

SUMMARY OF DES MOINES CITY COUNCIL MEETING

June 19, 2000 4:30 P.M.

INVOCATION: Father Peter Cade, St. George Greek Orthodox Church

00-1730 1. ROLL CALL: **Present: Daniels, Brooks, Coleman, Flagg, Hensley, McPherson, and Vlassis.**

00-1731 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1732 3. APPROVING CONSENT AGENDA - items 3 through 73: **Moved by Hensley to adopt the balance of the consent agenda. Motion Carried 7-0.**

LICENSES AND PERMITS:

Approving

00-1733 4. Communication from Legal Department regarding June 19, 2000 License and Permit Agenda. **Moved by Hensley to adopt. Motion Carried 7-0.**

Class "B" Beer Licenses

00-1734 5. Society of Italian Americans, Inc., Rich Citarella, Treasurer dba Society of Italian Americans, 1801 S.W. McKinley; New Application for 5 day license from 07-27-00 thru 07-30-00 for festival - (With Sunday Sales and Outdoor Service). Subject to submission of acceptable building and fire inspections. **Moved by Hensley to adopt. Motion Carried 7-0.**

Class "C" Beer Licenses

00-1735 6. Foods, Inc., Ronald C. Bartos, President dba Dahl's Foods, 6200 Southeast 14th Street; Renewal - Expires 6-30-00 (With Sunday Sales) - Application submitted 6-5-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1736 7. Foods, Inc., Ronald C. Bartos, President dba Dahl's Foods, 4121 Fleur Drive; Renewal - Expires 6-30-00 (With Sunday Sales) - Application submitted 6-5-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1737 8. Hy Vee, Inc., John Brummit, Assistant Treasurer dba Drugtown/Regal Liquor, 4100 University Avenue; New Application (With Sunday Sales) - Application submitted 3-31-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1738 9. James S. Krueger dba Eastown Amoco, 2850 East Euclid; Renewal - Expires 6-21-00 (With Sunday Sales) - Application submitted 5-24-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1739 10. Southside Tobacco, Inc., Hilda I. Bartlett, President dba Southside tobacco, 2432 Southwest 9th Street; Renewal - Expires 6-30-00 - Application submitted 5-15-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1740 11. Quik Trip Corporation, Chester Cadieux, President dba Quik Trip #535, 1501 East Grand; Renewal - Expires 6-26-00 (With Sunday Sales) - Application submitted 5-2-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

Class "B" Wine Licenses

00-1741 12. Foods, Inc., Ronald C. Bartos, President dba Dahl's Foods, 6200 Southeast 14th Street; Renewal - Expires 6-30-00 - Application submitted 6-5-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1742 13. Foods, Inc., Ronald C. Bartos, President dba Dahl's Foods, 4121 Fleur Drive; Renewal - Expires 6-30-00 - Application submitted 6-5-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1743 14. Hy Vee, Inc., John Brummit, Assistant Treasurer dba Drugtown/Regal Liquor, 4100 University Avenue; New Application submitted 3-31-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

Class "B" Wine Licenses (continued)

00-1744 15. Quik Trip Corporation, Chester Cadieux, President dba Quik Trip #535, 1501 East Grand; Renewal - Expires 6-26-00 - Application submitted 5-2-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

Class "C" Beer-Wine Licenses

00-1745 16. The Restaurant Company, Donald N. Smith, CEO dba Perkins Restaurant & Bakery, 2425 East Euclid; New Application (With Sunday Sales) - Application submitted 5-5-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1746 17. 205 Corporation Charles J. Celsi, President dba The Tavern South Pizza & Pasta Grill, 1106 Army Post Road; Renewal - Expires 6-30-00 (With Sunday Sales) - Application submitted 6-5-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

Class "B" Liquor Licenses

00-1747 18. Ackerman Investment Company, James R. Bocken, President dba Best Western Starlite Village, 929 3rd Street; Renewal - Expired 6-1-00 (With Sunday Sales) - Application

submitted 5-5-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

Class "C" Liquor Licenses

WITHDRAWN00-1748 19. The House of Bricks, LLC, Joel C. Wilson, President dba The House of Bricks, 3839 Merle Hay Road; New Application (With Sunday Sales) - Application submitted 6-5-00.

