



***** 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 '08-' 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

April 21, 2008 4:30 P.M.

PROCLAMATIONS – 4:00 P.M.

- [Administrative](#) Professionals Week/Day
- [Arbor](#) Day
- [Architecture](#) Month
- [Law](#) Day

INVOCATION: Pastor JohnPark Winkler
Glen Echo Christian Church
4323 Douglas Avenue

- [08-630](#) 1. **ROLL CALL: Present: Cownie, Coleman, Hensley, Kiernan, Mahaffey, Meyer and Vlassis. Council Member Hensley participated in the meeting by telephone.**
- [08-631](#) 2. **APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: Moved by Vlassis 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.

[08-632](#)

3. APPROVING CONSENT AGENDA – items 3 through 50: **Moved by Vlassis to adopt the balance of the consent agenda. Motion Carried 7-0.**

LICENSES AND PERMITS

[08-633](#)

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

NEW APPLICATIONS

(A) CAPITAL CITY MOOSE LODGE	2515 WEDGEWOOD RD	A Liquor
(B) DJANGO RESTAURANT	1000 WALNUT ST	C Liquor
(C) LA TAPATIA 3	4007 SE 13TH ST	C Beer
(D) MARINOS ITALIAN RESTAURANT	4940 FRANKLIN AVE	C Beer/Wine
(E) OKEY DOKEY CAFE	1700 E 27TH ST	C Liquor
(F) SANDS VOLLEYBALL CLUB	6214 GRAND AVE	C Liquor

RENEWAL APPLICATIONS

(G) 14TH STREET TAVERN	3418 E 14TH ST	C Liquor
(H) ALL IN THE FAMILY LOUNGE	4413 FLEUR DR	C Liquor
(I) BARATTAS RESTAURANT	2320 S UNION ST	C Liquor
(J) BOURBON ST	500 ARMY POST RD	C Liquor
(K) CAFE BARATTA'S	600 E LOCUST ST	C Liquor
(L) DES MOINES ART CENTER REST.	4700 GRAND AVENUE	C Liquor
(M) DES MOINES YACHT CLUB	2617 INGERSOLL AVE	C Liquor
(N) FAMOUS DAVES	4351 MERLE HAY RD	C Liquor
(O) GERRIS	232 E 30TH ST	C Liquor
(P) GRAND PIANO BISTRO	506 E GRAND AVE	C Liquor
(Q) H & A MINI MART	5901 FLEUR DR	C Beer
(R) JOHNNYS HALL OF FAME	302 COURT AVE	C Liquor
(S) KELLEYS ON BEAVER	3606 BEAVER AVE	C Liquor
(T) KRUEGERS AMOCO #2	630 SW 9TH ST	C Beer
(U) KUM & GO #130	2930 HICKMAN RD	C Beer
(V) LA TAPATIA	1440 DES MOINES ST	E Liquor
(W) LAST STOP BEVERAGE SHOP	2839 E UNIVERSITY	E Liquor
(X) MANDARIN RESTAURANT	3520 BEAVER AVE	C Liquor
(Y) RITUAL CAFE	1301 LOCUST ST	C Beer/Wine
(Z) SOUTHSIDE PIZZA & PUB	4249 FLEUR DRIVE	C Liquor
(AA) VIC & ANDYS PUB	5114 SW 9TH STREET	C Liquor

TRANSFER TO NEW LOCATION

(BB) GRAND VIEW COLLEGE	400 LOCUST ST	C Beer/Wine
Temporary transfer of license to Capital Square, Suite 100 for a special event on April 26, 2008.		

SPECIAL EVENTS APPLICATION

(CC)BLACK CAT CAFE BAR & LOUNGE 3701 INGERSOLL AVE B Beer
Five Day License for a special event on May 17, 2008. Pending approval of Building,
Fire, Electrical and Zoning Departments.

