

SUMMARY OF DES MOINES CITY COUNCIL MEETING

DES MOINES BOTANICAL CENTER

***909 East River Drive
June 22, 1998 4:30 P.M.***

INVOCATION: Rev. Bernie Colorado, Union Park United Methodist Church

98-1961 1. ROLL CALL: **Present: Daniels, Coleman, Flagg, Hensley, McPherson, Phillips and Vlassis.**

98-1962 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Vlassis to adopt. Motion Carried 7-0.**

****Council considered Agenda Items in the following order: Majority of Consent and Extra Items 2 and 3; Item 61; Hearing Items 87 through 93; Item 84; Items 80 through 85; one more speaker on item 61; Item 86; Items 95 through 102; Extra Item 1; Item 94; and those consent items removed from consent to be considered separately by Council****

98-1963 3. APPROVING CONSENT AGENDA - items 3 through 79. **Moved by Vlassis to adopt the balance of the Consent Agenda. Motion Carried 7-0.**

LICENSES AND PERMITS:

Approving

98-1964 4. Communication from Legal Department regarding June 22, 1998 License and Permit Agenda. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

Class "C" Beer Licenses

98-1965 5. Hardeep Singh dba H & A Mini Mart, 1443 - 2nd Avenue; Renewal - Expires 7-11-98 (With Sunday Sales) - Application submitted 5-15-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1966 6. William A Tegeler, Inc., Robert F. Tegeler, President dba Tegeler's Amoco, 1760 Beaver; Renewal - Expires 7-21-98 (With Sunday Sales) - Application submitted 5-26-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1967 7. Kevin Cavan dba Jungs Oriental Foods, 1140 East 9th Street; Renewal - Expires 7-7-98 (With Sunday Sales) - Application submitted 6-18-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1968 8. Kwik Shop, Inc., Steve Mostrom, District Manager dba Kwik Shop #508, 3733 Easton Blvd; Renewal - Expires 7-11-98 (With Sunday Sales) - Application submitted 6-4-98.

Moved by Vlassis to adopt. Motion Carried 7-0.

Class "E" Beer Licenses

98-1969 9. Foods, Inc., Ronald C. Bartos, President dba Dahl's Food Mart, 4121 Fleur Drive; Renewal - Expires 6-30-98 (With Sunday Sales) - Application submitted 5-22-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1970 10. Foods, Inc., Ronald C. Bartos, President dba Dahl's Food Mart, 6200 Southeast 14th Street; Renewal - Expires 6-30-98 (With Sunday Sales) - Application submitted 5-22-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1971 11. Hy Vee, Inc., Ronald D. Pearson, President dba Hy Vee Food & Drugstore #4, 4707 Fleur Drive; Renewal - Expires 7-10-98 (With Sunday Sales) - Application submitted 6-8-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1972 12. Hy Vee, Inc., Ronald D. Pearson, President dba Hy Vee Food & Drugstore #5, 1111 Southeast Army Post Road; Renewal - Expires 7-10-98 (With Sunday Sales) - Application submitted 6-8-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1973 13. QuikTrip Corporation, Chester Cadieux, President dba QuikTrip #534, 2945 East University; Renewal - Expires 7-14-98 (With Sunday Sales) - Application submitted 5-11-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1974 14. QuikTrip Corporation, Chester Cadieux, President dba QuikTrip #530, 2300 East 14th Street; Renewal - Expires 7-17-98 (With Sunday Sales) - Application submitted 5-11-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Class "A" Liquor Licenses

98-1975 15. Des Moines Club, James Cornick, President dba Des Moines Club, 666 Grand Avenue; Renewal - Expires 7-10-98 - Application submitted 6-8-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1976 16. Wakonda Club, Roger Grefe, President dba Wakonda Club, 3915 Fleur Drive; Renewal - Expires 7-15-98 (With Sunday Sales and Beer Garden) - Application submitted 6-12-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Class "C" Liquor Licenses

98-1977 17. Creative Host Services, Inc., Sayed Ali, President dba Creative Croissants, 5800 Fleur Drive; Renewal - Expires 6-30-98 (With Sunday Sales) - Application submitted 6-3-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1978 18. Gen Corp. Larry Smithson, President dba Generations, 319 Court Avenue; Renewal - Expires 7-8-98 (With Sunday Sales and Beer Garden) - Application submitted 5-29-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1979 19. Kelley Manning dba Kelley's, 3606 Beaver; Renewal - Expires 7-2-98 (With Sunday Sales) - Application submitted 5-20-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1980 20. P & M Enterprises, Inc., Paul J. Seghi, President dba Locust Tap, 434 East Locust; Renewal - Expires 7-19-98 (With Sunday Sales) - Application submitted 5-26-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1981 21. Super Toad, Inc., Louis McCormick, President dba Super Toad, 1424 East Euclid; Renewal - Expires 7-14-98 (With Sunday Sales) - Application submitted 6-4-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1982 22. Karibian Corp., Jacob B. Ludington, President dba The Safari, 2307 University; Renewal - Expires 7-2-98 (With Sunday Sales) - Application submitted 6-8-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1983 23. Tony's Lounge Inc., Janet L. Mortale, President dba Tony's Sports Bar and Grill, 918 East Euclid; Renewal - Expires 7-6-98 (With Sunday Sales and Beer Garden) - Application submitted 5-22-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Authorizing

