



***** 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 '17-' 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

****NEW LOCATION****

Municipal Service Center, Council Chambers

1551 E. M.L. King Jr. Pkwy.

Des Moines, Iowa 50317

March 20, 2017 4:30 PM

I. CLOSED SESSION – 3:30 PM, Ewing Conference Room 213

- [17-0446](#) (A) Roll Call. **Present: Cownie, Coleman, Gatto, Gray, Hensley, Moore and Westergaard.**
- [17-0447](#) (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 Gatto to adopt. Motion Carried Upon Roll Call 7-0.**
- [17-0448](#) (C) Closed Session.
- [17-0449](#) (D) Terminate closed session and reconvene in open session. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-0450](#) (E) Motion to adjourn. **Moved by Moore to adjourn at 4:15 PM. Motion Carried 7-0.**

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INVOCATION: Council Member Gatto

- [17-0451](#) 1. **ROLL CALL: Present: Cownie, Coleman, Gatto, Gray, Hensley, Moore and Westergaard.**
- [17-0452](#) 2. **APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0453](#) 3. **APPROVING CONSENT AGENDA * – items 3 through 46: 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

- [17-0454](#) 4. **Approving Alcoholic Beverage License Applications for the following: Moved by Hensley to adopt all except item A. Motion Carried 7-0. Council Members Coleman and Moore vote No on item H. Council Member Coleman votes No on item U. Moved by Gray to adopt item A, receive and file letter from Lower Beaver Neighborhood Association, direct staff to monitor parking and food sales, and to implement a Good Neighbor Agreement. Motion Carried 7-0.**

NEW APPLICATIONS

* (A)	DLS SPORTS BAR & GRILL	2718 DOUGLAS AVE	C Liquor
(B)	TEQUILA TREE	2809 6TH AVE	C Liquor

RENEWAL APPLICATIONS

(C)	+39 RESTAURANT & MARKET	1430 LOCUST ST	C Liquor
(D)	BIG DOG BILLIARDS	4510 E 14TH ST	C Liquor
(E)	CASH SAVER	1320 E EUCLID AVE	E Liquor
(F)	CASH SAVER	4121 FLEUR DR	E Liquor
(G)	CHICAGO SPEAKEASY	1520 EUCLID AVE	C Liquor
* (H)	EAST SIDE LIQUOR	3804 HUBBELL AVE	E Liquor
(I)	EATARY/A	2932 INGERSOLL	C Liquor
(J)	EL MALECON EVENT CENTER	6550 BLOOMFIELD	C Liquor
(K)	EVEREST GROCERY STORE	5000 SW 9TH ST	C Beer
(L)	FAT TUESDAY	6112 SW 9TH ST	C Liquor
(M)	GAS LAMP	1501 GRAND AVE	C Liquor
(N)	HAWKEYE ELKS LODGE #160	1401 WALKER ST	A Liquor
(O)	HIGHLAND PARK COUNTRY	518 EUCLID AVE	C Liquor
(P)	HY VEE FOOD STORE #3	3221 SE 14TH ST	E Liquor
(Q)	LDS CORNER	344 E JACKSON AVE	C Liquor
(R)	LEFTYS LIVE MUSIC	2307 UNIVERSITY	C Liquor

308) Moved by Hensley to adopt. Motion Carried 7-0.

- [17-0462](#) 9. [Approving](#) completion and acceptance of the Cooperative Public Service Project between Polk County and the City of Des Moines for the hot mix asphalt repairs to Meredith Drive. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0463](#) 10. [Approving](#) private construction contract between Baker Mechanical, Inc. d/b/a Baker Group and Principal Financial Group, Inc. for storm sewer improvements in 711 High Street. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0464](#) 11. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects. **Moved by Moore to adopt; refer to the City Manager to determine if any migratory birds have nested in the two trees being removed in conjunction with the Park Avenue Widening project. Motion Carried 7-0.**
- [17-0465](#) 12. [Accepting](#) completed construction and approving final payment for 5th & Walnut Parking Garage Closure, Koester Construction Company, Inc. **Moved by Hensley to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [17-0466](#) 13. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2017-03. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0467](#) 14. [Approving](#) deletion of rental inspection assessment at 1241 23rd Street. **Moved by Hensley to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