- [08-634](#) 5. [Consideration](#) of Class C Liquor License for Court Side Entertainment, 1014 E. 14th Street. **Moved by Mahaffey to receive and file petitions; and defer to the May 5, 2008 City Council Meeting. City Manager will review all concerns raised. Motion Carried 7-0.**
- [08-635](#) 5-I. [Approving](#) Five Day Class C Liquor License for Jethro's BBQ, 3100 Forest Avenue in conjunction with the Drake Relays from April 24, 2008 to April 28, 2008. Pending approval of Building, Electrical, Fire and Zoning Departments. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-636](#) 6. [City](#) Clerk to issue Cigarette Licenses. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Cownie.**
- [08-637](#) 7. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Vlassis to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

8. Ordering construction of the following:
- [08-638](#) (A) [12th](#), 13th, and Mulberry Streets Widening – Receiving of bids, (5-6-08), and Setting date of hearing, (5-19-08). (Construction Estimate - \$350,000). ([Council Communication No. 08-231](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-639](#) (B) [2008](#) Park Playground Curbing – Receiving of bids, (5-6-08), and Setting date of hearing, (5-19-08). (Construction Estimate - \$50,700). ([Council Communication No. 08-232](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-640](#) 9. [Approving](#) Change Order No. 2 with Baker Electric, Inc. for additional work on Court Avenue Streetscape Rehabilitation, not to exceed \$44,338.50. ([Council Communication No. 08-222](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-641](#) 10. [Communication](#) from Contractors requesting to sublet certain items on Public Improvement Projects. **Moved by Vlassis to adopt. Motion Carried 7-0.**

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

- [08-642](#) (A) [Sheets](#) Excavating, Ltd. – E. 30th Street and State Avenue Realignment. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-643](#) (B) [Underground](#) Company, Ltd. – Southeast Ridge Trunk Sanitary Sewer – Phase 2B & Pump Station. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-644](#) (C) [Van Hauen](#) & Associates, Inc. – M.L. K. Raw Water Line Relocation. **Moved by Vlassis to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

12. Levying assessments for cost of Nuisance Abatement – NAC Emergency Orders (Public Works) for the following:

- [08-645](#) (A) [Schedule](#) No. 2008-07. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-646](#) (B) [Schedule](#) No. 2008-06. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[08-647](#) 13. [Approving](#) deletion of NAC – Emergency Assessments at various properties. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[08-648](#) 14. [Approving](#) Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility Fees for March 2008. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[08-649](#) 15. [Approving](#) Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility Credits for March 2008. **Moved by Vlassis to adopt. Motion Carried 7-0.**

****Council considered Hearing Items 55 thru 67 next****

16. Approving sidewalk on portions of SE 14th Street (west side except where sidewalk exists) from McKinley Avenue to Cummins Road and State Avenue (except where sidewalk exist) from E. 32nd Street to E. 33rd Street.

[08-650](#) (A) [Communication](#) from City Manager recommending proposed sidewalk construction using special assessments. ([Council Communication No. 08-235](#)) **Moved by Mahaffey to receive and file and accept the recommendation of the City Manager; refer to the City Manager to schedule a workshop to discuss trails, sidewalks and “Complete Streets” Master Plans. Motion Carried 7-0.**