98-1984 24. City Clerk to issue Cigarette Licenses. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Beer Gardens

98-1985 25. Temporary beer garden for 215 Group, LC, Scott Formaro, President dba Gilligans, 208 Court Avenue for special event on June 27, 1998. Subject to submission of acceptable electrical inspection. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1986 (A) Approving exception regarding length of time request from 215 Group, LC, Scott Formaro, President dba Gilligans, 208 Court Avenue to close a portion of Court Avenue on June 27, 1998 from 4:00 P.M. to 12:00 Midnight for special event. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1987 26. Temporary beer garden for 215 Group, LC, Scott Formaro, President dba Gilligans, 208 Court Avenue for special event on July 2, 3, 4 and 5 1998. Subject to submission of acceptable building, electrical, zoning and fire inspections. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-1988 (A) Approving exception regarding length of time request from 215 Group, LC, Scott Formaro, President dba Gilligans, 208 Court Avenue to close a portion of Court Avenue on July 2, 3, 4 and 5 1998 from 5:00 P.M. to 12:00 Midnight for special event. **Moved by Vlassis to adopt. Motion Carried 7-0.**

WITHDRAWN 98-1989 27. Temporary beer garden for 215 Group, LC, Scott Formaro, President dba Gilligans, 208 Court Avenue for special event on July 10, 11 and 12, 1998. Subject to submission of acceptable building, electrical, zoning and fire inspections.

WITHDRAWN 98-1990 (A) Approving exception regarding length of time request from 215 Group, LC, Scott Formaro, President dba Gilligans, 208 Court Avenue to close a portion of Court Avenue on July 10, 11 and 12, 1998 from 5:00 P.M. to 12:00 Midnight for special event.

PUBLIC IMPROVEMENTS

98-1991 28. Approving Professional Services Agreement with Shuck-Britson, Inc., for the replacement of Hubbell Avenue Bridge over Four Mile Creek - \$49,556. [\(Council Communication No. 98-266\)](#). **Moved by Vlassis to adopt. Motion Carried 7-0.**

29. Approving completion and recommending acceptance of the following for proposed subdivision of Pine Meadow at SW 26th and Emma:

98-1992 (A) Sanitary Sewer Improvement between R.G. Elder & Son Company (Jared Elder, Pres.), Contractors and Curnes Homes, Ltd.(Ron & Sharon Curnes), Owners. **Moved by Vlassis to adopt. Motion carried 7-0.**

98-1993 (B) Storm Sewer Improvement between R.G. Elder & Son Company (Jared Elder, Pres.), Contractors and Curnes Homes, Ltd. (Ron & Sharon Curnes), Owners. **Moved by Vlassis to adopt. Motion carried 7-0.**

98-1994 (C) Approximately 1,200 feet of 6" non-reinforced pavement between Iowa Paving Contractors (James W. Dale, Vice Pres., Johnston), Contractors and Ron & Sharon Curnes, Owner. **Moved by Vlassis to adopt. Motion carried 7-0.**

98-1995 30. Approving completion and recommending acceptance of Sanitary Sewer Improvements along East 37th Street, from approximately 300 feet north of Easton Blvd. to southeast 139 feet, to service Lots 792-796, Four Mile between Wyckoff Industries (Donald L. Wyckoff, Pres), Contractors and Gary Bauman, Urbandale, Owners. **Moved by Vlassis to adopt. Motion carried 7-0.**

98-1996 31. Report of the chief Civil Engineer showing construction progress, amounts due and funding availability of the Police Station Cooling Tower, Air-Con Mechanical, \$4,960.85 is now due and \$2,501.05 remaining balance is due and payable at the end of 30 days. **Moved by Vlassis to adopt. Motion carried 7-0.**

32. Approving Private Construction Contracts for the following:

98-1997 (A) Bus drop-off lane on east side of East 12th Street, north of Cleveland Avenue for Wallace Elementary School between M. Peterson Construction Company (Merlin Peterson Pres.), Contractor and Des Moines Independent Community School District, Owner. **Moved by Vlassis to adopt. Motion carried 7-0.**

98-1998 (B) Bus drop-off lane on west side of East 39th Court, just south of Easton Blvd., for McKee Elementary School between M. Peterson, Contractor and Des Moines Independent Community School District, Owner. **Moved by Vlassis to adopt. Motion carried 7-0.**

