



*** 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 '18-' 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, City Council Chambers
400 Robert D. Ray Drive
Des Moines, Iowa 50309

July 23, 2018
4:30 PM

INVOCATION: Council Member Coleman

- [18-1222](#) 1. ROLL CALL: **Present: Cownie, Boesen, Coleman, Gatto, Gray, Mandelbaum and Westergaard.**
- [18-1223](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1224](#) 3. APPROVING CONSENT AGENDA * – items 3 through 42: **Moved by Gatto 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

18-1225

4. Approving Alcoholic Beverage License Applications for the following: **Moved by Gatto to adopt. Motion Carried 7-0.**

NEW APPLICATIONS

(A)	DUMPLING DARLING	212 E 3RD ST	C Liquor
(B)	EL BUEN SABOR LATINO	1130 E 9TH ST	C Liquor
(C)	PAPA KENOS PIZZERIA	2330 UNIVERSITY	C Liquor
(D)	SUPER QUICK SMOKES	5625 HICKMAN RD	C Beer
(E)	THAI FLAVORS	1254 E 14TH STREET	C Beer/Wine

RENEWAL APPLICATIONS

(F)	AIRPORT HOLIDAY INN	6111 FLEUR DR	B Liquor
(G)	APPLEBEES NEIGHBORHOOD	3900 MERLE HAY RD	C Liquor
(H)	APPLEBEES NEIGHBORHOOD	6301 SE 14TH ST	C Liquor
(I)	BLACKBIRD HOSPITALITY	713 WALNUT ST	C Liquor
(J)	BOWLERAMA	1313 E DIEHL AVE	C Liquor
(K)	CHRISTIANIS EVENTS	520 ROBERT D RAY	C Liquor
(L)	CONSERVATORY	315 E 5TH ST	C Liquor
(M)	DERRYS LOUNGE	4845 MERLE HAY RD	C Liquor
(N)	EASTSIDERS	1833 HUBBELL AVE	C Liquor
(O)	EL PATIO MEXICAN	611 37TH ST	C Liquor
(P)	LA HACIENDA	6050 SE 14TH ST	C Liquor
(Q)	LATIN KING RESTAURANT	2200 HUBBELL AVE	C Liquor
(R)	OLD WEST BARBEQUE	3000 E GRAND AVE	B Beer
(S)	ORLONDOS	4337 PARK AVE	C Liquor
(T)	RICHARD O JACOBSON	3000 E GRAND AVE	C Liquor
(U)	RICOCHE	504 E LOCUST ST	C Beer/Wine
(V)	SAKARI SUSHI LOUNGE	2605 INGERSOLL	C Liquor
(W)	SHAGS	216 COURT AVE	C Liquor
(X)	SMOKIN' JOES #4	2800 E UNIVERSITY	E Liquor
(Y)	TEQUILA RESTAURANT	2824 EASTON BLVD	C Liquor
(Z)	VIVIANS	400 WALNUT ST	C Liquor
(AA)	ZOMBIE BURGER	300 E GRAND AVE	C Liquor

TRANSFER TO NEW LOCATION

(BB) ELWELL FAMILY FOOD 3000 E GRAND AVE C Liquor
Temporary to the Animal Learning Center for Fair After Dark on August 10, 2018.

(CC) MAINGATE 2956 E GRAND AVE C Liquor
Temporary from August 10 – 18, 2018 in conjunction with the Iowa State Fair.

SPECIAL EVENT APPLICATIONS

(DD) ABOVE & BEYOND 800 E GRAND AVE Five (5) Day License
Class B Beer License for Wade Franck Memorial Cup – ABC Criterium on August 5, 2018.
Pending approval of Building, Electrical, Fire, Police and Zoning Departments.

