



**\*\*\* 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 '10-' 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**

**September 13, 2010 4:30 PM**

**PROCLAMATIONS – 4:00 PM**

International Ataxia Awareness Day

Library Card Sign-Up Month

**INVOCATION:** Council Member Coleman

- [10-1425](#) 1. **ROLL CALL: Present: Cownie, Coleman, Griess, Hensley, Mahaffey, Meyer and Moore. Mayor Cownie participated in the meeting via telephone.**
- [10-1426](#) 2. **APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1427](#) 3. **APPROVING CONSENT AGENDA \* – items 3 through 48: Moved by Hensley to adopt the balance of the consent agenda. Motion Carried 7-0.**

**\*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.**

**LICENSES AND PERMITS**

[10-1428](#)

4. [Approving](#) Alcoholic Beverage License Applications for the following: **Moved by Hensley to defer consideration of item CC until October 25, to allow time to conduct an audit to verify the 50% or more in sales of products other than alcohol; also refer to the Legal Department to prepare an ordinance amendment to require 60% or more in sales of products other than alcohol and to also exclude tobacco products. Motion Carried 7-0.**

**NEW APPLICATIONS**

(A)	COUNTRY KITCHEN	5030 NE 14TH ST	C Liquor
<del>(B)</del>	<del>EL BLUE BURRITO INC</del>	<del>1434 DES MOINES ST</del>	<del>B Beer</del>
(C)	GUCKENHEIMER	1331 GRAND AVE	C Liquor
<del>(D)</del>	<del>NAT FOOD MART #1</del>	<del>3804 HUBBELL AVE</del>	<del>E Liquor</del>
(E)	SHOP N SAVE	1829 6TH AVE	E Liquor
(F)	SHOP N SAVE	2127 M L KING JR	E Liquor

**RENEWAL APPLICATIONS**

(G)	AK OCONNORS	4050 URBANDALE	C Liquor
(H)	ANDYS PLACE	5114 SW 9TH ST	C Liquor
(I)	CARLOS O'KELLYS	4371 MERLE HAY RD	C Liquor
(J)	CASEYS GENERAL STORE #44	4560 E 14TH STREET	C Beer
(K)	DES MOINES IZAAK WALTON	4343 GEORGE FLAGG	C Liquor
(L)	DES MOINES MARRIOTT	700 GRAND AVE	E Liquor
(M)	DES MOINES MARRIOTT	700 GRAND AVE	B Liquor
(N)	EMBASSY SUITES HOTEL	101 E LOCUST ST	B Liquor
(O)	FAREWAY STORE #900	100 E EUCLID AVE	E Liquor
(P)	FAREWAY STORE #975	3000 SE 22ND ST	E Liquor
(Q)	GODFATHERS PIZZA	4119 UNIVERSITY	B Beer
(R)	H & A MINI MART	145 UNIVERSITY	E Liquor
(S)	HEROES	216 COURT AVE	C Liquor
<del>(T)</del>	<del>HULL TAVERN TAP</del>	<del>834 E HULL AVE</del>	<del>C Liquor</del>
(U)	INDIA STAR	5514 DOUGLAS AVE	C Beer/Wine
(V)	INFINITE	2829 EASTON BLVD	C Beer
(W)	LA BAMBA MEXICAN	6101 GRAND AVE	C Liquor
(X)	MERLE HAY LANES	3800 MERLE HAY RD	C Liquor
(Y)	NOODLE ZOO	601 E LOCUST ST	C Beer/Wine
(Z)	PROOF	1301 LOCUST ST	C Beer/Wine
(AA)	QUIKTRIP #560	2300 ML KING	C Beer
(BB)	SMOKEYS TRIANGLE TAP	2506 POST	C Liquor
<b>*(CC)</b>	<b>UNIVERSITY GROCERIES</b>	<b>2121 UNIVERSITY</b>	<b>E Liquor</b>
(DD)	WAL MART SUPERCENTER	5101 SE 14TH ST	E Liquor



