

***** DES MOINES CITY COUNCIL MEETING REPORT *****

The City Council took the following action on items listed in the attached meeting agenda summary. Copies of ordinances, resolutions and other Council action may be obtained from the City Clerk's Office (515) 283-4209. The six-digit number beginning with '06-' preceding each item on the agenda is a roll call number assigned by the City Clerk. Please refer to this number when requesting information or copies.

SUMMARY OF DES MOINES CITY COUNCIL MEETING

July 24, 2006 4:30 PM

PROCLAMATIONS- 4:15 PM

National Night Out

Korn Patch Klowns

INVOCATION: Pastor Loren Strait
Glen Echo Christian Church

[06-1417](#) 1. **ROLL CALL: Present: Cownie, Brooks, Coleman, Hensley, Mahaffey, Kiernan and Vlassis.**

[06-1418](#) 2. **APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: Moved by Hensley to adopt. Motion Carried 7-0.**

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***Note: These are routine items and will be enacted by one roll call vote without separate discussion unless someone, Council or public, requests an item be removed to be considered separately.**

[06-1419](#) 3. **APPROVING CONSENT AGENDA – items 3 through 51: Moved by Hensley to adopt the balance of the consent agenda. Motion Carried 7-0.**

LICENSES AND PERMITS

[06-1420](#)

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

NEW APPLICATIONS

- (A) BIRD'S NEST 3000 E GRAND AVE C Beer/Wine

RENEWAL APPLICATIONS

- (B) 25TH STREET CAFE 1229 25TH ST C Liquor
(C) APPLEBEES NEIGHBORHOOD GRILL 3900 MERLE HAY RD C Liquor
(D) APPLEBEES NEIGHBORHOOD GRILL 6301 SE 14TH ST C Liquor
(E) CROATIAN FRATERNAL SLAVIC CTR 6575 INDIANOLA AVE C Liquor
(F) DELL OIL LTD 5800 SW 9TH ST C Beer
(G) DRAKE UNIVERSITY RATHSKELLER 2875 UNIVERSITY C Liquor
(H) EL PATIO MEXICAN RESTAURANT 611 37TH ST C Liquor
(I) GIT N GO STORE #26 2140 E PARK AVE C Beer
(J) GIT N GO STORE #36 4164 EASTON BLVD C Beer
(K) LATIN KING RESTAURANT 2200 HUBBELL AVE C Liquor
(L) ORLONDOS 4337 PARK AVE C Liquor
(M) PDS PUB 3803 SW 9TH STREET C Liquor
(N) QUIKTRIP #523 850 ARMY POST RD C Beer
(O) STAR BAR 2809 INGERSOLL AVE C Liquor

OUTDOOR SERVICE APPLICATIONS

- (P) BLAZING SADDLE 416 E 5TH ST C Liquor
Temporary in conjunction with Historic East Village Bike Night on July 28, 2006. Pending approval of Building, Electrical and Zoning Departments.
- (Q) BUDDYS CORRAL 418 E 5TH ST C Liquor
Temporary in conjunction with Historic East Village Bike Night on July 28, 2006. Pending approval of Building and Zoning Departments.
- (R) HIGH LIFE LOUNGE 200 SW 2ND ST C Liquor
Temporary in conjunction with Summer Festival on August 5, 2006.
- (S) HIGH LIFE LOUNGE 200 SW 2ND ST C Liquor
Temporary in conjunction with Oktoberfest on September 22, 2006.
- (T) LOCUST TAP 434 E LOCUST ST C Liquor
Temporary in conjunction with Historic East Village Bike Night on July 28, 2006. Pending approval of Building and Electrical Departments.

