

SUMMARY OF DES MOINES CITY COUNCIL MEETING

September 11, 2000 4:30 P.M.

*******CLOSED SESSION*******
3:30 P.M.

00-3637 1. ROLL CALL: **Present: Brooks, Coleman, Flagg, Hensley, McPherson, and Vlassis. Absent: Daniels.**

00-3638 I. (a) Recess, and reconvene in closed session pursuant to Section 21.5, subsection 1, paragraph C of the Iowa Code, to discuss as necessary strategy with counsel in matters that are presently in litigation or where litigation is imminent, where its disclosure would be likely to prejudice or disadvantage the position of the City. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3639 (b) Closed Session to discuss matters of pending litigation.

00-3640 (c) Terminate this closed session and reconvene in open session. **Moved by Vlassis to adopt. Motion Carried 6-1.**

00-3641 (d) Approving recommendation made in closed session, and Corporation Counsel is directed to proceed pursuant to that recommendation. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3642 (e) Motion to recess and reconvene at 4:30 P.M. **Moved by Vlassis to adopt. Motion Carried 6-1.**

PROCLAMATIONS - 4:00 P.M.:

(a) Enhancing End-of-Life Care Month

(b) Wireless Etiquette Month

SPECIAL PRESENTATIONS - 4:00 P.M.:

Spirit of Des Moines Award - to Color Converting Industries

INVOCATION: Pastor Candice Brown, Capitol Hill Christian Church

00-3643 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3644 3. APPROVING CONSENT AGENDA - items 3 through 51: **Moved by McPherson to adopt. the balance of the Consent Agenda. Motion Carried 6-1.**

LICENSES AND PERMITS:

Approving

00-3645 4. Communication from Legal Department regarding September 11, 2000 License and Permit Agenda. **Moved by McPherson to receive and file. Motion Carried 6-1.**

Class "B" Beer

00-3646 5. Fall Foods, Inc., Peter M. Harding, President dba Godfather's Pizza, 3022 Southeast 14th Street; Renewal - Expires 9-30-00 (With Sunday Sales) - Application submitted 8-10-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3647 6. Fall Foods, Inc., Peter M. Harding, President dba Godfather's Pizza, 4119 University; Renewal - Expires 9-30-00 (With Sunday Sales) - Application submitted 8-10-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

Class "C" Beer

00-3648 7. Casey's Marketing Company, Robert J. Hood, President dba Casey's General Store #2314, 3527 Indianola Avenue; New Application (With Sunday Sales) - Application submitted 8-10-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3649 8. Drake Texaco, Inc., Rick Gamble, President dba Drake Texaco, 3401 University; New Application (With Sunday Sales) - Application submitted 8-7-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

Class "C" Beer/"B" Wine/"E" Liquor Licenses

00-3650 9. American Drug Stores, Inc., Kevin H. Tripp, President dba Osco Drug Store #532, 3151 Southeast 14th Street; Renewal - Expires 9-24-00 (With Sunday Sales) - Application submitted 8-21-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

Class "B" Wine Licenses

00-3651 10. WGK Investment, Inc., Michael J. King, President dba Wine Cellars/Cigar Source, 3305 Ingersoll; Renewal - Expires 9-14-00 - Application submitted 8-18-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

Class "C" Beer/Wine Licenses

00-3652 11. BenBoe, LTD, Tim Holmes, President dba B & B Cafe, 2712 Beaver; Renewal -

Expired 8-22-00 (With Sunday Sales) - (New Outdoor Service pending final inspections) - Application submitted 8-31-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3653 12. New India Star, Inc., Mohan Singh, President dba India Star, 3620 Beaver; Renewal - Expires 9-23-00 (With Sunday Sales) - Application submitted 8-28-00. **Moved by McPherson to adopt. Motion Carried 5-1-1. Pass: Flagg.**

Class "B" Liquor Licenses

00-3654 13. River Catering Company, Inc., John Q. Hammons, President dba Embassy Suites Hotel, 101 East Locust; Renewal - Expires 9-26-00 (With Sunday Sales and Outdoor Services) - Application submitted 8-7-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

