



*** 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

November 23, 2015
4:30 PM

I. **CLOSED SESSION – 3:30 PM.**

- [15-1928](#) (A) Roll Call. **Present: Coleman, Gatto, Gray, Hensley, Mahaffey and Moore. Absent: Cownie. Mayor Cownie entered the meeting during item B.**
- [15-1929](#) (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; and to Section 20.17(3) of the Iowa Code to discuss collective bargaining strategy. **Moved by Gatto to adopt. Motion Carried Upon Roll Call 7-0.**
- [15-1930](#) (C) Closed Session.
- [15-1931](#) (D) Terminate closed session and reconvene in open session. **Moved by Moore to adopt. Motion Carried 7-0.**
- [15-1932](#) (E) Motion to adjourn. **Moved by Mahaffey to adjourn at 5:03 PM. Motion Carried 7-0.**

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INVOCATION: Council Member Coleman

- [15-1933](#) 1. **ROLL CALL: Present: Cownie, Gatto, Gray, Hensley, Mahaffey and Moore. Absent: Coleman. Council Member Coleman participated in the meeting by telephone and entered the meeting during item 54.**
- [15-1934](#) 2. **APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: Moved by Hensley to adopt. Motion Carried 6-1. Absent: Coleman.**
- [15-1935](#) 3. **APPROVING CONSENT AGENDA * – items 3 through 42: 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

- [15-1936](#) 4. **Approving Alcoholic Beverage License Applications for the following: Moved by Hensley to adopt. Motion Carried 7-0.**

NEW APPLICATIONS

(A) EXTRA INNINGS 1500 SE 1ST ST C Liquor

RENEWAL APPLICATIONS

(B) BIANCHIS HILLTOP 2820 HUBBELL AVE C Liquor
(C) BUFFALO WILD WINGS 3311 SE 14TH ST C Liquor
(D) C FRESH MARKET 801 UNIVERSITY E Liquor
(E) EASTGATE LAUNDROMAT 1424 E OVID AVE B Beer
(F) EL RODEO #2 1234 E EUCLID AVE C Liquor
(G) FELIX & OSCARS 4050 MERLE HAY RD C Liquor
(H) FLIX BREWHOUSE IOWA 3800 MERLE HAY RD C Liquor
(I) FONGS PIZZA 223 4TH ST C Liquor
(J) HIGH LIFE LOUNGE 200 SW 2ND ST C Liquor
(K) HY VEE FOOD STORE #2 2540 E EUCLID AVE E Liquor
(L) HY VEE GAS #4 4701 FLEUR DR C Beer
(M) JAVA JOES COFFEEHOUSE 620 CHERRY ST C Beer/Wine
(N) JAVA JOES COFFEEHOUSE 214 4TH ST C Beer/Wine
(O) LIME LOUNGE 435 E GRAND AVE C Liquor
~~(P) QUIK TRIP #541 2428 HUBBELL AVE C Beer~~
(Q) ROYAL MILE 210 4TH ST C Liquor
(R) SKIPS 4000 FLEUR DR C Liquor
(S) SLEEPY HOLLOW 4051 DEAN AVE C Liquor
(T) TRIANGLE TAP 2506 POST ST C Liquor
(U) VAUDEVILLE MEWS 212 4TH ST C Liquor
(V) Z'S BAR 1511 S UNION ST C Liquor

- [15-1937](#) 4-I [Consideration](#) of 5-Day Class C Liquor License Application by Occasions Made Right, 1200 Grand Avenue for an event on December 3, 2015. Sponsor: Council Member Hensley. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-1938](#) 5. [DENIAL](#) of new Class E Liquor License with C Beer and B Wine privileges and denial of new Cigarette/Tobacco/Nicotine/Vapor License to AK Holdings, LLC (Agim Kasoski) for East Side Liquor, 3804 Hubbell Avenue, for lack of good moral character. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-1939](#) 6. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Hensley to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

