



\*\*\* 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 '11-' 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

July 11, 2011

SPECIAL PRESENTATION – 4:15 PM

[Government](#) Finance Officers Association - Certificate of Achievement

INVOCATION: Council Member Hensley

- [11-1172](#) 1. ROLL CALL: **Present: Cownie, Coleman, Griess, Hensley, Mahaffey, Meyer and Moore.**
- [11-1173](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-1174](#) 3. APPROVING CONSENT AGENDA \* – items 3 through 40: **Moved by Meyer 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**

[11-1175](#)

4. **Approving Alcoholic Beverage License Applications for the following: Moved by Moore to adopt; continue item 4(P) Locust Tap, to the August 8<sup>th</sup> Council meeting; refer to the City Manager to schedule a meeting with the applicant, Council Members Meyer and Moore, and representatives from the Historic East Village Neighborhood Association regarding concerns raised. Motion Carried 7-0.**

**NEW APPLICATIONS**

<del>(A)</del>	<del>CAPITAL PUB &amp; HOT DOG CO</del>	<del>400 SE 6TH ST</del>	<del>C Liquor</del>
(B)	LATIN KING RESTAURANT	25 E COURT AVE	B Wine
(C)	W CHINA BUFFET	100 E EUCLID AVE	C Beer/Wine

**RENEWAL APPLICATIONS**

(D)	AIR LANES	4200 FLEUR DR	C Liquor
(E)	BEVERDALE VFW CLUB	4029 URBANDALE	A Liquor
(F)	BLANK MUNICIPAL GOLF	711 COUNTY LINE	C Liquor
(G)	CHUCKS RESTAURANT	3608 6TH AVE	C Liquor
(H)	DES MOINES AMVETS POST #2	2818 5TH AVE	C Liquor
(I)	EL PALOMINO	3116 E 14TH ST	C Beer
(J)	GORDITAS SAN PANCHO	2250 HUBBELL AVE	B Beer
(K)	H & A MINI MART	145 UNIVERSITY	C Beer
(L)	HOLIDAY INN DOWNTOWN	1050 6TH AVE	B Liquor
(M)	HOSHI SUSHI LOUNGE	2314 UNIVERSITY	C Liquor
(N)	JASPER WINERY	2400 GEORGE FLAGG	C Native Wine
(O)	LA HACIENDA	900 E ARMY POST RD	C Liquor
* (P)	LOCUST TAP	434 E LOCUST ST	C Liquor
(Q)	ORLONDOS	4337 PARK AVE	C Liquor
(R)	PEGGYS INC	3020 FOREST AVE	C Liquor
(S)	PIRAMIDAS	2718 DOUGLAS AVE	C Liquor
(T)	PRINCIPAL FINANCIAL	600 7TH ST	C Liquor
(U)	QUIK TRIP #530	2300 E 14TH ST	C Beer
(V)	QUIK TRIP #534	2945 E UNIVERSITY	C Beer
(W)	SAVE A LOT	3200 SW 9TH ST	C Beer
(X)	SCIENCE CENTER OF IOWA	401 W MLK JR PKWY	C Liquor
(Y)	SPLASH SEAFOOD BAR	303 LOCUST ST	C Liquor
(Z)	TEQUILA RESTAURANT	2824 EASTON BLVD	C Liquor
(AA)	WAKONDA CLUB	3915 FLEUR DR	C Liquor
(BB)	WAVELAND MUNICIPAL GOLF	4908 UNIVERSITY	C Liquor

**OUTDOOR SERVICE APPLICATIONS**

(CC) JETHROS 3100 FOREST AVE C Liquor  
 Temporary for an event on July 23–24, 2011. Pending approval of Building and Electrical Departments.

## SPECIAL EVENT APPLICATIONS

(DD) LATIN KING RESTAURANT 25 E COURT AVE Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for Viva L'Italia on July 29–30, 2011. Pending  
approval of Building and Electrical Departments.

(EE) PARKS AREA FOUNDATION 3012 6TH AVE Five (5) Day License  
Class B Beer License for Rendezvous on Riverview event on July 29, 2011. Pending approval of  
Fire Department.

(FF) PARKS AREA FOUNDATION 3012 6TH AVE Five (5) Day License  
Class B Beer License for Rendezvous on Riverview event on July 22, 2011. Pending approval of  
Fire Department.