WITHDRAWN

- [17-0468](#) 15. ~~Authorizing and approving the relocation of an easement for public ingress and egress in portions of 1501 E. Grand Avenue with QuikTrip Corporation.~~
- [17-0469](#) 16. [Dedicating](#) 16th Street right-of-way south of 1514 Walnut Street. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0470](#) 17. [Authorization](#) to proceed with acquisition of the necessary property interests for the Martin Luther King Jr. Parkway and Prospect Road Traffic Signal Improvements Project. ([Council Communication No. 17-301](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [17-0471](#) 18. [Approving](#) recommendation from Council Member Linda Westergaard to reappoint Merlin Davis to the Traffic Safety Committee, Seat 5, for a 3-year term ending on December 31, 2018. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0472](#) 19. [Approving](#) recommendation from Council Member Skip Moore to appoint Joel Potter to the Park and Recreation Board, Seat 3, for a 4-year term commencing June 30, 2016 and ending June 30, 2020. **Moved by Hensley to adopt. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [17-0473](#) 20. [On](#) vacation and conveyance of the north/south alley right-of-way located north of Laurel Street and south of Ascension Street between 6th Avenue and 7th Street to Catholic Health Initiatives – Iowa Corp. d/b/a Mercy Medical Center – Des Moines, \$40,760, (4-3-17). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0474](#) (A) [Receive](#) and file communication from Plan and Zoning Commission. **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.**
- [17-0475](#) 21. [On](#) request from Capitol View Credit Union to rezone 623 E. 12th Street from “C-0” (Commercial Residential) to “C-1” (Neighborhood Retail Commercial) to allow conversion of a former medical office building to a drive-up financial institution, subject to conditions, (4-3-17). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0476](#) 22. [On](#) request from Roll-Offs of Des Moines to rezone property in the vicinity of 20 E. 18th Street from Ltd. “M-2” (Heavy Industrial) to amended Ltd. “M-2” (Heavy Industrial) to allow expansion of the permitted uses from outdoor storage of inoperable machinery to include outdoor storage and sorting of recycled waste materials within roll-off containers and dismantling of vehicles and machinery, subject to conditions, (4-3-17). **Moved by Hensley to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [17-0477](#) 23. [Approving](#) payment to Belin McCormick Law Firm for representation on environmental issues related to landfills, \$2,112.50. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0478](#) 24. [Approving](#) payment to Belin McCormick Law Firm for services related to Kragnes v. City of Des Moines, \$2,910. **Moved by Hensley to adopt. Motion Carried 7-0.**

- [17-0479](#) 25. [Retention](#) of outside counsel to represent former Des Moines Police Officer Tyson Teut. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0480](#) 26. [Retention](#) of outside counsel to represent former Des Moines Police Officer Joshua Judge. **Moved by Hensley to adopt. Motion Carried 7-0.**
27. Approving payment of workers' compensation claims for the following:
- [17-0481](#) (A) [Darryl](#) Elswick. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0482](#) (B) [Charlene](#) Ramirez. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0483](#) 28. [Approving](#) payment to Kevin and Lana Duff for a property damage claim. **Moved by Hensley to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- [17-0484](#) 29. [Submitting](#) travel and training requests for Kenneth Brown, T.M. Franklin Cownie, Mark Dooley, Jonathan Lund, Adam Smith, Jared Underwood, James Wells, Mark Wessels and Shekinah Young. ([Council Communication No. 17-312](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

APPROVING

- [17-0485](#) 30. [Preliminary](#) commitment of \$250,000 of Community Development Block Grant (CDBG) funds to Des Moines Heritage Trust to be used toward purchase of 120 E. 5th Street, the Historic Union Railway Passenger Depot. ([Council Communication No. 17-288](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0486](#) 31. [Preliminary](#) terms of agreement with Raccoon Valley Investment Company, LC for a hotel development near the northeast corner of Fleur Drive and McKinley Avenue. ([Council Communication No. 17-292](#)) **Moved by Hensley to receive, file and approve the preliminary terms of agreement as set forth in Council Communication No. 17-292, and to direct the Office of Economic Development to proceed with negotiation of a formal agreement with Raccoon Valley Investment Company, LC, consistent with the terms set forth in Council Communication No. 17-292. Motion Carried 7-0.**