- [10-1429](#) 5. [Consideration](#) of Class C Liquor License for Lucca, 420 E. Locust Street. Building Department recommends DENIAL. **Moved by Meyer to timely file their application for an additional 30 days, and to approve the license pending approval of the Building Department and compliance with code deficiencies. Motion Carried 7-0.**
- [10-1430](#) 6. [City](#) Clerk to issue Cigarette Licenses. **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Cownie and Moore.**
- [10-1431](#) 7. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Hensley to adopt. Motion Carried 7-0.**

## **PUBLIC IMPROVEMENTS**

8. Ordering construction of the following:
- [10-1432](#) (A) [Grand](#) Avenue – 19<sup>th</sup> Street to Polk Boulevard Older Driver-Pedestrian Traffic Control: Receiving of bids, (9-28-10), Setting date of hearing, (10-11-10). (Construction Estimate - \$148,100). ([Council Communication No. 10-548](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1433](#) (B) [2010](#) Golf Course Sewer Repairs: Receiving of bids, (9-28-10), Setting date of hearing, (10-11-10). (Construction Estimate - \$310,000). ([Council Communication No. 10-543](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1434](#) (C) [Court](#) Avenue & Water Street Storm Water Pump Station: Receiving of bids, (10-12-10), Setting date of hearing, (10-25-10). (Construction Estimate - \$6,030,000). ([Council Communication No. 10-550](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1435](#) (D) [Dean's](#) Lake Storm Sewer Crossing Improvements: Receiving of bids, (10-12-10), Setting date of hearing, (10-25-10). (Construction Estimate - \$1,965,000). ([Council Communication No. 10-549](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1436](#) 9. [Approving](#) 28E Agreement regarding connection by Des Moines to Urbandale Sanitary Sewer District Sewer along Merle Hay Road. ([Council Communication No. 10-545](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1437](#) (A) [Approving](#) Change Order No. 1 with Reilly Construction Company, Inc. and Subsidiaries for additional work on the 33<sup>rd</sup> Street Sewer Separation Project, not to exceed \$53,106. ([Council Communication No. 10-544](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[10-1438](#) 10. [Approving](#) execution of Iowa Department of Transportation Agreements for Euclid Avenue Intersection Improvements. ([Council Communication No. 10-546](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[10-1439](#) 11. [Approving](#) Private Construction Contract between Jordison Construction, Inc. and Neighborhood Development Corporation for alley paving improvements west of E. 16<sup>th</sup> Street from Des Moines Street to E. Grand Avenue, \$2,400. **Moved by Hensley to adopt. Motion Carried 7-0.**

12. Accepting completed construction and approving final payment to the following:

[10-1440](#) (A) [Baker](#) Electric, Inc. – Combined Fleur Drive and SE 14<sup>th</sup> Street/Army Post Road Traffic Signal Interconnect. **Moved by Hensley to adopt. Motion Carried 7-0.**

[10-1441](#) (B) [Proshot](#) Concrete, Inc. – 1706 Pennsylvania Avenue Soil Stabilization. **Moved by Hensley to adopt. Motion Carried 7-0.**

#### **SPECIAL ASSESSMENTS**

[10-1442](#) 13. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development) Schedule No. 2010-10. **Moved by Hensley to adopt. Motion Carried 7-0.**

[10-1443](#) 14. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of Neighborhood Inspection Rental Code, Schedule No. 2010-06. **Moved by Hensley to adopt. Motion Carried 7-0.**

[10-1444](#) 15. [Approving](#) deletion of NAC-Emergency, Delinquent Sewer, Solid Waste, and Storm Water Assessments at 1603 Clark Street. **Moved by Hensley to adopt. Motion Carried 7-0.**

16. Approving deletion of rental inspection assessments at the following:

[10-1445](#) (A) [Various](#) locations. **Moved by Hensley to adopt. Motion Carried 7-0.**