[06-1421](#)

- 4-I Approving temporary outdoor service area for Vaudeville Mews at 212 4th Street on July

2006 for 515 Alive. Subject to approval of Building, Electrical, Fire and Zoning Departments. Sponsor: Kiernan. **Moved by Hensley to adopt. Motion Carried 7-0.**

[06-1422](#) 5. [City](#) Clerk to issue Cigarette Licenses. **Moved by Hensley to adopt. Motion Carried 7-0.**

[06-1423](#) 6. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Hensley to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

7. Ordering construction of the following:

[06-1424](#) (A) [Court](#) Avenue & Walnut Street Two-Way Traffic Conversion – Receiving of bids, (8-8-06), and Setting date of hearing, (8-21-06). (Construction Estimate - \$167,465). ([Council Communication No. 06-468](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[06-1425](#) (B) [E. 30th](#) Street and State Avenue Realignment – Receiving of bids, (8-8-06), and Setting date of hearing, (8-21-06). (Construction Estimate - \$200,000). ([Council Communication No. 06-465](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[06-1426](#) (C) [2006](#) Bridge Repair Program – Contract 2 – Receiving of bids, (8-8-06), and Setting date of hearing, (8-21-06). (Construction Estimate - \$72,235.50) ([Council Communication No. 06-466](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[06-1427](#) 8. [Approving](#) execution of Iowa Department of Transportation Agreement for Crocker Street at 5th Avenue, 6th Avenue, and 7th Street Traffic Signal Installation. ([Council Communication No. 06-459](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[06-1428](#) 9. [Approving](#) execution of Iowa Department of Transportation Agreement for E. 29th Street and Hubbell Avenue Traffic Signal Upgrade. ([Council Communication No. 06-464](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[06-1429](#) 10. [Approving](#) Professional Services Agreement with RDG IA, Inc. Architects for design and construction phase services for the ADA Transition Plan Improvements – Phase 1, not to exceed \$67,640. ([Council Communication No. 06-455](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[06-1430](#) 11. [Approving](#) Professional Services Agreement with McClure Engineering Company in conjunction with Thirteenth Street and Jefferson Avenue Overflow Reroute and Interceptor Removal, not to exceed \$176,800. ([Council Communication No. 06-461](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[06-1431](#) 12. [Approving](#) and authorizing execution of Change Order No. 1 to Keo Way Phase 2 Street

Sewer Outlet, not to exceed \$46,200. ([Council Communication No. 06-456](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

13. Approving Private Construction Contracts for Airport Commerce Park South Plat 2 for following:

[06-1432](#) (A) [Sanitary](#) Sewer Improvements between McAninch Corporation and West Land Properties, LLC. **Moved by Hensley to adopt. Motion Carried 7-0.**

[06-1433](#) (B) [Storm](#) Sewer Improvements between McAninch Corporation and West Land Properties, LLC. **Moved by Hensley to adopt. Motion Carried 7-0.**

[06-1434](#) 14. [Approving](#) Private Construction Contract between Schroeder Leverington, Inc. Southeast Polk Community School District for sanitary sewer improvements in NE Street, south of Hubbell Avenue. **Moved by Hensley to adopt. Motion Carried 7-0.**

[06-1435](#) 15. [Approving](#) Private Construction Contract between Eco-Tech Construction, LLC Savannah Homes for paving, sanitary and storm sewer improvements in Sawyer's Lane Phase 12. **Moved by Hensley to adopt. Motion Carried 7-0.**

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

[06-1436](#) (A) [Blacktop](#) Repair Service Inc. – 2006 Tennis Court Resurfacing Program. **Moved by Hensley to adopt. Motion Carried 7-0.**

[06-1437](#) (B) [Legacy](#) Construction Group – Greenhouses at Chesterfield. **Moved by Hensley to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

[06-1438](#) 17. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Ordinance (Community Development) Schedule No. 2006-05. **Moved by Hensley to adopt. Motion Carried 7-0.**

[06-1439](#) 18. [Delinquent](#) Sewer Rental and/or Solid Waste/Stormwater Utility Credits for June 2006. **Moved by Hensley to adopt. Motion Carried 7-0.**

[06-1440](#) 19. [Delinquent](#) Sewer Rental and/or Solid Waste/Stormwater Utility Fees for June 2006. **Moved by Hensley to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [06-1441](#) 20. [Authorizing](#) issuance of a replacement quit claim deed for the East 7 feet of the vacant north/south alley adjoining 3308 SW 12th Street to Derek and Jessica O'Riley. **Moved by Hensley to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