(EE) BIRDS NEST	3000 E GRAND AVE	C Beer/Wine
Fourteen day license for the Iowa State Fair from August 9 – 19, 2018.		
(FF) BUD TENT	3000 E GRAND AVE	B Beer
Fourteen day license for the Iowa State Fair from August 9 – 19, 2018.		
(GG) BUDWEISER STAGE	3000 E GRAND AVE	B Beer
Fourteen day license for the Iowa State Fair from August 9 – 19, 2018.		
(HH) BUZZARD BILLYS	615 3RD ST	Five (5) Day License
Class C Liquor License for Godsmack/Shinedown concert on July 29, 2018.		
(II) GRANDFATHERS BARN	3000 E GRAND AVE	C Native Wine
Fourteen day license for the Iowa State Fair from August 9 – 19, 2018.		
(JJ) GRANDSTAND	3000 E GRAND AVE	B Beer
Fourteen day license for the Iowa State Fair from August 9 – 19, 2018.		
(KK) IOWA CRAFT BEER TENT	3000 E GRAND AVE	B Beer
Fourteen day license for the Iowa State Fair from August 9 – 19, 2018.		
(LL) KNAPP STAGE	3000 E GRAND AVE	B Beer
Fourteen day license for the Iowa State Fair from August 9 – 19, 2018.		
(MM) SUMMER IN THE CITY	4500 GRAND AVE	Five (5) Day License
Class B Beer License for a concert on August 10, 2018.		
(NN) TOP OF THE VINE	3000 E GRAND AVE	C Beer/Wine
Fourteen day license for the Iowa State Fair from August 9 – 19, 2018.		

[18-1226](#) 5. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits. **Moved by Gatto to adopt. Motion Carried 6-1. Nays: Cownie.**

[18-1227](#) 6. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Gatto to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

7. Ordering construction of the following:

[18-1228](#) (A) [2nd](#) Avenue and [3rd](#) Street at Walnut Street Traffic Signal Replacements: Receiving of bids, (8-7-18), Setting date of hearing, (8-20-18). Engineer’s estimate, \$425,000. ([Council Communication No. 18-378](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[18-1229](#) (B) [6th](#) Avenue Streetscape-College Avenue to Hickman Road: Receiving of bids, (8-21-18), Setting date of hearing, (9-10-18). Engineer’s estimate, \$2,630,000. ([Council Communication No. 18-383](#)) **Moved by Gray to adopt. Motion Carried 7-0.**