(GG) PARKS AREA FOUNDATION 3012 6TH AVE Five (5) Day License  
Class B Beer License for Rendezvous on Riverview event on July 15, 2011. Pending approval of  
Fire Department.

(HH) PARKS AREA FOUNDATION 3612 6TH AVE Five (5) Day License  
Class B Beer License for Sweet Corn Feed on July 16, 2011.

(II) VIVA L'ITALIA 25 E COURT AVE Five (5) Day License  
Class B Beer License for festival on July 29–30, 2011. Pending approval of Building and  
Electrical Departments.

(JJ) VIVA L'ITALIA 25 E COURT AVE Five (5) Day License  
Class B Beer License for festival on July 29–30, 2011. Pending approval of Building and  
Electrical Departments.

(KK) VIVA L'ITALIA 25 E COURT AVE Five (5) Day License  
Class B Beer License for festival on July 29–30, 2011. Pending approval of Building and  
Electrical Departments.

## PUBLIC IMPROVEMENTS

5. Ordering construction of the following:

- [11-1176](#) (A) [Demolition](#) at 717 Grand Avenue former YWCA: Receiving of bids, (7-26-11),  
Setting date of hearing, (8-8-11). (Construction Estimate - \$1,445,000). ([Council  
Communication No. 11-443](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1177](#) (B) [Locust](#) Street Streetscape Repairs: Receiving of bids, (7-26-11), Setting date of  
hearing, (8-8-11). (Construction Estimate - \$100,475). ([Council Communication No.  
11-464](#)) **Moved by Moore to adopt. Motion Carried 7-0.**

- [11-1178](#) (C) [2011](#) ADA Sidewalk Ramp Program – Contract 2: Receiving of bids, (7-26-11), Setting date of hearing, (8-8-11). (Construction Estimate - \$351,900). ([Council Communication No. 11-438](#)) **Moved by Moore to adopt; and refer to the City Manager to work with the Municipal Arborist to review alternatives to tree root grinding and to review on a case by case basis. Motion Carried 7-0.**
- [11-1179](#) (D) [2011](#) Park Parking Lot ADA Modifications: Receiving of bids, (7-26-11), Setting date of hearing, (8-8-11). (Construction Estimate - \$76,700). ([Council Communication No. 11-441](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1180](#) 6. [Approving](#) Iowa Department of Transportation (IDOT) Agreement No. 2012-TS-007 for installation of various traffic signal-related improvements on Martin Luther King Jr. Parkway/19<sup>th</sup> Street between Carpenter Avenue and Hickman Road. ([Council Communication No. 11-444](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1181](#) 7. [Approving](#) Iowa Department of Transportation (IDOT) Agreement No. 2012-TS-001 for installation of traffic signals at the intersection of 7<sup>th</sup> and Laurel Streets. ([Council Communication No. 11-442](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1182](#) 8. [Approving](#) Professional Services Agreement with Design Alliance, Inc. for design and construction phase services for the police evidence storage facility, not to exceed \$71,901. ([Council Communication No. 11-463](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1183](#) 9. [Approving](#) Professional Services Agreement with PUSH Branding and Design, Inc. for design of skywalk sign system upgrade including final art work, not to exceed \$240,625. ([Council Communication No. 11-445](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1184](#) 10. [Approving](#) Supplemental Agreement No. 3 to East Indianola Avenue Roadway Design, SE 14<sup>th</sup> Street to Army Post Road Professional Services Agreement with Snyder & Associates, Inc. to provide additional design and construction phase services for East Indianola – Phase 2, not to exceed \$124,891. ([Council Communication No. 11-462](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1185](#) 11. [Approving](#) Private Construction Contract between P.G. Construction Inc. and Des Moines Independent Community School District for paving improvements in 1800 Grand Avenue, \$68,971. **Moved by Meyer to adopt. Motion Carried 7-0.**
12. Accepting completed construction and approving final payment of the following:
- [11-1186](#) (A) [2010](#) Park and Cemetery HMA Improvements, Grimes Asphalt & Paving Corp. **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1187](#) (B) [2010](#) Sewer Televising Program, Hydro-Klean, Inc. **Moved by Meyer to adopt. Motion Carried 7-0.**