21. Recommendation of Council Member Michael Kiernan for reappointment of the following:
- [06-1442](#) (A) [Dusty](#) Isaacson to the Citizen Odor Board, Seat 4, for a three-year term commencing April 1, 2006 to expire April 1, 2009. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [06-1443](#) (B) [Jon](#) Thyberg to the Licensing & Appeals Board, Seat 9, for a three-year term commencing April 1, 2006 to expire April 1, 2009. **Moved by Hensley to adopt. Motion Carried 7-0.**
- WITHDRAWN
- [06-1444](#) (C) ~~[Brook](#) Rosenberg to the Plan and Zoning Commission, Seat 5, for a five-year term commencing July 3, 2006 to expire July 3, 2011.~~

- [06-1445](#) 22. [Communication](#) from Patrick O'Brien advising of his resignation from the Advisory Board, Seat 12, effective immediately. **Moved by Hensley to receive, file and accept this resignation with our appreciation for Mr. O'Brien's service. Motion Carried 7-0.**

23. Communications from the following regarding resignations from the Greater Des Moines Sister City Commission:

- [06-1446](#) (A) [Shirlee Reding](#), Seat 9, effective immediately. **Moved by Hensley to receive, file and accept this resignation with our appreciation for Ms. Reding's service. Motion Carried 7-0.**

- [06-1447](#) (B) [Jennifer](#) Smyser, Seat 13, effective immediately. **Moved by Hensley to receive, file and accept this resignation with our appreciation for Ms. Smyser's service. Motion Carried 7-0.**

WITHDRAWN

- [06-1448](#) 23-I ~~[Communication](#) from Mayor Frank Cownie regarding appointment of alternates to the Regional Transit Authority (RTA), effective immediately.~~

- [06-1449](#) 24. [Attendance](#) Reports for the various City Boards and Commissions for the first six months of 2006. **Moved by Hensley to receive and file and express appreciation to especially those with perfect attendance. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [06-1450](#) 25. [Regarding](#) request from Rick and Stacy Brown, 3015 Wright Street, for vacation conveyance of north/south alley between Wright Street and E. 9th Street from E. Tiffin Avenue to E. Tiffin Avenue, subject to conditions. **Moved by Hensley to receive and file, and to refer to the City Manager for further processing in accordance with standard City property disposition procedures. Motion Carried 7-0.**
- [06-1451](#) 26. [Regarding](#) request from Ricky Haines, 1920 Washington Avenue, for vacation conveyance of a portion of Martin Luther King Jr. Parkway, east of and abutting developed street lanes between Washington Avenue and Mondamin Avenue, subject to conditions. **Moved by Hensley to receive and file, and to refer to the City Manager for further processing in accordance with standard City property disposition procedures. Motion Carried 7-0.**
- [06-1452](#) 27. [Regarding](#) the “S-O” Study Overlay District for the Four Mile Creek floodplain retaining the zoning designation. **Moved by Hensley to receive, file and adopt, and direct the Community Development Department to mail notice to the affected property owners. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [06-1453](#) 28. [On](#) vacation and conveyance of Hawthorne North Softball Field, located on the south side of Maury Street between SE 10th and SE 11th Streets to Southern Rose, LP, \$236,320, (8-7-06). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [06-1454](#) 29. [On](#) Eighteenth Amendment to the Restated Urban Revitalization Plan for the City-Walton Urban Revitalization Area for development and redevelopment of E. 14th and Broadway Business Park located west of E. 14th Street, south of Interstate 35/80 and east of NE Broadway Street, (8-7-06). [Council Communication No. 06-462](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- 29-I. On Amendments to current operating agreements extending their signatory status until January 30, 2008 at the Des Moines International Airport for the following, (8-7-06):
- [06-1455](#) (A) [Skyway](#) Airlines, Inc. d/b/a Midwest Connect. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [06-1456](#) (B) [Allegiant](#) Air, LLC. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [06-1457](#) (C) [United](#) Parcel Service Co. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [06-1458](#) (D) [ABX](#) Air Inc. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [06-1459](#) (E) [Comair](#) Inc. **Moved by Hensley to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [06-1460](#) 30. [Approving](#) payment of \$414 to Hansen, McClintock & Riley law firm for representation of Officer Christopher Huffman in the case entitled Beveridge v. Wal-Mart Stores, et al. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [06-1461](#) 31. [Approving](#) payment of \$924 to Ahlers & Cooney, P.C. for representation in the license purchase agreement between the City and Employers Mutual Casualty Company. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [06-1462](#) 32. [Approving](#) payment of \$7,926.77 to Hall & Associates for services related to the combined sewer system and combined sewer overflows related to the NPDES Permit. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [06-1463](#) 33. [Approving](#) payment of \$11,000 to Dixie and Calvin Osborn for bodily injury and property damage as a result of an auto accident. **Moved by Hensley to adopt. Motion Carried 7-0. Council Member Mahaffey declares a conflict of interest and abstains from voting.**