00-1749 20. Hilltop Lounge & Restaurant, Inc., Alex J. Tollari, Owner dba Hilltop Lounge & Restaurant, 2820 Hubbell; Renewal - Expires 6-29-00 - Application submitted 5-24-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

WITHDRAWN00-1750 21. Kelly's LTD, Kelley Manning, President dba Kelly's on Beaver, 3606 Beaver. Renewal - Expires 7-2-00 - Application submitted 5-25-00.

00-1751 22. Okoboji Grill of South Des Moines, Inc., William Leroy Gessmann, President dba Okoboji Grill of South Des Moines, 200 West Army Post Road; Renewal - Expires 6-19-00 (With Sunday Sales and Outdoor Service) - Application submitted 5-15-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

Class "C" Liquor Licenses (continued)

00-1752 23. J & V's Inc., Patty Carlson, Owner dba Time Out Sport's Bar, 1101 Army Post Road; Renewal - Expires 6-17-00 (With Sunday Sales) - Application submitted 6-13-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1753 24. Polk County Iowa, F. Michael Grimaldi, Manager dba Veterans Memorial Auditorium, 833 5th Street; Renewal - Expires 6-30-00 (With Sunday Sales and Outdoor Service) - Application submitted 5-15-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

Class "E" Liquor Licenses

00-1754 25. Hy Vee, Inc., John Brummit, Assistant Treasurer dba Drugtown/Regal Liquor, 4100 University Avenue; New Application (With Sunday Sales) - Application submitted 3-31-00. **Moved by Hensley to adopt. Motion Carried 7-0.**

Authorizing

00-1755 26. City Clerk to issue Cigarette Licenses. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1756 27. City Clerk to issue Coin Operated Amusement Machine Licenses. **Moved by Hensley to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

00-1757 28. Authorization to proceed with various projects included in the 2000-2001 Capital Improvements Program. ([Council Communication No. 00-266](#)). **Moved by Vlassis to adopt. City Engineer to report on the need for a consultant for lighting. Motion Carried 7-0.**

00-1758 29. Professional Services Agreement with Ames Environmental, Inc., (Dave Lester, President, Slater, IA) for annual asbestos abatement services-investigation, testing, design services and abatement services - \$80,000. ([Council Communication No. 00-272](#)). **Moved by Hensley to adopt. City Manager and City Engineer to report on hourly rates and the potential to partner, by 28E, with other government entities for these services. Motion Carried 7-0.**

00-1759 30. Addendum No.1, to Grandview Park Shelter Improvements Project, to amend date for receiving of bids, (7-11-00--new date), hearing date will remain the same (6-26-00). **Moved by Hensley to adopt. Motion Carried 7-0.**

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

00-1760 (A) 1998 Flood Storm Sewer Repair Contract 3, Corell Contractor, Inc., \$15,088.47 is now due and remaining balance of \$24,138.09 to be paid at the end of 30 days. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1761 (B) Martin Luther King, Jr., Parkway at Hickman Road Traffic Signal Improvements, Baker Electric, Inc., remaining balance of \$6,170.00 to be paid at the end of 30 days. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1762 32. Authorizing City Engineer to proceed with sidewalk construction, waiver signed by Daniel M. Fitchhorn (deceased) and Virginia R. Fitchhorn, 3507 Bowdoin. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1763 33. Approving partial payments on ten (10) public improvement projects. (Call City Clerk's Office for listing). **Moved by Hensley to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

00-1764 34. Authorizing Assessment Clerk to reduce Paving Assessment on Schedule 1998-01 from \$8,391.60 to \$5,394.60 against 1614 E. 27th Ct., due to miscalculation. **Moved by Hensley to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