- [08-651](#) 16. (B) [Preliminary](#) resolution for construction of sidewalk improvements. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [08-652](#) (C) [Fixing](#) values of lots. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [08-653](#) (D) [Adopting](#) preliminary plat and schedule, estimate of costs and proposed plans and specifications. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [08-654](#) (E) [Proposed](#) Resolution of Necessity, Notice to Property Owners of hearing and setting date of hearing, (5-19-08). **Moved by Mahaffey to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [08-655](#) 17. [Establishing](#) fair market value of multiple properties for the Southeast Connector Project. ([Council Communication No. 08-230](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-656](#) 18. [Release](#) of Sidewalk Bond No. IAC 42962 from Merchants Bonding Company in amount of \$6,055 as security for completion of required improvements for Carman Estates Plat 5. ([Council Communication No. 08-216](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-657](#) 19. [Approving](#) final subdivision plat entitled Chandler's Acres located at 4080 NE 47th Street in unincorporated Polk County (located within the 2-mile jurisdiction). ([Council Communication No. 08-212](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-658](#) 20. [Granting](#) prior approval of tax abatement applications for the additional value to be added by the renovation of properties for housing (328 SW 5th Street and 104 SW 4th Street). ([Council Communication No. 08-238](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [08-659](#) 21. [Approving](#) regular and alternate appointments to the Metropolitan Planning Organization (MPO) and the Transportation Technical Committee (TTC). **Moved by Coleman to adopt; refer to the Mayor and City Manager to evaluate the process used to appoint Council Members and staff to outside Boards and Commissions. Motion Carried 7-0.**
- [08-660](#) 22. [Approving](#) the 24th Boards and Commissions Appreciation Dinner to be held on Monday, June 16, 2008, 6:30 p.m. at the Airport Holiday Inn, 6111 Fleur Drive. **Moved by Vlassis to approve. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [08-661](#) 23. [Regarding](#) preliminary subdivision plat for Wakonda Townhomes, vicinity of 3915 Fleur Drive. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [08-662](#) 24. [On](#) vacation and conveyance of north/south alley between 22nd Street and 23rd Street from Olive Avenue to Interstate 235 right-of-way, to adjoining property owners, \$100, (5-5-08). **Moved by Vlassis to adopt. Motion Carried 7-0.**

- [08-663](#) 25. [On](#) vacation and conveyance of 18th Street between Carpenter Avenue and Keosauqua Way to adjoining property owners, \$2,064, (5-5-08). **Moved by Vlassis to adopt. Motion Carried 7-0.**

- [08-664](#) 26. [On](#) request from A & W Rentals LC to rezone 2401 Easton Blvd. from “C-1” (Neighborhood Retail Commercial) to Ltd. “M-1” (Light Industrial) to allow for outdoor storage of equipment and vehicles, (5-5-08). **Plan and Zoning Commission recommends DENIAL. Moved by Mahaffey to adopt. Motion Carried 7-0.**

08-665 NUMBER NOT USED

08-666 NUMBER NOT USED

- [08-667](#) 27. [On](#) request from A & W Rentals LC to rezone 2402 Easton Blvd. from “C-1” (Neighborhood Retail Commercial) to Ltd. “M-1” (Light Industrial) to allow for outdoor storage of equipment and vehicles, (5-5-08). **Plan and Zoning Commission recommends DENIAL. Moved by Mahaffey to adopt. Motion Carried 7-0.**

- [08-668](#) 28. [On](#) request from Qwest Communications for a zoning text amendment revising Section 134-1296 to provide standards for public franchise utility cabinets located in the front yard, (5-5-08). **Moved by Vlassis to adopt. Motion Carried 7-0.**

- [08-669](#) 29. [On](#) request from DRC Land and Development, LLC to amend the “Three Lakes Estates Phase II” PUD Conceptual Plan, subject to conditions, (5-5-08). **Moved by Vlassis to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT – CLAIM SETTLEMENTS & BILLINGS

- [08-670](#) 30. [Approving](#) payment of \$2,743.58 to Ahlers & Cooney, P.C. for services related to environmental legal services for SE Connector Project. **Moved by Vlassis to adopt. Motion Carried 7-0.**