7. Ordering construction of the following:
- [15-1940](#) (A) [Pioneer](#) Columbus Community Center Remodeling: Receiving of bids, (12-8-15), Setting date of hearing, (12-21-15), Construction estimate, \$420,000. ([Council Communication No. 15-625](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-1941](#) (B) [SW](#) 5th Street (Jackson Avenue) Bridge Rehabilitation: Receiving of bids, (12-8-15), Setting date of hearing, (12-21-15), Construction estimate, \$2,153,912.50. ([Council Communication No. 15-617](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-1942](#) (C) [2016](#) River Bank Stabilization – Contract 1: Receiving of bids, (12-8-15), Setting date of hearing, (12-21-15), Construction estimate, \$125,000. ([Council Communication No. 15-622](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-1943](#) 8. [Authorizing](#) submittal of Surface Transportation Program (STP) and Transportation Alternatives Program (TAP) Fund FY2020 applications to the Des Moines Area Metropolitan Planning Organization (MPO). ([Council Communication No. 15-618](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- (A) Southeast Connector – SE 30th Street to US 65 Beltway
 (B) Court Avenue Bridge over the Des Moines River
 (C) University Avenue – 48th to 55th Street
 (D) 6th Avenue Streetscape Project, Phase 2
 (E) Des Moines River Trail, Phase 2
- [15-1944](#) 9. [Approving](#) private construction contract between Elder Corporation and Neighborhood

Development Corporation for storm sewer improvements in Mac Rae Terrace. **Moved by Hensley to adopt. Motion Carried 7-0.**

- [15-1945](#) 10. [Communication](#) from contractors requesting permission to sublet certain items on Public Improvement Projects. **Moved by Hensley to adopt. Motion Carried 7-0.**
11. Accepting completed construction and approving final payment for the following:
- [15-1946](#) (A) [Emergency](#) Shoring of Skywalk 7C-7D – Younkens Fire, The Hansen Company. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-1947](#) (B) [5th](#) & Walnut Parking Garage Repairs, Iowa State Contractors, Inc. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-1948](#) (C) [2014](#) Park Playground Improvements, The Hansen Company. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-1949](#) (D) [2014](#) ADA Sidewalk Ramp Program – Contract 2, MPS Engineers, P.C. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-1950](#) (E) [2014](#) ADA Sidewalk Ramp Program – Contract 3, Ti-Zack Concrete, Inc. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-1951](#) (F) [2015](#) ADA Sidewalk Ramp Program – Contract 1, Ti-Zack Concrete, Inc. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-1952](#) (G) [2015](#) Sidewalk Replacement Program, Ti-Zack Concrete, Inc. **Moved by Hensley to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [15-1953](#) 12. [Levyng](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development) Schedule No. 2015-09. **Moved by Hensley to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [15-1954](#) 13. [Conditionally](#) approving final subdivision plat of Bloomfield Estates, 7400 block of Bloomfield Road. ([Council Communication No. 15-607](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-1955](#) 14. [Authorizing](#) and approving release and abandonment of easement for temporary turn-around in Carman Estates Plat 2 and accepting replacement temporary turn-around

easement on the dead-end segment of E. Southlawn Drive. **Moved by Hensley to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [15-1956](#) 15. [Recommendation](#) from Council Member Bill Gray to appoint Thomas Vlassis to the Neighborhood Revitalization Board, Seat 2, for a three-year term commencing June 30, 2013 to expire June 30, 2016. **Moved by Gray to adopt. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [15-1957](#) 16. [Regarding](#) request from Gary Randa, 3029 Wolcott Avenue, for vacation of a segment of the eastern portion of SW 31st Street adjoining the west boundary of the subject property to mitigate an existing fence encroachment. **Moved by Hensley to receive and file the Plan and Zoning Communication, and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [15-1958](#) 17. [On](#) vacation of a portion of E. 5th Street right-of-way adjoining 407 E. 5th Street and conveyance of a permanent easement for building encroachment to Teachout Properties, LLC, \$885, (12-7-15). **Moved by Gatto to adopt; refer to the City Manager to provide a status report on other City-related matters Mr. Blunck is involved with. Motion Carried 7-0.**