## SPECIAL ASSESSMENTS

- [11-1188](#) 13. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2011-05. **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1189](#) 14. [Levying](#) assessments for costs of Nuisance Abatement – NAC Emergency Orders (Community Development), Schedule No. 2011-08. **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1190](#) 15. [Approving](#) deletion of NAC – Emergency Assessment at 1101 Pennsylvania Avenue. **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1191](#) 16. [Approving](#) deletion of Rental Inspection Assessment at 2105 52<sup>nd</sup> Street. **Moved by Meyer to adopt. Motion Carried 7-0.**
17. Approving Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility for the following in June 2011:
- [11-1192](#) (A) [Credits](#). **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1193](#) (B) [Fees](#). **Moved by Meyer to adopt. Motion Carried 7-0.**

## SETTING DATE OF HEARINGS

- [11-1194](#) 18. [On](#) vacation of north/south alley between 6<sup>th</sup> Avenue and 7<sup>th</sup> Street and High Street and Watson Powell Jr. Way to Roman Catholic Diocese of Des Moines, \$1,000, and to Principal Life Insurance Company, \$1,000, (7-25-11). **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1195](#) (A) [Recommendation](#) from Plan and Zoning Commission. **Moved by Meyer to receive, file and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**
- [11-1196](#) 19. [On](#) vacation and conveyance of a portion of Glendale Cemetery to Franklin Field Senior Apartments, LLLP, \$172,500, (7-25-11). **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-1197](#) 20. [On](#) vacation and conveyance of a portion of Waveland Golf Course property to Russell D. Parks, in exchange for a comparable parcel of land adjoining Cummins Woods, (7-25-11). **Moved by Moore to adopt; and refer to the City Manager to provide a plan for gating, fencing and staging of equipment and work vehicles during construction. Motion Carried 7-0.**
- [11-1198](#) (A) [Communication](#) from Chair of Park and Recreation Board. **Moved by Moore to receive and file. Motion Carried 7-0.**

[11-1199](#) 21. [On](#) proposed amendments to Second (2011) Year Action Plan of 2010-2014 U.S. Department of Housing and Urban Development (HUD) Consolidated Plan, (8-29-11). ([Council Communication No. 11-468](#)) **Moved by Moore to adopt. Motion Carried 7-0.**

[11-1200](#) 22. [On](#) assessment of \$500 penalty to the following Liquor License Holders for violation of Iowa Alcoholic Beverage Laws, sale to minor, (7-25-11): **Moved by Meyer to adopt. Motion Carried 7-0.**

- (A) Licker Room, 2301 SW 9<sup>th</sup> Street.
- (B) Casey's Store #2676, 2106 Echo Valley Dr.
- (C) Citgo, 1800 SE 14<sup>th</sup> Street.
- (D) Jiffy #924, 3718 SW 9<sup>th</sup> Street.
- (E) Kum & Go #120, 101 Army Post Road.
- (F) Cigarette Outlet #4, 2800 E. University Avenue.
- (G) Tequila's Liquor Store, 1434 Des Moines St. Ste. 5.
- (H) Air Lanes, 4200 Fleur Drive.
- (I) Shop N Save, 1829 6<sup>th</sup> Avenue.
- (J) Git-N-Go #27, 1240 Keosauqua Way.
- (K) Walgreens #5721, 3140 SE 14<sup>th</sup> Street.
- (L) Walgreens #359, 2545 E. Euclid Avenue, Ste. 130.
- (M) Walgreens #7968, 6200 SE 14<sup>th</sup> Street.

[11-1201](#) 23. [On](#) assessment of \$1,500 penalty and 30-day suspension of Liquor License to Citgo, 1800 SE 14<sup>th</sup> Street for violation of Iowa Alcoholic Beverage Laws, sale to minor, (7-25-11). **Moved by Meyer to adopt. Motion Carried 7-0.**

#### LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

[11-1202](#) 24. [Approving](#) payment of \$9,513.67 to Ahlers & Cooney, PC to represent the City in general matters. **Moved by Meyer to adopt. Motion Carried 7-0.**

[11-1203](#) 25. [Approving](#) payment of \$1,046.27 to Peddicord, Wharton, Spencer and Hook, LLP for representation of Officer Mersed Dautovic. **Moved by Meyer to adopt. Motion Carried 7-0.**

[11-1204](#) 26. [Approving](#) payment of \$12,225.82 to David Kopf as the result of a collapsed City sewer. **Moved by Meyer to adopt. Motion Carried 7-0.**