Class "C" Liquor Licenses

00-3655 14. Chi-Chi's, Inc., Kevin S. Relyea, President dba Chi-Chi's, 1201 East Army Post Road; Renewal - Expires 9-17-00 (With Sunday Sales) - Application submitted 8-10-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3656 15. Izaak Walton League of America, Earl Mincks, President dba Izaak Walton League of America, 4343 Valley Drive; Renewal - Expires 9-28-00 (With Sunday Sales and Outdoor Service) - Application submitted 8-30-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3657 16. Olson Recreation, Inc., Donald O. Olson, President dba Merle Hay Lanes, 3800 Merle Hay Road - Suite 505, Renewal - Expires 9-28-00 (With Sunday Sales) - Application submitted 8-30-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3658 17. Fine Host Corporation, Norman Habermann, Chairman of Board, dba Polk County Convention Center, 501 Grand; Renewal - Expires 9-30-00 (With Sunday Sales) - Application submitted 8-7-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

Class "C" Liquor/"B" Wine Licenses

00-3659 18. Des Moines Club Management, Inc., Douglas T. Howe, President dba Des Moines Club, 666 Grand Avenue - 33rd & 34th Floors; Renewal - Expires 9-14-00 (With Sunday Sales) - Application submitted 8-7-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

Outdoor Service

00-3660 19. Temporary outdoor service for BenBoe, LTD, Tim Holmes, President dba B & B Cafe, 2712 Beaver; Event to be held 9-22 & 23-00 for Beaverdale Fall Fest. Application submitted 8-31-00. Subject to acceptable fire inspections. **Moved by McPherson to adopt. Motion Carried 6-1.**

Authorizing

00-3661 20. City Clerk to issue Cigarette Licenses. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3662 21. City Clerk to issue Coin-Operated Amusement Machine Licenses. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3663 22. City Treasurer to issue refunds. **Moved by McPherson to adopt. Motion Carried 6-1.**

PUBLIC IMPROVEMENTS

00-3664 23. Approving Iowa Department of Transportation (IDOT) agreement for restriping University Avenue from 31st Street to 4800 block. ([Council Communication No. 00-417](#)). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3665 24. Supplemental Agreement No. 1 for Phase II - Abatement Services, in conjunction with Allied Gateway Asbestos Abatement Service. ([Council Communication No. 00-420](#)). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3666 25. Resolution Ordering Construction of Woodland Cemetery Vault Repair, Receiving of Bids, (9-26-00), and Setting Date of Hearing, (10-2-00), (Construction Estimate - \$45,000). **Moved by McPherson to adopt. Motion Carried 6-1.**

26. Report of Chief Civil Engineer showing construction progress, amounts due and funding availability of the following:

00-3667 (A) 1999 City-Wide PCC Pavement Restoration Program, remaining balance of \$13,623.86 is to be paid at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3668 (B) 1998 Sanitary Sewer Relining Contract No. 1, \$4,546.13 is now due, and remaining balance of \$18,106.52 is to be paid at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3669 (C) Williams Street Bridge over Four Mile Creed Deck Repair, remaining balance of \$3,467.42 is to be paid at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3670 (D) Flood Hazard Mitigation Buyout Program, Demolition and Asbestos Abatement Contract No. 1, remaining balance of \$2,802.55 is to be paid at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3671 27. Approving Private Construction Contract between Lewis Plumbing Inc., and Oakmoor Racquetball and Health Center, for construction of Sanitary Sewer Improvements to serve Oakmoor, at 4731 Merle Hay Road. **Moved by McPherson to adopt. Motion Carried 6-**

1.

