



\*\*\* 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 '15-' 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**  
**City Hall, Council Chambers**  
**400 Robert D. Ray Dr.**  
**Des Moines, Iowa 50309**

May 18, 2015  
4:30 PM

I. **CLOSED SESSION – 3:30 PM.**

- [15-0779](#) (A) Roll Call. **Present: Cownie, Gatto, Gray, Hensley, Mahaffey and Moore. Absent: Coleman. Council Member Coleman entered the meeting during item I(C).**
- [15-0780](#) (B) Recess, and reconvene in closed session pursuant to Section 21.5, subsection 1, paragraph C, of the Iowa Code, to discuss necessary strategy with counsel in matters that are presently in litigation or where litigation is imminent, where its disclosure would be likely to prejudice or disadvantage the position of the City. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Coleman.**
- [15-0781](#) (C) Closed Session.
- [15-0782](#) (D) Terminate closed session and reconvene in open session. **Moved by Moore to adopt. Motion Carried 7-0.**
- [15-0783](#) (E) Motion to adjourn. **Moved by Mahaffey to adjourn at 4:10 PM. Motion Carried 7-0.**

\* \* \* \* \*

**PROCLAMATIONS – 4:00 PM**

**National Public Works Week**

**INVOCATION:** Council Member Coleman

[15-0784](#) 1. ROLL CALL: **Present: Cownie, Coleman, Gatto, Gray, Hensley, Mahaffey and Moore.**

[15-0785](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**

[15-0786](#) 3. APPROVING CONSENT AGENDA \* – items 3 through 54: **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**

[15-0787](#) 4. **Approving Alcoholic Beverage License Applications for the following: Moved by Hensley to adopt. Motion Carried 7-0. Council Member Coleman votes no on item (Y) Quick Star.**

**NEW APPLICATIONS**

(A) GUCKENHEIMER 1331 GRAND AVE C Liquor

**RENEWAL APPLICATIONS**

- (B) BIG KMART #4160 2535 HUBBELL AVE C Beer
- (C) BREW HAUS LOUNGE 830 McKINLEY AVE C Liquor
- (D) CARLS PLACE 1620 WOODLAND C Liquor
- (E) CONTINENTAL 428 E LOCUST ST C Liquor
- (F) DEPOT 3000 E GRAND AVE B Beer
- (G) DES MOINES CIVIC CENTER 221 WALNUT ST C Liquor
- (H) DONNAS LOUNGE 4424 SE 14TH ST C Liquor
- (I) ELWELL FAMILY FOOD 3000 E GRAND AVE C Liquor
- (J) GARDEN NIGHTCLUB 112 SE 4TH ST C Liquor
- (K) GIT N GO STORE #3 100 WATROUS AVE C Beer
- (L) GIT N GO STORE #31 \*(1) 2601 SW 9TH ST C Beer
- (M) HOYT SHERMAN PLACE 1501 WOODLAND C Liquor
- (N) JALAPENO PETE'S CANTINA 3000 E GRAND AVE C Beer/Wine
- (O) LA HACIENDA III 3121 INGERSOLL C Liquor

(P)	LA TAPATIA 2	3504 MERLE HAY RD	C Beer
(Q)	LEGENDS AMERICAN GRILL	216 COURT AVE	C Liquor
(R)	LUCCA	420 E LOCUST ST	C Liquor
(S)	MADHOUSE BREWING CO	501 SCOTT AVE	B Beer
(T)	MERCY HOSPITAL MED CNTR	1111 6TH AVE	C Liquor
(U)	MULLETS	1300 SE 1ST ST	C Liquor
(V)	PIZZA HUT #4353	1435 ARMY POST RD	B Beer
(W)	PLAZA PUB	6202 DOUGLAS AVE	C Liquor
(X)	QUALITY INN & SUITES	929 3RD ST	B Liquor
*(Y)	QUICK STAR *(2)	2701 INGERSOLL	C Beer
(Z)	RM FOOD & BEVERAGE	2801 FLEUR DR	C Liquor
(AA)	ROYAL FLUSH RESTAURANT	4440 HUBBELL AVE	C Liquor
(BB)	SPAGHETTI WORKS	310 COURT AVE	C Liquor
(CC)	STEER AND STEIN	3000 E GRAND AVE	B Beer

### SPECIAL EVENTS APPLICATIONS

(DD) CATERING DSM      2692 MCKINLEY AVE      Five (5) Day License  
 Class C Liquor License for Dupont Pioneer Aviation event on June 6, 2015.    Pending approval of  
 Electrical and Fire Departments.