- [15-1959](#) (A) [Receive](#) and file Communication from the Planning and Zoning Commission. **Moved by Gatto to receive and file the Plan and Zoning Communication, and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**

- [15-1960](#) 18. [On](#) request from Imperial Properties, Inc. to rezone 4141 E. 14th Street from “C-2” (General Retail and Highway-Oriented Commercial) to Ltd. “M-1” (Light Industrial) to allow use of property for light industrial uses and chrome plating, subject to conditions, (12-7-15). **Moved by Hensley to adopt. Motion Carried 7-0.**

- [15-1961](#) 19. [On](#) appeal by Thomas Wong of the conditions for approval of a site plan for an expansion of a vehicle display lot at 852 E. 25th Court, (12-7-15). **Moved by Hensley to adopt. Motion Carried 7-0.**

- [15-1962](#) 19-I [On](#) Lease Agreement with Capitol Center, LLC for office space at 400 E. Court Avenue, Suites 114, 116, 118 and 200, (12-7-15). **Moved by Hensley to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [15-1963](#) 20. [Approving](#) payment to Belin McCormick Law Firm for consulting services in conjunction with Kragnes v. City of Des Moines, Iowa, \$540. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-1964](#) 21. [Approving](#) payment to Duncan, Green, Brown & Langeness for retention of Martin Kenworthy to represent the City on matters related to construction disputes, \$4,332. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-1965](#) 22. [Approving](#) payment to Hall & Associates to provide professional evaluation and comments on regulatory proposals by Iowa Department of Natural Resources, \$195.51. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-1966](#) 23. [Approving](#) payment to Lonnie Booker for a workers' compensation claim. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-1967](#) 24. [Approving](#) payment to William B. Stevens for a workers' compensation claim. **Moved by Hensley to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- [15-1968](#) 25. [Submitting](#) travel and training request for T. M. Franklin Cownie. ([Council Communication No. 15-629](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

APPROVING

- [15-1969](#) 26. [First](#) Amendment to Community Development Block Grant-Disaster Recovery Agreement for development of 60 units of housing at the Wilkins Building, 713 Walnut Street, with Wilkins Redevelopment, LLC. ([Council Communication No. 15-613](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

WITHDRAWN

- [15-1970](#) 27. ~~Economic Development Parking License Agreement with Whitfield & Eddy, PLLC for the 8th & Mulberry Parking Garage. (Council Communication No. 15-610)~~
- [15-1971](#) 28. [Termination](#) of Parking License Agreement with Caidan Management Company for the 9th & Locust Parking Garage. ([Council Communication No. 15-623](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-1972](#) 29. [Issuance](#) of Certificate of Completion to Principal Life Insurance Company for the renovation of its corporate offices at 801 Grand Avenue. **Moved by Hensley to adopt.**

Motion Carried 7-0.