[10-1446](#) (B) [3339](#) E. University Avenue. **Moved by Hensley to adopt. Motion Carried 7-0.**

#### **LAND/PROPERTY TRANSACTIONS**

[10-1447](#) 17. [Approving](#) final Subdivision Plat for “Woodside Estates West, Plat 6”, vicinity of 5590 NW 3<sup>rd</sup> Court, in unincorporated Polk County, within 2-mile review area. ([Council Communication No. 10-554](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

## BOARDS/COMMISSIONS/NEIGHBORHOODS

- [10-1448](#) 18. [Communication](#) from Justin Gross advising of his resignation from the Neighborhood Revitalization Board, Seat 12, effective immediately. **Moved by Hensley to receive, file and accept resignation with appreciation for his service. Motion Carried 7-0.**
- [10-1449](#) 19. [Appointment](#) of Michael Ludwig as Regular Member (replacing Larry Hulse) and Bert Drost as Alternate Member (replacing Michael Ludwig) of the Transportation Technical Committee of the Metropolitan Planning Organization (MPO). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1450](#) 20. [Recommendation](#) from Council Member Halley Griess to appoint Aaron Todd to the Urban Design Review Board, Seat 8, for a three-year term commencing June 30, 2010 to expire June 30, 2013. **Moved by Hensley to adopt. Motion Carried 7-0.**

## COMMUNICATIONS FROM PLANNING AND ZONING

- [10-1451](#) 21. [Regarding](#) City Council initiated request for vacation of a dead end segment of Merced Drive and a dead end segment of 30<sup>th</sup> Street running south of Merced Drive, subject to conditions. **Moved by Hensley to receive and file and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**
- [10-1452](#) 22. [Regarding](#) request from The Rotary Club for an honorary street name change to a one block portion of 12<sup>th</sup> Street between Grand Avenue and Locust Street as “Rotary Way” in recognition of their Centennial Celebration. **Moved by Hensley to receive and file and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**
- [10-1453](#) 23. [Regarding](#) request from Iowa Lutheran Hospital Auxiliary for an honorary street name change to Neola Avenue, west of Pennsylvania Avenue to “Auxiliary Way” in recognition of their 100<sup>th</sup> Anniversary. **Moved by Hensley to receive and file and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**

## SETTING DATE OF HEARINGS

- [10-1454](#) 24. [On](#) conveyance of property located at 2201 and 2217 Forest Avenue and 1405 23<sup>rd</sup> Street and Residential Development Agreement with Anawim Housing for the Forest Avenue Urban Renewal Project \$1, (9-27-10). ([Council Communication No. 10-562](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1455](#) 25. [On](#) conveyance of underground electric line easement on city-owned property at 5000 Franklin Avenue to MidAmerican Energy Company, \$1, (9-27-10). **Moved by Hensley to adopt. Motion Carried 7-0.**

- [10-1456](#) 26. [On](#) conveyance of electric line easement on city-owned property at 200 Guthrie Avenue to MidAmerican Energy Company, (9-27-10). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1457](#) 27. [On](#) request from Sandra Matchinsky to rezone property at 1401 E 12<sup>th</sup> Street from “R1-60” (One-Family Low-Density Residential) to “C-2” (General Retail and Highway Oriented Commercial) to allow the former Wallace Elementary School to be used as an auction business, (9-27-10). (Plan and Zoning Commission recommends DENIAL). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1458](#) 28. [On](#) request from KLM International to rezone property at 901 19<sup>th</sup> and 930 18<sup>th</sup> Street from “R-3” (Multi-Family Residential) and “R-HD” (Residential Historic) to “NPC” (Neighborhood Pedestrian Commercial) to allow property to be used as a teen center, (9-27-10). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1459](#) 29. [On](#) proposed Annexation Moratorium Agreement and 28E Agreement with the City of Pleasant Hill, (10-25-10). ([Council Communication No. 10-556](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
30. On applications for Limousine and Taxicab Licenses for the following, (9-27-10):
- [10-1460](#) (A) [Luxxor](#) Limousines LLC for Scott Sweers, (Limousine). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1461](#) (B) [Joy](#) Ride Transport LLC for Bethany Cochran, (Para transit Taxicab). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1462](#) (C) [City](#) Cab LLC for Shani Amin and Mohamed Ahmed, (Taxicab). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1463](#) (D) [United](#) Cab, Ltd. for Mohamed Habib, (Taxicab). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1464](#) 31. [On](#) denial of ownership change and revocation of liquor license for Sun Mart, 300 Walnut Street, (10-11-10). **Moved by Hensley to adopt. Motion Carried 7-0.**

## LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [10-1465](#) 32. [Approving](#) payment of \$20,021.23 to Ahlers & Cooney, P.C. regarding General Obligation Bonds, Series 2010D and 2010E. **Moved by Hensley to adopt. Motion Carried 7-0.**
33. Approving payment of workers' compensation claims for the following:
- [10-1466](#) (A) [Eric](#) Akkerman, \$12,484.37. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1467](#) (B) [Harold](#) Mills, \$14,106.65. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1468](#) (C) [Stan](#) Mitchell, \$153,000. **Moved by Hensley to adopt. Motion Carried 7-0.**

## CITY MANAGER COMMUNICATIONS

- [10-1469](#) 34. [Submitting](#) travel and training request for T. M. Franklin Cownie. ([Council Communication No. 10-563](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

## APPROVING

- [10-1470](#) 35. [Receive](#) and file letter from Board of Adjustment regarding current Zoning Ordinance sign regulations. **Moved by Moore to receive and file the communication, and refer to the City Manager for review and recommendation and to report on sign regulations in other Metro cities. Motion Carried 7-0.**
- [10-1471](#) 36. [Receive](#) and file communication from Chair of the Polk County Housing Continuum Board recommending that the City Council adopt the Board's recommendations for the 2010 Supportive Housing Program Priorities and Procedures. ([Council Communication No. 10-540](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
37. Supportive Housing Program (SHP) Renewal Grant Agreement with the United States Department of Housing and Urban Development (HUD) for the following: ([Council Communication No. 10-541](#))
- [10-1472](#) (A) [House](#) of Mercy Transitional Housing. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1473](#) (B) [Primary](#) Health Care Enhancement. **Moved by Hensley to adopt. Motion Carried 7-0.**



38. Fiscal Year 2008 Continuum of Care (COC) Closeout Certification Documents for the following:

[10-1474](#) (A) [Anawim](#) Housing Shelter Plus Care. **Moved by Hensley to adopt. Motion Carried 7-0.**

[10-1475](#) (B) [Lighthouse](#) Host Home. **Moved by Hensley to adopt. Motion Carried 7-0.**

[10-1476](#) 39. [Proposal](#) from Confluence (Chris Della Vodova, Principal) for concept planning services to examine redevelopment options for the Southern Meadows Apartments, not to exceed \$24,950. ([Council Communication No. 10-558](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[10-1477](#) 40. [Acceptance](#) of assignment of contract from Artistic Waste Services to Waste Management of Iowa, Inc. for trash removal services for SCRUB Program. ([Council Communication No. 10-553](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[10-1478](#) 41. [Use](#) of various City Facilities as poll sites for precincts during the General Election to be held on Tuesday, November 2, 2010. **Moved by Hensley to approve. City Clerk will notify the Parks Department and the Municipal Housing Department to arrange access to the buildings. Motion Carried 7-0.**

[10-1479](#) 42. [Communication](#) from Greater Des Moines Convention & Visitors Bureau requesting permission to place a temporary banner on the north side of Veterans Memorial Auditorium welcoming the American Quilter's Society, commencing immediately and continuing through October 9, 2010. **Moved by Hensley to adopt. Motion Carried 7-0.**