(EE) DES MOINES SOCIAL 902 MULBERRY      Five (5) Day License  
 Special Class C Liquor License (Beer/Wine) for Food Truck Throwdown on May 30, 2015.  
 Pending approval of Building Department.

(FF) GATEWAY MARKET 1200 GRAND AVE      Five (5) Day License  
 Special Class C Liquor License (Beer/Wine) for University of Iowa Reception on May 28, 2015.  
 Pending approval of Building, Electrical, Fire and Zoning Departments.

(GG) GREEK FOOD FAIR      3510 COTTAGE GROVE AVE      Five (5) Day License  
 Class C Liquor License for annual event on June 6–7, 2015.

(HH) HIGH LIFE LOUNGE      200 SW 2ND ST      Five (5) Day License  
 Class B Beer License for Moonlight Classic on May 30, 2015.

(II) HY VEE WFP      100 LOCUST ST      Five (5) Day License  
 Special Class C Liquor License (Beer/Wine) for a reception on May 22, 2015.

(JJ) HY VEE WFP      100 LOCUST ST      Five (5) Day License  
 Class C Liquor License for a wedding reception on June 6, 2015.

(KK) IOWA CRAFT BEER      2201 GEORGE FLAGG PKWY      Five (5) Day License  
 Class B Beer License for Launch on May 30, 2015.

(LL) NICKS      1106 ARMY POST RD      Five (5) Day License  
 Class B Beer License for Classic Car Show on June 12, 2015.

(MM)NICKS 1106 ARMY POST RD Five (5) Day License  
Class B Beer License for Classic Car Show on June 5, 2015.

(NN) NICKS 1106 ARMY POST RD Five (5) Day License  
Class B Beer License for Classic Car Show on May 29, 2015.

(OO) PARKS AREA 3012 6TH AVE Five (5) Day License  
Class B Beer License for Rendezvous on Riverview event on June 5, 2015.

(PP) PARKS AREA 3012 6TH AVE Five (5) Day License  
Class B Beer License for Rendezvous on Riverview event on June 12, 2015.

(QQ) PROM MANAGEMENT 3915 FLEUR DR Five (5) Day License  
Class C Liquor License for the Principal Charity Classic on June 1–7, 2015.

(RR) TASTE! TO GO 520 ROBERT D RAY DR Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for a wedding reception on June 5, 2015.

(SS) WINEFEST 2400 GEORGE FLAGG PKWY Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for Iowa Lawn Party on May 31, 2015. Pending approval of Building Department.

(TT) WINEFEST 400 LOCUST ST Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for Sips & The City on June 5, 2015. Pending approval of Electrical Department.

(UU) WINEFEST 520 ROBERT D RAY DR Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for Winefest Saturday on May 30, 2015.

(VV) WINEFEST 1716 LOCUST ST Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for Meredith Saturday Sessions on May 30, 2015. Pending approval of Building Department.

**PUBLIC IMPROVEMENTS**

5. Ordering construction of the following:

- [15-0788](#) (A) [5<sup>th</sup>](#) & Walnut Parking Garage Repairs: Receiving of bids, (6-9-15), Setting date of hearing, (6-22-15), Construction estimate, \$90,000. ([Council Communication No. 15-259](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0789](#) (B) [2015](#) Median Island Replacement: Receiving of bids, (6-9-15), Setting date of hearing, (6-22-15), Construction estimate, \$450,000. ([Council Communication No. 15-257](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [15-0790](#) 6. [Approving](#) application for a Department of Transportation (DOT) TIGER Discretionary Grant for the Bridges to Opportunity: Des Moines' Community Connection Project. ([Council Communication No. 15-263](#)) **Moved by Coleman to adopt; City Manager to report back in 60 days with recommendations on concerns raised regarding Bus Rapid Transit including long term funding and sustainability. Motion Carried 7-0.**
- [15-0791](#) 7. [Approving](#) Professional Services Agreement with Calhoun-Burns & Associates, Inc. for the City-Wide Bridge Evaluation – 2015, not to exceed \$132,250. ([Council Communication No. 15-253](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0792](#) 8. [Approving](#) Change Order No. 8 with Concrete Technologies, Inc. for additional contract time and work on the SW 9<sup>th</sup> Street Widening-Titus Avenue to Kenyon Avenue Project, not to exceed \$89,976.62. ([Council Communication No. 15-254](#)) **Moved by Gatto to adopt; refer to the City Manager for further discussion. Motion Carried 7-0.**
- [15-0793](#) 9. [Approving](#) Private Construction Contract between Halbrook Excavating, Inc. and Thermo King Sales & Service, Inc. for sanitary sewer improvements in 4975 Hubbell Avenue, \$48,646. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0794](#) 10. [Approving](#) Private Construction Contract between Knutson Construction Services Midwest, Inc. and Riverpoint West, LLC for paving and associated sanitary and storm sewer improvements in Tuttle Street, \$737,145. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0795](#) 11. [Communication](#) from contractors requesting permission to sublet certain items on Public Improvement Projects. **Moved by Hensley to adopt. Motion Carried 7-0.**