#### CITY MANAGER COMMUNICATIONS

[11-1205](#) 27. [Submitting](#) travel and training requests for T.M. Franklin Cownie, Danielle Galien and Lorna Garcia. ([Council Communication No. 11-454](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**

## APPROVING

- [11-1206](#) 28. [Schedule](#) and Notices of Funding Availability (NOFA) for the 2011 and 2012 U.S. Housing and Urban Development (HUD) Emergency Solutions Grant (ESG) Program Funds for the City's 2010-2014 Consolidated Plan. ([Council Communication No. 11-452](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1207](#) 29. [Preliminary](#) Terms of Urban Renewal Development Agreement with ND Fleming, LLC for residential redevelopment of Fleming Building, 604 Walnut Street. ([Council Communication No. 11-456](#)) **Moved by Meyer to receive, file and approve preliminary terms of agreement set forth in Council Communication No. 11-456 and to direct the City Manager to proceed with negotiations of formal agreements with ND 22 Fleming, LLC consistent with the terms set forth in Council Communication No. 11-456. Motion Carried 7-0.**
- [11-1208](#) 30. [Brownstones](#) on Grand, LLC application for Enterprise Zone Benefits for construction of 9 apartments between 2<sup>nd</sup> Avenue and 3<sup>rd</sup> Street and Grand Avenue and Watson Powell Jr. Way in the Gateway Enterprise Zone. ([Council Communication No. 11-457](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1209](#) 31. [Cooperative](#) agreement with U. S. Department of Housing and Urban Development (HUD). ([Council Communication No. 11-475](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1210](#) 32. [FY2010](#) Methamphetamine Drug Hot Spots Grant Program Award from the Governor's Office of Drug Control Policy, \$31,576. ([Council Communication No. 11-455](#)) **Moved by Meyer to approve. Motion Carried 7-0.**
- [11-1211](#) 33. [2011](#) Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation grant application and Memorandum of Understanding with Polk County, \$215,723. ([Council Communication No. 11-450](#)) **Moved by Meyer to approve. Motion Carried 7-0.**
- [11-1212](#) 34. [Amendments](#) to extend present contracts with the Animal Rescue League of Iowa (Tom Colvin, President) for services at the Des Moines Animal Shelter and for Animal Control Services until June 30, 2012. ([Council Communication No. 11-453](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1213](#) 35. [Request](#) from Greater Des Moines Convention & Visitors Bureau for permission to place a temporary banner on the north side of Veterans Memorial Auditorium welcoming the American Quilter's Society, August 1 through October 3, 2011. **Moved by Meyer to adopt. Motion Carried 7-0.**

36. Bids from the following:

- [11-1214](#) (A) [The Paper Corporation](#) (Dean Nims, Owner/President) for an annual supply of copy paper for use by various City Departments, \$31,960. (Eight bids mailed, three received). **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1215](#) (B) [Menards](#) (Frank Blake, CEO) for blanket purchase order of miscellaneous building materials and supplies per State of Iowa Contract for use by Park & Recreation Department, estimated annual cost \$65,000. ([Council Communication No. 11-470](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1216](#) (C) [Great American Outdoor](#) (Don Van Houweling, Owner), the sole area-wide distributor, for a blanket purchase order for John Deere equipment repair parts for use by Park & Recreation Department, estimated annual cost \$40,000. ([Council Communication No. 11-472](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1217](#) (D) [Pool Tech Midwest](#) (Charlie Rochford, President), as sole area-wide distributor, for a blanket purchase order for pools chlorination chemicals for use by Park & Recreation Department, estimated annual cost \$65,000. ([Council Communication No. 11-458](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1218](#) (E) [MTI Distributing](#) (Tom Swain, President), as sole area-wide distributor, for a blanket purchase order for Toro heavy-duty commercial equipment repair parts for use by Park and Recreation Department, estimated annual cost \$50,000. ([Council Communication No. 11-471](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1219](#) 37. [Hutchinson Salt Co.](#) (Larry Bingham, President) for one-year contract renewal for rock salt purchases to be used by Public Works for 2011-2012 snow and ice control operations (Cooperative effort with West Des Moines, Polk County and 20 other public entities representing the Central Iowa Salt Group (CISG), \$679,082. (Ten bids mailed, three received). ([Council Communication No. 11-460](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1220](#) 38. [Civil Service Entrance List](#) for Park and Recreation Supervisor and Promotional List for Senior Refuse Collector. **Moved by Meyer to receive and file. Motion Carried 7-0.**
- [11-1221](#) 39. [Lease-Purchase Master Agreement](#) with Wells Fargo Bank, N.A. ([Council Communication No. 11-474](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1222](#) (A) [Supplement No. 1 to Governmental Lease-Purchase Master Agreement](#) with Wells Fargo Bank, N.A., \$942,038. ([Council Communication No. 11-473](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**