00-1765 35. Establishing Fair Market Value and authorizing acquisition of property for the 7th

Ward Ditch Wooden Box Replacement Phase II Project, from Lisa J. Ritchie, 2809 Cleveland Ave. - \$11,500. **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Flagg.**

00-1766 36. Establishing Fair Market Value of four additional Frisbee Park properties acquired with FEMA Funds following the floods in 1993 and authorize staff to proceed with the sale of the lots. ([Council Communication No. 00-263](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1767 37. Offer to Purchase Real Estate and Acceptance, and Form of Warranty Deed in conjunction with the Airport Expansion Project, from H. Hollis Henry and Doris Snider Henry, 3020 Army Post Road - \$150,000. **Moved by Coleman to adopt. Motion Carried 6-1. Nays: Flagg.**

00-1768 38. Purchase Agreement and Form of Warranty Deed in conjunction with SW 34th Street Relocation, from Dobbs International Services, Inc., 4700 SW 32nd Street - \$480,000. **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Flagg.**

00-1769 39. Warranty Deed, Permanent Easement for Storm Sewer Right-of-Way, Temporary Easement for Property Adjustment, Future Title Work Compensation in conjunction with Fleur Drive Paving Project-County Line Road: East and West of Fleur Drive, from Charles F. Doggett and Carolyn A. Doggett, northeast corner of Fleur Drive and County Line Road - \$4,253. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1770 40. Certification of Title for 17 properties in conjunction with Airport Noise Compatibility Program, Phase II (call the City Clerk's office for list). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1771 41. Approving reduction of Subdivision Bond No. IAC 25164, \$103,891 from Merchants Bonding Company as surety for sidewalks and erosion control improvements be reduced to \$25,973 as security for satisfactory completion of remaining improvements for EASTER LAKE ESTATES, PLAT 4. ([Council Communication No. 00-264](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

00-1772 42. Recommendation of Mayor Preston Daniels for reappointment of Ferol Wegner to the Park and Recreation Board for a four-year term to expire June 30, 2004. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1773 43. Recommendation of Council Member Archie Brooks for reappointment of Nadine Hogate to the Neighborhood Revitalization Board for a three-year term to expire June 30, 2003. **Moved by Hensley to adopt. Motion Carried 7-0.**

44. Recommendation of At-Large Council Member George Flagg for appointments to the following:

00-1774 (A) James Christopher Wine to the Skywalk Commission for a three-year term to expire April 7, 2003. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1775 (B) David James Hawkins to the Park and Recreation Board for a four-year term to expire June 30, 2004. **Moved by Hensley to adopt. Motion Carried 7-0.**

WITHDRAWN00-1776 45. Recommendation of Council Member Mike McPherson for reappointment of Jean Bodenstedt to the Public Housing Board for a three- year term to expire July 1, 2003.

STREET CLOSINGS/STREET USE

00-1777 46. Approving exception regarding length of time request from Shawn Simmons, 4228 Holland Drive, request to close Holland Drive from 4228 Holland Drive to intersection of Holland Drive and Maryland Pike on Tuesday, July 4, 2000 from 9:30 A.M. until 6:30 P.M. for a neighborhood block party. **Moved by Hensley 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 7-0.**

00-1778 47. Approving closure of the following City Streets. **Moved by Hensley 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 7-0.**

(1) Deborah Snitkey, 3843 8th Place, requesting permission to close 8th Street Place from Douglas to Seneca on Saturday, July 1, 2000 (Raindate of July 2), from 2:30 P.M. to 8:30 P.M. for a neighborhood block party.

(2) D'Ann Cord, representing Des Moines Symphony Association, 221 Walnut Street, requesting permission to close Court Avenue from E. 7th Street to E. 12th Street on Monday, July 3, 2000 (Raindate of July 4), from 9:00 P.M. to 11:00 P.M. for fireworks display at the State Capitol Complex.