**SPECIAL ASSESSMENTS**

- [15-0796](#) 12. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2015-03. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0797](#) 13. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2015-04. **Moved by Hensley to adopt. Motion Carried 7-0.**

## LAND/PROPERTY TRANSACTIONS

- [15-0798](#) 14. [Authorization](#) to negotiate severance of Oakwood Drive and the adjoining properties from the City of Des Moines for annexation into Pleasant Hill. ([Council Communication No. 15-260](#)) **Moved by Hensley to receive and file Council Communication No. 15-260 and to authorize and direct the City Manager or his designee to negotiate with Pleasant Hill on the proposed boundary adjustment with Pleasant Hill for future consideration by the City Council. Motion Carried 7-0.**
- [15-0799](#) 15. [Accepting](#) PUD Restoration Subdivision Bond from Jerry's Homes for grading work at 2314 E. Porter Avenue, \$51,304. ([Council Communication No. 15-249](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0800](#) 16. [Accepting](#) PUD Restoration Subdivision Bond from Jerry's Homes for grading work in the vicinity of the 2400 block of Easter Lake Drive, \$30,210. ([Council Communication No. 15-248](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

## BOARDS/COMMISSIONS/NEIGHBORHOODS

- [15-0801](#) 17. [Communication](#) from Jeff Gronstal advising of his resignation from the Housing Appeals Board, Seat 4, effective immediately. **Moved by Hensley to receive, file and accept resignation with appreciation for his service. Motion Carried 7-0.**
- [15-0802](#) (A) [Recommendation](#) from Council Member Bill Gray to appoint Bob Raker to the Housing Appeals Board, Seat 4, for a three-year term commencing March 16, 2013 to expire March 16, 2016. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0803](#) 17-1 [Appointing](#) Grant Friesth to the Iowa Events Center (IEC) Hotel Board of Directors. **Moved by Coleman to adopt. Appointment to expire December 31, 2016. Refer to nonprofit to ensure that not just paid consultants, but local marketplace experts are advised for the design and to create the revenue projection and report back to Council how this will be accomplished. Motion Carried 7-0.**

## COMMUNICATIONS FROM PLANNING AND ZONING

- [15-0804](#) 18. [Regarding](#) request from Edward Brafford, Kristen Thede and Ryan Howell to vacate a segment of north/south alley adjoining 831 and 849 16<sup>th</sup> Street, subject to conditions. **Moved by Hensley to receive and file the communication from the Plan and Zoning Commission and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**
- [15-0805](#) 19. [Regarding](#) request from Hy-Vee Inc. and Knapp Properties, Inc. to vacate portions of 4<sup>th</sup> Street, Court Avenue and 5<sup>th</sup> Avenue right-of-way adjoining 420 Court Avenue, subject to reservation of easements. **Moved by Hensley to receive and file the communication from the Plan and Zoning Commission and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**

- [15-0806](#) 20. [Regarding](#) request from Green LTD., LLC to vacate a segment of West Martin Luther King, Jr. Parkway (formerly Elm Street), adjoining 300 West Martin Luther King Jr. Parkway, subject to conditions. **Moved by Hensley to receive and file the communication from the Plan and Zoning Commission and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0**
- [15-0807](#) 21. [Regarding](#) request from Drake University to vacate Carpenter Avenue from 25<sup>th</sup> Street to 27<sup>th</sup> Street, subject to conditions. **Moved by Hensley to receive and file the communication from the Plan and Zoning Commission and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0**
- [15-0808](#) 22. [Regarding](#) approval of Preliminary Plat for “Bloomfield Acres” on property at 1916 Bloomfield Road, subject to conditions. **Moved by Hensley to receive and file. Motion Carried 7-0.**
- [15-0809](#) 23. [Regarding](#) approval of a Preliminary Plat for “FIFTY5”, on property at 555 SW 7<sup>th</sup> Street, Hubbell Properties, I, LC, to allow the subdivision of 47 rowhouse lots within a common lot to be maintained by a homeowner’s association. **Moved by Hensley to receive and file. Motion Carried 7-0.**