00-3672 28. Communication from Manatts, Inc. - Contractor requesting permission to sublet on public improvement project SW 34th Street Relocation. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3673 29. Approving partial payments on eight (8) public improvement projects. (Call City Clerk's Office for listing). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3674 30. Authorizing City Engineer to proceed with curb/sidewalk/ driveway replacement programs, (waivers signed by 13 property owners). **Moved by McPherson to adopt. Motion Carried 6-1.**

SPECIAL ASSESSMENTS

00-3675 31. Approving Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility Fees for the month of August, 2000, for certification for Polk County, (Call City Clerk's Office list). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3676 32. Authorizing Assessment Clerk to correct Delinquent Solid Waste/Stormwater Utility and/or Sewer Rental Credits Schedule for August, 2000. **Moved by McPherson to adopt. Motion Carried 6-1.**

LAND/PROPERTY TRANSACTIONS

00-3677 33. Resolution approving purchase of leasehold interests and authorizing closing on leasehold interests for Allied Gateway Campus Project in Metro Center Urban Renewal Area, (1101 Walnut Street from DESIGN GROUP), \$43,575. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3678 34. Approve and accept Offer to Purchase Real Estate and Acceptance (Revised) and Form of Warranty Deed in conjunction with Martin Luther King, Jr. Parkway-Central Business District Arterial Loop By-Pass-Employers Mutual Company, (Parking Lot South of Market Street, between SW 8th and SW 9th Streets), \$454,000. **Moved by McPherson to adopt. Motion Carried 5-1-1. Nays: Flagg. Absent: Daniels.**

00-3679 35. Approving and accepting offer to sell 6119 Walnut Hill Avenue from Ronald W. Herndon and Louise A. Herndon, to City for \$10,100, (1993 Flood Levee property). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3680 36. Resolution approving early acquisition of property for Fifteenth Street Corridor improvements at 210 - 15th Street and 201 - 16th Street from Beckley Properties, LLC. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3681 37. Approve and accept Permanent Easement for Sanitary Sewer Right-of-Way and Temporary Easement for construction in conjunction with Phase 12 Southwest Outfall Relief

Sewer Segment 1 Project from Pittsburgh-Des Moines Corporation-\$1,188, (921 Murphy Street).
Moved by McPherson to adopt. Motion Carried 6-1.

BOARDS/COMMISSIONS/NEIGHBORHOODS

00-3682 38. Accepting resignation of Lisa Fargo from the Park and Recreation Board, effective immediately and declaring seat vacant. **Moved by McPherson to receive file and accept with appreciation for service. Motion Carried 6-1.**

00-3683 (A) Recommendation of Council Member Archie Brooks for appointment of John F. Mauro to the Park and Recreation Board for a four year term, to expire June 30, 2004, to fill a vacancy (Lisa Fargo). **Moved by McPherson to adopt. Motion Carried 6-1.**

STREET CLOSINGS/STREET USE

00-3684 39. Approving closure of the following City Streets. **Moved by McPherson to approve the street closures listed, and approve any street closures continued to a future date, necessitated by inclement weather, upon approval of the City Clerk. Motion Carried 6-1.**

(1) Heather Lesley, 3636 Brook Ridge Court, requesting permission to close Pond View Circle at Brook Ridge Court on Saturday, September 23, 2000 (Raindate of September 24, 2000) from 3:00 P.M. to 7:00 P.M. for a new neighborhood block party.

(2) John Ronk, 4046 Amick Avenue, requesting permission to close Amick Avenue from Beaver to 40th Place on Saturday, September 23, 2000 (Raindate of September 24, 2000) from 3:00 P.M. to 7:00 P.M. for a neighborhood block party.

(3) Burke Shiffler, 1671 Northwest Drive, requesting permission to close Northwest Drive from Huntland Street to Sani Drive on Sunday, September 24, 2000 from 12:00 Noon to 5:00 P.M. for a neighborhood block party.

(4) Melissa Nordell Earp, 1529 44th Street, requesting permission to close 44th Street from Forest Avenue to College Avenue on Saturday, September 23, 2000 (Raindate of September 30, 2000) from 4:00 P.M. to 7:00 P.M. for a neighborhood block party.

(5) Sekoll Mtayari, representing Creative Visions, 1343 13th Street, requesting permission to close 13th Street from Carpenter to Forest Avenue on Saturday, September 30, 2000 from 5:00 P.M. to 9:00 P.M. for the annual Back To School Jam.