- [15-1973](#) 30. [Acceptance](#) of parking lot improvements in Ewing Park, constructed by the Bloomfield Methodist Church. **Moved by Hensley to approve. Motion Carried 7-0.**
31. Items regarding Annual Urban Renewal Report and Tax Increment Financing (TIF) Certification: ([Council Communication No. 15-616](#))
- [15-1974](#) (A) [Advance](#) of funds to the Metro Center Urban Renewal Project for planning, oversight and administration, \$750,000. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-1975](#) (B) [Recommendation](#) from the City Manager regarding TIF needs for FY 2016-2017. **Moved by Hensley to adopt the recommendations contained in Council Communication No. 15-616 for tax increment needs for each urban renewal area and to direct the City Manager or his designee to notify the County Auditor of the City of Des Moines' need for a total of \$27,950,003 of tax increment revenue for FY 2016-2017 and to make the necessary certifications of TIF indebtedness for each urban renewal area in accordance with Iowa Code Section 403.19 and if there are subsequent reductions in tax increment valuations prior to certification, the City Manager or his designee is authorized to decrease the TIF needs requirement as to be in compliance with the Council's TIF policy. Motion Carried 7-0.**
- [15-1976](#) (C) [Urban](#) Renewal Reports for Urban Renewal Plans and Areas within the City of Des Moines. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-1977](#) 32. [Urban](#) Renewal Development Agreement with United Properties Investment Company Inc. and Echo Valley Investment Company, LC for Echo Valley and approving proposed Conceptual Plan. ([Council Communication No. 15-609](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-1978](#) 33. [Amendments](#) to the Neighborhood Recognition Policy. ([Council Communication No. 15-611](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
34. Moved to Item 58.
- [15-1979](#) 35. [Exception](#) to the competitive procurement ordinance and approving an amendment for a one-year extension of Agreement with Midwest Accessibility Initiative, LLC for professional services regarding accessibility of City facilities and programs. ([Council Communication No. 15-614](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-1980](#) 36. [Communication](#) from Downtown Community Alliance, on behalf of the Greater Des Moines Partnership, requesting approval of banner design for banners to be displayed in

downtown Des Moines on Locust and E. Locust Street from December to January for the Iowa Caucus. **Moved by Hensley to receive, file and approve banner design. Motion Carried 7-0.**

- [15-1981](#) 37. [Communication](#) from Downtown Community Alliance, on behalf of the Iowa State Fair, requesting approval of banner designs for banners to be displayed on Locust Street, Grand Avenue, and E. Locust Street in July and August, 2016. **Moved by Hensley to receive, file and approve banner design. Motion Carried 7-0.**
- [15-1982](#) 38. [Amendment](#) to the Schedule of Fees regarding moving of houses and heavy equipment. ([Council Communication No. 15-626](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-1983](#) 39. [Bid](#) from Schumacher Elevator Company (Marvin Schumacher, President) for elevator repair services at the Fourth & Grand Parking Garage for use by the Engineering Department, \$267,517. (Six potential bidders, three received). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-1984](#) 40. [Civil](#) Service Entrance Lists for Crime Scene Investigator, Police Information Typist, Project Manager, Development Zoning Inspector, and Storm Water Environmental Technician. **Moved by Hensley to receive and file. Motion Carried 7-0.**
- [15-1985](#) 41. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of November 23 and 30, 2015; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of November 23 and 30, 2015; and to draw checks for biweekly payroll due on November 27, 2015. **Moved by Hensley to adopt. Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

- [15-1986](#) 42. [Amending](#) Chapter 114 of the Municipal Code submitting traffic regulation changes as follows: **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

 - (A) On-street parking restriction change – Grand Avenue from 5th Avenue to 6th Avenue.
 - (B) On-street parking restriction change – Walnut Street from 13th Street to 15th Street.
 - (C) Code changes related to the construction of Bill Reichardt Way – SE 22nd to the dead-end west, new parking lot at the Cownie Baseball Complex.

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

[15-1987](#)

43. **On** rezoning of property at 3422 Beaver Avenue, Edencrest in Beaverdale PUD, from "C-1" (Neighborhood Retail Commercial) and "R1-60" (One-Family Low-Density Residential) to "PUD" (Planned Unit Development). **Moved by Gray that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

[15-1988](#)

- (A) **Final** consideration of ordinance above (waiver requested by Council Member Gray), requires six votes. **Moved by Gray 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, [#15,424](#). Motion Carried 7-0.**

ORDINANCES - FIRST CONSIDERATION

[15-1989](#)

44. **Amending** Chapter 126 of the Municipal Code regarding application fee for a paratransit service license. ([Council Communication No. 15-624](#)) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Coleman.**