#### SETTING DATE OF HEARINGS

- [15-0810](#) 24. [On](#) vacation of subsurface rights within Walnut Street and 8<sup>th</sup> Street right-of-way and conveyance of a permanent subsurface easement to Employers Mutual Casualty Company, \$1,090, (6-8-15). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0811](#) 25. [On](#) conveyance of property adjacent to 5908 Chamberlain Drive to Andrew and Claudia Lorentzen for incorporation into residential property, \$200, (6-8-15). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0812](#) 26. [On](#) request from DesMoinesArts, Inc. to rezone property at 900 and 1000 Keosauqua Way from “C-2” (General Retail and Highway-Oriented Commercial) to Ltd. “C-3” (Central Business District Commercial) to allow conversion of existing five-story office building to artist studio space and assembly/exhibit space, subject to conditions, (6-8-15). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0813](#) 27. [On](#) request from Ft. Des Moines Renovation, LLC for an amendment to the West Point South PUD Conceptual Plan for redevelopment at 6700 Chaffee Road to allow for an increase in the maximum density from 116 dwelling units to 163 units within the historic Fort Des Moines barracks and stables, (6-8-15). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0814](#) 28. [On](#) extending the Annexation Moratorium Agreement and 28E Agreement with Indianola and Warren County, (7-13-15). **Moved by Hensley to adopt. Motion Carried 7-0.**

## LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [15-0815](#) 29. [Approving](#) Conflict and Waiver Form regarding Ahlers and Cooney, PC law firm's representation of the City of Des Moines and Drake University. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0816](#) 30. [Approval](#) of claim settlement for personal injury vehicular accident. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0817](#) 31. [Approval](#) of claim settlement for personal injury and property damage vehicular accident. **Moved by Hensley to adopt. Motion Carried 7-0.**

## CITY MANAGER COMMUNICATIONS

- [15-0818](#) 32. [Submitting](#) travel and training requests for Francis Boggus, Kenneth Brown, T. M. Franklin Cownie, Tony Knox, Jeffrey Lester, Michael Moody, Lillie Sams, Kathleen Vanderpool and Jennifer Westlake. ([Council Communication No. 15-272](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

## APPROVING

- [15-0819](#) 33. [2015](#) Final Budget Allocations for Community Development Block Grant (CDBG) Program, Home Investment Partnership (HOME) Program, and Emergency Solutions Grant (ESG) Program Funding from the U.S. Department of Housing and Urban Development (HUD). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0820](#) 34. [Iowa](#) Great Places Small Grants Application for the Sixth Avenue Bridge Art Installation Project as part of the Sixth Avenue Corridor Revitalization Effort. ([Council Communication No. 15-247](#)) **Moved by Hensley to adopt; refer to staff to explore adding Roosevelt Cultural District in this application and provide a letter of support, if appropriate. Motion Carried 7-0.**
- [15-0821](#) 35. [Conceptual](#) plan for the redevelopment of property at 219 8<sup>th</sup> Street by Employers Mutual Casualty Company (EMC). **Moved by Hensley to adopt. Motion Carried 7-0.**



36. Items regarding the Gray's Landing Development Area: ([Council Communication No. 15-252](#))

[15-0822](#)

(A) [Second](#) Amendment to the Amended and Restated Urban Renewal Development Agreement with Riverpoint West, LLC. **Moved by Hensley to adopt. Motion Carried 7-0.**

[15-0823](#)

(B) [Parcel](#) Development Agreement with the Edge at Gray's Landing, LLC and Redevelopment Plan for the construction of a 90 unit apartment building. **Moved by Hensley to adopt. Motion Carried 7-0.**

[15-0824](#)

(C) [Parcel](#) Development Agreement with the Nexus at Gray's Landing, LLC and Redevelopment Plan for the construction of a 142 unit apartment building. **Moved by Hensley to adopt. Motion Carried 7-0.**

[15-0825](#)