CITY MANAGER COMMUNICATIONS

- [06-1464](#) 34. [Submitting](#) out-of-state travel requests for Lawrence McDowell, Bruce Bergman, Giudicessi, and Jason Shediwy. ([Council Communication No. 06-467](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

APPROVING

- [06-1465](#) 35. [Environmental](#) Review Determinations for Continuum of Care projects. ([Council Communication No. 06-450](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [06-1466](#) 36. [Community](#) Development Block Grant (CDBG) carryover funding, budget amendment and administrative changes for 2006 Neighborhood Conservation Services (NCS) Program. ([Council Communication No. 06-451](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [06-1467](#) 37. [Suspension](#) of 2006 Community Development Block Grant (CDBG) Allocation for CIETC Project Employment Program. ([Council Communication No. 06-449](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [06-1468](#) 38. [Sublease](#) Agreement between Des Moines Municipal Housing Agency (DMMHA) and Home, Inc. for a portion of the DMMHA Maintenance Facility at 117 Arthur Avenue. ([Council Communication No. 06-475](#)) **Moved by Hensley to approve. Motion Carried 7-0.**

39. NUMBER NOT USED

40. Issuance of General Obligation Bonds for the following:

[06-1469](#) (A) [\\$20,295,000](#), Series 2006A. **Moved by Hensley to adopt. Motion Carried 7-0.**

[06-1470](#) (B) [\\$9,210,000](#), Series 2006B. **Moved by Hensley to adopt. Motion Carried 7-0.**

[06-1471](#) (C) [\\$1,170,000](#), Taxable Series 2006C. **Moved by Hensley to adopt. Motion Carried 7-0.**

[06-1472](#) 41. **Traffic** Safety Fund Applications to the Iowa Department of Transportation for the following projects: ([Council Communication No. 06-464](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

(A) Army Post Widening from South Union to SW 9th Street.

(B) Hickman Road Restriping between 30th Street and Merle Hay Road, Including Traffic Signals at 48th Street and Hickman Road.

(C) 42nd Street at Kingman Boulevard Traffic Signal/Street Widening Improvements.

(D) Hubbell Avenue and Easton Boulevard Intersection Traffic Signal Upgrading.

[06-1473](#) 42. **Use** Agreement for Parking and Walkway for Tower Park Patrons with First Federal Church, 4801 Franklin Avenue, from April 1, 2006 to March 31, 2008. ([Council Communication No. 06-454](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[06-1474](#) 43. **Temporary** closing of SW Water Street, south of Line Drive to Water Street Bridge for vehicular travel. ([Council Communication No. 06-479](#)) **Moved by Hensley to approve. Motion Carried 7-0.**

[06-1475](#) 44. **Use** of various City facilities as poll sites for precincts 31, 36, 60, 64, 82, and 83 for School Election to be held Tuesday, September 12, 2006. **Moved by Hensley to approve. City Clerk will notify the City Properties Administrator and the Municipal House Department to arrange access to the buildings. Motion Carried 7-0.**

[06-1476](#) 45. **Receipt** of Quarterly Treasurer's Report as of June 30, 2006. **Moved by Hensley to receive and file. Motion Carried 7-0.**

46. Bids from the following:

[06-1477](#)

(A) [Logan](#) Contractors Supply for a non-competitive procurement of Crafcro crack seal (Roadsaver 221) and detackifier (Detack) pavement maintenance products for use with existing Crafcro pavement preservation equipment by the Public Works Department, \$50,000. **Moved by Hensley to adopt. Motion Carried 7-0.**

[06-1478](#)

(B) [Per](#) Mar Security Systems to provide and install a video camera recording system for use in three interview rooms used by the Detective Bureau of the Police Department, \$26,448. (Five bids mailed, four bids received.) **Moved by Hensley to adopt. Motion Carried 7-0.**