(3) Beverly West, 2505 33rd Street, requesting permission to close 33rd Street from Hickman Road to Sheridan on Tuesday, July 4, 2000, from 9:45 A.M. to 12:00 Noon for a children's neighborhood parade.

(4) Rod Ryan, 4808 Crestmoor Drive, requesting permission to close Crestmoor Drive from 50th Street to Belaire Road on Tuesday, July 4, 2000, from 10:00 A.M. to 11:00 A.M. for a children's holiday parade.

(5) Janet Cooper, 1532 45th Street, requesting permission to close 45th Street from College to Forest on Sunday, July 9, 2000 from 4:00 P.M. to 9:00 P.M. for a neighborhood block party.

(6) Bill Wheeler, representing Highland & Oak Park Neighborhood Association and The Parks Area Foundation, requesting permission to close 6th Avenue from Euclid to Douglas on

Saturday, July 15, 2000 from 4:00 P.M. to 8:00 P.M. for the First Annual Sweet Corn Feed.

(7) April Ackelson, 3107 5th Avenue, requesting permission to close Boston from 6th Avenue to 5th Avenue, on Saturday, July 22, 2000 from 3:00 P.M. to 9:00 P.M. for a neighborhood block party.

(8) Chris Bolten, representing Des Moines Park & Recreation, 3226 University, requesting permission to close Wall Street from Jordan Drive to S.E. 7th Street on Tuesday, August 1, 2000 from 5:00 P.M. to 9:00 P.M. for a Picnic In The Park.

(9) Marta Boelling, 3119 47th Street, requesting permission to close 47th Street from Urbandale Avenue to Ovid, on Sunday, August 6, 2000 (Raindate of August 13), from 5:00 P.M. to 9:00 P.M. for a neighborhood block party.

SETTING DATE OF HEARINGS

00-1779 48. On authorization of a Loan Agreement and issuance of not to exceed \$10,000,000 General Obligation Capital Loan Notes--Metro Center Urban Renewal Project (7-10-00). [\(Council Communication No. 00-271\)](#). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1780 (A) Approving purchase of and authorizing the closing of property from the Allied Gateway Campus Project, in the Metro Center Urban Renewal Area. **Moved by Hensley to adopt. Motion Carried 7-0.**

49. NUMBER NOT USED.

00-1781 50. On application for Certificate of Public Convenience and necessity to operate Limousine Services, Cory Shelton, 2600 E. 38th Court, DM, (6-26-00). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1782 51. On request from Michael Hutchison, to rezone property at 1910 E. Army Post Road, from "R1-80" (One Family Residential) to "C-2" (General Retail and Highway Oriented Commercial), subject to conditions, (7-10-00). **Moved by Hensley to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

00-1783 52. Approving payment of \$2,385.00 to Lawrence McLellan with Sullivan & Ward, P.C. for representation and assistance regarding environmental problems encountered in conjunction with East 14th Street and East Euclid Avenue Sanitary Sewer Project. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1784 53. Approving payment of \$1,523.91 to Jane McAllister of Ahlers, Cooney, Dorweiler, Haynie, Smith & Allbee, P.C. for resolution of certain environmental matters in conjunction with development of Kiwanis Nature Island at Riverview Park. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1785 54. Approving payment of \$250.00 to Sullivan & Ward, P.C. for representation of City in matters regarding the National Pollution Discharge Elimination System Permit (NPDES) for the Des Moines International Airport and participate in negotiation with the Iowa Department of Natural Resources. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1786 55. Approving payment of \$964.92 To Duncan, Green, Brown, Langeness & Eckley for representation of City in matters relating to the airport parking garages. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1787 56. Approving payment of \$1,010 to James Nervig of Petosa, Petosa, Boecker & Nervig for legal services in conjunction with real estate acquisition and leasing matters for the Des Moines International Airport. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1788 57. Approving payment of \$2,535.62 to Davis, Brown, Koehn, Shors & Roberts, P.C. for representation of Debra Richardson and Michael McBride in Smithson, et al. v. City of Des Moines. **Moved by Coleman to adopt. Council requested a status briefing on this case at Legal's discretion. Motion Carried 7-0.**