98-1999 (C) Bus drop-off lane on south side of Porter Avenue in 1000 block for Scavo High School between Gryp Construction Co. (Tony Gryp, Pres., Altoona), Contractor and Des Moines Independent Community School District, Owner. **Moved by Vlassis to adopt. Motion carried 7-0.**

98-2000 (D) Extension of existing bus drop-off lane on Clark Street, east of 19th Street for King Elementary School between Gryp Construction Co., Contractor and Des Moines Independent Community School District, Owner. **Moved by Vlassis to adopt. Motion carried 7-0.**

98-2001 (E) Bus drop-off lane on north side of College Avenue at 43rd Street for Perkins Elementary School between Nuckolls Concrete Services (Scott Temple, Pres., Johnston), Contractor and Des Moines Independent Community School District, Owner. **Moved by Vlassis to adopt. Motion carried 7-0.**

98-2002 (F) Lengthen existing bus drop-off lane on north side of Park Avenue just east of SW 9th Street at Park Avenue Elementary School between Nuckolls Concrete Services, Contractor and Des Moines Independent School Community School District, Owner. **Moved by Vlassis to adopt. Motion carried 7-0.**

98-2003 (G) Bus turn-in improvements west of 47th Street along Madison Avenue for Meredith middle School between P.G. Construction, Inc.(Keith Purdy, Pres.), Contractor and Des Moines Independent Community School District, Owner. **Moved by Vlassis to adopt. Motion carried 7-0.**

98-2004 33. Approving private construction contract for Relocation of SW 56th Street south of Park Avenue between McAninch Corporation, Dwayne McAninch, President, Contractor, and Airport Commerce Park, L.C., Gerard D. Neugent, Manager and President of Knapp Properties, Owner - \$457,429.32. **Moved by Vlassis to adopt. Motion carried 7-0.**

98-2005 34. Approving Private Construction Contract for storm sewer improvements at 3749 East University Avenue between R. G. Elder & Son Company, Jared Elder, President-Contractor and Robert Carter and Ken Paulding, Owners - \$39,250. **Moved by McPherson to adopt. Motion carried 7-0.**

98-2006 35. Communication from Grimes Asphalt & Paving Corp. requesting permission to sublet certain items on the public improvement project for Archie Brooks Community Center Parking Lot Restoration. **Moved by Vlassis to adopt. Motion carried 7-0.**

98-2007 36. Approving partial payments on five public improvement projects. (Call City Clerk's Office for listing). **Moved by Vlassis to adopt. Motion carried 7-0.**

SPECIAL ASSESSMENTS

98-2008 37. Authorizing Assessment Clerk to delete NAC-Emergency Orders Assessment Schedule 1995-36, charges in the amount of \$165.68 were charged to property acquired by the City at 418 SE 10th Street. **Moved by Vlassis to adopt. Motion carried 7-0.**

LAND/PROPERTY TRANSACTIONS

98-2009 38. Offer to purchase mobile home property at 5256 Pine Avenue, in conjunction with Runway 5/23 Extension, Army Post and Hwy 28 Relocation, from Sandra K. Hoover - \$39,300. **Moved by Vlassis to adopt. Motion carried 7-0.**

98-2010 39. Rededication of small parcel of Grandview Golf Course property along Guthrie Avenue between E. 29th and E. 31st Streets to use as street right-of-way. ([Council Communication No. 98-269](#)). **Moved by Vlassis to adopt. Motion carried 7-0.**

98-2011 40. Offer to Purchase Real Estate and Warranty Deed in conjunction with Army Post/Highway 28 Relocation and Runway 5/23 Extension (Grant 23), from Charlene C. Toms, 5256 Pine Avenue - \$17,565. **Moved by Vlassis to adopt. Motion carried 7-0.**

98-2012 41. Approving Final Subdivision Plat entitled Easter Lake Pointe Plat 1 in vicinity of SE 32nd Street and Easter Lake Drive. ([Council Communication No. 98-265](#)). **Moved by Vlassis to adopt. Motion carried 7-0.**

98-2013 42. Approving Final Subdivision Plat entitled Easter Lake Estates Plat 4 in vicinity of SE 30th Street and Easter Lake Drive. ([Council Communication No. 98-264](#)). **Moved by Vlassis to adopt. Motion carried 7-0.**

WITHDRAWN 98-2014 43. Permanent Easement for Surface Water Flowage in conjunction with 3749 E. University Ave. Storm Sewer, from Robert L. Carter and Lois N. Carter, 3749 E. University Ave. (settlement agreement of January 6, 1998).