[15-1990](#)

- (A) **Final** consideration of ordinance above (waiver requested by the City Engineer), 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, [#15,425](#). Motion Carried 6-1. Absent: Coleman.**

[15-1991](#)

45. **Amending** Chapter 114 of the Municipal Code submitting traffic regulation changes as follows: ([Council Communication No. 15-627](#)) **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Coleman.**

- (A) Traffic regulation removals – Linden Street from 14th Street to Ingersoll Avenue.
- (B) On-street parking restriction change – E. 2nd Street from E. Grand Avenue to Maple Street.
- (C) On-street parking restriction change – E. Grand Avenue from E. 5th Street to E. 6th Street.
- (D) On-street parking restriction change – E. 5th Street from E. Locust Street to Des Moines Street.
- (E) On-Street parking restriction change – Willowmere Drive from SW 61st Street to SW

63rd Street.

- [15-1992](#) (F) Final consideration of ordinance above (waiver requested by Aluminum Distributors, Inc.), requires six votes. **Moved by Mahaffey 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, [#15,426](#). Motion Carried 6-1. Absent: Coleman.**

COUNCIL REQUESTS

- [15-1993](#) 46. **From** Council Member Christine Hensley to speak regarding the City-owned parcel at 1901 Cottage Grove. **Moved by Hensley to refer to the City Manager to work with the Neighborhood Association and the Cathedral representatives to develop a plan on how to use the property. Motion Carried 6-1. Absent: Coleman.**

COMMUNICATIONS/REPORTS

- [15-1994](#) 47. **From** Dave Diers, 4101 106th Street, Urbandale, to speak regarding painting a mural on the retaining wall off Exit 5B, south of Interstate 235. **Moved by Hensley to receive and file comments. Motion Carried 6-1. Absent: Coleman.**

WITHDRAWN

- [15-1995](#) 48. ~~**From** Jaysen McCleary, 4807 Kingman Boulevard, DM, to speak regarding the dangerous dog ordinance, the high-risk dog ordinance, and the Animal Rescue League.~~

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 49 THRU 57)

- [15-1996](#) 49. **On** the proposed Seventeenth Amendment to the Metro Center Urban Renewal Plan. ([Council Communication No. 15-615](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Coleman.**

- [15-1997](#) (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: Coleman.**

- [15-1998](#) (B) **Final** consideration of ordinance above (waiver requested by the City Manager), 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, [#15,427](#). Motion Carried 6-1. Absent: Coleman.**

50. Items regarding the Ingersoll-Grand Urban Renewal Area: ([Council Communication No. 15-628](#))

[15-1999](#) (A) [Closing](#) the public hearing on the First Amendment to the Urban Renewal Plan. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Coleman.**

[15-2000](#) (B) [Approving](#) the Ingersoll-Grand Beautification Program Application Guidelines. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Coleman.**

[15-2001](#) (C) [Approving](#) the advance of funds for implementation of Ingersoll-Grand Beautification Program and a proposed traffic study. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Coleman.**

[15-2002](#) 51. [On](#) vacation of a portion of Market Street right-of-way adjoining 123 SW 3rd Street and conveyance of a permanent easement for building encroachment to Confluence on Third, LLC, \$13,043. ([Council Communication No. 15-620](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Coleman.**

[15-2003](#) (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: Coleman.**

52. Items regarding right-of-way adjoining 1200-1214 Oak Park Avenue: ([Council Communication No. 15-621](#))

[15-2004](#) (A) [Receive](#) and file Plan and Zoning Recommendation regarding request from Bryan Schnell, 1210 Oak Park Avenue, for vacation of the north 7-foot segment of the unimproved east/west alley (known as Ovid Avenue) adjoining the south of the subject property. **Moved by Mahaffey to receive and file the communication from the Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division. Motion Carried 6-1. Absent: Coleman.**