00-1789 58. Approving payment of \$2,106.35 to Brown, Winick, Graves, Gross, Baskerville, Schoenebaum, P.L.C. for representation of Jeffrey Aldrich and Judy Stanley in Smithson, et al. V. City of Des Moines, et al. **Moved by Coleman to adopt. Motion Carried 7-0.**

00-1790 59. Approving payment of \$165.21 to Gaudineer & Comito, L.L.P. for representation of Brian Danner in case of Elmer Pace and Linda Pace v. City of Des Moines. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1791 60. Approving payment of \$622.00 to Nyemaster, Voigts, West, Hansell & O'Brien, P.C. for representation of Officer Michael McBride in case entitled Mary Elaine (Kirsch) Sinclair as Administrator of Estate of Adam Lawrence Clark v. City of Des Moines and Michael McBride and Timothy Peak. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1792 61. Approving payment of \$17,820.50 to Susan R. Stropes for payment of workers compensation benefits for injury suffered in course and scope of employment. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1793 62. Approving payment of \$9,893.87 to Donald E. Swan for payment of workers' compensation benefits for injury suffered in course and scope of employment. **Moved by Hensley to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

00-1794 63. Submitting out-of-state travel requests for Thomas Vlassis, Michael Armstrong, Sandra Morris, Chris Johansen, Mike Matthes and Loren Lodge. ([Council Communication No. 00-267](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1795 64. Submitting traffic regulation changes as follows, ([Council Communication No. 00-275](#)). **Moved by Hensley to receive, file and refer to Legal Department for preparation of proper legislation. Motion Carried 7-0.**

(1) Two-Sided Parking Restriction--East 9th Street between Osceola and Jefferson Avenues.

(2) One-Sided Parking Restriction--East 43rd Street and East 43rd Court South of Douglas Avenue.

(3) Corner Clearance Parking Restriction--North Side of Lyon Street East of East 23rd Street.

(4) Corner Clearance Parking Restriction--South Side of Lincoln Avenue East of 18th Street.

(5) Corner Clearance Parking Restriction--West Side of SE 8th Street South of Lacona Avenue.

(6) Install Handicapped Parking Space--East Side of 13th Street South of Enos Avenue.

APPROVING

00-1796 65. Submitting Quarterly Financial Report for nine months ended March 31, 2000. (Copies on file in City Clerk's Office). **Moved by Hensley to receive and file. Motion Carried 7-0.**

00-1797 66. Agreement with United Way of Central Iowa for construction of three affordable single family, owner-occupied housing in the Capitolview South Neighborhood, one to be built in 2000, one in 2001 and one in 2002 - \$37,500. ([Council Communication No. 00-270](#)). **Moved by Hensley to adopt. Motion Carried 6-0. Council Member Coleman declares a conflict of interest and abstains from voting.**

00-1798 67. Annual Insurance Renewal for City property and casualty insurance policies, effective for July 1, 2000. ([Council Communication No. 00-273](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1799 68. Contract with McGladrey & Pullen, LLP/Mississippi Valley Practice (Sarah Bohnsack, Partner, Moline, IL), as the City's Independent Financial Auditor for the next three years, with two one-year renewal options - \$72,500 each year. **Moved by Hensley to adopt. Motion Carried 7-0.**