98-2015 44. Backslope and Property Adjustment Easement and Release, Warranty Deed and Future Title Work Compensation in conjunction with 30th Street/31st Street Realignment at University Avenue, Kingman Avenue to Forest Avenue, from Richard J. Raabe and Susan J. Hansen, 1025 31st Street - \$634. **Moved by Vlassis to adopt. Motion carried 7-0.**

98-2016 45. Backslope and Property Adjustment Easement and Release, Warranty Deed and Future Title Work Compensation in conjunction with 30th Street/31st Street Realignment at University Avenue, Kingman Avenue to Forest Avenue, from Richard J. Raabe and Susan J. Hansen, 3018/3022 Kingman Boulevard - \$1,896. **Moved by Vlassis to adopt. Motion carried 7-0.**

98-2017 46. Backslope and Property Adjustment Easement and Release, Warranty Deed, and Future Title Work Compensation in conjunction with 30th Street/31st Street Realignment at University Avenue, Kingman Avenue to Forest Avenue, from Susan C. Stycket, 3103 Kingman Blvd. - \$686. **Moved by Vlassis to adopt. Motion carried 7-0.**

98-2018 47. Temporary Easement for Construction, Permanent Easement for Storm Sewer Right-of-Way, Permanent Easement for Surface Water Flowage and Future Title Work Compensation in conjunction with SW 3rd Street Storm Sewer, Thornton Avenue to Rose Street, from Michael P. Kelly, 3625 SW 3rd Street - \$1,765. **Moved by Vlassis to adopt. Motion carried 7-0.**

98-2019 48. Backslope and Property Adjustment Easement and Release, Permanent Easement for Street Right-of-Way, and Future Title Work Compensation in conjunction with 30th St./ 31st St. Realignment at University Avenue, Kingman Ave. to Forest Ave., from Nebraska Book Company, Inc., 3003 Forest Ave. - \$1,716. **Moved by Vlassis to adopt. Motion carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

98-2020 49. Appointment recommendation of the Des Moines Development Corporation for Dr. Richard M. Ryan, President, University of Osteopathic Medicine to Neighborhood Revitalization Board for a three-year term (commencing in 1997) to expire June 30, 2000. **Moved by Vlassis to adopt. Motion carried 7-0.**

98-2021 50. Appointment recommendation of Council Member Mike McPherson, Ward II, of Suzette Jensen to the Park & Recreation Board, for a four-year term to expire June 30, 2002. **Moved by Vlassis to adopt. Motion carried 7-0.**

98-2022 51. Reappointment recommendation of Council Member Gene Phillips, Ward IV, of Lorenzo Jasso to the Neighborhood Revitalization Board for a three-year term to expire June 30, 2001. **Moved by Vlassis to adopt. Motion carried 7-0.**

98-2023 52. Reappointment recommendation of Council Member Chris Hensley, Ward III, of Jerry O'Rourke to the Park & Recreation Board for a four-year term to expire June 30, 2002. **Moved by Vlassis to adopt. Motion carried 7-0.**

98-2024 53. Reappointment recommendation of At Large Council Member George E. Flagg of Ivan Butler to the Des Moines Access Advisory Board for a four-year term to expire June 15, 2002. **Moved by Vlassis to adopt. Motion carried 7-0.**

STREET CLOSINGS

54. Approving exception regarding length of time request from the following:

98-2025 (A) Rodney Ryan, 4808 Crestmoor Drive, request to close 48th, Bel-Aire Road to Crestmoor Drive and Crestmoor Drive, 48th to 50th Street, Saturday, July 4, 1998 from 10:00 A.M. to 11:00 P.M. for a children's parade and block party. **Moved by Vlassis to adopt. Motion carried 7-0.**

98-2026 (B) Kenneth Hopper, representing Des Moines Symphony, 221 Walnut, request to close Court Avenue from East 7th Street to East 12th Street, Friday, July 3, 1998 from 9:00 P.M. to 11:00 P.M. **Moved by Vlassis to adopt. Motion carried 7-0.**

98-2027 55. Approving closure of the following city streets. **Moved by Vlassis to adopt. Motion carried 7-0.**

(1) Kristy Oswald, 2515 40th Place, requesting permission to close 40th Place from Holcomb to Sheridan, Saturday, June 27, 1998 from 6:00 P.M. until 10:30 P.M. for a neighborhood block party.

(2) Beverly West, 2505 33rd Street, requesting permission to close 33rd Street from Hickman Road to Sheridan, Saturday, July 4, 1998 from 9:45 A.M. until 10:30 A.M. for a neighborhood parade.

(3) Don Bell, 3930 10th, requesting permission to close 10th from Seneca to Madison, Saturday, July 11, 1998 from 4:00 P.M. until 7:30 P.M. for a neighborhood block party.

(4) Henry Rozenboom, 4126 53rd Street, requesting permission to close 53rd Street from Madison Avenue to Aurora Avenue, Saturday, July 11, 1998 from 5:00 P.M. until 11:00 P.M. for a neighborhood block party.