- [18-1230](#) 8. [Approving](#) addendum to the Iowa Department of Transportation (IDOT) Agreement for 6th Avenue Streetscape Phase 1: College Avenue to Hickman Road. ([Council Communication No. 18-385](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1231](#) 9. [Authorizing](#) payment to MidAmerican Energy Company to remove existing utility poles and relocate overhead utilities underground for the 42nd Street Streetscape from I-235 to Crocker Street, \$337,233.79. ([Council Communication No. 18-381](#)) **Moved by Gatto to adopt. Motion Carried 6-1. Nays: Coleman.**
- [18-1232](#) 10. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects. **Moved by Gatto to adopt. Motion Carried 7-0.**
11. Accepting completed construction and approving final payment for the following:
- [18-1233](#) (A) [Leetown](#) Creekway Channel Improvements, Elder Corporation. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1234](#) (B) [2018](#) Parking Garage Mechanical/Electrical/Plumbing Repair Program, Air-Con Mechanical Corporation. **Moved by Gatto to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [18-1235](#) 12. [Levying](#) Assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2018-07. **Moved by Gatto to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [18-1236](#) 13. [Releasing](#) subdivision bond for Bloomfield Estates, located in the 7400 block of Bloomfield Road. ([Council Communication No. 18-375](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1237](#) 14. [Authorize](#) voluntary acquisition and to approve and accept real estate documents from various property owners for the Easter Lake Watershed Improvement Project. ([Council Communication No. 18-377](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [18-1238](#) 15. [Approving](#) amendments to the Civil & Human Rights Commission rules and regulations. ([Council Communication No. 18-394](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1239](#) 16. [Recommendation](#) from Council Member Bill Gray to appoint Ann Giudicessi to the Access Advisory Board, Seat 12, for a three-year term commencing June 15, 2018 to June 15, 2021. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [18-1240](#) 17. [Recommendation](#) from Council Member Bill Gray to appoint Heidi Hamand to the Housing Services Board, Seat 4, for a three-year term commencing June 30, 2018 to June 30, 2021. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1241](#) 18. [Approving](#) expansion of Watrous Heights Neighborhood boundaries in accordance with the Neighborhood Recognition Policy. ([Council Communication No. 18-373](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [18-1242](#) 19. [On](#) proposed Fifth Amendment to the Urban Renewal Plan for the Southside Economic Development District Urban Renewal Area, (9-10-18). ([Council Communication No. 18-380](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1243](#) 20. [On](#) proposed Eleventh Amendment to the Urban Renewal Plan for the SE Agribusiness Urban Renewal Area, (9-10-18). ([Council Communication No. 18-380](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1244](#) 21. [On](#) vacation of a portion of Woodland Avenue right-of-way located north of and adjoining 616 10th Street and conveyance of a permanent easement for air space above city-owned property to Principal Life Insurance Company f/k/a/ Principal Mutual Life Insurance Company, \$630. (8-6-18). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1245](#) 22. [On](#) approval of documents for vacation of a portion of alley right-of-way located south of and adjoining 1437 E. 14th Street and conveyance to Spotfree Car Wash, LLC, \$1,000. (8-6-18). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1246](#) 23. [On](#) proposed First Amendment to the Urban Renewal Plan for the NE Economic Development District Urban Renewal Area, (9-10-18). ([Council Communication No. 18-380](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1247](#) (A) [Resolution](#) to authorize voluntary acquisition for property at 4144 Hubbell Avenue from Dipak S. Patel and Surekhaben D. Patel for the Northeast Fire Station Project, \$795,000. ([Council Communication No. 18-388](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

24. Approving payment to Belin McCormick Law Firm for the following:
- [18-1248](#) (A) [Environmental](#) issues, \$975. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1249](#) (B) [Environmental](#) issues related to landfills, \$1,950. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [18-1250](#) 25. [Approving](#) payment to Project Resources Group, as subrogee of Mediacom, for a property damage claim. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1251](#) 26. [Approving](#) payment to Peddicord, Wharton, Spencer, Hook, Barron & Wegman, LLP for representation of former Police Officer Tyson Teut, \$600. **Moved by Gatto to adopt. Motion Carried 7-0.**
27. Approving payment to the following for workers' compensation claims:
- [18-1252](#) (A) [Mark](#) McCaune. **Moved by Gatto to adopt. Motion Carried 6-1. Nays: Gray.**
- [18-1253](#) (B) [Roger](#) Gustafson. **Moved by Gatto to adopt. Motion Carried 6-1. Nays: Gray.**
- [18-1254](#) 28. [Approving](#) retention of Hall & Associates and consent to joint representation with the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) regarding implementation of the Long-Term Control Plan, negotiation of a consent decree and the National Pollution Discharge Elimination System (NPDES) Permit with fees allocated as appropriate. **Moved by Gatto to adopt. Motion Carried 7-0.**