69. Bids for the following:

00-1800 (A) Mid Iowa Fountain Service, (4014 E. 24th Street, John Gordon, President) for purchase of geyser and tiered fountains for MacRae and Witmer Park Pools to be used for the Park and Recreation Department, \$16,190.00. (Ten bids mailed-two received). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1801 (B) Pool Tech Midwest, Inc., (Cedar Rapids, IA., Dick Whiteaker, President) for purchase of an annual contract (four years) for the replacement of municipal pool sanitation systems to be used by the Park and Recreation Department, \$2,850.00) (Ten bids mailed-two received). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1802 (C) Primary and secondary contractors (Martin Marietta Aggregates, Urbandale, IA., Ken Baeth, President) and Hallett Materials, Des Moines, Jim Rasmussen, President) for construction materials to be used by the Public Works Department. (Three bids mailed-two received). (Call City Clerk's Office for breakdown of materials and prices). **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1803 70. Submitting Civil Service Entrance List for Word Processor Operator, Customer Service and Training Advisor, Departmental User Support Technician, Senior Accountant and Promotional List for Golf Course Supervisor. **Moved by Hensley to receive and file. Motion Carried 7-0.**

00-1804 71. Authorizing Finance Director to draw checks on registers of June 16, 2000 and June 23, 2000, and for the bills of the Des Moines Municipal Housing Agency for the weeks beginning June 12, 2000 and June 19, 2000; and to draw checks for biweekly payroll due employees on June 16, 2000. **Moved by Hensley to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

00-1805 72. On Zoning Ordinance text amendment, Section 2A-3, regarding definition of "accessory building". **Moved by Hensley that this ordinance do now pass, [#13,832](#). Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

00-1806 73. Amending Chapter 34 of the Municipal Code regarding cemetery hours. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

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

ORDINANCES - FIRST CONSIDERATION

00-1807 74. Amending Chapter 114 of the Municipal Code regarding rates for the Seventh and Grand Parking Garage. ([Council Communication No. 00-274](#)). **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 5-2. Nays: Flag and McPherson.**

WITHDRAWN00-1808 (A) Final consideration of ordinance above, (waiver requested by City Manager), requires 6 votes.

00-1809 75. Amending Chapter 114 of the Municipal Code regarding traffic regulation changes as follows. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- (1) Corner Clearance Parking Restriction-North Side of East Edison Avenue East of SE 6th Street.
- (2) "25 mph" School Zone Signing-Madison Avenue at Woodlawn Elementary School.
- (3) Mid-Block School Crossing Signal and "25 mph" School Zone Signing-SE 22nd St. at the new South Side Elementary School.
- (4) Traffic Signal Installation-SW 42nd St. and Park Avenue.
- (5) Four-Way Stop-Cleveland Avenue at Hutton Street.
- (6) Relocation of Taxicab Stand and Parking meters-700 Block of Grand Avenue.
- (7) Installation of Loading Zone-North Side of Walnut Street West of 14th Street.
- (8) Corner Clearance Parking Restriction-North Side of Walnut Hill Avenue East of 59th Street.

00-1810 (A) Final consideration of ordinance above, (waiver requested by Council Member Hensley), requires 6 votes. **Moved by Hensley that the rule requiring that ordinances must be considered, and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#13,833](#). Motion Carried 7-0.**

COUNCIL REQUESTS

00-1811 76. Request from Council Member Mike McPherson to speak regarding a "Not a Truck Route" sign going east on Douglas on the north side of Fareway Grocery Store at Park Fair Mall. **Moved by McPherson to receive, file and discuss; approve placement of a sign on the north side of the Fareway Store, East of Oxford. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

00-1812 77. From Michele Eginoire, USDA Natural Resources Conservation Service, to present Mayor Daniels and Council Member Brooks with a "Thank You" poster from students at

Lovejoy Elementary School for repair work on Kenyon Avenue. **Moved by Vlassis to receive, file and grant the request to speak. Motion Carried 7-0.**

WITHDRAWN 00-1813 78. Request from Representative Ed Fallon to discuss proposed Grocery Store at Sixth and University.