(5) Janet Cooper, 1532 45th Street, requesting permission to close 45th Street from 1500 45th Street to 1546 45th Street, Saturday, July 25, 1998 from 4:00 P.M. until 9:00 P.M. for a neighborhood block party.

CITY PLAN COMMISSION RECOMMENDATIONS

WITHDRAWN 56. Regarding Architectural Advisory Committee's recommendation for carousel installation and canopy in Union Park.

WITHDRAWN 57. Regarding Architectural Advisory Committee's recommendation on fuel farm located at the Airport.

SETTING DATE OF HEARINGS

WITHDRAWN 58. On request from Kathy Prainito, for O'Reilly Automotive, Inc., to rezone property at 1335 E. Ovid Avenue, from "R1-60" (One-Family Low Density Residential) to

Limited "C-2" (General Retail and Highway Oriented Commercial) to allow for a 6,400 square foot retail auto parts store, (7-13-98).

WITHDRAWN 59. On application from Rhonda Burkhardt, to rezone property at 2407 SW 9th Street from "R1-60" (One-Family Low Density Residential) to "C-1" (Neighborhood Retail Commercial), (7-13-98).

WITHDRAWN 60. On application from William Flannery, Aviation Department Director, to rezone properties from SW 42nd Street and Army Post Road--east and north of future relocated Army Post Road to Littell Avenue, from R1-80, PBP and PUD, to M-3, (Limited Industrial District), for future airport related use, (7-13-98).

98-2028 61. On Revision to Capital Improvements Budget - Sanitary Sewer and Storm Water Utility Programs (7-13-98). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2029 (A) Communications received regarding recent flooding. **Moved by McPherson to receive, file and refer to City Manager to address issues raised and to recommend long and short term solutions to Council at its July 13, 1998 meeting. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

98-2030 62. Approving payment of \$1,942.75 to Daniel Voogt of Whitfield & Eddy, P.L.C. for representation of Michael Stueckrath in case of Gales v. Huffman, et al., 4-97-CV-10605. **Moved by Vlassis to approve payment. Motion carried 7-0.**

98-2031 63. Approving payment of \$4,542 from Harry Perkins, III of Patterson, Lorentzen, Duffield, Timmons, Irish, Becker & Ordway, L.L.P. for representation of Thomas Heller in case of Leverette, et al. v. Heller, et al., Case No. 4-97-CV-80749. **Moved by Vlassis to approve payment. Motion carried 7-0.**

98-2032 64. Approving payment of \$2,161.54 to Ahlers, Cooney, Dorweiler, Haynie, Smith & Allbee, P.C. for legal services in connection with Lease Agreement between City and Norwest Investment Services, Inc. to provide trucks for Public Works Department. **Moved by Vlassis to adopt. Motion Carried 6-1. Pass: Flag.**

98-2033 65. Approving payment of \$9,221.97 to Ahlers, Cooney, Dorweiler, Haynie, Smith & Allbee, P.C. for representation of City with respect to Airport Interim Financing for period January 28, 1997 through April 29, 1997. **Moved by Vlassis to adopt. Motion Carried 6-1. Pass: Flag.**

CITY MANAGER COMMUNICATIONS

98-2034 66. Submitting various traffic regulation changes as follows. ([Council Communication No. 98-262](#)). **Moved by Vlassis to receive, file and refer to Legal Department for preparation of proper legislation. Motion Carried 7-0.**

(1) Request for Mid-Block Signal--1600 Block of East Evergreen Avenue (Jackson Elementary School).

(2) Request for Handicapped Parking Space--South Side of Lyon Street West of East Seventeenth Street.

APPROVING

98-2035 67. Renewal of Section 8 Annual Contributions Contract with U.S. Department of Housing and Urban Development (HUD) for continued housing assistance for current program participants. ([Council Communication No. 98-267](#)). **Moved by Hensley to adopt. City Manager to report location of various units. Motion Carried 7-0.**

98-2036 68. Execution of Communication System License Agreement with AmerUs Life Insurance Company for use of skywalks for installation and operation of Fiber Optic Communication System to connect buildings owned by AmerUs in downtown. **Moved by Vlassis to adopt. Motion carried 7-0.**

98-2037 69. Annual Renewal of City Property and Casualty Insurance Coverages. ([Council Communication No. 98-273](#)). **Moved by Hensley to adopt. City Manager and Finance Director to provide a comprehensive schedule of various financial items needing bids and RFP's for Council to prioritize at its July 13, 1998 meeting. Motion Carried 6-1. Nays: Coleman.**

70. Bids for the following:

98-2038 (A) Sink Paper Co., (100 SW 5th Avenue, Jack Sink, President) for annual contract renewable for up to four additional years for recycled roll paper towels and dispensers to be used by the various City buildings. (See Roll Call for specifications and price breakdown). (Ten bids mailed-five received). **Moved by Vlassis to adopt. Motion carried 7-0.**