(D) [Amended](#) and Restated Parcel Development Agreement with Sherman Gray's Landing Office Development, LLC and Redevelopment Plan for the 72,000 square-foot Gray's Lake Office Building. **Moved by Hensley to adopt. Motion Carried 7-0.**

[15-0826](#)

37. [Master](#) Subordination Agreement and Estoppel Certificate for refinancing of the East Village Square Apartments at 333 E. Grand Avenue. ([Council Communication No. 15-251](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[15-0827](#)

38. [Letter](#) of Support for updated application to Iowa Economic Development Authority (IEDA) by Blackbird Investments, LLC for rehabilitation of 713 Walnut Street (Wilkins Building). ([Council Communication No. 15-268](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[15-0828](#)

39. [Assignment](#) of contract for single-stream recyclables processing services with GreenStar Mid-America Recycling, LLC to Mid America Recycling, LLC and authorizing City Manager to negotiate and execute assignment agreement and amendment to contract. ([Council Communication No. 15-270](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

40. Issuance of Revenue Bonds for the Wellmark YMCA Project by the following:

[15-0829](#)

(A) [City](#) of Carlisle. **Moved by Hensley to adopt. Motion Carried 7-0.**

[15-0830](#)

(B) [City](#) of Pleasant Hill. **Moved by Hensley to adopt. Motion Carried 7-0.**

[15-0831](#)

41. [Donation](#) and Installation Agreement with Jonathan Latch for funding and installation of a disc golf course at Prospect Park and naming of disc golf course the Becky Zallek Disc Golf Course. ([Council Communication No. 15-243](#)) **Moved by Gray to adopt. Motion Carried 7-0.**

- [15-0832](#) 42. [Application](#) for funding from the 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) and acceptance of Memorandum of Understanding between the City of Des Moines, City of West Des Moines and Polk County to purchase law enforcement equipment, \$133,585 Des Moines' share, \$12,577 West Des Moines' share. ([Council Communication No. 15-266](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0833](#) 43. [Administrative](#) Services Only and Stop Loss Insurance Agreement with Wellmark Blue Cross and Blue Shield of Iowa for employee and retiree health plans for the period July 1, 2015 through June 30, 2020. ([Council Communication No. 15-240](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0834](#) 44. [Agreement](#) with Kabel Business Services to provide claims administration for employees and Airport Authority employees, Flexible Spending Accounts and Health Reimbursement Accounts for the period July 1, 2015 through June 30, 2018. ([Council Communication No. 15-241](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0835](#) 45. [Agreement](#) with Delta Dental of Iowa for administrative services related to the City's Self-Insured Dental Plan for employees and certain retirees. ([Council Communication No. 15-242](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0836](#) 46. [Agreement](#) with U.S. Bank to provide automated payment processing services. ([Council Communication No. 15-271](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0837](#) 47. [Exception](#) to the Procurement Ordinance Competitive RFP Process for good cause, and approving renewal amendment to Insurance Agent/Broker Services Contract with Jester Insurance Services, Inc. ([Council Communication No. 15-265](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0838](#) 48. [Use](#) of various City Facilities as poll sites for the School Election to be held on Tuesday, September 8, 2015. **Moved by Hensley to approve. City Clerk will notify the Parks Department and the Housing Services Department to arrange access to the buildings. Motion Carried 7-0.**

49. Bids from the following:

- [15-0839](#) (A) [Concrete](#) Repair for Structures (Greg Meinders, President) for an annual contract with two (2) additional one-year renewal options to furnish concrete construction services for repair and maintenance of minor concrete improvement for use by the Park and Recreation Department, estimated annual amount \$75,000. (Thirteen potential bidders, two received). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0840](#) (B) [Power](#) Curbers Inc. (Dyke Messinger, President) for one track type slip form curb and gutter paver for use by the Public Works Department, \$199,000. (Two potential bidders, two received). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0841](#) (C) [MED-ENG](#) (Scott O'Brien, President), sole area-wide distributor, for replacement bomb suits to be compatible with existing communication system equipment for use by the Police Department Homeland Security Bureau, \$193,104. ([Council Communication No. 15-244](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0842](#) (D) [Hewlett](#) Packard Co. (Meg Whitman, President) for replacement mass storage equipment per Western States Contracting Alliance price agreement for use by the IT Department, \$399,268.40. ([Council Communication No. 15-239](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0843](#) (E) [Hewlett](#) Packard Co. (Meg Whitman, President) for replacement workstations per Western States Contracting Alliance price agreement for use by the Police Department, \$49,871.85. ([Council Communication No. 15-245](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0844](#) (F) [Stroh](#) Corporation (Pat Miller, President) for rooftop HVAC replacement services for the 5<sup>th</sup> & Keo Skywalk for use by the Engineering Department, \$67,667. (Ten potential bidders, two received). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0845](#) (G) [Rubber](#) Roofing Systems Inc. (Dave Casey, President) for skywalk roof repair services at the Saddlery Building for use by the Engineering Department, \$25,280. (Eleven potential bidders, two received). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0846](#) 50. [Civil](#) Service Entrance Lists for Accounting Specialist I, Sewer Maintenance Worker, and Promotional List for Police Captain. **Moved by Hensley to receive and file. Motion Carried 7-0.**

