Sunday Sales) - Application submitted 3-16-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1161 16. Riverside, Inc., Craig Kelso, Owner dba Des Moines Yacht Club, 2617 Ingersoll Avenue; Renewal - Expires 5-5-00 - Application submitted 4-3-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1162 17. JCS Enterprises, Inc., Harry Lancaster, Owner dba Jack & Randy's Southtown Tap, 3803 SW 9th Street; Renewal - Expires 5-5-00 (With Sunday Sales) - Application submitted 3-29-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1163 18. D.T. Corner, Inc., Larry Smithson, President dba PaPa's Planet, 206-208 3rd Street; Renewal - Expires 5-4-00 (With Sunday Sales and Outdoor Service) - Application submitted 3-31-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

Class "E" Liquor

WITHDRAWN00-1164 19. Hy Vee, Inc., John Brummit, Assistant Treasurer dba

Drugtown/Regal Liquor, 4100 University Avenue; New Application (With Sunday Sales) - Application submitted 3-31-00.

00-1165 20. American Drug Stores, Inc., Barbra Nunziato, Assistant Secretary dba Osco Drug Store #488, 2821 E. Euclid Avenue; Renewal - Expires 5-13-00 (With Sunday Sales) - Application submitted 3-6-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1166 21. American Drug Stores, Inc., Barbra Nunziato, Assistant Secretary dba Osco Drug Store #842, 104 E. Euclid Avenue; Renewal - Expires 5-13-00 (With Sunday Sales) - Application submitted 3-6-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1167 22. Hy Vee, Inc., John Brummit, Assistant Treasurer dba Hy Vee #2, 2540 E. Euclid Avenue; Renewal - Expires 5-4-00 (With Sunday Sales) - Application submitted 3-23-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

00-1168 23. Approving execution of Intergovernmental 28E Agreement for development and continuing update of design standard and standard specifications for construction of public improvements with City of Cumming. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1169 24. Professional Services Agreement with Howard R. Green, Company, (Ralph Russell, President, 4685 Merle Hay Road, Suite 106), for development of a conceptual plan for East

University Avenue Sanitary Relief Sewer Improvements, compensation not to exceed \$38,000. ([Council Communication No. 00-182](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

25. Grandshire Area Sanitary Sewer

00-1170 (A) Communication from City Manager recommending construction. **Moved by Hensley to approve, receive and file and accept the recommendation of the City Manager. Motion Carried 7-0.**

00-1171 (B) Preliminary Resolution for construction. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1172 (C) Fixing Values of Lots. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1173 (D) Adopting Preliminary Plat and Schedule, estimate of cost, and proposed plans and specifications. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1174 (E) Proposed Resolution of Necessity to Set Hearing (5-15-00). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1175 (F) Cancelling mailing and publication of notice of intent regarding continuation of the previously authorized project and acquisition of property for the project, and cancelling public hearing. ([Council Communication No. 00-181](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1176 26. Resolution Ordering Construction of 2000 Sidewalk Replacement Program, Receiving of Bids, (5-9-00), and Setting Date of Hearing, (5-15-00), (Construction Estimate - \$159,775). **Moved by Hensley to adopt. Motion Carried 7-0.**

27. Approving the following Change Orders in conjunction with M.L. King Jr. Parkway East/West Segment, to allow extension of time:

00-1177 (A) No. 17 with M. Peterson Construction Company for 6th Avenue and S.W. 7th Street Paving-Mulberry Street to Murphy Street (part of ML King Jr. Parkway East/West Segment) - \$0. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1178 (B) No. 2 with M. Peterson Construction Company for Martin Luther King, Jr. Parkway Paving at S.W. 7th **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1179 28. Authorizing City Engineer to proceed with sidewalk construction, waiver signed by one property owner, and Paving or Curb Replacement Program, waivers signed by six property owners, (call the City Clerk's Office for list). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1180 29. Communication from various contractors, requesting permission to sublet certain items on two City Public Improvement projects. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1181 30. Approving partial payments on four public improvement projects. (Call City Clerk's Office for listing). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1182 30-I Form of Agreement for Professional Services with Grubb & Ellis/Mid-America Pacific Group for site identification services for the Allied Gateway Campus Redevelopment Project. ([Council Communication No. 00-180](#)). **Moved by Hensley to adopt. Motion Carried 6-1. Pass: Flagg.**

LAND/PROPERTY TRANSACTIONS

WITHDRAWN00-1183 31. Approving Amendment of the Voluntary Acquisition Program of

Residences (VAPOR) development restrictions for 1529 Maine St. in the Central Place Urban Renewal Area, and establishing Fair Market Value at \$7,500. ([Council Communication No. 00-166](#)).