98-2039 (B) Thrasher Service Corporation, (3012 East 14th Street, Jim Thrasher, President) for water service stop box relocations and other services for PCC Curb Replacement Program to be used by the Public Works Department, \$44,363. (Seven bids mailed-two received). **Moved by Vlassis to adopt. Motion carried 7-0.**

98-2040 (C) WESCO Distribution, Inc. (2301 Fleur Drive) for repair parts for engine-generator breakers manufactured by Westinghouse, Inc. to be used by the Engineering Department (Wastewater Reclamation Facility). (Municipal Code section 2-86(a)(6) provides for single distributor source through competitive bids, \$39,450. **Moved by Vlassis to adopt. Motion Carried 6-1. Pass: Flagg.**

98-2041 (D) New Image Technologies, (950 Office Park Road, WDM) for annual support services agreement for automated records management system to be used by the Police

Department. (Municipal Code section 2-86(a)(6) provides for single distributor source through competitive bids, \$10,000. **Moved by Vlassis to adopt. Motion Carried 6-1. Pass: Flagg.**

98-2042 (E) GE Capital IT Solutions, (Urbandale, IA), State of Iowa Contract 1984, (Municipal Code section 2-86(c) for fifty-seven Compaq personal computers and accessories to be used by the Library for their Dynix Software system, \$98,892. **Moved by Vlassis to adopt. Motion Carried 6-1. Pass: Flagg.**

98-2043 70. (F) Bid awarded to Tennant Company, (Minneapolis, Minnesota) for combination street scrubber/sweeper to be used by the Traffic and Transportation Department, \$33,727.05. Bid from L.S.C. did not meet specifications, therefore non-compliant. (Fourteen bids mailed-three received). **Moved by Vlassis to adopt. Motion carried 7-0.**

98-2044 (G) Bid awarded to Pool Tech, Inc., (Cedar Rapids, IA, Dick Whiteaker, President) for an annual contract renewable for two additional twelve month periods for chemical to be used by the Park and Recreation Department, (See roll call for specifications and price breakdown). Bids from four other companies were non-compliant. (Eleven bids mailed-six received). **Moved by Vlassis to adopt. Motion carried 7-0.**

98-2045 71. Report of Civil Service Commission submitting Entrance Lists for Tree Trimmer and Airport Operations Officer. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

98-2046 72. Authorizing Finance Director to draw warrants on register of June 26, 1998, and the bills of the Des Moines Municipal Housing Agency for the weeks beginning June 22, 1998, June 29, 1998, and July 6, 1998, and the biweekly payroll due employees on June 19, 1998. **Moved by Vlassis to adopt. Motion carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

98-2047 73. Amending Chapter 27 of the Municipal Code regarding the following traffic regulation changes. **Moved by Vlassis that this ordinance do now pass, [#13,613](#). Motion Carried 7-0.**

(1) No Parking-South Side of Urbandale Avenue East and West of Westover Boulevard.

(2) Loading Zone-East Side of Fourth Street North of Vine Street.

(3) One-Sided Parking Restriction-South Side of Hackley Avenue from Fleur Drive to S.W. 19th Street and East Side of S.W. 19th Street from Hackley Avenue to McKinley Avenue.

(4) Parking Restriction and Corner Clearance-East Side of Ohio Street South of College Avenue.

(5) Corner Clearance-South Side of Sherrick Avenue West of 67th Street.

(6) One-Sided Parking Restriction-Scott Avenue Between S.E. 30th and Raccoon Street.

(7) Permanent Traffic Signals-Intersection of S.E. 30th and Scott Avenue.

(8) Parking Changes-East Ninth Street Between Filmore Street and Roosevelt Avenue.

98-2048 74. Amending Chapter 2 of the Municipal Code regarding official action to formally name the Neighborhood Revitalization Board. **Moved by Vlassis that this ordinance do now pass, [#13,614](#). Motion Carried 7-0.**

98-2049 75. Adding and enacting Section 7-6.01 of the Municipal Code regarding removal of animal waste. **Moved by Vlassis that this ordinance do now pass, [#13,615](#). Motion Carried 7-0.**

98-2050 76. Amending Chapter 21 of the Municipal Code regarding waste haulers. **Moved by Vlassis that this ordinance do now pass, [#13,616](#). Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

98-2051 77. On amendments to Traffic Code and Zoning Ordinance, to permit Community Development Dept. staff to write parking tickets for cars illegally parked in front yards, for violation of the Zoning Ordinance. **Moved by Phillips that second consideration be deferred to July 13, 1998 meeting. Motion Carried 7-0.**

98-2052 78. Amending Chapter 17 of the Municipal Code to allow cage or box live trapping of non-domestic animals or wildlife presenting a nuisance or danger to person or property. **Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

98-2053 79. Amending Chapter 26 of the Municipal Code regarding Water Works Board of Trustees, and the City's water utility--Code update for compliance. **Moved by Vlassis that second consideration be deferred to the July 13, 1998 meeting. Motion Carried 6-1. Pass: Flagg.**

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

ORDINANCES - FIRST CONSIDERATION

98-2054 80. Submitting various traffic regulation changes as follows. **Moved by Phillips that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

(1) Speed Reduction-Southwest Sixth-third Street between Browns Woods Drive and Army Post Road.