[10-1480](#) 43. [Des](#) Moines Marathon requesting approval for banners across the streets on Locust for the starting line between 3<sup>rd</sup> and 4<sup>th</sup> and finish line on 3<sup>rd</sup> between Locust and Walnut on Sunday, October 17, 2010. **Moved by Hensley to receive, file and approve banner. Motion Carried 7-0.**

[10-1481](#) 44. [Banner](#) design submitted by Downtown Community Alliance, on behalf of the Civic Center, to be displayed in downtown on Grand Avenue in November and December, 2010. **Moved by Hensley to approve banner design. Motion Carried 7-0.**

45. Bids from the following:

[10-1482](#) (A) [Brown's](#) Dirt Work (Matt Brown/President) for water service stop box relocation services for use by the Public Works Department, \$35,550. (Twelve bids mailed, four received). **Moved by Hensley to adopt. Motion Carried 7-0.**

- [10-1483](#) (B) [G & S](#) Service (Glen Mikel/President) for an annual contract with two (2) additional one-year renewal options to furnish towing and emergency road services for city-owned vehicles for use by the Equipment Maintenance Center, estimated annual cost \$35,000. (Seven bids mailed, three received). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1484](#) (C) [Iowa](#) Roofing Company (David Guy/President) and Academy Roofing & Sheet Metal (Brian Durmm/President) for an annual contract with two (2) addition one-year renewal options to furnish roofing repair services for use by the Park & Recreation Department, estimated annual cost \$50,000. (Eleven bids mailed, two received). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1485](#) (D) [Jerico](#) Services (John Marshall/General Manager) and Smith Fertilizer and Grain (Galen Smith/General Manager) for joint purchase along with West Des Moines, Waukee, Johnston and Windsor Heights and Dallas County for deicing chemical for the 2011 fiscal year, estimated annual cost \$55,100. (Sixteen bids mailed, eight received). ([Council Communication No. 10-552](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1486](#) 46. [Civil](#) Service Promotional Lists for Senior Police Officer, Senior Refuse Collector and Housing Services Maintenance Mechanic A. **Moved by Hensley to receive and file. Motion Carried 7-0.**
- [10-1487](#) 47. [Authorizing](#) Finance Director to draw checks on [registers](#) for weeks of September 13 and September 20, 2010; to draw checks for [bills](#) of the Des Moines Municipal Housing Agency for weeks of September 13 and September 20, 2010; and to draw checks for biweekly payroll due September 24, 2010. **Moved by Hensley to adopt. Motion Carried 7-0.**

## ORDINANCES - SECOND CONSIDERATION

48. Rezoning of the following properties, in the Historic East Village area:

- [10-1488](#) (A) [Vicinity](#) of 201 E. Locust Street and 306 E. 3<sup>rd</sup> Street, from “C-3” (Central Business District Commercial) to Ltd. “C-3”. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**
- [10-1489](#) (B) [Vicinity](#) of 211 and 215 E. Walnut Street, from “C-3” (Central Business District Commercial) to Ltd. “C-3”. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**
- [10-1490](#) (C) [Vicinity](#) of 201 and 205 E. Walnut Street, from “C-3” (Central Business District Commercial) to Ltd. “C-3”. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

[10-1491](#)

(D) The area recognized as Historic East Village, from “C-3” (Central Business District Commercial) and “M-1” (Light Industrial) to “C-3B” (Central Business District Mixed Use) and Ltd “C-3”. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

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

### COMMUNICATIONS/REPORTS

WITHDRAWN

[10-1492](#)

49. ~~From Kevin Johnson, 3801 SW 56<sup>th</sup> Street, to speak regarding landlord, tenant, City laws and communications.~~

[10-1493](#)

50. Petitions from property owners requesting sidewalks on NE 46<sup>th</sup> Street from E. Valdez Drive to Delaware Elementary School. **Moved by Griess to receive, file and refer to City Engineer for review and recommendation. Motion Carried 7-0.**

### HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 51 THRU 57)

[10-1494](#)

51. On request from Sutton Hill Residential Cooperative, to rezone property at 2080 King Avenue from “R-6” (Planned Residential Development) and “R1-80” (One-Family Residential) to “PUD” (Planned Unit Development) and approval of the PUD Conceptual Development Plan and to continue to January 10, 2011 at 5:00 PM. **Moved by Meyer to continue to January 10, 2011 Council Meeting at 5:00 PM. Motion Carried 6-1. Absent: Griess.**

[10-1495](#)

52. On conveyance of underground electric line easement to MidAmerican Energy Company for service to World Food Prize Foundation at 100 Locust Street. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Griess.**

[10-1496](#)

53. On conveyance of a portion of vacated alley, east of 831 40<sup>th</sup> Place to Roger E. and Lori Renae Short, \$25. ([Council Communication No. 10-547](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

54. Items regarding request from Hickman Storage, LLC (Brad VanderLinden/Officer), regarding property at 2504 Westover Blvd., (Plan and Zoning Commission recommends denial):

[10-1497](#)

(A) On rezoning the property from “R1-60” (One Family Low-Density Residential) to “C-2” (General Retail and Highway Oriented Commercial) to allow property to serve as ingress/egress with limited access for emergency and larger delivery/moving trucks to a mini-warehouse facility within adjoining jurisdiction of Urbandale to the west. **Moved by Griess to adopt, and deny the proposed rezoning. Motion Carried 7-0.**

- [10-1498](#) (B) [On](#) amendments to the Des Moines 2020 Community Character Plan, to revise the future land use designation from Low-Density Residential to Commercial: Auto-Oriented Small-Scale Strip Development. **Moved by Griess to adopt, and deny the proposed amendment. Motion Carried 7-0.**
- [10-1499](#) 55. [On](#) intent to convey City-owned property between 3100-3800 block of the north side of SE Watrous Avenue to the Des Moines Metropolitan Wastewater Reclamation Authority for the WRA Equalization Basin Utilization Project, \$1. **Moved by Meyer to adopt. Motion Carried 7-0.**
- [10-1500](#) 56. [On](#) intent to convey permanent sanitary sewer easements to Des Moines Metropolitan Wastewater Reclamation Authority for the WRA Four Mile Interceptor Projects. **Moved by Moore to adopt. Motion Carried 7-0.**
- [10-1501](#) (A) [Recommendation](#) from Park and Recreation Board. **Moved by Moore to receive and file and refer to City Manager for review and recommendation. Motion Carried 7-0.**
- [10-1502](#) 57. [On](#) Jackson Avenue Detention Basin Pump Station: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and status of funded activities under IDED Contract No. 08-DRI-235: Resolution to receive and file bids, designating lowest responsible bidder as Rice Lake Contracting Corporation, d/b/a Rice Lake Construction Group, (Luke Spalj, C.E.O.), (\$5,455,000). ([Council Communication No. 10-551](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [10-1503](#) (A) [Approving](#) contract and bond, and permission to sublet. **Moved by Meyer to adopt. Motion Carried 7-0.**

\*\*\* END HEARINGS AT 6:38 PM \*\*\*

## APPROVING

- [10-1504](#) 58. [Receive](#) and file Park and Recreation Board recommendation to approve sale of 70' by 132' portion of Waveland Golf Course to abutting property owner, Russell Parks, for a townhouse development. ([Council Communication No. 10-557](#)) **Moved by Hensley to receive and file and refer to the City Manager for review and recommendation regarding policy, process and minimum criteria for uses of non-buildable park land, and to review the plan for the bird sanctuary. Motion Carried 5-2. Nays: Cownie and Meyer.**
- [10-1505](#) (A) [Request](#) to speak and petitions from Grant Purdy, 4525 Boulevard Place. **Moved by Hensley to receive and file comments. Motion Carried 5-2. Nays: Cownie and Meyer.**