(6) Pam Wade, 2515 47th Street, requesting permission to close 47th Street from Holcomb to Beavercrest on Sunday, October 1, 2000 (Raindate of October 8, 2000) from 5:00 P.M. to 7:00 P.M. for neighborhood block party.

(7) Jesse A. Macro, representing Waveland Woods Neighborhood Association, 5711 Kingman Avenue, requesting permission to close Cummins Parkway south of Cottage Drive to just north of Dagle Drive on Saturday, October 7, 2000 from 7:00 A.M. to 12:00 Noon for a neighborhood

SCRUB Day. (Request waiver of all fees - Community Event).

(8) Jeff Carithers, representing Linden Heights Neighborhood Association, requesting permission to amend the previously approved closure of Foster and Woodlawn (Roll Call 00-3571 on August 28, 2000) from Sunday, September 17, 2000 to Sunday, October 1, 2000 from 3:00 P.M. to 6:00 P.M. for a neighborhood block party.

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

00-3685 (A) Reverend Lawrence Hoffmann, representing St. Anthony School/Church, 16 Columbus, requesting permission to close South Union from Indianola Avenue to SE Edison on Friday, September 22, 2000 from 6:00 P.M. to 12:00 Midnight, on Saturday, September 23, 2000 from 9:00 A.M. to 12:00 Midnight and on Sunday, September 24, 2000 from 10:00 A.M. to 6:00 P.M. for the Parish Fall Festival. **Moved by McPherson to approve the street closures listed, and approve any street closures continued to a future date, necessitated by inclement weather, upon approval of the City Clerk. Motion Carried 6-1.**

00-3686 (B) Brenda Geier, representing Beaverdale Fall Festival, 2700 36th Street, requesting permission to close Fagen Drive from Beaver Avenue to driveway of Brenton Bank on Friday, September 22, 2000 at 6:00 P.M. extending to Saturday, September 23, 2000 at 10:00 P.M. for the Beaverdale Fall Festival. **Moved by McPherson to approve the street closures listed, and approve any street closures continued to a future date, necessitated by inclement weather, upon approval of the City Clerk. Motion Carried 6-1.**

00-3687 (C) Emma Anderson, representing residents of 40th Place, 2015 40th Place, requesting permission to close 40th Place from Franklin Avenue to Hickman on Sunday, October 1, 2000 from 11:00 A.M. to 6:00 P.M. for a neighborhood block party. **Moved by McPherson to approve the street closures listed, and approve any street closures continued to a future date, necessitated by inclement weather, upon approval of the City Clerk. Motion Carried 6-1.**

00-3688 (D) Richard Frey, 3519 50th Street, requesting permission to close 50th Street from Douglas to Ovid on Sunday, October 8, 2000 from 12:00 Noon to 8:00 P.M. for a neighborhood block party. **Moved by McPherson to approve the street closures listed, and approve any street closures continued to a future date, necessitated by inclement weather, upon approval of the City Clerk. Motion Carried 6-1.**

SETTING DATE OF HEARINGS

00-3689 41. On rezoning of a portion of the Allied Gateway Campus--western one-half of the two blocks between Locust, Mulberry, 11th and 12th Streets, from "C-3A" (Central Business District Support Commercial) to a "C-3" (Central Business District Commercial District), to permit the new office building and garage to be constructed by Nationwide, to be greater than 75 feet in height, (9-25-00). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3690 42. On vacation and conveyance of a 24' x 135' strip of Sheridan Avenue right-of-way adjoining 2620 37th Street, to Dorothy L. Sheil, \$100, (9-25-00). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3691 43. On vacation and conveyance of the Kirkwood Avenue right-of-way adjoining 2320 South Union Street, to UPT, Inc. (Baratta's Restaurant and Pizzeria), \$1,692.00, (9-25-00). **Moved by McPherson to adopt. Motion Carried 6-1.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

00-3692 44. Approving settlements made by Corporation Counsel, not exceeding \$5,000.00. **Moved by McPherson to receive, file and affirm settlements made by City Attorney. Motion Carried 6-1.**

CITY MANAGER COMMUNICATIONS

00-3693 45. Submitting traffic regulation changes as follows: [\(Council Communication No. 00-418\)](#). **Moved by McPherson to receive, file, and refer to Legal Department for preparation of proper legislation. Motion Carried 6-1.**

(1) Parking Restriction Near Delivery Driveway--South Side of Woodland Avenue West of 29th Street.