(2) No Stopping, No Standing Designation Near Lovejoy Elementary School.

(3) Two-Sided Parking Restriction-Southeast Seventeenth Street between Pleasantview Drive North to End of the North Curve.

(4) Request for Two-Sided Parking Restriction-Southwest Ninth Street from County Line Road North 300 Feet.

COUNCIL REQUESTS

98-2055 81. From Mayor Preston Daniels to discuss the "Lend-A-Hand" Program, Phase II. **Moved by Phillips to receive, file and discuss. Council will submit nomination for the Task Force to the Council's Executive Secretary. Motion Carried 7-0.**

98-2056 82. From Council Member Gene Phillips to discuss railroad crossing at entrance of the Des Moines Soccer Complex. **Moved by Phillips to receive, file and refer to City Manager to expedite installation of appropriate signs. Motion Carried 7-0.**

98-2057 83. From Council Member George Flagg to discuss property at 1632 Dean Avenue. **Moved by Flagg to receive, file and refer to City Manager to resolve. Motion Carried 7-0.**

98-2058 84. From Council Member George Flagg to discuss disruptive tenants in Public Housing at Southview Manor. **Moved by Hensley to receive, file and refer to City Manager for review and recommendation. Motion Carried 7-0.**

98-2059 85. From Council Member George Flagg to discuss neighborhood problems in the area of SE Gray and SE Pioneer. **Moved by Coleman to receive and file. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

98-2060 86. From Sherman Hill Association requesting reallocation of Chamberlain Park replacement funds and Phase I lighting funds to various projects in the area. ([Council Communication No. 98-276](#)). **Moved by Hensley to receive, file and refer to City Plan Commission and Park Board for review and recommendation; City staff to review funding availability. Motion Carried 7-0.**

HEARINGS (Opened at 6:07 P.M.) (Items 87 thru 93)

98-2061 87. On vacation and lease of the southern portion of Court Avenue right-of-way, at 208 Court Avenue--Gilligan's, for a permanent outdoor sidewalk cafe seating area. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-2062 (A) First consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

98-2063 (B) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by Hensley 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, [#13,617](#). Motion Carried 7-0.**

98-2064 88. On approval of vacation and sale of east/west alley right-of-way between S.E. 15th and S.E. 16th south of Maury, to Bud J. and Leola M. Sonderleiter, \$400 plus costs. **Moved by Flagg to continue hearing to 7-13-98. Staff to provide property value comparables in the area. Motion Carried 7-0.**

98-2065 (A) First consideration of ordinance above. **Moved by Flagg to defer consideration to 7-13-98. Motion Carried 7-0.**

98-2066 89. On lease agreement with various vehicle rental agencies, for rental of vehicles for use by Parks and Recreational programs and maintenance of park facilities, not to exceed \$26,500 per year. **Moved by Phillips to adopt. Motion Carried 7-0.**

98-2067 (A) Authorizing Lease Agreements. **Moved by Phillips to adopt. Motion Carried 7-0.**

98-2068 90. On Archie Brooks Community Center Parking Lot Restoration: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Grimes Asphalt & Paving Corp., (J.M. Yonker, Pres, Grimes), \$33,630. **Moved by Coleman to adopt. Motion Carried 7-0.**

98-2069 (A) Approving contract and bond. **Moved by Coleman to adopt. Motion Carried 7-0.**

98-2070 91. On Branch Library Parking Lot Lighting Improvements: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Spain Electric, (Daniel P. Spain, President, WDM), \$33,186. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2071 (A) Approving contract and bond. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2072 92. On 1998 City-Wide PCC Pavement Restoration Program: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as P.G. Construction, Inc., (Keith Purdy, Pres, 34 SE Gray Street), DM, \$160,050. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-2073 (A) Approving contract and bond. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-2074 93. On resolution to REJECT all bids and Close the hearing on 1403-1407 Forest Avenue Demolition and Asbestos Removal Project, (one bid-over estimate); will rebid this Fall. ([Council Communication No. 98-268](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

* * END HEARINGS at 6:20 P.M. * *

APPROVING

98-2075 94. Petition to the City Development Board for the Involuntary Annexation of land in Polk and Warren Counties, lying Northeast, Southeast and South of the current city boundaries, and the Island Area of unincorporated land within the City limits. **Moved by Hensley to adopt. Motion Carried 4-2-1. Nays: Flagg and Phillips. Pass: McPherson.**

