

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

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

SUMMARY OF DES MOINES CITY COUNCIL MEETING

**November 6, 2006
4:30 P.M**

RECOGNITIONS - 4:15 P.M.

[Mondamin](#) Presidential Neighborhood Recognition

[Neil Parmenter](#) – 2006 Hershey’s STRIVE Award for Local Administrator of the Year

PROCLAMATIONS – 4:15 P.M.

[Family](#) History Month

INVOCATION: Pastor Gene Kelsey
Wakonda Christian Church

[06-2154](#)

1. ROLL CALL: **Present: Cownie, Coleman, Hensley, Mahaffey and Vlassis. Council Member Kiernan entered the meeting during Item 3.**

[06-2155](#)

2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Vlassis to adopt. Motion Carried 5-1. Absent: Kiernan.**

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

- [06-2156](#) 3. APPROVING CONSENT AGENDA – items 3 through 32: **Moved by Vlassis to adopt the balance of the consent agenda. Motion Carried 6-0.**

LICENSES AND PERMITS

- [06-2157](#) 4. Approving Alcoholic Beverage License applications for the following: **Moved by Vlassis to adopt. Motion Carried 6-0.**

RENEWAL APPLICATIONS

(A)	CORIGLIANOS PIZZA	2619 SW 9TH	B Beer
(B)	FAIRGROUNDS 66	303 SE 30TH ST	C Beer
(C)	HESSEN HAUS	101 4TH STREET	C Liquor
(D)	HIGH LIFE LOUNGE	200 SW 2ND ST	C Liquor
(E)	HY VEE GAS DES MOINES #5	1113 E ARMY POST RD	C Beer
(F)	PARK AVENUE PUB	1101 PARK AVE	C Liquor
(G)	QUIKTRIP #541	2428 HUBBELL AVE	C Beer
(H)	SHORTSTOP #42	3725 BEAVER AVE	C Beer
(I)	STROLL INN	3325 HUBBELL AVE	C Liquor

PUBLIC IMPROVEMENTS

5. Ordering construction of the following:
- [06-2158](#) (A) 4500 Grand Avenue Reroofing – Receiving of bids, (11-21-06), and Setting date of hearing, (12-4-06). (Construction Estimate - \$102,600). (Council Communication No. 06-691) **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-2159](#) (B) 2006 Sanitary Sewer Lining Program – Receiving of bids, (12-5-06), and Setting date of hearing, (12-18-06). (Construction Estimate - \$3,728,380). (Council Communication No. 06-692) **Moved by Vlassis to adopt. Motion Carried 6-0.**
6. Approving execution of Iowa Department of Transportation Agreements for Hickman Road resurfacing for the following:
- [06-2160](#) (A) From Beaver Avenue to Merle Hay Road. (Council Communication No. 06-693)

Moved by Vlassis to adopt. Motion Carried 6-0.

- [06-2161](#) (B) [From](#) 30th Street to Beaver Avenue. ([Council Communication No. 06-697](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-2162](#) 7. [Approving](#) Agreement with the U.S. Department of the Interior, Geological Survey for operation and maintenance of six (6) river and stream gauging stations in the Des Moines area. ([Council Communication No. 06-699](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-2163](#) 8. [Approving](#) Private Construction Contract between Neumann Brothers, Inc. and Grand View College for sanitary sewer improvements in 1446 Boyd Street. **Moved by Vlassis to adopt. Motion Carried 5-0. Council Member Mahaffey declares a conflict of interest and abstains from voting.**
9. Approving completion and acceptance of private construction contracts for the following:
- [06-2164](#) (A) [Pinnacle](#) Construction Group, LLC and Blank Park Zoo Foundation, Inc. – Main Administration Building Improvements, Blank Park Zoo. **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-2165](#) (B) [Nuckolls](#) Concrete Services, Inc. and West Lake Properties, LLC – Pavement Improvements, Airport Commerce Park South Plat 2. **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-2166](#) (C) [McAninch](#) Corporation and West Lakes Properties, LLC – Sanitary Sewer Improvements, Airport Commerce Park South Plat 2. **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-2167](#) (D) [McAninch](#) Corporation and West Lakes Properties, LLC – Storm Sewer Improvements, Airport Commerce Park South Plat 2. **Moved by Vlassis to adopt. Motion Carried 6-0.**
10. Accepting completed construction and final payment of the following:
- [06-2168](#) (A) [Corell](#) Contractor, Inc. – M.L. King Jr. Parkway Paving: Ingersoll Avenue to Cedar Street. **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-2169](#) (B) [Legacy](#) Construction Group – Cownie Soccer Stadium Expansion. **Moved by Vlassis to adopt. Motion Carried 6-0.**