- [10-1506](#) (B) [Request](#) to speak from David Huston, 4321 University Avenue #2. **Moved by Hensley to receive and file comments. Motion Carried 5-2. Nays: Cownie and Meyer.**
- [10-1507](#) (C) [Communication](#) from Ed Conlow, President, Waveland Park Neighborhood Association. **Moved by Hensley to receive and file comments. Motion Carried 5-2. Nays: Cownie and Meyer.**
- [10-1508](#) 59. [Mitigation](#) Supplement to Tree Preservation Principles for City Property, Public Improvement Projects and Utilities Policy. ([Council Communication No. 10-561](#)) **Moved by Moore to adopt, and refer to the City Manager for review and recommendation regarding a process to assist citizens with pick-up and planting of trees on their property. Motion Carried 7-0.**
- [10-1509](#) 60. [Use](#) Agreement for Des Moines Independent Community School District board meetings to use the City Council Chambers for the period of October 5, 2010 through August 31, 2011. ([Council Communication No. 10-555](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
61. Agreements to assist homeowners affected by the 2010 flooding in Polk County: ([Council Communication No. 10-559](#))
- [10-1510](#) (A) [Grant](#) Agreement with Iowa Finance Authority for the administration of Iowa Helping Iowans Housing Assistance Program for residents of Polk County. **Moved by Moore to adopt. Motion Carried 7-0.**
- [10-1511](#) (B) [Authorizing](#) the City Manager to enter into an Agreement with Polk County for the City to administer the Iowans Helping Iowans Housing Assistance Program for Polk County residents outside Des Moines city limits. **Moved by Meyer to adopt. Motion Carried 7-0.**
- [10-1512](#) 62. [State](#) Energy Program Grant Agreement with Iowa Office of Energy Independence (OEI), for Capital Improvement to the Airport HVAC system, \$783,333. ([Council Communication No. 10-560](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

#### EXTRA ITEMS

- [10-1513](#) 1. [Authorizing](#) execution of contract amendment for a Community Development Block Grant with Iowa Department of Economic Development for property acquisition and demolition of structures in Four Mile Flood Plain area. Sponsor: Council Member Mahaffey. ([Council Communication No. 10-564](#)) **Moved by Griess to adopt. Motion Carried 7-0.**

## BOARD OF HEALTH

[10-1514](#) MOTION TO CONVENE. **Moved by Griess that the City Council adjourn and convene as a Board of Health. Motion Carried 7-0.**

1. Approving the Legal Department to proceed with court action authority to abate the public nuisance at the following locations:

[10-1515](#) (A) [2605](#) Lincoln Avenue, garage structure, Titleholders: Paul Ekanem and Frances Evans Ekanem; Mortgage Holder: Equicredit Corporation. **Moved by Meyer to adopt. Motion Carried 7-0.**

[10-1516](#) (B) [2916](#) E. 36<sup>th</sup> Street, garage structure, Titleholders: Steve Paxston and Brenda Trude. **Moved by Meyer to adopt. Motion Carried 7-0.**

[10-1517](#) (C) [4813](#) SW 5<sup>th</sup> Street, main structure, Titleholder: Tommy W. Current. **Moved by Meyer to adopt. Motion Carried 7-0.**

[10-1518](#) 2. [Communication](#) from Shelter Insurance Companies dated 7/26/10 stating their insured, Lucie Klein, 2015 Motley Street, Des Moines, Iowa has sustained a fire loss. Shelter Insurance Companies is holding a fire escrow in the amount of \$10,000. **Moved by Meyer to receive and file and to direct that the City Attorney bring legal action within one hundred eighty days (180 days) of receipt of notice if owners have not demolished or renovated the structure. Motion Carried 7-0.**

[10-1519](#) MOTION TO ADJOURN. **Moved by Hensley to adjourn at 6:58 PM. Motion Carried 7-0.**

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All-America City

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