- [08-671](#) 31. [Approving](#) increase in amount of authorization for employment and payment of \$28,043.88 to Hall & Associates for services related to the combined sewer overflow and NPDES Permit. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-672](#) 32. [Approving](#) payment of \$11,762.60 to David Melling for injuries incurred within the course and scope of his employment. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-673](#) 33. [Affirming](#) settlements made by City Attorney, not exceeding \$5,000. **Moved by Vlassis to receive, file and affirm settlements made by City Attorney. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- [08-674](#) 34. [Regarding](#) the proposed land use and redevelopment plan entitled "[2 River District Plan](#)", prepared by Brian Clark and Associates for the area generally bound by the Raccoon River and Des Moines River to the north, SE 1st Street to the east, Indianola Avenue and Indianola Road to the south and SW 7th Street to the west. ([Council Communication No. 08-225](#)) **Moved by Meyer to receive and file, and to refer the 2 Rivers District Plan to the Plan and Zoning Commission and the Park and Recreation Board for recommendations on implementation of the plan. Motion Carried 7-0.**
- [08-675](#) 35. [Submitting](#) training requests for Angela Dierenfeld, Mark Durham, Doug Griffith, Robert Hoelscher, Carol Moser, Joanne Pollack, Denise Schafnitz, Warren Steinkamp, and Anna Young, and travel requests for Chris Coleman, T. M. Franklin Cownie, Christine Hensley, and Bob Mahaffey. ([Council Communication No. 08-237](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

****Council considered Item 42 next and 43 next****

APPROVING

- [08-676](#) 36. [Reprogramming](#) of prior years Community Development Block Grant (CDBG) Funding to balance Program Year (PY) 2008 funding shortfall and closeout 2006 Neighborhood Conservation Services (NCS) Projects. ([Council Communication No. 08-210](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-677](#) 37. [Application](#) for Enterprise Zone Benefits for National Biscuit Company Lofts, LLC, 1001 Cherry, for housing project in Des Moines Gateway Enterprise Zone. ([Council Communication No. 08-215](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

****Council considered Item 47C next****

- [08-678](#) 38. [Planned](#) Unit Development (PUD) Restoration Bond (Letter of Credit) for Foods, Inc. for reconstruction of existing Dahl's Food Store at 3425 Ingersoll Avenue. ([Council Communication No. 08-214](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-679](#) 39. [Federal](#) Aviation Administration AIP Grant Agreement for Airport Taxiway P Reconstruction. ([Council Communication No. 08-219](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-680](#) 40. [Application](#) from St. Anthony's Church requesting approval for banners across designated streets in recognition of the Annual Corpus Christi Celebration on May 18, 2008. **Moved by Vlassis to receive, file and approve banner, subject to acceptable insurance. Motion Carried 7-0.**
- [08-681](#) 41. [Receipt](#) of Quarterly Treasurer's Report as of March 31, 2008. **Moved by Vlassis to receive and file. Motion Carried 7-0.**
- [08-682](#) 42. [Exception](#) to procurement ordinance competitive bidding requirements for Environmental Systems Research Institute (ESRI) software and implementation training services and software for Regional Homeland Security GIS Central Repository, \$250,000. ([Council Communication No. 08-208](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
43. Bids for the following:
- [08-683](#) (A) [Various](#) vendors, as indicated on bid tabulation sheet, for various traffic signal equipment for use by the Signal Shop, \$64,849.20. (Eight bids mailed, three received). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-684](#) (B) [Northrop](#) Grumman – Remotec, Inc. for non-competitive procurement of eight (8) digital radio control system upgrades for Andoros F6A Robots for use by Iowa's Explosive Ordinance Device (EOD) Bomb Squad Task Force Teams, \$424,314 (all but \$53,039.25 is reimbursable to the City). ([Council Communication No. 08-213](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-685](#) (C) [Deeter](#) Foundry for manhole castings for use by Public Works Department, \$60,200. (Ten bids mailed, four received). **Moved by Vlassis to adopt. Motion Carried 7-0.**

Council considered Item 37 next

WITHDRAWN

- [08-686](#) 44. [Receipt](#) of the Legislative Update for the 82nd Iowa General Assembly.
- [08-687](#) 45. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of April 21 and April 28, 2008; to draw checks for the bills of the [Des Moines Municipal Housing Agency](#) for the weeks of April 21 and April 28, 2008; and to draw checks for biweekly payroll due April 25, 2008. **Moved by Vlassis to adopt. Motion Carried 7-0.**