SPECIAL ASSESSMENTS

- [06-2170](#) 11. Levying assessments for costs of Nuisance Abatement-NAC Emergency Ordinance (Community Development) for Schedule 2006-10. **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-2171](#) 12. Approving deletion of NAC-Emergency Assessments at various locations. **Moved by Vlassis to adopt. Motion Carried 6-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [06-2172](#) 13. Regarding request from D. Lance Cooper, 1063 14th Place, for vacation and conveyance of adjoining portion of 14th Place from Ascension Street to Keosauqua Way along with irregular portion of non-active Keosauqua Way and Ascension Street immediately west of and adjoining 14th Place, subject to conditions. **Moved by Vlassis to receive and file, and to refer to the City Manager for further processing in accordance with standard City property disposition procedures. Motion Carried 6-0.**
- [06-2173](#) 14. Regarding request from State of Iowa for vacation and conveyance of the following street and alley rights-of-way in vicinity of the State Judicial Building, subject to conditions. **Moved by Vlassis to receive and file, and to refer to the City Manager for further processing in accordance with standard City property disposition procedures. Motion Carried 6-0.**
- (A) Remaining portion of E. 12th Street right-of-way extending south from E. Court Avenue to the Norfolk Southern Railway.
 - (B) Remaining portion of north/south alley right-of-way between E. 12th Street and E. Court Street extending south from E. Court Avenue to the Norfolk Southern Railway.
 - (C) Remaining portion of E. 13th Street right-of-way extending south from E. Court Avenue to the Norfolk Southern Railway.
 - (D) Remaining portion of the north/south alley right-of-way between E. 13th Street and vacated E. 13th Court extending south from E. Court Avenue to the Norfolk Southern Railway.
- [06-2174](#) 15. Regarding request from State of Iowa for vacation and conveyance of an irregular segment of E. Locust Street at 707 E. Locust, lying easterly of Pennsylvania Avenue and E. Court Street as part of the West Capitol Terrace project, subject to conditions. **Moved by Vlassis to receive and file, and to refer to the City Manager for further processing in accordance with standard City property disposition procedures. Motion Carried 6-0.**

[06-2175](#)

16. [Regarding](#) request from Neighborhood Development Corporation, owner of 408 E. Street, for vacation and conveyance of the entire adjoining portion of E. Capitol Avenue extending 200 feet west from E. 30th Street, (**Plan and Zoning Commission recommendation DENIAL**); and recommendation of **APPROVAL** for vacation of *only* the northern 25 of Capitol Avenue right-of-way adjoining the site, subject to conditions. **Moved by Vlassis to receive and file, and to refer to the City Manager for further processing in accordance with standard City property disposition procedures. Motion Carried 6-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

[06-2176](#)

17. [Approving](#) payment of \$3,601.99 to Hall & Associates for services related to the Combined Sewer System and Combined Sewer Overflows related to the WRF National Pollution Discharge Elimination System (NPDES) Permit. **Moved by Vlassis to adopt. Motion Carried 6-0.**

[06-2177](#)

18. [Approving](#) payment of \$3,496.49 to Myers & Jenkins Law Firm for representation of City in the UAL Corporation, ATA Holdings Corp., Delta Air Lines, Inc., et.al. (Com Inc.) and Northwest Airlines Corporation, et.al. Bankruptcies. **Moved by Vlassis to adopt. Motion Carried 6-0.**

[06-2178](#)

19. [Approving](#) payment of settlements by City Attorney, not exceeding \$5,000. **Moved by Vlassis to receive, file and affirm settlements made by City Attorney. Motion Carried 6-0.**

[06-2179](#)

20. [Approving](#) waiver of subrogation rights to medical expenses for City employee, Barb Hansen for a motor vehicle accident in August of 2002. **Moved by Vlassis to adopt. Motion Carried 6-0.**

[06-2180](#)

21. [Approving](#) employment of Angela Althoff to the position of Assistant City Attorney. **Moved by Vlassis to adopt. Motion Carried 6-0.**

APPROVING

22. Form of Agreement with West Des Moines State Bank (West Bank) and the Federal Home Loan Bank of Des Moines for funds to be used in conjunction with the following:

[06-2181](#)