(2) Corner Clearance Parking Restriction--North Side of Lynn Street West of 16th Street.

(3) Corner Clearance Parking Restriction--North Side of Mahaska Avenue East of East 33rd Street.

(4) Corner Clearance Parking Restriction--West Side of SE 8th Street North of East Bell Avenue.

(5) Installation of a Loading Zone--South Side of Market Street West of SW 1st Street.

(6) Corner Clearance Parking Restriction--West Side of 51st Street North and South of Robertson Drive.

(7) Corner Clearance Parking Restriction--South Side of East Market Street East of SE 27th Street.

APPROVING

00-3694 46. Second Amendment to Agreement for Professional Services, with Foresite RDG, for project management services for the Gateway Project and approving agreement for Planning Professional Services. [\(Council Communication No. 00-412\)](#). **Moved by Vlassis to adopt. Motion Carried 5-1-1. Nays: Flagg. Absent: Daniels.**

00-3695 47. 2000 Local Law Enforcement Block Grant Program from Police Department to be

submitted to Bureau of Justice Assistance to fund procurement of equipment and technology to support basic law enforcement functions, \$297,418. ([Council Communication No. 00-421](#)). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3696 48. Public Safety Product Sales/Installation/Maintenance Agreement with QWEST Communications International, Inc. to provide equipment and service for a wireless 911 answering point - \$41,717.56. ([Council Communication No. 00-414](#)). **Moved by Vlassis to adopt. Motion Carried 6-1.**

00-3697 49. Bid awarded to Great American Outdoor (710 East Army Post Road, C.D. VanHouweling, President) for a replacement fairway mower to be used by the Park and Recreation Department (Waveland Golf Course), \$26,995. Bids from Big Bear Equipment, Inc. and Tri-State West did not meet specifications, therefore non-compliant. (Eleven bids mailed-three received). **Moved by McPherson to adopt. Motion Carried 5-1-1. Nays: Coleman.**

00-3698 50. Authorizing Finance Director to draw checks on registers of September 8, 2000 and September 15, 2000, and for bills of the Des Moines Municipal Housing Agency for the weeks beginning September 4, 2000 and September 11, 2000, and to draw checks for the biweekly payroll due on September 8, 2000. **Moved by McPherson to adopt. Motion Carried 6-1.**

ORDINANCES - SECOND CONSIDERATION

00-3699 51. On amendments to the Zoning Ordinance, regarding allowed size and location of off-premises advertising signs (billboards). **Moved by McPherson that this ordinance be considered and given second vote for passage. Motion Carried 6-1.**

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

ORDINANCES - FIRST CONSIDERATION

00-3700 52. Amending Chapter 82 of the Municipal Code, regarding membership of the Neighborhood Revitalization Board, to reflect name change of The Greater Des Moines Partnership, f/k/a Des Moines Development Corporation. ([Council Communication No. 00-422](#)). **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**

00-3701 (A) Final consideration of above ordinance. **Moved by Coleman that the rule requiring that ordinances must be considered, and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#13,860](#). Motion Carried 6-1.**

COUNCIL REQUESTS

00-3702 53. From Council Member Brooks and McPherson regarding development and

revitalization of East University Avenue and other commercial corridors on the East side. **Moved by Brooks to receive, file, and refer to the City Manager for review and recommendation; and to include this in the Capital Improvements process; also City Manager to study median at 19th and University and Martin Luther King and University. Motion Carried 6-1.**

00-3703 (A) From The Lee Town Revitalization Partnership regarding potential for use of TIF funding for revitalization of East University Avenue medians. **Moved by Brooks to receive, file and refer to City Manager to include in the CIP process. Motion Carried 6-1.**