ORDINANCES – FINAL CONSIDERATION

- [08-688](#) 46. Amending Chapter 74 of the Municipal Code regarding miniature golf fees. **Moved by Vlassis that this ordinance do now pass, #14,754. Motion Carried 7-0.**

ORDINANCES – SECOND CONSIDERATION

- [08-689](#) 47. Amending Chapter 114 of the Municipal Code regarding traffic regulation changes as follows: **Moved by Mahaffey that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

- (A) Parking Restriction – south side of Sunset Road, east of SW 28th Street
- (B) Parking Restrictions – west side of 24th Street between Carpenter and University
- (C) No Right Turn on Red – Northbound 6th Avenue to Eastbound Euclid Avenue
- (D) Removal of Two-Hour Parking Restriction – west side of E. 11th Street, north of Des Moines Street.

Council considered Items 51 thru 54 next

- [08-690](#) 48. Amending Chapter 26 of the Municipal Code regarding building and building regulation licensing. **Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

- [08-691](#) 49. Amending Chapter 2 of the Municipal Code regarding powers and duties of the city manager to execute real estate documents. **Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

- [08-692](#) 50. On request from Kenoyer and Associates to rezone property at 1721 Keosauqua Way from “R1-60” (One-Family Low-Density Residential) to “C-1” (Neighborhood Retail) to allow for development of property for mixed office and residential use, subject to conditions. **Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

- [08-693](#) (A) Final consideration of ordinance above, (waiver requested by applicant), requires 6 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, #14,755. Motion Carried 7-0.**

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

ORDINANCES - FIRST CONSIDERATION

- [08-694](#) 51. Amending Chapter 114 of the Municipal Code regarding traffic regulation changes as follows: (Council Communication No. 08-220) **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- (A) Designation of Handicapped parking meters – west side of 3rd street, north of Vine Street.
 - (B) Parking Restrictions – both sides of E. 35th Street from Arthur Avenue to Thompson Avenue and both sides of Arthur Avenue from E. 34th to E. 35th.
 - (C) E. 5th and E. Walnut Parking Lot – Rescind from Municipal Code.
 - (D) I-235 Speed Limit Revision.
- [08-695](#) (E) Final consideration of ordinance above, (waiver requested by Des Moines Police Department), requires 6 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, #14,753. Motion Carried 7-0.**

COUNCIL REQUESTS

- [08-696](#) 52. From Council Members Hensley and Mahaffey to discuss taxi cab license procedures. **Moved by Mahaffey to refer to the City Manager for review and recommendation. Motion Carried 7-0.**
- [08-697](#) 53. From Council Member Tom Vlassis to discuss Riverbend down-zoning to R-1. **Moved by Vlassis to refer to the City Manager and City Attorney to work with the Riverbend Neighborhood Association regarding the down-zoning. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

- [08-698](#) 54. From John Wenck & Robin Fortney, to speak regarding River Run Garbage Grab Event (Des Moines River Cleanup) on August 16th. **Moved by Hensley to refer to the City Manager to coordinate the event with Public Works and Parks staff and to consider a donation to the event. Motion Carried 7-0.**

****Council considered Items 68 thru end of agenda next****

HEARINGS (OPEN AT 5:04 P.M.) (ITEMS 55 THRU 67)