32. Items regarding Voya Services Company: ([Council Communication No. 17-294](#))
- [17-0487](#) (A) [Economic](#) Development Parking License Agreement between the City of Des Moines and Voya Services Company for the use of Ninth and Locust Garage and Eight and Mulberry Garage. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0488](#) (B) [Support](#) of Economic Development Assistance Contract between Iowa Economic Development Authority and Voya Services Company. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0489](#) 33. [Support](#) of an Iowa State Historic Tax Credit Application to be submitted to the Iowa Department of Cultural Affairs by 12th Street Lofts, LLC (Hubbell Realty Company) for a housing rehabilitation project at 121 12th Street. ([Council Communication No. 17-295](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0490](#) 34. [Document](#) related to a Neighborhood Commercial Revitalization (NCR) Program Façade Grant for \$15,000 to assist in renovations to 2615 Dean Avenue. ([Council Communication No. 17-291](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0491](#) 35. [Document](#) related to a Neighborhood Commercial Revitalization (NCR) Program Façade Grant for \$15,000 to assist in renovations to 1700 E. University Avenue. ([Council Communication No. 17-293](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0492](#) 36. [Release](#) of fire escrow at 2500 59th Street. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0493](#) 37. [Communication](#) from Downtown Community Alliance, on behalf of the Downtown Farmers' Market, requesting approval of banner designs to be displayed on 40 banner poles on Court Avenue from April through October 2017. **Moved by Hensley to receive, file and approve banner design. Motion Carried 7-0.**
- [17-0494](#) 38. [Communication](#) from Downtown Community Alliance, on behalf of Grand Blue Mile, requesting approval of banner designs for banners to be displayed on 54 banner poles on Locust Street and Grand Avenue in April 2017. **Moved by Hensley to receive, file and approve banner design. Motion Carried 7-0.**
- [17-0495](#) 39. [Communication](#) from Downtown Alliance, on behalf of Bankers Trust, requesting approval of banner designs for banners to be displayed on 10 banner poles on Grand Avenue in May and June 2017. **Moved by Hensley to receive, file and approve banner design. Motion Carried 7-0.**
- [17-0496](#) 40. [Receive](#) and file the Comprehensive Annual Financial Report (CAFR) for fiscal year ending June 30, 2016. **Moved by Hensley to adopt. Motion Carried 7-0.**

41. Bids from the following:

[17-0497](#)

(A) [Wright](#) Outdoor Solutions (Jennifer Anderson, General Manager) as primary supplier and Family Tree Care (Rick Hanson, President) as secondary supplier for tree and stump removal services and TruGreen Limited Partnership (Nick May, General Manager) as primary supplier and Wright Outdoor Solutions (Jennifer Anderson, General Manager) as secondary supplier for chemical treatment services for an annual contract with two (2) additional one-year renewal options to furnish Emerald Ash Borer (EAB) Management Services for use by the Public Works Department, estimated annual cost \$880,000. (Twenty-one (21) potential bidders, four received). **Moved by Coleman to adopt; refer to the City Manager to schedule a work session on the Emerald Ash Borer management services, status and options. Motion Carried 7-0.**

[17-0498](#)

(B) [G & S](#) Service (Glen Mikel, President) for an annual contract with two (2) additional one-year renewal options to furnish towing and emergency road services for City-owned vehicles for use by the Equipment Maintenance Center, estimated annual cost \$70,700. (Seven potential bidders, two received). **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-0499](#)

(C) [Clarke](#) Mosquito Control Products (J. Lyell Clarke III, President) for two (2) replacement mosquito control sprayers for use by the Community Development Department, \$26,720.48. (Ten (10) potential bidders, three received). **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-0500](#)

(D) [Housby](#) Mack Inc. (Kelly Housby, President) for seventeen (17) replacement truck chassis per Houston-Galveston Area Council Contract, \$2,264,388 and McNeilus Truck & Manufacturing (Brad Nelson, President) for seventeen (17) replacement refuse bodies per HGAC Contract, \$1,853,141 for use by the Public Works Department. ([Council Communication No. 17-290](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-0501](#)

(E) [Communication](#) Innovators (Kirk Galwe, President) for data and telephone technician labor services for 2017 fiscal year per State of Iowa, Iowa Communications Network (ICN) Contract for use by the Information Technology Department, estimated annual cost \$30,000. ([Council Communication No. 17-289](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-0502](#)