00-3704 54. Request from Council Member Archie Brooks to discuss communication from Fredregill Properties regarding parking on East side and proposal to trade property with City. **Moved by Brooks to receive, file and refer to City Manager and Legal for review and recommendation. Motion Carried 6-1.**

00-3705 55. Request of Council Member Archie Brooks, to discuss transfer of governmental jurisdiction for property in vicinity of Army Post Road. **Moved by Brooks to adopt. Motion Carried 6-1.**

COMMUNICATIONS/REPORTS

00-3706 56. From Easter Lake Task Force to discuss inclusion of Polk County Conservation Board in development process for the Easter Lake Area. **Moved by Brooks to receive, file and refer to the City Manager for review and recommendation within thirty days. Motion Carried 6-1.**

00-3707 57. Request from Verbenia Fowler and neighbors to speak regarding condition of property at 687 - 26th Street. **Moved by Hensley to receive, file and grant the request to speak; refer to the City Manager and Legal. City Manager to provide status reports on this property to the Council and neighborhood on October 1 and November 1. Motion Carried 6-1.**

**** Council considered Items 65 and 66 next ****

**** Mayor Daniels entered the meeting at 5:25 P.M. ****

HEARINGS (Opened at 5:35 P.M.) (Items 58 thru 64)

00-3708 58. On application from Ron Evison, to rezone property at 3719 SW 9th Street, from "C-1 (Neighborhood Retail Commercial) to "C1-A" (Neighborhood Commercial Reuse District). **Moved by Brooks to adopt. Motion Carried 6-1. Nays: Coleman.**

00-3709 (A) First consideration of ordinance above. **Moved by Brooks that this ordinance be**

considered and given first vote for passage. Motion Carried 6-1. Nays: Coleman.

00-3710 (B) Receipt of communication regarding above rezoning. **Moved by Brooks to receive and file. Motion Carried 7-0.**

WITHDRAWN 00-3711 59. On recommended DENIAL of request from Oaks Development to amend the 2020 Community Character Land Use Plan, and to rezone property at 5801 North Valley Drive, ("PUD" Planned Unit Development District), to permit the construction of 56 townhome units with a private street system, with access onto North Valley Drive, or;

00-3712 (A) ALTERNATE RESOLUTION: Approving amendment to 2020 Community Character Land Use Plan, and refer rezoning of 5801 North Valley Drive back to Plan and Zoning Commission. **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Flagg.**

00-3713 60. On application from Ronald L. Daniels, (Owner) to rezone property at 925, 1001, and 1011 E. McKinley Avenue, from R1-60 (One Family Low Density Residential to a Ltd "C-1" (Neighborhood Retail Commercial), subject to conditions. **Moved by Brooks to adopt. Motion Carried 7-0.**

00-3714 (A) First consideration of ordinance above. **Moved by Brooks that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

00-3715 (B) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by Brooks to 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, [#13,861](#). Motion Carried 7-0.**

00-3716 61. On vacation and conveyance of right-of-way in vicinity of 515 Waterbury Circle, to Reed W. and Mary Beth Ramsay, \$100. **Moved by Flagg to adopt. Motion Carried 7-0.**

00-3717 (A) First consideration of ordinance above. **Moved by Flagg that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

00-3718 (B) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by Flagg 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, [#13,862](#).**

00-3719 62. On conveyance of a portion of the East/West alley right-of-way between SE 8th and SE 9th Streets, north of Jackson, to Ronald W. and Karen S. Myers, \$25. **Moved by Brooks to adopt. Motion Carried 7-0.**

00-3720 63. On Glendale Cemetery Storm Sewer and Roads Rehabilitation: 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, Grimes), \$119,100. (Council Communication No. 00-416). **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-3721 (A) Approving contract and bond, and permission to sublet. **Moved by Vlassis to adopt. City Manager to report on feasibility of adding an airator in the pond since bids were under estimate. Motion Carried 7-0.**