00-1184 32. Warranty Deed and Temporary Easement in conjunction with Martin Luther King, Jr. Parkway Project from JB Doors, Inc., 7th and Elm Streets - \$9,877. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1185 33. Temporary Easement for Construction, Permanent Easement for Storm and Sanitary Sewers Right-of-Way, Permanent Easement for Sanitary and Storm Sewers Right-of-Way, Warranty Deed, Release of Easement and Future Title Work Compensation in conjunction with Martin Luther King, Jr. Parkway (CBD Loop) Storm Sewer Outfall/Pump Station, from Iowa Power & Light Company n/k/a MidAmerican Energy Company, 1410 Market Street - \$22,949. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1186 34. Approving Tax Abatement Application for 3806 Park Avenue, Unit 3, for additional value added by improvements made during 1999. ([Council Communication No. 00-167](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1187 35. Release of Subdivision Bond from Merchants Mutual Bonding Company in amount of \$8,467.20 as security for completion of required sidewalk street tree and storm sewer drain improvements for ROSITA PLACE. ([Council Communication No. 00-169](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1188 36. Approving reduction of Subdivision Bond No. 7900559619 in amount of \$67,505 from Allied Mutual Insurance Company as security for required sidewalk construction be reduced to \$16,876 for SOUTH PARK PLAZA PLAT 3. ([Council Communication No. 00-170](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1189 37. Release of Subdivision Bond No. IAC 22619 from Merchants Bonding Company in amount of \$8,497 as security for completion of required sidewalk improvements for LAKEVIEW HEIGHTS PLAT 2. ([Council Communication No. 00-171](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1190 38. Approving Final Subdivision Plat entitled Three Lakes Estates Plat 3 in vicinity east of Three Lakes Parkway and south of East Army Post Road. ([Council Communication No. 00-172](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

00-1191 39. Resignation of Merle Wilna Fleming from the Strategic Planning Commission effective immediately. **Moved by Hensley to receive, file and accept the resignation with appreciation for service. Motion Carried 7-0.**

00-1192 40. Appointment recommendation of At Large Council Member George E. Flagg for Steven John Addy to the Neighborhood Revitalization Board for a three-year term to expire June 30, 2003. **Moved by Hensley to adopt. Motion Carried 7-0.**

CITY PLAN COMMISSION RECOMMENDATIONS

00-1193 41. Regarding Architectural Advisory Committee's recommendation to approve the Gray's Lake Park Development Plan. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1194 42. Communication from City Plan and Zoning Commission regarding the vacation and sale of the North/South alley south of Locust Street between 9th and 10th Streets. **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Flagg.**

00-1195 (A) Setting Date of Hearing on vacation and sale of the North/South alley to the Graham Group (George Milligan, President), (5-1-00). **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Flagg.**

SETTING DATE OF HEARINGS

00-1196 43. On adoption of the Municipal Code of the City of Des Moines, 2000, (5-15-00). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1197 44. On recommended approval of request from Oaks Development Inc., to rezone property in the 3100 block of E. Payton, from "R1-80" (One Family Residential) to a Limited "R1-60" (One Family, Low Density Residential), (5-15-00). **Moved by Hensley to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

00-1198 45. Approving Settlement Agreement with William C. Woodruff and Audrey Marie Woodruff to waive all rights to residential relocation assistance and moving expenses and accept \$203,000 under which they will be entitled to possession through August 31, 2000. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1199 46. Approving payment of \$2,941.89 to Gaudineer & Comito, L.L.P. for representation

of Brian Danner in Elmer Pace and Linda Pace v. City of Des Moines. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1200 47. Approving payment of \$180.50 to Thomas H. Burke of Whitfield & Eddy, P.L.C. for representation of Officer Michael Stueckrath in case of Gales v. Huffman. **Moved by Hensley to approve payment. Motion Carried 7-0.**