42. [Civil](#) Service Entrance Lists for Park Maintenance Worker, Traffic Engineer and Public Housing Administrator and Promotional Lists for Utility Worker and Senior Housing Case Manager. **Moved by Hensley to receive and file. Motion Carried 7-0.**

[17-0503](#)

43. [Authorizing](#) Finance Director to draw [checks](#) on registers for the weeks of March 20 and March 27, 2017; and to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of March 20 and March 27, 2017 and to draw checks for biweekly

payroll due on March 31, 2017. **Moved by Hensley to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

[17-0504](#) 44. Amending Chapter 114 of the Municipal Code submitting traffic regulation changes as follows: **Moved by Hensley that this ordinance do now pass, [#15,563](#). Motion Carried 7-0.**

(A) Code modifications related to Lake View Ridge Plat 1 residential development, SE 34th Street.

(B) Code correction – E. 50th Street.

[17-0505](#) 45. Amending Chapter 118 of the Municipal Code regarding a Private Property Protection Program. **Moved by Hensley that this ordinance do now pass, [#15,564](#). Motion Carried 7-0.**

[17-0506](#) 46. Amending Chapter 118 of the Municipal Code regarding Stormwater Management Utility (Best Management Rebate Program). **Moved by Hensley that this ordinance do now pass, [#15,565](#). Motion Carried 7-0.**

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

ORDINANCES - FIRST CONSIDERATION

[17-0507](#) 47. Amending Chapter 42 of the Municipal Code regarding noise control, by adding dBC scale and allowing measurement from the public right-of-way. ([Council Communication No. 17-286](#)) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[17-0508](#) (A) Final consideration of ordinance above, requires six votes. **Moved by Coleman that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#15,566](#). Motion Carried 7-0.**

[17-0509](#)

48. [Amending](#) Chapter 114 of the Municipal Code submitting traffic regulation changes as follows: ([Council Communication No. 17-310](#)) **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- (A) Code corrections.
- (B) Removal of parking restriction – Thornton Avenue from SW 14th Street to cul-de-sac.
- (C) Removal of parking and loading zone – Hull Avenue from Wright Street to E. 12th Street.
- (D) Curb bump-out parking prohibition and definition.
- (E) Traffic Control Provisions for E. Locust Street, E. 2nd Street, E. 3rd Street, and E. Walnut Street due to completion of the StayBridge Hotel.
- (F) Traffic Control provisions for Walnut Street, 5th Avenue, 6th Avenue, and 7th Street due to the Walnut Streetscape project.

COUNCIL REQUESTS

[17-0510](#)

48-I [From](#) Mayor Cownie and Council Member Coleman to discuss and direct the City Manager to evaluate the Federal and State budget cuts, and how the cuts affect citizens who depend on those services in the City of Des Moines. **Moved by Coleman to refer to the City Manager to report back at the April 3, 2017 Council meeting. Motion Carried 7-0.**

[17-0511](#)

49. [From](#) Council Member Skip Moore to direct the City Manager to change the City of Des Moines' position to opposed on HF484 and SF456. **Moved by Moore to adopt. MOTION FAILED 2-4-1.Nays: Coleman, Gatto, Hensley and Westergaard. Pass: Cownie.**

COMMUNICATIONS/REPORTS

[17-0512](#)

50. [From](#) Michael Welch, 300 Walnut Street, Ste. 205, to speak regarding the importance of keeping the skywalk open during the 5th and Walnut demolition and construction project. **Moved by Gray to continue to April 3, 2017. Motion Carried 7-0.**

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 51 THRU 65)

[17-0513](#)

51. [On](#) vacation of a portion of Mulberry Street and 12th Street rights-of-way adjoining 121 12th Street and conveyance of a permanent easement for building encroachment to 12th Street Lofts, LLC for \$2,000. ([Council Communication No. 17-305](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-0514](#)