[15-2005](#) (B) [Hearing](#) on vacation of a portion of the east/west alley right-of-way located south of and adjoining 1200-1214 Oak Park Avenue and conveyance to Donna Peterson and Pamela Hayes for \$40, to Kent and Christine Schnell and Bryan Schnell for \$50 and to Jared Johnson for \$50. **Moved by Mahaffey to adopt. Motion Carried 6-1. Absent: Coleman.**

[15-2006](#) (C) [First](#) consideration of ordinance above. **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Coleman.**

[15-2007](#) (D) [Final](#) consideration of ordinance above (waiver requested by the applicant), requires six votes. **Moved by Mahaffey 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, [#15,428](#).
Motion Carried 6-1. Absent: Coleman.

[15-2008](#)

53. **On** vacation of City street and alley rights-of-way adjoining 915 Mulberry Street and conveyance of an air rights easement within Mulberry Street, 9th Street and the east/west alley rights-of-way all adjoining 915 Mulberry Street to Hubbell Realty Company, \$5,922. ([Council Communication No. 15-619](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Coleman.**

[15-2009](#)

- (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: Coleman.**

[15-2010](#)

- (B) **Final** consideration of ordinance above (waiver requested by Hubbell Realty Company), 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, [#15,429](#). Motion Carried 6-1. Absent: Coleman.**

54. Items regarding Hubbell Realty Company, “Woodlawn” (a/k/a Lower Beaver Villas), 4209 Lower Beaver Road, for redevelopment of the property with 38 single-family semi-detached dwellings:

[15-2011](#)

- (A) **Request** to amend the Des Moines’ 2020 Community Character Plan future land use designation from Low-Density Residential to Low/Medium-Density Residential. **Moved by Gray to adopt and approve the proposed amendment. Motion Carried 7-0.**

[15-2012](#)

- (B) **Hearing** to rezone the property from “R1-60” (One Family Low-Density Residential) to “PUD” (Planned Unit Development) and to approve the “Woodlawn” (a/k/a Lower Beaver Villas) PUD Conceptual Plan. **Moved by Gray to adopt; refer to the City Manager to review stormwater drainage, quality of vinyl siding, placement of driveway and additional trees and shrubs on the northeast part of the project. Motion Carried 7-0.**

[15-2013](#)

- (C) **First** consideration of ordinance above (requires six votes for approval due to percent of written protest). **Moved by Gray that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

55. Items regarding Calvin Community, 4302-4326 Hickman Road and 2121 and 2245 44th Street, for redevelopment of the property with a 5-story building containing first floor office space, and 48 units of senior apartments and 6 units of 2-story senior townhomes:

[15-2014](#)

(A) [Request](#) to amend the Des Moines' 2020 Community Character Plan future land use designation from Low-Density Residential to Mixed-Use and Density. **Moved by Gray to adopt and approve the proposed amendment. Motion Carried 7-0.**

[15-2015](#)

(B) [Hearing](#) to rezone the property from "C-1" (Neighborhood Retail Commercial) and "R1-60" (One-Family Low-Density Residential) to "PUD" (Planned Unit Development) and to approve the Calvin Community PUD Conceptual Plan. **Moved by Gray to approve. Motion Carried 7-0.**

[15-2016](#)

(C) [First](#) consideration of ordinance above (requires six votes for approval due to percent of written protest). **Moved by Gray that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[15-2017](#)

(D) [Final](#) consideration of ordinance above (waiver requested by Calvin Community Board of Directors), requires six votes. **Moved by Gray 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, #15,430. Motion Carried 7-0.**

[15-2018](#)

56. [On](#) Lease Agreement with Murphy Tractor and Equipment Company for the rental of up to four motor graders for a four-month period to be used by the Public Works Department. ([Council Communication No. 15-608](#)) **Moved by Moore to adopt. Motion Carried 7-0.**

[15-2019](#)