- [08-699](#) 55. **On** Application for Certificate of Public Convenience and Necessity to open Limousine Service, requested by Peter Kuel, Bentiu Limousines, 2901 Douglas Avenue, Suite 2C, Des Moines. ([Council Communication No. 08-221](#)) **Moved by Vlassis that the application be approved and granted. Motion Carried 7-0.**
- [08-700](#) 56. **On** appeal by Trafalgar Holdings from denial of a Certificate of Appropriateness for proposed new garage at 1520 Center Street. ([Council Communication No. 08-223](#)) **Moved by Hensley to continue the public hearing until May 19, 2008 at 5:00 PM. Motion Carried 7-0.**
57. Items regarding General Obligation Bond Proposals: (a special Council Meeting will be held on Wednesday, 6-4-08 to award the sale) ([Council Communication No. 08-239](#))
- [08-701](#) (A) **On** \$20,740,000 General Obligation Bonds (Essential Corporate Purposes). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-702](#) (1) [Authorization](#) for additional action. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-703](#) (B) **On** \$6,425,000 General Obligation Bonds (Urban Renewal Purposes). **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [08-704](#) (1) [Authorization](#) for additional action. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [08-705](#) (C) **On** \$620,000 General Obligation Bonds (General Corporate Purposes). **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [08-706](#) (1) [Authorization](#) for additional action. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [08-707](#) (D) **On** \$475,000 General Obligation Bonds (General Corporate Purposes). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-708](#) (1) [Authorization](#) for additional action. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-709](#) (E) **On** \$945,000 General Obligation Bonds (General Corporate Purposes). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-710](#) (1) [Authorization](#) for additional action. **Moved by Vlassis to adopt. Motion Carried 7-0.**

- [08-711](#) 57. (F) [On](#) \$800,000 General Obligation Bonds (General Corporate Purposes). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-712](#) (1) [Authorization](#) for additional action. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-713](#) (G) [On](#) \$975,000 General Obligation Bonds (General Corporate Purposes). **Moved by Coleman to adopt. Motion Carried 7-0.**
- [08-714](#) (1) [Authorization](#) for additional action. **Moved by Coleman to adopt. Motion Carried 7-0.**
58. Items regarding Wellmark Urban Renewal Development Agreement: ([Council Communication No. 08-217](#))
- [08-715](#) (A) [Hearing](#) on proposed Urban Renewal Development Agreement with Wellmark, Inc., and vacation and conveyance of property in the three-block area bounded by High Street, Grand Avenue, 11th Street and 14th Street, \$1,586,000. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-716](#) (B) [First](#) consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0**
- [08-717](#) (C) [Final](#) consideration of ordinance above, (waiver requested by City Manager), requires 6 votes. **Moved by Hensley 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, [#14,756](#). Motion Carried 7-0.**
- [08-718](#) (D) [Approving](#) construction period tax abatement. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-719](#) (E) [Granting](#) prior approval of tax abatement. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-720](#) 59. [On](#) vacation and conveyance of various segments of right-of-way in vicinity of 3001 Logan Avenue to the State of Iowa, \$13,280. ([Council Communication No. 08-228](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [08-721](#) (A) [First](#) consideration of ordinance above. **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- [08-722](#) 59. (B) [Final](#) consideration of ordinance above, (waiver requested by applicant), requires 6 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, [#14,757](#). Motion Carried 7-0.**
60. Items regarding property at 1428 29th Street and 2901 Forest Avenue, Drake University:
- [08-723](#) (A) [Recommendation](#) Plan and Zoning Commission. **Moved by Vlassis to adopt, and approve the proposed amendment. Motion Carried 6-1. Nays: Meyer.**
- [08-724](#) (B) [Hearing](#) on rezoning of property from “R1-60” (One-Family Low-Density Residential) to Limited “C-1” (Neighborhood Retail Commercial) to allow use of property for expansion of freestanding off-street parking, subject to conditions. **Moved by Vlassis to adopt, and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 6-1. Nays: Meyer.**
- [08-725](#) (C) [First](#) consideration of ordinance above. **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Nays: Meyer.**
- [08-726](#) (D) Final consideration of ordinance above. **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, [#14,758](#). Motion Carried 6-1. Nays: Meyer.**
61. Items regarding north/south alley from University Avenue to relocated 30th Street between vacated 30th Street and relocated 30th Street (Drake University):
- [08-727](#) (A) [Recommendation](#) from Plan and Zoning Commission. **Moved by Vlassis to receive and file and refer to the Engineering Department, Real Estate Division. Motion Carried 6-1. Nays: Meyer.**
- [08-728](#) (B) [Hearing](#) on vacation and conveyance of north/south alley right-of-way, north of University Avenue and east of 30th Street, \$1 and other valuable consideration. ([Council Communication No. 08-227](#)) **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Meyer.**
- [08-729](#) (C) [First](#) consideration of ordinance above. **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Nays: Meyer.**