98-2076 (A) Communication(s) received regarding proposed annexation. **Moved by Hensley to receive and file. Motion Carried 7-0.**

98-2077 (B) Receipt of written requests to speak. **Moved by Hensley to receive and file. Motion Carried 7-0.**

98-2078 95. Agreement between the City and Eastgate Plaza LLC, for redevelopment of Eastgate Shopping Center (NE corner of E. 14th and Euclid). ([Council Communication No. 98-270](#)). **Moved by McPherson to adopt. Motion Carried 5-1-1. Nays: Coleman. Pass: Vlassis.**

98-2079 96. Minimum Requirements, Competitive Criteria, Offering Documents and Procedures for Redevelopment of property south of Court Avenue, between 3rd and 5th Streets, Capitol-Center Development Area and Riverpoint Capitol-Center Development Area Urban Renewal projects, and directing solicitation of proposals for redevelopment (Court Avenue Entertainment Center Project). ([Council Communication No. 98-275](#)). **Moved by Hensley to approve. Motion Carried 7-0.**

98-2080 (A) Authorizing City Manager to take all actions necessary to accommodate the development. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-2081 (B) Communication from Alice Rodine, 2328 Amherst regarding Court Avenue Entertainment District. **Moved by McPherson to receive and file. Motion Carried 7-0.**

98-2082 97. Agreement to extend contract with Central Parking System of Iowa, Inc. for an additional one-year period, July 1, 1998 through June 30, 1999. ([Council Communication No. 98-272](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

98. Resolutions regarding Baker Support Services-Fleet Maintenance Contract with City of Des Moines for the following:

98-2083 (A) Performance Report FY 1998. **Moved by Coleman to adopt. Motion Carried 7-0.**

98-2084 (B) Continuation of Contract and approval of Fiscal Year 1999 budget in the amount of \$3,311,488.84. ([Council Communication No. 98-274](#)). **Moved by Coleman to adopt. Motion Carried 7-0.**

98-2085 99. Authorizing City Manager to pursue appropriate enforcement remedies for Neighborhood Conservation Services Contract and Mortgage obligations. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Daniels.**

WITHDRAWN 98-2086 100. Release of City Liens against Polk County Tax Sale Properties, 1319 10th Street, to clear title objection, (continued from 5-18-98).

98-2087 101. Submittal of Grant Application to the Iowa Department of Transportation (IDOT) for the Four Mile Creek Trail project in the amount of \$500,000. ([Council Communication No. 98-271](#)). **Moved by McPherson to adopt. Motion Carried 5-1-1. Pass: Flagg. Absent: Daniels.**

98-2088 102. Reproduction Rights Professional Services Agreement with Development Dimension International (DDI), for a supervisory training program titled "Interaction Management Tactics and Strategies for Effective Leadership" - \$56,609 for curriculum licensing and materials, and not to exceed \$2,000 for travel expenses. ([Council Communication No. 98-263](#)). **Moved by Hensley to adopt. Motion Carried 5-1-1. Nays: Flagg. Absent: Daniels.**

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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.

98-2089 1. Approving recommendation of Council Member Chris Coleman, for reappointment of Robert Speed to the Greater Des Moines Sister City Commission, five-year term to expire April 29, 2003. SPONSOR: Coleman. **Moved by Coleman to adopt. Motion Carried 6-1. Absent: Hensley.**

98-2090 2. Approving Temporary Beer Garden for Raccoon River Brewing Co., L.L.C., Tom Osborn, Manager dba Raccoon River Brewing, 200 Tenth Street for special event on July 2 and July 3, 1998. Subject to submission of acceptable building, electrical, zoning and fire inspections. SPONSOR: Hensley. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-2091 (A) Approving exception regarding length of time request from Raccoon River Brewing, 200 Tenth Street to close Mulberry Street from 10th Street to 11th Street and 11th Street from Mulerry Street to Walnut Street, Thursday, July 2, 1998 from 5:30 P.M. until 12:00

Midnight for Iowa Barnstormers Fan Appreciation Party. SPONSOR: Hensley. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-2092 3. Approving Class "B" Beer License to Court Avenue District Association, Susan Parry, President dba Court Avenue District Association, 308 Court Avenue; New Application for One Day Event (On Court Avenue Bridge) on July 18, 1998 (With Beer Garden) - Application submitted on June 17, 1998. Subject to submission of acceptable building, electrical, fire and vice inspections. SPONSOR: Hensley. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-2093 (A) Approving exception regarding length of time request from Court Avenue District Association, Susan Parry, President dba Court Avenue District Association to close Court Avenue Bridge, Saturday, July 18, 1998 from 3:00 P.M. until 12:00 Midnight for Carp Festival. SPONSOR: Hensley. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-2094 MOTION TO ADJOURN at 9:55 P.M.