(A) [Approving](#) form and authorizing execution of a lease and related documents. **Moved by Moore to adopt. Motion Carried 7-0.**

[15-2020](#)

(B) [Approving](#) bid from Murphy Tractor & Equipment (Rick Yeager, Branch Manager) for the rental of four (4) motor graders for snow and ice control operations for use by the Public Works Department, estimated four (4) month rental cost \$158,400. (Five potential bidders, one accepted). **Moved by Moore to adopt. Motion Carried 7-0.**

[15-2021](#)

57. [On](#) assessment of a \$500 penalty to Lickety Liquor, 2501 Hubbell Avenue, for violation of Iowa Alcoholic Beverage Laws. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

*** END OF HEARINGS AT 6:28 PM ***

APPROVING

[15-2022](#)

58. [Authorizing](#) the City Manager to sign Iowa Finance Authority “Exhibit 5S Local Government Contribution” for the following Low-Income Housing Tax Credit Project applications, and for the Mayor to sign a separate letter updating the Iowa Finance Authority on PlanDSM and its impact on identifying Multi-Family Housing sites. ([Council Communication No. 15-612](#)) **Moved by Hensley to adopt. Motion Carried 4-2-1. Nays: Gatto and Moore. Absent: Coleman.**

- (A) Melbourne IV Senior (Hubbell Realty), 5515 SE 14th Street Bldg. E and F, 72 units.
- (B) Hilltop II Family (Conlin Development Group), 3720 E. Douglas Avenue, 72 units.
- (C) Brickstones at Riverbend Senior (Anawim Housing), 513 Forest Avenue, 30 units.
- (D) Calvin Manor Senior (Kevin Kukleman), 4210 Hickman Avenue, 48 units.
- (E) Rehab of Corinthian Gardens Senior (Newbury Living), 1101 University Avenue, 75 units.

[15-2023](#)

- (F) [Setting](#) date of hearing on the First Amendment to the Third Restated City-Wide Urban Revitalization Plan to temporarily extend Tax Abatement for new and expansion of existing multiple-family dwellings outside the targeted multiple-family residential area and to make other amendments to the plan, (12-7-15). Sponsors: Council Members Gray, Hensley and Mahaffey. **Moved by Hensley to adopt. Motion Carried 4-2-1. Nays: Gatto and Moore. Absent: Coleman.**

59. Intergovernmental 28E Agreement with various entities for the following Watershed Management Authorities:

WITHDRAWN

[15-2024](#)

- (A) ~~Walnut Creek.~~

[15-2025](#)

- (B) [Beaver](#) Creek. ([Council Communication No. 15-606](#)) **Moved by Hensley to adopt; refer to the City Manager to report on any future costs associated with this project. Motion Carried 6-1. Absent: Coleman.**

60. Abatement of public nuisances at the following addresses:

- [15-2026](#) (A) [1012](#) E. 9th Street, main structure. **Moved by Gatto to adopt; refer to the City Manager to provide a report on the removal schedule and available funding for the existing list of nuisance structures. Motion Carried 6-1. Absent: Coleman.**
- [15-2027](#) (B) [629](#) SE 30th Street, main structure. **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Coleman.**
- [15-2028](#) (C) [2727](#) Linden Street, main structure and garage structure. **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Coleman.**
- [15-2029](#) (D) [926](#) Kirkwood Avenue, main structure. **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Coleman.**
- [15-2030](#) 61. [Communication](#) from Neighborhood Inspection Division regarding demolition cost reserve escrowed for main structure at 2634 Capitol Avenue. **Moved by Gatto to receive and file and to direct the City Attorney to bring legal action within one hundred eighty (180) days of notice dated November 3, 2015, if owner(s) has not demolished or renovated the structure. Motion Carried 6-1. Absent: Coleman.**

[15-2031](#) MOTION TO ADJOURN. **Moved by Hensley to adjourn at 7:17 PM. Motion Carried 6-1. Absent: Coleman.**

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