- (A) [Lead](#) Remediation for low-income owner-occupants. ([Council Communication No. 06-686](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**

[06-2182](#)

- (B) [Affordable](#) Housing Program Grant for Minor Home Repairs. ([Council Communication No. 06-687](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**

- [06-2183](#) 23. [Grant](#) Application to the Polk County Housing Trust Fund for City of Des Moines' M Repair Loan Program, \$250,000. ([Council Communication No. 06-701](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-2184](#) 24. [Grant](#) Application to the Polk County Housing Trust Fund for City of Des Moines' Occupied Housing Rehabilitation Program for Lead-based Paint Control Program with Polk County Health Department. ([Council Communication No. 06-700](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-2185](#) 25. [Third](#) Amendment to agreement for acquisition of property at E. 4th and Locust Street to allow an extension to January 31, 2007 for negotiations with SOHO Development LLC for possible redevelopment of the site. ([Council Communication No. 06-688](#)) **Moved by Hensley to adopt. City Manager to work with any interested parties during extension period. Motion Carried 5-0. Council Member Mahaffey declares a conflict of interest and abstains from voting.**
- [06-2186](#) 26. [Renewal](#) of Greater Des Moines Softball Park Concession Agreement, effective January 1, 2007 through December 31, 2009. ([Council Communication No. 06-685](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-2187](#) 27. [Amendment](#) to Boundary Streets and Road Maintenance Agreement with Polk County to include voluntary annexations and to improve efficiencies of roadway maintenance. **Moved by Vlassis to adopt. Motion Carried 6-0.**
28. Requests from Downtown Community Alliance to approve banner designs for the following:
- [06-2188](#) (A) [On](#) behalf of the Iowa Farm Bureau Federation to display 36 banners in downtown Des Moines on Grand Avenue and Fifth Avenue in December 2006. **Moved by Vlassis to receive, file and approve banner design. Motion Carried 6-0.**
- [06-2189](#) (B) [On](#) behalf of Greater Des Moines Partnership to display banners in Downtown Des Moines starting in November. **Moved by Vlassis to receive, file and approve banner design. Motion Carried 6-0.**
29. Bids from the following:
- [06-2190](#) (A) [Kurtz](#) Hardware for an annual contract with two (2) additional one year renewal options to furnish door repair services to be used by the Park & Recreation Department, estimated cost \$25,000. (Four bids mailed, two received.) **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-2191](#) (B) [Durham](#) Communications for non-competitive procurement of mobile data radio equipment for use with the City's existing mobile data system to be used by the Police Department, \$80,650. **Moved by Vlassis to adopt. Motion Carried 6-0.**

- [06-2192](#) (C) [Intergraph](#) Public Safety for non-competitive procurement of software licenses for use with the City's existing mobile data system to be used by the Police Department for \$45,000. **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-2193](#) (D) [Tough](#) Solutions for Panasonic laptop computers to be used by the Police Department per State of Iowa Contract #CT2972, \$246,555. **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-2194](#) (E) [Hawkeye](#) Truck Equipment for five (5) material spreaders for use with existing single axle dump trucks to be used by Public Works Department, \$103,552. (Three trucks mailed, three received). ([Council Communication No. 06-709](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-2195](#) 30. [Authorizing](#) Finance Director to draw checks on registers for the weeks of November 6 and November 13, 2006; and to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of November 6 and November 13, 2006; and to draw checks for weekly payroll due November 10, 2006. **Moved by Vlassis to adopt. Motion Carried 6-0.**

ORDINANCES - SECOND CONSIDERATION

- [06-2196](#) 31. [Amending](#) Chapter 114 of the Municipal Code submitting traffic regulation changes as follows: **Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 6-0.**
 - (A) Removal of Bus Loading Zone – west side of 48th Street, north of Franklin Avenue
 - (B) Parking Restrictions – north side of Forest Avenue between 25th and 29th Street.
 - (C) Temporary Municipal Parking Lot - 411 E. Grand.
 - (D) Removal of Metered Parking – south side of Mulberry Street, 7th to 9th Street.
 - (E) Back-In Angle Parking – south side of Court Avenue, Water Street to E. 3rd Street; north side of Walnut Street Bridge; west side of E. 4th Street, Grand Avenue to Locust Street; and east side of E. 5th Street between Walnut Street and Grand Avenue.
- [06-2197](#) 32. [To](#) rezone property at 219 College from “R-3” (Multi-Family Residential) to Ltd. “M-1” (Light Industrial) to allow for industrial development, subject to conditions. **Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 6-0.**