APPROVING

- [18-1255](#) 29. [First](#) Amendment to Development Agreement with RE3, LLC for commercial development at 440 E. Grand Avenue. ([Council Communication No. 18-376](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1256](#) 30. [Home](#) Investment Partnership Program (HOME) Agreement with Home Opportunities Made Easy, Inc. (HOME, INC.) for development of a single-family home at 708 Buchanan Street using Community Housing Development Organizations (CHDOs) set-aside funds. ([Council Communication No. 18-374](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1257](#) 31. [Termination](#) of PeopleSoft, Inc. Software License Agreements and authorizing Chief Information Officer to execute termination of licenses. ([Council Communication No. 18-372](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1258](#) 32. [Support](#) of a Workforce Housing Tax Credit (WHTC) Benefit Application to be submitted to the Iowa Economic Development Authority (IEDA) by Indigo Dawn, LLC for a scattered site housing rehabilitation project at 1124 34th Street, 1311 Laurel Street and 1345 7th Street. ([Council Communication No. 18-393](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1259](#) 33. [Agreement](#) with Prairie Meadows to accept a \$5,000 Prairie Meadows Community Betterment Grant and finalize terms of Grant Acceptance Agreement for a Water Quality Demonstration Project on City-owned land. ([Council Communication No. 18-382](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [18-1260](#) 34. [Domino's](#) "Paving for Pizza" Funding and Advertising Agreement and approval of use of City of Des Moines name in advertising. ([Council Communication No. 18-391](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1261](#) 35. [Parking](#) License Agreement at the E. Second Parking Garage with Des Moines Metropolitan Area Solid Waste Agency. ([Council Communication No. 18-386](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
36. Abatement of public nuisances at the following addresses:
- [18-1262](#) (A) [3704](#) Kinsey Avenue. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1263](#) (B) [4601](#) SW 8th Street. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1264](#) (C) [306](#) E. 17th Street. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1265](#) (D) [1053](#) 17th Street. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1266](#) (E) [1231](#) E. 27th Court. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1267](#) 37. [Release](#) of fire escrow at 1805 E. 27th Street. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1268](#) 38. [Receive](#) and file Quarterly Treasurer's Report as of June 30, 2018. **Moved by Gatto to receive and file. Motion Carried 7-0.**
- [18-1269](#) 38-I [Amending](#) Roll Call Number 18-1210 regarding award to Morgan Stanley & Co. LLC, for General Obligation Bonds, Series 2018B to increase the par amount to \$45,640,000. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1270](#) 38-II [Authorizing](#) and providing for the issuance and securing the payment of \$43,620,000 Stormwater Management Utility Revenue Capital Loan Notes, Series 2018C, of the City of Des Moines, State of Iowa, under the provisions of the City Code of Iowa, and providing for a method of payment of the notes; approval of the Tax Exemption Certificate and continuing Disclosure Certificate. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1271](#) 38-III [Amending](#) the "Resolution authorizing the issuance of \$47,290,000 General Obligation Bonds, Series 2018B, and levying a tax for the payment thereof", passed and approved on March 8, 2018, by substituting a new resolution therefor, approving and authorizing the issuance of \$45,640,000 General Obligation Bonds, Series 2018B, and levying a tax for the payment thereof and approving the Tax Exemption Certificate and continuing Disclosure

Certificate. **Moved by Gatto to adopt. Motion Carried 7-0.**

39. Purchases from the following:

- [18-1272](#) (A) [Commonwealth](#) Electric Company (T. Michael Price, President) and ABD Electrical Services (Leroy Clair, President) as primary and secondary suppliers, for an annual contract with two (2) additional one-year renewal options to furnish electrical repair services at various city-wide locations for use by the Facilities Maintenance Division, estimated annual cost \$150,000. (Eight potential bidders, two received). ([Council Communication No. 18-392](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1273](#) (B) [Sarah](#) & Andrew Trucking (Rick Clark, President) for revetment and erosion control materials to be used for bank stabilization along Walnut Creek at North Valley Drive for use by the Public Works Department, \$125,833.08. (Five potential bidders, four received). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1274](#) (C) [Hewlett](#)-Packard Company (Dion Weisler, President) for replacement employee desktop personal computers for the 2019 fiscal year per State of Iowa Contract for use by the IT Department, \$180,000. ([Council Communication No. 18-371](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1275](#) 40. [Civil](#) Service entrance lists for Fire Equipment Mechanic, Enterprise Applications Analyst and Senior Construction Inspector. **Moved by Gatto to receive and file. Motion Carried 7-0.**
- [18-1276](#) 41. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of July 23 and 30, 2018; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of July 23 and 30, 2018; and to draw checks for biweekly payroll due August 3, 2018. **Moved by Gatto to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