00-1814 79. Communication from Robert L. King, Chair, Neighborhood Revitalization Board regarding attendance and vacancy issues. **Moved by Hensley to receive, file and declare the two seats vacant (Bruce and Morris), effective immediately; City Manager to submit a recommendation in 30 days regarding board composition and other issues from roll call No. 99-3686 of 12-6-99. Motion Carried 7-0.**

WITHDRAWN00-1815 80. From Robert and Rhonda Walker, 2214 E. 23rd Street, regarding a city tree and sewer line.

*** * Council considered Item 92 through Board of Health Next * ***

HEARINGS (Opened at 5:26 P.M.) (Items 81 thru 91)

00-1816 81. On request from Oaks Development Company (John Kline and Randy Walters, Partners), to rezone property in the 2400 block of E. Park Avenue from "R1-80" (One Family Residential) to an "R1-60" (One Family Low Density Residential), subject to conditions, requires 6/7 vote for approval. **Moved by Brooks to adopt. Motion Carried 6-1. Nays: Flagg.**

00-1817 (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: Flagg.**

00-1818 (B) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by Brooks 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, [#13,834](#). Motion Carried 6-1. Nays: Flagg.**

00-1819 82. On request from Oaks Development Company, (John Kline and Randy Walters, Partners), to amend the PUD Conceptual Plan, for "Meadowlands" , (approx. 53 acres of vacant land north of the intersection of Bloomfield Road and Indianola Avenue), to allow for revision in Townhome design and configuration. **Moved by Brooks to adopt. Motion Carried 6-1. Pass: Flagg.**

00-1820 83. On vacation and conveyance of Air Rights over Locust Street between 9th and 10th, and amending existing agreement with The Graham Group, and Equitable Life Insurance for a private pedestrian bridge over Locust. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Flagg.**

00-1821 (A) First consideration of ordinance above. **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Nays: Flagg.**

00-1822 (B) Final consideration of ordinance above, (waiver requested by City Manager), requires 6 votes. **Moved by Vlassis that the rule requiring that ordinances must be considered, and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#13,835](#). Motion Carried 6-1. Nays: Flagg.**

00-1823 84. On conveyance of west 1/2 of the vacated north/south alley right-of-way adjoining 905 Shaw Street, to Richard L. Lester, \$25. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-1824 85. On request from Mora, Inc., to rezone property at 1460 Des Moines Street, from "R1-60" (One Family, Low Density Residential) to "C-1" (Neighborhood Retail Commercial). **Moved by Brooks to adopt. Motion Carried 7-0.**

00-1825 (A) First consideration of ordinance above. **Moved by Brooks that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

00-1826 (B) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by Brooks 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, [#13,836](#). Motion Carried 7-0.**

00-1827 86. On amendment to Zoning Ordinance regarding definition of junk vehicles. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-1828 (A) First consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

87. On Building Official's determination that the following structures in vicinity of M.L. King and Cottage Grove, constitute a public nuisance, ([Council Communication No. 00-265](#)).

00-1829 (A) 1927 Crocker Street. **Moved by Vlassis to adopt. Legal to report on the process to remove these buildings and feasibility of an ordinance to allow Community Development authority to declare public nuisance. Motion Carried 6-1. Pass: Flagg.**

00-1830 (B) 1931 Crocker Street. **Moved by Vlassis to adopt. Motion Carried 6-1. Pass: Flagg.**

00-1831 (C) 1934 Cottage Grove. **Moved by Vlassis to adopt. Motion Carried 6-1. Pass: Flagg.**

00-1832 (D) 1935 Crocker Street. **Moved by Vlassis to adopt. Motion Carried 6-1. Pass:**

Flagg.