00-1201 48. Approving payment of \$2,630.19 to Duncan, Green, Brown, Langeness & Eckley for representation of City in matters relating to the airport parking garages. **Moved by Hensley to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

00-1202 48-I Submitting out-of-state travel request for Mayor Preston Daniels, to attend the National Conference of Black Mayors in Dallas, TX, April 25-29, 2000. ([Council Communication No. 00-184](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

APPROVING

00-1203 49. Polk County Housing Trust Fund Agreement in the amount of \$250,000, to supplement the City's Community Development Department's Home Improvement Loan Program, for the period of May 1, 2000 to December 30, 2001. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1204 50. Amended Agreement with EMC Risk Services, Inc. of Des Moines, IA (ERS) to review occupational medical services and to negotiate discounts for their payment. ([Council Communication No. 00-173](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1205 51. Request For Proposals (RFP) to solicit professional auditing services from certified public accounting firms and the State Auditor. ([Council Communication No. 00-168](#)). **Moved by Hensley to adopt and to incorporate a requirement in the RFP to require firms to provide amount of audit staff turnover in the past few years, as part of the experience and expertise factor. Motion Carried 6-1. Pass: Flagg.**

WITHDRAWN00-1206 52. Receipt of communication from Roosevelt High School Band

Boosters requesting to hang two banners on foot bridge that crosses Interstate 235 in vicinity of Roosevelt High School to promote a band fund-raiser.

53. Bids for the following:

00-1207 (A) Swimming Pool Supply, (Grimes, IA, T. K. Iverson, President) for pool heater to be used by the Park and Recreation Department (Ashworth Pool), \$14,500. (Five bids mailed, three received). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1208 (B) Karl Chevrolet, (Ankeny, IA, Carl Moyer, President) for replacement passenger van to be used by the Finance Department (Purchasing), \$18,143.28. (Nine bids mailed-two received). **Moved by Hensley to adopt. Motion Carried 7-0.**

WITHDRAWN00-1209 (C) On The Wall Painting, (2420 Euclid Avenue, Curtis Cawley,

President) for annual contract with two (2) renewal options for painting services for City departments, \$30 for regular time and \$45 for overtime and holidays. (Nine bids mailed-four received).

53. Bids for the following:

00-1210 (D) Matre Ammunition Co., (Seven Mile, OH, Elaine Matre, President) and Gil Hebard Gun Co., (Knoxville, IA, Gil Hebard, President) for low line item bidders for ammunition to be used by the Police Department (Academy), total cost \$28,492.21. (Seven bids mailed-two received) **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1211 (E) Primary and secondary suppliers for Portland cement concrete annual contract to be used by the Public Works Department - A-1 Ready Mix, Inc., (4000 Delaware, Pete Peterson, President), American Concrete Products, Inc., (Johnston, IA, Scott Temple, President), and Norwalk Ready Mix Concrete, Inc. (Norwalk, IA, Jack Bohlender, President). (Four bids mailed-four received). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1212 (F) ADS Environmental Services for flow monitoring equipment to be compatible with existing equipment to be used by the Engineering Department. (Municipal Code Section 2-86(a)(6) sole source and competitively bid), \$23,100.52. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1213 (G) Bid awarded to McRoberts Sales Co., Inc. (Ruskin, Florida, Eugene McRoberts, President) for herring and capelin to be used by the Park and Recreation Department (Blank Park Zoo), \$19,420. Bid from Shoreside, Inc. did not meet specifications, therefore, non compliant. (Three bids mailed-three received. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1214 54. Civil Service Entrance Lists for Electrician and Right Of Way Agent. **Moved by Hensley to receive and file. Motion Carried 7-0.**

00-1215 55. Authorizing Finance Director to draw checks on register of April 28, 2000, and to draw checks for the bills of the Des Moines Municipal Housing Agency for the week beginning April 24, 2000. **Moved by Hensley to adopt. Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

00-1216 56. On request from City of Des Moines to rezone property located at 3400 and 3800 Army Post Road from "C-2" General Retail and Highway Oriented Commercial District and "PBP" Planned Business Park District to a "M-3" Limited Industrial District. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