[11-1223](#)

- 40. [Authorizing](#) Finance Director to draw checks on [registers](#) for weeks of July 11 and July 18, 2011; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for weeks of July 11 and July 18, 2011; and to draw checks for biweekly payroll due July 29, 2011. **Moved by Meyer to adopt. Motion Carried 7-0.**

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

**ORDINANCES - FIRST CONSIDERATION**

[11-1224](#)

- 41. [Repealing](#) and replacing Ordinance No. 15,016, rezoning property in the vicinity of 1710 High Street from the “C-2” (General Retail and Highway Oriented Commercial) to a Ltd. “NPC” (Neighborhood Pedestrian Commercial). ([Council Communication No. 11-476](#)) **Moved by Hensley that the corrected rezoning ordinance repealing and replacing Ordinance No. 15,016 be considered and given first vote for passage. Motion Carried 7-0.**

[11-1225](#)

- (A) [Final](#) consideration of ordinance above (waiver requested by Paul Koester), requires six 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, #15,030. Motion Carried 7-0.**

**COUNCIL REQUESTS**

[11-1226](#)

- 42. [From](#) Council Member Brian Meyer to speak regarding the driveway at 414 McKinley Avenue. **Moved by Meyer to receive, file and refer to the City Manager to designate a contact person to review this matter, and to report back to Council in 4 weeks (August 8<sup>th</sup>). Motion Carried 7-0.**

[11-1227](#)

- 43. [From](#) Council Member Brian Meyer to discuss competitiveness of Des Moines’ Building Codes and regulations, for repurposing of structures. **Moved by Meyer to receive, file and refer to the City Manager, R&O Committee of the Plan and Zoning Commission, and to the Building and Fire Code Board of Appeals, for review and recommendation; consider using tax abatement as an incentive. Motion Carried 7-0.**

[11-1228](#)

- 44. [From](#) Council Member Skip Moore to speak regarding signage at Bright Grandview Clubhouse. **Moved by Moore to receive and file comments; refer to the City Manager to bring back a recommendation to the Council at their August 29<sup>th</sup> meeting, and consider appointing a Council sub-committee to review the sign. Motion Carried 7-0.**

[11-1229](#)

- 44-I [From](#) Council Member Skip Moore to discuss configuration of lanes and sidewalks on Grand Avenue Bridge over Walnut Creek Project. **Moved by Hensley to refer to the City Manager for review and recommendation. Motion Carried 7-0.**

## COMMUNICATIONS/REPORTS

- [11-1230](#) 45. **From** Kevin Sakalinh, 1146 E. 8<sup>th</sup> Street, to speak regarding allowing more than one food vendor on one parcel. **Moved by Meyer to receive and file comments. Motion Carried 7-0.**
- [11-1231](#) 46. **From** Angela Nemmers, 1512 Park Street, #4, to speak regarding various issues. **Moved by Coleman to receive and file comments. Motion Carried 6-1. Absent: Meyer.**
- [11-1232](#) 47. **Petition** requesting sidewalks be placed on E. Park Avenue from SE 14<sup>th</sup> to SE 18<sup>th</sup> Street. **Moved by Meyer to receive, file and refer to City Manager for review and recommendation. Motion Carried 7-0.**

## HEARINGS (OPEN AT 5:07 P.M.) (ITEMS 48 THRU 56)

- [11-1233](#) 48. **On** vacation and lease of a portion of the public sidewalk adjoining Mickey's Irish Pub at 206 3<sup>rd</sup> Street for a sidewalk café serving alcohol. ([Council Communication No. 11-469](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Moore.**
- [11-1234](#) (A) **First** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Moore.**
- [11-1235](#) (B) **Final** consideration of ordinance above (waiver requested by applicant), requires six 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, #15,031. Motion Carried 6-1. Absent: Moore.**
- [11-1236](#) 49. **On** Zoning Text Amendments to Chapter 134-982 "C3-A" (Central Business Support Commercial) and Chapter 134-1017 "C-3" (Central Business) regulations to prohibit gas stations and fuel retail sales businesses and to continue hearing and extend the moratorium until October 11, 2011 at 5:00 PM. ([Council Communication No. 11-449](#)) **Moved by Hensley to adopt; and continue the hearing to October 10, 2011 at 5:00 PM. Motion Carried 7-0.**
- [11-1237](#) 50. **On** 2011 Critical Sanitary Sewer Lining: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as SAK Construction, LLC, (Boyd Hirtz, Vice-President), \$3,550,605). ([Council Communication No. 11-439](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1238](#) (A) **Approving** contract and bond, and permission to sublet. **Moved by Meyer to adopt. Motion Carried 7-0.**