00-1833 (E) 2004 Cottage Grove. **Moved by Vlassis to adopt. Motion Carried 6-1. Pass: Flagg.**

00-1834 88. On amendment to the Comprehensive Plan, and request for rezoning, for property located from 30th Street east to the alley right-of-way west of 25th Street and from University Avenue to Brattleboro Avenue, (Drake University), and to continue hearing to 6-26-00. **Moved by Hensley to continue the public hearing on the proposed amendment to the Des Moines 2000 Land Use Plan and the proposed rezoning to June 26, 2000, at 5:30 P.M. Motion Carried 7-0.**

00-1835 89. On 2000 Sidewalk Replacement Program - Public Works: 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 Gray DM, \$118,300. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-1836 (A) Approving contract and bond. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-1837 90. On Tennis and Basketball Court Resurfacing: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Blacktop Repair Service Inc., (Patricia J. Hicks, President, Ankoa MN), \$53,600. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-1838 (A) Approving contract and bond, and permission to sublet. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-1839 91. On East Side Library Roof Replacement: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Academy Roofing Company, John McDermitt, President, Ankeny), \$49,657. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-1840 (A) Approving contract and bond. **Moved by McPherson to adopt. Motion Carried 7-0.**

* * END HEARINGS at 5:49 P.M. * *

CITY MANAGER RECOMMENDATIONS

00-1841 92. Regarding Release of FEMA No-Development Restrictions on City-Owned Land in the Valley Garden Area. ([Council Communication No. 00-268](#)). **Moved by Hensley to approve. City Manager to report on the need for Flood Insurance on these properties. Motion**

Carried 7-0.

APPROVING

00-1842 93. Acceptance of combined contributions from Meredith Family and Corporation Foundations and conditions for development of Grays Lake Park. ([Council Communication No. 00-269](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

94. Issuance of General Obligation Bonds for the following:

00-1843 (A) \$22,910,000 Series 2000D. **Moved by Coleman to adopt. Motion Carried 7-0.**

00-1844 (B) \$2,040,000 Taxable Series 2000E. **Moved by Coleman to adopt. Motion Carried 7-0.**

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EXTRA ITEMS

These extra items are filed after 5:00 P.M. on the Wednesday preceding a Council meeting and have been included upon the Amended Agenda by the City Clerk, with sponsorship of the Mayor or a City Council Member who shall deem the item of sufficient urgency to warrant immediate Council action - said statement of urgency from the City Manager and/or appropriate Department Director shall be placed on file with the City Clerk.

00-1845 1. Approving closing on the purchase of Burlington Northern & Santa Fe Railroad Company properties. SPONSOR: McPherson. **Moved by McPherson to adopt. Motion Carried 6-1. Nays: Flagg.**

A G E N D A

BOARD OF HEALTH

June 19, 2000

00-1846 MOTION TO CONVENE. **Moved by Vlassis that the City Council Adjourn and Convene as a Board of Health. Motion Carried 7-0.**

AUTHORIZING

1. Engineering Department to remove the public nuisance structure(s) located at the following locations:

00-1847 (A) 3418 Clark: Titleholder, Family Plan 2000, Curtis White, Registered Agent. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-1848 (B) 1850 Logan: Titleholder, Phimmachanh Baccam and Siang Bacht. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-1849 (C) 1419 5th Street: Titleholders, Walter K. and Lea G. White Trust. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-1850 (D) 249 E. 19th Street: Titleholders, Merle G. and Carol Regina Huff d/b/a Manor Motor Lodge, Inc. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-1851 (E) 1433 22nd Street: Titleholder, Mary Jean Tedrow, Contract Buyers, James M. James and Susan James. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-1852 (F) 1552 23rd Street: Titleholder, Polk County. **Moved by Vlassis to continue for 30 days to 7-24-00 to allow potential owner time to remedy deficiencies in the foundation, electrical and mechanical, with the understanding that it may revert back to demolition if compliance is not obtained in the time provided. Motion Carried 7-0.**

00-1853 (G) 2422 E. 36th Court: Titleholder, Michelle Sepich a/k/a Michelle Robbins. **Moved by Vlassis to adopt. Motion Carried 7-0.**

**** Council adjourned as Board of Health and reconvened as the Council and considered Hearing Items 81 through 91 ****

00-1854 MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 5:50 P.M. Motion Carried 7-0.**

DES MOINES-CITY OF SKYWALKS