00-1217 57. Amending Chapter 27 of the Municipal Code regarding parking meter fees, and fees for various parking garages. **Moved by Coleman that this ordinance be considered and given second vote for passage. Motion Carried 5-2. Nays: Flagg and McPherson.**

00-1218 (A) Setting Date of Hearing on proposed issuance of not to exceed \$45,000,000 Public Parking System revenue Bonds, (5-1-00). ([Council Communication No. 00-174](#)). **Moved by Coleman to adopt. City Manager to report on refinancing options. Motion Carried 5-2. Nays: Flagg and McPherson.**

****Council considered Items 74, 75 and 62 next****

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

COUNCIL REQUESTS

00-1219 58. From Council Member Flagg to discuss assessed values for tax purposes. **Moved by Flagg to receive and file. Motion Carried 5-2. Absent: McPherson and Brooks.**

00-1220 59. From Council Member McPherson to discuss blocking off the road extension under the University Avenue Bridge to prevent traffic use. **Moved by Brooks to receive, file and continue to 5-1-00. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

00-1221 60. From the State of Iowa, Department of General Services, Design and Construction Division, Tom Johnson, Administrator, regarding the Capital View Protection Plan and proposed amendments to the City of Des Moines Zoning Ordinance to create a Capitol Dominance District and Capitol View Protection Corridors. **Moved by Hensley to receive and file. Motion Carried 4-1-2. Pass: Flagg. Absent: McPherson and Brooks.**

00-1222 61. From Sabrina Tolson, 2005 Forest Avenue representing Youth Working for Positive Change (Y.W.P.C.) regarding Youth Neighborhood Clean-up and Beautification Project. **Moved by Vlassis to receive, file and grant the request to speak; approve their request to beautify the triangle piece of property at 23rd and Clark, and refer to City Manager for coordination of City assisted items. Motion Carried 5-2. Absent: McPherson and Brooks.**

00-1223 62. From Concerned Citizens For Justice regarding bouncer training and related items. **Moved by Hensley to receive and file all comments. The formation of a Task Force will be presented to the Council for approval. Motion Carried 7-0.**

****Council considered Hearing Items next****

HEARINGS (Opened at 6:30 P.M.) (Items 63 thru 69)

00-1224 63. Recommendation from City Plan and Zoning Commission regarding amendment to the 2000 Land Use Plan. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-1225 (A) On application from Capitol Park Neighborhood Association for rezoning from "R-3" (Multiple Family Residential) to "R1-60" (One Family, Low Density Residential) for properties in the general vicinity between Cleveland Avenue to Interstate 235 and E. Riverside Drive to E. 14th Street, to decrease residential densities in accordance with proposed "Capitol Park Neighborhood Action Plan", excluding block from 9th to 12th Streets, Garfield to University Avenue. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-1226 (B) First consideration of ordinance above. **Moved by McPherson that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

00-1227 64. On vacation and conveyance of the North/South alley between 28th and 29th streets, north of Clark Street, to abutting property owners. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Coleman.**

00-1228 (A) First consideration of ordinance above. **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Coleman.**

00-1229 (B) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by Vlassis 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, [#13,814](#). Motion Carried 6-1. Absent: Coleman.**

Council Members Brooks and McPherson left the meeting at 6:35 P.M.

****Council considered Item 61 next, then balance of Hearings****

00-1230 65. On approval of Supplemental Agreement No. 7 to add the building and land at 3301 SW McKinley Avenue to the Iowa Air National Guard (IANG) Airport Lease. ([Council Communication No. 00-178](#)). **Moved by Hensley to adopt. Motion Carried 5-2. Absent: McPherson and Brooks.**

00-1231 66. On resolution denying sale of the east 1/2 of the alley and approving sale of the west 1/2 of the alley adjoining 707 SE 9th Street. **Moved by Vlassis to continue to 5-1-00. Motion Carried 5-2. Absent: McPherson and Brooks.**

00-1232 67. On Outdoor Warning Siren Replacement: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and submission of bids. **Moved by Vlassis to continue the hearing to 5-15-00. Motion Carried 5-2. Absent: McPherson and Brooks.**