- [11-1239](#) 51. [On](#) 2011 Expanded Street Resurfacing Program – Contract 2: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as OMG Midwest, Inc., d/b/a Des Moines Asphalt & Paving, (James Gauger, President), \$2,571,375.09. ([Council Communication No. 11-440](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1240](#) (A) [Approving](#) contract and bond, and permission to sublet. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1241](#) 52. [On](#) City-Wide Fixed Time Traffic Signal Upgrade: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Iowa Signal Inc., (Wayne Lesley, President), \$475,108.53. ([Council Communication No. 11-466](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1242](#) (A) [Approval](#) of contract and bond. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1243](#) 53. [On](#) E. Indianola Avenue Widening – Phase 2: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Reilly Construction Co., Inc., (Chris R. Reilly, President), \$3,277,103.90. ([Council Communication No. 11-448](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1244](#) (A) [Approving](#) contract and bond, and permission to sublet. **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1245](#) 54. [On](#) Gray’s Lake Shoreline Restoration: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and to receive and file bids. ([Council Communication No. 11-465](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-1246](#) 55. [On](#) SW 9<sup>th</sup> Street and Dart Way Intersection Improvements: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Grimes Asphalt & Paving Corporation, (Kurt J. Rasmussen, President), \$757,866.08. ([Council Communication No. 11-446](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-1247](#) (A) [Approving](#) contract and bond, and permission to sublet. **Moved by Hensley to adopt. Motion Carried 7-0.**

- [11-1248](#) 56. [On](#) Tonawanda Drive Ravine Improvements: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Corell Contractor, Inc., (Grant S. Corell, President), \$2,341,015. ([Council Communication No. 11-461](#)) **Moved by Hensley to adopt; refer to the City Manager to work with the Municipal Arborist on tree planting and protection, and species selection and size. Motion Carried 7-0.**
- [11-1249](#) (A) [Approving](#) contract and bond, and permission to sublet. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-1250](#) (B) [Approving](#) Supplemental Agreement No. 1 to Professional Services Agreement with HDR Engineering, Inc. to perform additional design and construction phase services for Tonawanda Drive Ravine Improvements project, not to exceed \$125,731. ([Council Communication No. 11-447](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

\*\*\* END OF HEARINGS AT 5:17 PM \*\*\*

#### APPROVING

- [11-1251](#) 57. [Designation](#) of preferred developer as Nelson Development and Construction and Foutch Brothers, LLC for purchase and redevelopment of Des Moines Building, 405 6<sup>th</sup> Avenue and 513 Locust Street. ([Council Communication No. 11-467](#)) **Moved by Hensley to adopt and request that the Developer keep the Des Moines Building name; refer to the City Manager to develop a timeline for construction. Motion Carried 7-0.**
- [11-1252](#) 58. [Preliminary](#) approval of Conceptual Development Plan for the redevelopment of 3801 Merle Hay Road by Richard Eychaner. ([Council Communication No. 11-459](#)) **Moved by Griess to adopt. Motion Carried 7-0.**
- [11-1253](#) 59. [Extension](#) of temporary moratorium to prohibit new freestanding liquor stores in "C-3", "C-3A", "C-3B" and "C-3R" zoning districts and temporary moratorium on the commencement of a business selling alcoholic liquors in the "C-1" district and at any location (citywide) which has not received a conditional use approval from the Zoning Board of Adjustment until September 13, 2011. ([Council Communication No. 11-451](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

#### EXTRA ITEMS

- [11-1254](#) 1. Recommendation from Mayor Cownie, submitting appointments to the Des Moines Airport Authority. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [11-1255](#) MOTION TO ADJOURN. **Moved by Meyer to adjourn at 6:03 PM. Motion Carried 7-0.**