[06-1479](#)

(C) [Office](#) Max for an annual contract with two additional one-year renewal options to furnish office supplies. (Five bids mailed, five bids received.) ([Communication No. 06-452](#)) **Moved by Hensley to adopt; and refer to Council Manager to report to Council one month before the contract is renewed; and review the “local preference” practices. Motion Carried 6-0. Mayor Cowley declares a conflict of interest and abstains from voting.**

[06-1480](#)

47. [Civil](#) Service Entrance Lists for Field Coordinator Special Projects/Community Services Plans Examiner, Storm Water Environmental Technician and Housing Services Coordinator Manager and Promotional List for Senior Identification Technician. **Moved by Hensley to receive and file. Motion Carried 7-0.**

[06-1481](#)

48. [Authorizing](#) Finance Director to draw checks on registers for the weeks of July 24 and July 31, 2006; and to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of July 24 and July 31, 2006; and to draw checks for bi-weekly payroll for August 4, 2006. **Moved by Hensley to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

[06-1482](#)

49. [Repealing](#) sections in Chapter 22 of the Municipal Code regarding sections that are not under the International Fire Code, or adopted Airport Board Regulations. **Moved by Hensley that this ordinance do now pass, #14,575. Motion Carried 7-0.**

[06-1483](#)

50. [Amending](#) Chapter 114 of the Municipal Code regarding traffic regulation changes as follows: **Moved by Hensley that this ordinance do now pass, #14,576. Motion Carried 7-0.**

(A) Traffic modification for Goodrell Middle School temporary site: Walker Street between E. 14th and E. 15th Streets.

(B) Traffic Modifications for East High School: directional flow on E. 13th Street between Maple and Buchanan; four-way stop at E. 13th Street and Buchanan.

ORDINANCES - SECOND CONSIDERATION

[06-1484](#)

51. [Amending](#) Chapter 114 of the Municipal Code submitting traffic regulation changes Watson Powell Lane Reconfiguration Project – Two Way Traffic Operation on Watson Powell Jr. Way from 6th Avenue to 7th Street and removal of signals and placement of a one way stop at 4th Street and Watson Powell Jr. Way. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

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

ORDINANCES - FIRST CONSIDERATION

[06-1485](#)

52. [Amending](#) Chapter 114 of the Municipal Code submitting traffic regulation changes as follows:([Council Communication No. 06-463](#)) **Moved by Coleman that this ordinance be considered and given first vote for passage. Refer item (C) to the City Manager for review the turn lane and condition of the street and establish a temporary turn lane on 6th and Hickman. Motion Carried 7-0.**

- (A) Additional Parking Metered Spaces – east side of SW Water Street from Main Street to Elm Street.
- (B) Additional Handicapped Parking Metered Spaces – south side of Grand Avenue from 5th Avenue to 6th Avenue.
- (C) Conversion of Hickman Road between 30th Street and Merle Hay Road to a five-lane facility.
- (D) Request for taxicab stand – 3rd Street near Iowa Events Center.

COMMUNICATIONS/REPORTS

[06-1486](#)

53. [From](#) Jason Jasnos, 756 17th Street, to speak regarding unwanted MTA bus service and littering by transit customers on Center Street in Sherman Hill. **Moved by Hensley that we receive and file comments. Motion Carried 7-0.**

[06-1487](#)

54. [From](#) Mathew Koder, 6407 SW 8th Street, to speak regarding the City ordinance regarding American pit bull terrier and staffordshire terrier breeds. **Moved by Kiernan to receive and file, Mr. Koder did not appear. Motion Carried 7-0.**

[06-1488](#)

55. [From](#) Bob Wessel, 2719 E. Leach Ave, to speak regarding taxation and Water Works. **Moved by Hensley to receive and file comments. Motion Carried 7-0.**

- [06-1489](#) 56. **From** Frank Ingersoll, 2730 E. Jefferson, to speak regarding impeachments, resignations and restoration of laws. **Moved by Vlassis to receive and file, Mr. Ingersoll did not appear. Motion Carried 7-0.**
- [06-1490](#) 57. **From** Sharon Louise, 1600 Carpenter Ave, to speak regarding the review of former appeals to establish a Citizen Review Committee. **Moved by Kiernan to receive and comments, Ms. Louise did not appear. Motion Carried 7-0.**
- [06-1491](#) 58. **From** Peter M. Rose, 668 48th Street, to speak regarding improved communication representation on the Des Moines City Council. **Moved by Coleman to receive and comments and petitions. Motion Carried 6-1. Pass:Hensley.**