00-3722 64. On 2000 Sidewalk Replacement Program - designated Neighborhoods: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as P.G. Construction Inc, (Keith Purdy, President, 34 SE Grey Street, DM), \$124,300. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-3723 (A) Approving contract and bond, and permission to sublet. **Moved by McPherson to adopt. Motion Carried 7-0.**

* * END HEARINGS at 6:26 P.M. * *

APPROVING

00-3724 65. Intergovernmental 28E Agreements with Colfax, Jefferson, Madrid and Mitchellville, for development and continuing update of design standards and standard specifications for construction of public improvements. **Moved by McPherson to adopt. Motion Carried 6-1. Absent: Daniels.**

00-3725 66. Receipt of report from the Public Works Department, regarding progress of Dean's Lake cleanup. ([Council Communication No. 00-423](#)). **Moved by Brooks to adopt. Motion Carried 7-0.**

00-3726 67. Receipt of Court Avenue District Report and Preliminary approval of Public Investment in Court Avenue Housing District. ([Council Communication No. 00-424](#)). **Moved by Coleman to adopt. Motion Carried 7-0.**

00-3727 (A) Update on Artist District in Downtown. **Moved by Coleman to receive, file and approve. Motion Carried 7-0.**

00-3728 68. Advertising Agreement with Ad in the Hole Iowa, (Ron Sorenson, DM), for advertising in the cups at Des Moines Municipal Golf Courses, (City to receive 25% of gross sales), continued from 8-28-00. ([Council Communication No. 00-401 of 8-28-00](#)). **Moved by Vlassis to deny approval. Motion Carried 6-1. Nays: McPherson.**

* * Council Member Flagg left the meeting at 6:55 P.M. * *

00-3729 69. Authorizing amendment to the Program Concept Guidelines, for the Single Family

Affordable Housing Program, for purchase of 2600 Dean Avenue--(El Paso Bar). ([Council Communication No. 00-413](#)). **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Flagg.**

00-3730 70. Submission of 2000 Public Housing Assessment System (PHAS) Certification to U.S. Department of Housing and Urban Development. ([Council Communication No. 00-415](#)). **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

* * * * *

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.

00-3731 1. Approving the Bond Reduction for Southern Meadows Plat 2 located in the vicinity north of Indianola Avenue and east of SE 6th Street. SPONSOR: Brooks. **Moved by Brooks to adopt. Motion Carried 6-1. Absent: Flagg.**

00-3732 2. Communication from City Manager, submitting out of state travel requests for Carolyn Taylor and Diane Goldsbury. SPONSOR: Vlassis. (Council Communication No. 00-419). **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

00-3733 3. Approving Agreement for Professional Services, Supplement No. 1, in conjunction with the Wastewater Cost of Service and Rate Structure Study, \$34,000. SPONSOR: Vlassis. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

A G E N D A

BOARD OF HEALTH September 11, 2000

00-3734 MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene as a Board of Health. Motion Carried 6-1. Absent: Flagg.**

AUTHORIZING

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

00-3735 (a) 917 E. Fremont (vacant), Titleholder: William J Lancial; Legal Interest Holder: Investors Realty Inc. **Moved by McPherson to adopt. Motion Carried 6-1. Absent: Flagg.**

00-3736 (b) 2121 Olive (vacant), Titleholder: Kenneth R Bentley. **Moved by McPherson to adopt. Motion Carried 6-1. Absent: Flagg.**

00-3737 (c) 3312 8th St (vacant), Titleholders: Dale R and Joyce A Ohrtman; Contract Buyer: Bobby K Butler; Legal Interest Holder: Tax 100 Attn: Dennis Blume. **Moved by McPherson to adopt. Motion Carried 6-1. Absent: Flagg.**

00-3738 2. The Engineering Department to cause the following structure to be removed; 1807 12th Street, Titleholders: Lyle and Diana Kronberg. **Moved by McPherson to adopt. Motion Carried 6-1. Absent: Flagg.**

00-3739 MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 7:12 P.M.**

DES MOINES-CITY OF SKYWALKS