(A) [First](#) consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- [17-0515](#) 52. On conveyance of City-owned property at 3807 50th Street to Matthew Nolan, \$107,000. ([Council Communication No. 17-296](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [17-0516](#) 53. On conveyance of the south 8 feet of the vacated alley right-of-way located north of and adjoining 3015 High Street to Chad S. Pickering for \$25. ([Council Communication No. 17-306](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0517](#) 54. On request from Glen and April Brown to rezone property at 4518 SW 33rd Street from “M-3” (Limited Industrial) to Ltd. “R1-80” (One-family Residential) to allow for development of a single-family dwelling with access from SW 33rd Street, subject to conditions. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0518](#) (A) First consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [17-0519](#) (B) Final consideration of ordinance above (waiver requested by the 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, [#15,567](#). Motion Carried 7-0.**
- [17-0520](#) 55. On request from Tiger Knight, LLC to rezone 1210 Army Post Road from “C-2” (General Retail and Highway-Oriented Commercial) to Ltd. “M-1” (Light Industrial) to allow reuse of the building for warehouse and bowling pin refurbishing and to continue to April 3, 2017 at 5:00 PM. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0521](#) 56. On request from M & R Holdings, LLC for review and approval of the 1st Amendment to the Woodlawn PUD Conceptual Plan for 4209 Lower Beaver Road to reduce the number of proposed single-family semi-detached units from 38 to 34. **Moved by Gray to adopt. Motion Carried 7-0.**
- [17-0522](#) 57. On 2016 U.S. Department of Housing and Urban Development (HUD) Consolidated Annual Performance and Evaluation Report (CAPER). ([Council Communication No. 17-287](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-0523](#) 58. On request from Quik Trip Corporation for review and approval of a 1st Amendment to the Quik Trip No. 0518 PUD Conceptual Plan at 1930 Indianola Avenue to allow reconfiguration of the proposed pump island canopy, subject to conditions. **Moved by Hensley to adopt. Motion Carried 7-0.**
59. Items regarding the division of the Northeast Gateway Revitalization Urban Renewal Area

into the Northeast Gateway 1 Urban Renewal Area in the Saydel School District, and the Northeast Gateway 2 Urban Renewal Area in the Des Moines School District: ([Council Communication No. 17-311](#))

- [17-0524](#) (A) [Communication](#) from the City Plan and Zoning Commission finding the two urban renewal plans to be in conformance with the City's comprehensive plan. **Moved by Westergaard to receive and file. Motion Carried 7-0.**
- [17-0525](#) (B) [Resolution](#) approving the Northeast Gateway Revitalization Plan, an overall plan for the combined area. **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [17-0526](#) (C) [Resolution](#) of Necessity for the Northeast Gateway 1 Urban Renewal Area. **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [17-0527](#) (D) [Resolution](#) closing the hearing on the Northeast Gateway 1 Urban Renewal Plan and adopting same. **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [17-0528](#) (E) [First](#) consideration of ordinance authorizing the use of Tax Increment Financing (TIF) within the Northeast Gateway 1 Urban Renewal Area. **Moved by Westergaard that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [17-0529](#) (1) Final consideration of ordinance above, requires six votes. **Moved by Westergaard 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, [#15,568](#). Motion Carried 7-0.**
- [17-0530](#) (F) [Resolution](#) of Necessity for the Northeast Gateway 2 Urban Renewal Area. **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [17-0531](#) (G) [Resolution](#) closing the hearing on the Northeast Gateway 2 Urban Renewal Plan and adopting same. **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [17-0532](#) (H) [First](#) consideration of ordinance authorizing the use of Tax Increment Financing (TIF) within the Northeast Gateway 2 Urban Renewal Area. **Moved by Westergaard that**

this ordinance be considered and given first vote for passage. Motion Carried 7-0.

[17-0533](#)

(1) Final consideration of ordinance above, requires six votes. **Moved by Westergaard 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, [#15,569](#). Motion Carried 7-0.**

[17-0534](#)

(I) [Resolution](#) terminating the Northeast Gateway Revitalization Urban Renewal Plan. **Moved by Westergaard to adopt. Motion Carried 7-0.**

[17-0535](#)

(J) [Resolution](#) approving Urban Renewal Development Agreement with Thompson Properties for construction of a new 50,000 square foot warehouse and operations center at 1105 and 1125 East Broadway Avenue. ([Council Communication No. 17-284](#)) **Moved by Westergaard to adopt. Motion Carried 7-0.**

60. Items regarding the sale of property at 422 Walnut Street containing the Fifth and Walnut Parking Garage, for private redevelopment: ([Council Communication No. 17-285](#))

[17-0536](#)

(A) [Resolution](#) receiving competing proposal(s) and continuing hearings on the sale of the property and on the vacation of the alleys in and adjoining 422 Walnut Street, to April 3, 2017 at 5:00 PM. **Moved by Hensley to adopt. Motion Carried 7-0.**