- [08-730](#) 61. (D) [Final](#) consideration of ordinance above, (waiver requested by applicant), requires 6 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, [#14,759](#). Motion Carried 6-1. Nays: Meyer.**
- [08-731](#) 62. [On](#) conveyance of air rights over realigned Third Street. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-732](#) 63. [On](#) vacation of a portion of Court Avenue right-of-way adjoining Dos Rios Restaurant, 316 Court Avenue and approval of proposed Sidewalk Café Lease. ([Council Communication No. 08-218](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-733](#) (A) [First](#) consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [08-734](#) (B) [Final](#) consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by Hensley 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, [#14,760](#). Motion Carried 7-0.**
- [08-735](#) 64. [On](#) South Air Cargo Building Lease with UPS Cartage Services, Inc. for property at Des Moines International Airport. ([Council Communication No. 08-211](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-736](#) 65. [On](#) approval of proposed lease of city-owned property in vicinity of 600 Holcomb Avenue to Consolidated Supply Company of Des Moines, \$250. ([Council Communication No. 08-229](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [08-737](#) 66. [On](#) 2008 Storm Sewer Repair Contract 1: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designating lowest responsible bidder as The Underground Company, Ltd., (Duane Burkhardt, President), \$402,504. ([Council Communication No. 08-234](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-738](#) (A) [Approving](#) contract and bond, and permission to sublet. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-739](#) 67. [On](#) 13th Street & Jefferson Avenue Overflow Elimination: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designating lowest responsible bidder as Van Hauen & Associates, (Mark Van Hauen, CEO/Vice President), \$1,328,724.50. ([Council Communication No. 08-233](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[08-740](#) 67. (A) [Approving](#) contract and bond, and permission to sublet. **Moved by Vlassis to adopt. Motion Carried 7-0.**

END HEARINGS AT 6:04 P.M.

APPROVING

[08-741](#) 68. [Settlement](#) Agreement with Clear Channel Outdoors. **Moved by Coleman to adopt. Motion Carried 7-0.**

[08-742](#) (A) [Final](#) consideration of ordinance amending Chapter 134 of the Municipal Code regarding off-premise advertising signs, (as amended). ([Council Communication No. 08-209](#)) **Moved by Coleman that this ordinance do now pass, #14,761. Motion Carried 7-0.**

69. Items regarding the [Super Block Master Plan](#):

[08-743](#) (A) [Approving](#) Conceptual Plan. **Moved by Meyer to adopt. Motion Carried 7-0.**

[08-744](#) (B) [Authorizing](#) Voluntary Acquisition of property. **Moved by Meyer to adopt. Motion Carried 7-0.**

[08-745](#) (C) [Recommendation](#) from Plan and Zoning Commission. ([Council Communication No. 08-224](#)) **Moved by Meyer to receive and file. Motion Carried 7-0.**

[08-746](#) 70. [Donation](#) by Des Moines Art Center of temporary display of artwork within the Skywalk Bridge over the 800 block of Walnut Street. ([Council Communication No. 08-236](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Coleman.**

[08-747](#) 71. [Installation](#) of sculpture in Botanical Center Herb Garden. ([Council Communication No. 08-226](#)) **Moved by Vlassis to approve. Motion Carried 6-1. Absent: Coleman.**

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.

[08-748](#)

1. [Approving](#) Joint Agreement with Polk County consenting to the NE 46th Avenue Industrial Urban Renewal Area. SPONSOR: Mahaffey. ([Council Communication No. 08-240](#))
Moved by Mahaffey to adopt; refer to the City Manager to contact Economy Forms to encourage a good working relationship with the City of Des Moines. Motion Carried 6-1. Absent: Coleman.

[08-749](#)

MOTION TO ADJOURN. **Moved by Kiernan to adjourn at 7:29 P.M. Motion Carried 7-0.**

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