COMMUNICATIONS/REPORTS

- [06-2198](#) 33. **From** Brenda LaBlanc, 3314 Scott Avenue, to speak regarding the SE Ward Agrimergent Park Development. **Moved by Coleman to receive and file comments and list. Motion Carried 6-0.**
- [06-2199](#) 34. **From** Peter Sand, Scheldrup Law Firm, 900 Des Moines St., to speak regarding public nuisance at 3721 SE 24th Ct. **Moved by Vlassis to receive and file comments; refer to City Manager and Legal to review the current policy and financial impact. Motion Carried 6-0.**

****Council considered Extra Item 1 and then Items 35 thru Board of Health next****

HEARINGS (OPEN AT 5:30 P.M.) (ITEMS 35 THRU 48)

- [06-2200](#) 35. **On** appeal from Joseph Joyce, 4610 Wakonda Parkway, regarding Administrative Hearing Officer's decision on impounded vehicle. **Moved by Hensley to reverse the decision of the hearing officer and a Certificate of No Probable Cause be issued to Mr. Joyce. Motion Carried 6-0.**
- [06-2201](#) 36. **On** appeal from Christy Wilkins, 1150 19th Street, regarding Administrative Hearing Officer's decision regarding her dog. **Moved by Hensley to uphold the vicious dog declaration of the Administrative Hearing Officer. Motion Carried 5-1. Name: Mahaffey.**
- [06-2202](#) 37. **On** issuance of Stormwater Management Utility Revenue Bonds, not to exceed \$17,000,000 (Bonds will be sold on Wednesday, November 29 in the morning and a Special City Council Meeting will be held at 4:00 PM to approve the sale). ([Council Communication No. 06-684](#)) **Moved by Coleman to adopt. Motion Carried 6-0.**
- [06-2203](#) (A) **Authorization** for additional action. **Moved by Coleman to adopt. Motion Carried 6-0.**
- [06-2204](#) 38. **On** proposed Third Year Action Plan (2007) of the 2005-2009 U.S. Department of Housing and Urban Development (HUD) Consolidated Plan. **Moved by Hensley to continue public hearing until November 20, 2006 at 5:00 P.M. in the Council Chamber. Motion Carried 6-0.**

[06-2205](#) 39. **On** City Council initiated proposal to rename the portion of County Line Road between Fleur Drive and Highway 28 as Echo Valley Drive. **Moved by Hensley to adopt. Motion Carried 6-0.**

[06-2206](#) (A) **First** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-0.**

[06-2207](#) (B) **Final** consideration of ordinance above, (waiver requested by applicant), requires 2 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, #14,602. Motion Carried 6-0.**

[06-2208](#) 40. **On** vacation and conveyance of portions of right-of-way at the southwest corner of County Line Road and Fleur Drive to United Properties Investment Company, LC for \$86,000 ([Council Communication No. 06-690](#)) **Moved by Hensley to adopt. Motion Carried 6-0.**

[06-2209](#) (A) **First** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-0.**

[06-2210](#) (B) **Final** consideration of ordinance above, (waiver requested by applicant), requires 2 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, #14,603. Motion Carried 6-0.**

[06-2211](#) 41. **On** request from Paula Avalos to rezone property located at 2276 Hubbell Avenue from Limited “C-1” (Neighborhood Retail Commercial) to Limited “C-2” (General Retail Highway Oriented Commercial), subject to conditions. **Moved by Mahaffey to deny rezoning for the reason that the current “C-1” and “C-2” zoning of the site is consistent with the comprehensive plan, the existing “C-1” area serves as a transition to the adjoining residential uses, and the applicant has not demonstrated a compelling reason why the property should be rezoned at this time. Motion Carried 6-0.**

WITHDRAWN

[06-2212](#) (A) **First** consideration of ordinance above.

WITHDRAWN

[06-2213](#) (B) **Final** consideration of ordinance above, (waiver requested by applicant), requires 2 votes.