WITHDRAWN

[17-0537](#)

~~(B) Communication from the City Plan and Zoning Commission regarding the vacation of the alleys in and adjoining 422 Walnut Street.~~

WITHDRAWN

[17-0538](#)

~~(C) Closing the hearing on vacation of portions of the east/west alleys lying within 422 Walnut Street.~~

WITHDRAWN

[17-0539](#)

~~(D) First consideration of ordinance vacating portion of the east/west alleys lying within 422 Walnut Street.~~

WITHDRAWN

[17-0540](#)

~~(1) Final consideration of ordinance above.~~

WITHDRAWN

[17-0541](#)

~~(E) Closing the hearing on vacation of the west 6.5 feet of the north/south alley lying east of and adjoining 422 Walnut Street, and adopting same.~~

WITHDRAWN

[17-0542](#)

~~(F) First consideration of ordinance vacating the west 6.5 feet of the north/south alley right of way lying east of and adjoining 422 Walnut Street.~~

WITHDRAWN

[17-0543](#)

~~(1) Final consideration of ordinance above.~~

WITHDRAWN

[17-0544](#)

~~(G) Resolution extending the 3 year deadline under the Skywalk Ordinance for~~

~~replacement of the Skywalk Corridor in the Fifth and Grand Parking Garage until August 19, 2028.~~

WITHDRAWN

[17-0545](#)

- (H) ~~Resolution approving Urban Renewal Development Agreement for sale of land for private redevelopment with Fifth and Walnut Parking, LLC for sale and redevelopment of the 5th & Walnut Parking Garage at 422 Walnut Street.~~

[17-0546](#)

61. [On](#) 2017 ADA Sidewalk Ramp Program- Contract 1: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Ti-Zack Concrete, Inc. (Steve J. Rutt, President), \$610,720. ([Council Communication No. 17-297](#)) **Moved by Coleman to adopt. Motion Carried 6-1. Nays: Gatto.**

[17-0547](#)

- (A) [Approving](#) contract and bond, and permission to sublet. **Moved by Coleman to adopt. Motion Carried 6-1. Nays: Gatto.**

[17-0548](#)

62. [On](#) 2017 Sidewalk Replacement Program: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Ti-Zack Concrete, Inc. (Steve J. Rutt, President), \$496,893. ([Council Communication No. 17-300](#)) **Moved by Coleman to adopt. Motion Carried 5-2. Nays: Gatto and Moore.**

[17-0549](#)

- (A) [Approving](#) contract and bond, and permission to sublet. **Moved by Coleman to adopt. Motion Carried 5-2. Nays: Gatto and Moore.**

[17-0550](#)

63. [On](#) E. 2nd Street Reconstruction from E. Locust Street to E. Grand Avenue: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as MPS Engineers, PC d/b/a Kingston Services, PC (Dan Hutton, President), \$659,983.50. ([Council Communication No. 17-313](#)) **Moved by Gatto to adopt; refer to the City Manager to review the possibility of placing at least one handicapped parking space on the west side of the MWA building on E. 2nd Street. Motion Carried 7-0.**

[17-0551](#)

- (A) [Approving](#) contract and bond, and permission to sublet. **Moved by Gatto to adopt. Motion Carried 7-0.**

[17-0552](#)

64. [On](#) George Flagg Parkway Resurfacing from Park Avenue to SW 30th Street: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and

designating lowest responsible bidder as Grimes Asphalt and Paving Corporation (Kurt Rasmussen, President), \$1,425,175. ([Council Communication No. 17-303](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-0553](#)

(A) [Approving](#) contract and bond, and permission to sublet. **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-0554](#)

65. [On](#) Walnut Street Bus Lane from 9th Street to 10th Street: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Kingston Services, LLC (Dan Hutton, President), \$161,905, continued from the February 20, 2017 Council Meeting. ([Council Communication No. 17-309](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Moore.**

[17-0555](#)

(A) [Approving](#) contract and bond, and permission to sublet. **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Moore.**

*** END OF HEARINGS AT 5:26 PM ***

[17-0556](#)

MOTION TO ADJOURN. **Moved by Gatto to adjourn at 7:11 PM. Motion Carried 7-0.**

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