00-1233 68. On vacation of a portion of Jefferson Avenue and Vermont Streets, in the Central

Place Urban Renewal Area, to grant a license to Acme Printing Company to erect a fence, to stop illegal dumping in the area. **Moved by Vlassis to adopt. Motion Carried 5-2. Absent: McPherson and Brooks.**

00-1234 (A) First consideration of ordinance above. **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 5-2. Absent: McPherson and Brooks.**

00-1235 69. On recommendation of Vice Control Unit to Deny issue of Class "C" Liquor License to Les & Marcia, Inc., Lester L. Brewer, President dba Kelly's Little Nipper, 1701 E. Grand; Renewal - Expires 4-28-00 (With Sunday Sales) - Application submitted 3-24-00. **Moved by Hensley to deny the license due to lack of good reputation, pursuant to Section 5 of the Des Moines Municipal Code and Chapter 123 of the Code of Iowa, and rules and regulation thereof.**

* * END HEARINGS at 6:55 P.M. * *

****Council Member Flagg left the meeting at 7:07 P.M.****

APPROVING

00-1236 70. Receipt of Downtown Parking System Study prepared by Carl Walker, Inc. ([Council Communication No. 00-179](#)). **Moved by Vlassis to adopt. Motion Carried 4-3. Absent: Flagg, McPherson and Brooks.**

71. NUMBER NOT USED.

00-1237 72. Application by Midwest Express Airlines for four (4) new slot exemptions at Washington's Ronald Reagan National Airport for use in providing twice daily, nonstop service between Des Moines and Washington D.C. ([Council Communication No. 00-177](#)). **Moved by Hensley to adopt. Motion Carried 4-3. Absent: Flagg, McPherson and Brooks.**

00-1238 (A) Preliminary approval of application from Access Air, for two slot exemptions at Washington's Ronald Reagan National Airport. **Moved by Hensley to adopt. Motion Carried 4-3. Absent: Flagg, McPherson and Brooks.**

00-1239 73. Application for "Polk Fun" Polk County Collaborative Summer Programming 2000 Scholarship funds for youth attending the Evelyn K. Davis Summer Playground and the Camp Fire Summer Day Camp programs in Four Mile, Brooks and Southeast Community Centers. ([Council Communication No. 00-175](#)). **Moved by Vlassis to adopt. Motion Carried 4-3. Absent: Flagg, McPherson and Brooks.**

****Item 74 and 75 were considered after the consent agenda****

00-1240 74. Donation of \$10,000 from Christian Church Disciples of Christ for playground equipment at Laurel Hill Park ([Council Communication No. 00-176](#)). **Moved by Brooks to adopt with appreciation. Motion Carried 7-0.**

00-1241 75. Acceptance of \$100,000 gift from American Republic Insurance Company to construct a wading pool at Martin Luther King Jr. Park, E. 17th and Garfield, in honor of Watson Powell, Jr., former Chairman Emeritus for American Republic Insurance Company. ([Council Communication No. 00-183](#)). **Moved by Vlassis to adopt with appreciation. Motion Carried 7-0.**

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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.

00-1242 1. Approving Resolution on Delaying Congressional Action on Internet Tax Moratorium. SPONSOR: Vlassis. **Moved by Vlassis to adopt. Motion Carried 4-3. Absent: Flagg, McPherson and Brooks.**

A G E N D A

BOARD OF HEALTH

April 24, 2000

00-1243 MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene as a Board of Health. Motion Carried 4-3. Absent: Flagg, McPherson and Brooks.**

AUTHORIZING

00-1244 1. Court authority to abate the public nuisance at the following location: 2504 Maury, vacant, Titleholder: First National Acceptance Company, Contract Buyer: The Wolford Corporation; Legal Interest Holders: Tax 12 - John Zajicek, Partner, Tax 12, John Davis and Christine Frank Partners and John Holtz d/b/a Iowa Associates, L.L.C. **Moved by Vlassis to adopt. Motion Carried 4-3. Absent: Flagg, McPherson and Brooks.**

00-1245 MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 7:28 P.M. Motion**

Carried 4-3.

DES MOINES-CITY OF SKYWALKS