42. On items regarding property at 31st and Carpenter Avenue, Hubbell Realty Company:

[06-2214](#)

(A) [To](#) amend the Des Moines 2020 Community Character Land Use Plan future land designation from Low/Medium Density Residential to Public/Semi-Public. **Moved by Hensley to approve the proposed amendment, excluding the requirement that the Development plan be subject to Plan and Zoning Commission review and approval. Motion Carried 6-0.**

[06-2215](#)

(B) [Hearing](#) on rezoning the property from “R-3” (Multiple Family Residential) to “PU” (Planned Unit Development) for development of two five-story student apartment buildings and one three-story apartment building, subject to conditions. **Moved by Hensley to adopt and approve the rezoning and Conceptual Plan, subject to final passage of the rezoning ordinance, excluding the requirement that the Development Plan be subject to Plan and Zoning Commission review and approval. Motion Carried 6-0.**

[06-2216](#)

(C) [First](#) consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-0.**

[06-2217](#)

(D) [Final](#) consideration of ordinance above, (waiver requested by applicant), requires 75% 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, [#14,604](#). Motion Carried 6-0.**

[06-2218](#)

43. [Regarding](#) request from Des Moines Area Regional Transit (DART), 1100 MTA Lane to rename MTA Lane to DART Way, from SW 9th Street, west to its terminus. **Moved by Hensley to adopt. Motion Carried 6-0.**

[06-2219](#)

(A) [First](#) consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-0.**

[06-2220](#)

(B) [Final](#) consideration of ordinance above, (waiver requested by applicant), requires 75% 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, [#14,605](#). Motion Carried 6-0.**

[06-2221](#)

44. [On](#) request from West Lakes Properties LC, for voluntary annexation of approximately 100 acres of land in Warren County, west of County Highway R63, ½ mile south of County Line Rd. **Moved by Kiernan to adopt. Motion Carried 6-0.**

- [06-2222](#) 45. [On](#) 5th & Keo Parking Garage Lighting Replacement: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate, and designating lowest responsible bidder as Biermann's University Electric Company, Inc., (Gary P. Cornelius, President), \$245,690. ([Council Communication No. 06-694](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-2223](#) (A) [Approving](#) contract and bond. **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-2224](#) 46. [On](#) Hickman Road Sidewalk from Prospect Road to M.L. King, Jr. Parkway: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate, and designating lowest responsible bidder as Hockmuth Concrete Services, Inc., (Kenneth Hockmuth, President), \$58,005. ([Council Communication No. 06-695](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-2225](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-2226](#) 47. [On](#) Mulberry Street Storm Sewer– 9th Street to 10th Street: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate, and designating lowest responsible bidder as The Underground Company, Ltd., (Duane Burkhardt, President), \$87,493. ([Council Communication No. 06-696](#)) **Moved by Hensley to adopt. Motion Carried 6-0.**
- [06-2227](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Hensley to adopt. Motion Carried 6-0.**
- [06-2228](#) 48. [On](#) SE Connector-Elm Street Pavement Removals and Levee Reconstruction: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate, and designating lowest responsible bidder as Cramer and Associates, Inc., (Robert Cranford, President/CAO), \$349,173.10. ([Council Communication No. 06-693](#)) **Moved by Kiernan to adopt. Motion Carried 6-0.**
- [06-2229](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Kiernan to adopt. Motion Carried 6-0.**

END HEARINGS AT 6:40 P.M.

APPROVING

- [06-2230](#) 49. [Agreement](#) between Des Moines Riverfront Development Authority (RDA) and R Management Services Corporation (RMS) for operation of Brenton Skating Plaza ([Council Communication No. 06-710](#)) **Moved by Coleman to adopt. Motion Carried 6-0.**
- [06-2231](#) (A) [First](#) consideration of ordinance amending Chapter 74 of the Municipal Code regarding ice rink fees for Brenton Skating Plaza. ([Council Communication No. 06-689](#)) **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 6-0.**
- [06-2232](#) (1) [Final](#) consideration of ordinance above, (waiver requested by Park and Recreation), requires 6 votes. **Moved by Coleman 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, #14,606. Motion Carried 6-0.**
- [06-2233](#) (B) [First](#) consideration of ordinance amending Chapter 74 of the Municipal Code regarding park facility hours for Brenton Skating Plaza. **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 6-0.**
- [06-2234](#) (1) [Final](#) consideration of ordinance above, (waiver requested by Park and Recreation), requires 6 votes. **Moved by Coleman 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, #14,607. Motion Carried 6-0.**
50. Recommendations regarding Low Income Housing Tax Credit Applications to Iowa Housing Finance Authority by the following:
- [06-2235](#) (A) [Communication](#) from City Manager regarding the City's Affordable Housing Policy and adopted criteria for reviewing Low-Income Housing Tax Credit applications for submittal to Iowa Finance Authority for 2007 funding round. ([Council Communication No. 06-702](#)) **Moved by Hensley to receive and file; refer to City Manager for review and recommendation for any changes to the existing criteria. Motion Carried 6-0.**
- [06-2236](#) (B) [Support](#) of application by Curly Top LLC for construction of 40 units of Senior Housing at 1720 SW 1st Street. ([Council Communication No. 06-703](#)) **Moved by Hensley to adopt. Motion Carried 6-0.**