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 59 THRU 72)

- [06-1492](#) 59. **On** appeal from Todd Holm, 3531 Pierce Street NE, Minneapolis, MN, regarding Administrative Hearing Officers' decision on vehicle impound, **continued from July 2006 Council Meeting. Moved by Hensley to continue to August 7, 2006 at 5:00 P.M. Motion Carried 7-0.**
- [06-1493](#) 60. **On** appeal from Nathan Karlzen, 3910 Indianapolis Avenue, of the Administrative Hearing Officer's decision declaring his dog dangerous. **Moved by Coleman to receive and declaration; and to allow the owners to remove the dog from Des Moines; and if the dog is returned to Des Moines it will be immediately destroyed. Motion Carried 5-2. Nominations: Cownie and Vlassis.**
- [06-1494](#) 61. On appeal from Noel LaToure, regarding recommended denial of a Taxicab License. **Moved by Hensley to grant license for a six-month probationary period. Motion Carried 7-0.**
- WITHDRAWN
- [06-1495](#) 62. ~~**On** appeal from James and Sandra Quilty regarding the decision of the Historic Preservation Commission for property at 814 17th Street in the Sherman Hill Historic District and upholding the decision.~~
- [06-1496](#) (A) **Alternate Resolution**-Amending the decision of the Historic District Commission ([Council Communication No. 06-476](#)) **Moved by Kiernan to adopt and amend decision of the Historic Preservation Commission as identified above to allow carriage house to be located to the side of the applicant's house. Motion Carried 6-1. Pass: Vlassis.**

- [06-1497](#) 63. **On** Supplement No. B-6 to the Governmental Lease-Purchase Master Agreement with Banc of America Leasing & Capital, LLC, not to exceed \$208,000, for the lease-purchase of eight hybrid vehicles for the Police Department. ([Council Communication No. 06-460](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-1498](#) 64. **On** vacation and conveyance of Sheridan Avenue right-of-way north of 2621 38th Street to In A Fix, Inc., \$150. ([Council Communication No. 06-460](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-1499](#) (A) **First** consideration of ordinance above. **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [06-1500](#) (B) **Final** consideration of ordinance above, (waiver requested by applicant), requires 14,500 votes. **Moved by Vlassis that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #14,500. Motion Carried 7-0.**
- [06-1501](#) 65. **On** conveyance of a permanent gas main easement across City-owned property at Robert D Ray Drive to MidAmerican Energy Company for the building associated with Brenton Ice Skating Plaza. **Moved by Brooks to adopt. Motion Carried 7-0.**
- [06-1502](#) 66. **On** sale of city-owned property in the vicinity of Martin Luther King Jr. Parkway and Hubbard Street to Hubbell Realty Company, \$124,740. ([Council Communication No. 06-460](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [06-1503](#) 67. **On** request from Hubbell Properties I, LC and Hubbell Properties II, LC and G Investments, LLC to rezone property in Broadway Business Park along NE 50th Street south of NE 46th Avenue (Broadway Avenue) from “A-1” (Agricultural) to Ltd. “M” (Light Industrial). **Moved by Mahaffey to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 6-1. Absent: Coleman.**
- [06-1504](#) (A) **First** consideration of ordinance above. **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Coleman.**
- [06-1505](#) (B) **Final** consideration of ordinance above, (waiver requested by applicants), requires 14,500 votes. **Moved by Mahaffey that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #14,500. Motion Carried 6-1. Absent: Coleman.**