- [15-0847](#) 51. Authorizing Finance Director to draw checks on registers for the weeks of May 18, May 25, and June 1, 2015; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of May 18, May 25, and June 1, 2015 and to draw checks for biweekly payroll due on May 29, 2015. **Moved by Hensley to adopt. Motion Carried 7-0.**

#### ORDINANCES - FINAL CONSIDERATION

- [15-0848](#) 52. On vacation of Air Space, Surface and Subsurface Rights adjoining 222 5<sup>th</sup> Avenue. **Moved by Hensley that this ordinance do now pass, [#15,368](#). Motion Carried 7-0.**

#### ORDINANCES - SECOND CONSIDERATION

- [15-0849](#) 53. Amending Chapter 114 of the Municipal Code regarding hourly, night and event parking rates in City parking garages. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

54. Items regarding Robert D. Ray Drive:

- [15-0850](#) (A) On vacation of a portion of Robert D. Ray Drive, north of Des Moines Street, as a Park Road and Rededication as public street right-of-way. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

- [15-0851](#) (B) Amending Chapter 114 of the Municipal Code regarding rededication of Robert D. Ray Drive as public street right-of-way. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

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

#### ORDINANCES - FIRST CONSIDERATION

- [15-0852](#) 55. Amending Chapter 114 of the Municipal Code, regarding traffic regulation changes as follows: (Council Communication No. 15-264) **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- (A) Removal of parking meter – east side of 17<sup>th</sup> Street, south of Grand Avenue.
- (B) Parking restriction revisions due to new construction – E. 4<sup>th</sup> Street from E. Locust Street to E. Grand Avenue.
- (C) Two-sided parking restriction – E. Porter Avenue from Indianola Avenue to SE 24<sup>th</sup> Street.
- (D) Parking Restriction relocation – E. 38<sup>th</sup> Street from University Avenue to Mahaska Avenue.
- (E) Handicapped parking space – south side of Walnut Street in the 1500 block.
- (F) Final consideration of ordinance above. **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, #15,369. Motion Carried 7-0.**

[15-0853](#)

## COMMUNICATIONS/REPORTS

[15-0854](#)

56. **From** Bernard Gaumer, 2323 E. Porter Avenue, Unit 39, to speak regarding improving the stretch of Indianola Avenue between SE 14<sup>th</sup> and downtown to include bike lanes. **Moved by Gatto to receive and file comments and refer to City Manager for review and recommendation. Motion Carried 7-0.**

[15-0855](#)

57. **From** Linda Mathews, 3808 Kingman Blvd., to speak regarding planting oak trees in the parking. **Moved by Hensley to receive and file. Ms. Matthews did not appear. Motion Carried 7-0.**

[15-0856](#)

58. **From** Grant Montour, 1305 S. 4<sup>th</sup> Street, Carlisle, to speak requesting that the current closing time for transient merchants be changed from 1:30 am to 2:30 am. **Moved by Hensley to refer to City Manager for review and recommendation. Motion Carried 7-0.**

WITHDRAWN

[15-0857](#)

- 58-I ~~From Tom Akers to speak regarding sidewalk ADA ramps. Sponsor: Council Member Moore.~~

**HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 59 THRU 64)**

- [15-0858](#) 59. [On](#) request from Macerich Southridge Mall, LLC for approval of the 31<sup>st</sup> Amendment to the “C-4” Development Plan for Southridge Mall on property at 1111 E. Army Post Road to allow a 52-unit four-story senior living apartment dwelling. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0859](#) 60. [On](#) vacation and lease of a portion of public sidewalk on E. 4<sup>th</sup> Street adjoining 350 E. Locust Street to Scenic Route Bakery LLC for a sidewalk café. ([Council Communication No. 15-246](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0860](#) (A) [First](#) consideration of ordinance above. **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [15-0861](#) (B) [Final](#) consideration of ordinance above (waiver requested by applicant), requires six votes. **Moved by Gatto 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, [#15,370](#). Motion Carried 7-0.**
- [15-0862](#) 61. [On](#) Fire Stations Number 2, 5, 7 and 9 Bathroom Remodeling: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designation of lowest responsible bidder as Bryan Crow Construction, Inc. (Jerry Crow, President), \$285,217. ([Council Communication No. 15-262](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [15-0863](#) (A) [Approving](#) contract and bond, and permission to sublet. **Moved by Moore to adopt. Motion Carried 7-0.**
- [15-0864](#) 62. [On](#) Fire Station No. 7 Reroofing: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designation of lowest responsible bidder as Academy Roofing & Sheet Metal of the Midwest, Inc. d/b/a Academy Roofing & Sheet Metal Co. (Brian Krumm, President), \$88,400. ([Council Communication No. 15-261](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0865](#) (A) [Approving](#) contract and bond. **Moved by Hensley to adopt. Motion Carried 7-0.**

- [15-0866](#) 63. [On](#) 2015 Sidewalk Replacement Program: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designation of lowest responsible bidder as TI-Zack Concrete, Inc. (Steve J. Rutt, President), \$422,130. ([Council Communication No. 15-258](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Moore.**
- [15-0867](#) (A) [Approving](#) contract and bond, and permission to sublet. **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Moore.**
- [15-0868](#) 64. [Resolution](#) to REJECT all bids and to close the hearing on plans, specifications, form of contract and Engineer's estimate for the 2015 Brick Street Repair Program. ([Council Communication No. 15-256](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0869](#) (A) [Ordering](#) construction of 2015 Brick Street Repair Program: Receiving of bids, (6-9-15), Setting date of hearing, (6-22-15). Construction Estimate, \$130,000. ([Council Communication No. 15-255](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

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

#### CITY MANAGER RECOMMENDATIONS

- [15-0870](#) 65. [Regarding](#) development of the City-owned parking lot, east of City Hall (continued from May 4<sup>th</sup>). ([Council Communication No. 15-250](#)) **Moved by Gatto to receive and file. Motion Carried 7-0.**

#### APPROVING

- [15-0871](#) 66. [Assumption](#) Agreement with Red Rock Area Community Action Program, Inc. for conveyance of Des Moines Community Action Agency programs and service area. ([Council Communication No. 15-269](#)) **Moved by Hensley to adopt. City Manager to submit reports to Council every 60 days for the first year of transition. Motion Carried 4-3. Nays: Gray, Gatto and Moore.**
- [15-0872](#) (A) [Diminution](#) of employees. **Moved by Hensley to adopt. Motion Carried 4-3. Nays: Gray, Gatto and Moore.**
- [15-0873](#) 67. [Continuing](#) approval of updates to the Sample By-laws for Recognized Neighborhood Associations (continued from April 20, 2015). **Moved by Hensley to adopt. Motion Carried 7-0.**

## BOARD OF HEALTH

[15-0874](#) MOTION TO CONVENE. **Moved by Gray 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 seeking authority to abate the public nuisance at the following locations:

[15-0875](#) (A) [3217](#) Amherst Street, main structure; Titleholder: Gary Oeth. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

[15-0876](#) (B) [3108](#) E. 8<sup>th</sup> Street, fire-damaged main structure; Titleholder: Gary Oeth. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

[15-0877](#) (C) [2400](#) E. 11<sup>th</sup> Street, fire-damaged main structure; Titleholder: Gary Oeth; Mortgage Holder: Metabank. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

[15-0878](#) 2. [Notification](#) from State Farm Insurance stating their insured, Paula Rochon, 1405 Idaho Street, sustained a fire loss and a fire escrow/demolition reserve is being held. **Moved by Gatto to receive and file and to direct the City Attorney bring legal action within one hundred eighty (180) days of receipt of notice if owner(s) has not demolished or renovated the structure. Motion Carried 7-0.**

[15-0879](#) MOTION TO ADJOURN. **Moved by Moore to adjourn at 6:10 PM. Motion Carried 7-0.**

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