- [06-2237](#) (C) [Support](#) of application by Sherman Associates Development, LLC for construction of mixed income housing at 255 Vine Street. **Moved by Hensley to adopt. Motion Carried 6-0.**
- [06-2238](#) (D) [Support](#) of application by Deer Ridge V, L.P. for construction of 72 units of family housing at 6000 Creston Avenue. **Moved by Hensley to adopt. Motion Carried 6-0.**
- [06-2239](#) (E) [Support](#) of application by Art House L.P. for renovation of 57 units of mixed income housing at 340 SW 5th Street. **Moved by Hensley to adopt. Motion Carried 6-0.**
- [06-2240](#) (F) [Support](#) of application by Stockbridge, LLC for construction of 42 units at 1815 H Street. **Moved by Hensley to adopt. Motion Carried 6-0.**
- [06-2241](#) (G) [Support](#) of application by Southern Rose L.P. for construction of 58 units of affordable assisted living housing at 1005 Maury Street. **Moved by Hensley to adopt. Motion Carried 6-0.**
- [06-2242](#) (H) [Support](#) of application by Rose of East Des Moines, LP for construction of 64 units of affordable assisted living housing at 1331 Idaho. **Moved by Hensley to adopt. Motion Carried 6-0.**
- [06-2243](#) (I) [Support](#) of application by Community Housing, LP for renovation of 44 units of scattered site family housing. **Moved by Hensley to adopt. Motion Carried 6-0.**
- [06-2244](#) (J) [Support](#) of application by Preservation Rose, LLLP for renovation of 14 units of scattered site single-family housing for the Iowa Finance Authority Rent to Own Program. **Moved by Hensley to adopt. Motion Carried 6-0.**
- [06-2245](#) (K) [Support](#) of application by Highland Park, LLLP for renovation of 11 units of low income senior housing at E. 9th and Douglas Avenue. **Moved by Hensley to adopt. Motion Carried 6-0.**
- [06-2246](#) (L) Support of application by Willow Bend, L.P. for rehabilitation of 60 units at 6100, 6700, and 6800 SW 9th Street. **Moved by Hensley to adopt. Motion Carried 6-0.**
- [06-2247](#) (M) Support of application by Cherry Lane, LLP for construction of 46 units on 5 acres on the 4500 block of Hubbell Avenue. **Moved by Hensley to adopt. Motion Carried 6-0.**

EXTRA ITEMS

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

- [06-2248](#) 1. [Communication](#) from William J. Lillis requesting City Council to consider initiating a TIF Increment Financing (TIF) District in the Beaverville area. SPONSORS: Coleman and Vlassis. **Moved by Vlassis to refer to City Manager for review and recommendation. Motion Carried 6-0.**

BOARD OF HEALTH

- [06-2249](#) MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene at 7:00 P.M. at the Board of Health. Motion Carried 6-0.**

AUTHORIZING

1. The Legal Department to proceed with court action seeking authority to abate the public nuisance at the following locations:
- [06-2250](#) (A) [3411](#) 4th Street (garage), Titleholder: Georgia M. Bettis. **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-2251](#) (B) [1445](#) 6th Avenue, Titleholder: Jose Diaz; Mortgage Holder: Wells Fargo Home Mortgage, Inc. **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-2252](#) (C) [1137](#) Clinton Avenue (garage), Titleholder: Nicolasa Garcia; Mortgage Holder: Flagstar Bank and Mortgage Electronic Registration Systems, Inc. **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-2253](#) (D) [2028](#) Lay Street (garage), Titleholders: Robert J. Grafton, Sr. and Davey Grafton; Mortgage Holder: LaSalle Bank, NA n/k/a ABN AMRO Services Company. **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-2254](#) 2. [The](#) Engineering Department to cause the removal of the car-port located at 1817 Collins. Titleholder: Anthony Lewis. **Moved by Kiernan to adopt. Motion Carried 6-0.**
- [06-2255](#) MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 7:13 P.M. Motion Carried 6-0.**

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All-America City
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