- [06-1506](#) 68. [On](#) 2006 Expanded Street Resurfacing Program – Contract 3: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate, and designating lowest responsible bidder as Des Moines Asphalt & Paving Co., (Jim Gauger, President), \$1,210,009. ([Council Communication No. 06-469](#)) **Moved by Kiernan to adopt. Motion Carried 6-1. Absent: Coleman.**
- [06-1507](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Kiernan to adopt. Motion Carried 6-1. Absent: Coleman.**
- [06-1508](#) 69. [On](#) 2006 Expanded Street Resurfacing Program – Contract 4: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate, and designating lowest responsible bidder as Des Moines Asphalt & Paving Co., (Jim Gauger, President), \$1,164,474.90. ([Council Communication No. 06-470](#)) **Moved by Kiernan to adopt. Motion Carried 6-1. Absent: Coleman.**
- [06-1509](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Kiernan to adopt. Motion Carried 6-1. Absent: Coleman.**
- [06-1510](#) 70. [On](#) 2006 Bridge Repair Program – Contract 1: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate, and designating lowest responsible bidder as Cramer and Associates, Inc., (Robert Cramer, President/CAO), \$193,500. ([Council Communication No. 06-472](#)) **Moved by Kiernan to adopt. Motion Carried 6-1. Absent: Coleman.**
- [06-1511](#) (A) [Approving](#) contract and bond. **Moved by Kiernan to adopt. Motion Carried 6-1. Absent: Coleman.**
- [06-1512](#) 71. [On](#) 2006 Parks HMA Improvements: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate, and designating lowest responsible bidder as Grimes Asphalt & Paving Corporation, (J. M. Yonker, President), \$232,007. ([Council Communication No. 06-471](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [06-1513](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [06-1514](#) 72. [Resolution](#) to Close Hearing and REJECT all bids on the M. L. King Jr. Park Shelter, (no bids received-over estimate). ([Council Communication No. 06-473](#)) **Moved by Vlassi to adopt. Motion Carried 7-0.**

*** END OF HEARINGS 5:34 PM ***

APPROVING

- [06-1515](#) 73. [2006](#) Project Safe Neighborhoods Anti-Gang Initiative Grant Award. ([Communication No. 06-448](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [06-1516](#) 74. [Adoption](#) of a Security Information Policy for the City of Des Moines. ([Communication No. 06-477](#)) **Moved by Coleman to adopt. Motion Carried 6-1. Na Kiernan.**

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.

- [06-1517](#) 1. [Approving](#) Partial Release of Judgment Lien on property at 1536 30th Street to allow transfer of title. SPONSOR: Vlassis. **Moved by Vlassis to adopt. Motion Carried 7-0. Council Member Hensley declares a conflict of interest and abstains from voting.**

BOARD OF HEALTH

- [06-1518](#) MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene a meeting of the Board of Health. Motion Carried 7-0.**

AUTHORIZING

1. The Legal Department to proceed with court action seeking authority to abate the public nuisance at the following locations:
- [06-1519](#) (A) [2314](#) Capitol Avenue, Titleholder: Citimortgage, Inc. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [06-1520](#) (B) [3110](#) Madison Avenue, Titleholder: Aegis Mortgage Corporation. **Moved by Coleman to adopt. Motion Carried 7-0.**
- WITHDRAWN
- [06-1521](#) (C) ~~2301 E. Walnut Street, Titleholders: Carmen Casilas, Clara Etzel, Robert F. Etzel, Jean Galloway, Gary Hess, David Wandling, Myron Wandling, Sharon Wolver and William Wolver, as heirs of Dorothy Hess.~~
- [06-1522](#) (D) [718](#) SE 14th Court, Titleholder: Sara C. Gonzalez De Cerda. **Moved by Coleman to adopt. Motion Carried 7-0.**
- WITHDRAWN
- [06-1523](#) (E) ~~405 SE 15th Court, Titleholders: Gregorio Diaz and Tomasa Lechuga.~~

- [06-1524](#) (F) [1534](#) 18th Street, Titleholder: Geneva R. Hardin; Mortgage holder: Bank of America FSB. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [06-1525](#) (G) [1541](#) 23rd Street, Titleholder: Juana Suarez. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [06-1526](#) (H) [2001](#) 40th Street, Titleholder: LDF Development, LLC. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [06-1527](#) 2. [Release](#) of demolition cost reserve held by Pekin Insurance Company regarding property known as 920 Buchanan Street held under claim number T90-220, insured by Ra Algood with a claim being made for enforcement costs. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [06-1528](#) MOTION TO ADJOURN. **Moved by Coleman to adjourn at 6:47 PM. Motion Carried 7-0.**

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