- [18-1277](#) 42. [Rezoning](#) of property at 5066 NE 23rd Avenue (Easton Blvd), from “A-1” (Agricultural) to “PUD” (Planned Unit Development). **Moved by Gatto that this ordinance do now pass, #15,686. Motion Carried 7-0.**

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

ORDINANCES - FIRST CONSIDERATION

- [18-1278](#) 43. Amending Chapter 42 of the Municipal Code relating to drainage pipe installation in drainageways, grading requirements, public nuisance abatement and assessment administrative process. ([Council Communication No. 18-384](#)) **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [18-1279](#) 44. Amending the action for the removal of existing traffic circles at the intersections of SE 24th Street and E. Porter Avenue and SE 24th Street and Hart Avenue to install all-way stop control. ([Council Communication No. 18-387](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [18-1280](#) (A) First consideration amending Chapter 114 of the Municipal Code designating four-way stop intersections at Hart Avenue and SE 24th Street, and at E. Porter Avenue and SE 24th Street. **Moved by Gatto that this ordinance be considered and given first vote for passage; refer to the Transportation Safety Committee for review and recommendation. Motion Carried 7-0.**
- WITHDRAWN
[18-1281](#) (B) Final ~~consideration of ordinance above (waiver requested by Council Member Gatto); requires six votes.~~
- [18-1282](#) 45. Amending Chapter 114 of the Municipal Code regarding traffic regulation changes as follows: ([Council Communication No. 18-389](#)) **Moved by Westergaard that this ordinance be considered and given first vote for passage; receive and file comments. Motion Carried 7-0.**
- (A) Speed limit reduction on SW 9th Street from Bancroft Street to Lacona Avenue.
- (B) Removal of pedestrian crossing signal on E. Grand Avenue at former Brooks Elementary.
- (C) Installation of traffic signals – E. 46th and Hubbell, SW 63rd and Creston, E. 6th and Des Moines Street, and MLK and Prospect.
- [18-1283](#) (D) 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, [#15,687](#). Motion Carried 7-0.**

- [18-1284](#) 46. **Amending** Chapter 118 of the Municipal Code regarding the Private Property Protection Program. (**Council Communication No. 18-390**) **Moved by Gray that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [18-1285](#) (A) **Final** consideration of ordinance above (waiver requested by the Public Works Director), 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, #15,688. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

47. Number not used.
- [18-1286](#) 48. **From** Frank Ingersoll to speak regarding the Polk County Board of Supervisors. **Moved by Coleman to receive and file comments. Motion Carried 7-0.**
- WITHDRAWN**
[18-1287](#) 49. ~~**From** Robert L. Martin, 2117 36th Street, to speak regarding lack of fireworks enforcement.~~
- [18-1288](#) 50. **From** Brad Podray, 400 Walnut Street, Ste. 705, to speak regarding short-term rentals in downtown Des Moines. **Moved by Mandelbaum to receive and file comments and document; refer to the City Manager, City Attorney and Community Development Department for review and recommendation. Motion Carried 7-0.**
- [18-1289](#) 51. **From** Mary Spicer, 6001 Creston Avenue, Unit 8, to speak regarding River Oaks Town Homes – sewer billing and other quality of life issues. **Moved by Mandelbaum to receive and file comments and documents; refer to the City Manager to respond to Ms. Spicer within 30 days, regarding issues raised. Motion Carried 7-0.**
52. Number not used.
53. Number not used.

HEARINGS (OPEN AT 5:10 P.M.) (ITEMS 54 THRU 56)

54. Items regarding property at 2701 and 2703 E. Grand Avenue, (Lee Rose LLC d/b/a Des Moines Comfort, Inc.), **Plan and Zoning Commission recommends DENIAL:**
- [18-1290](#) (A) **To** amend the existing PlanDSM: Creating Our Tomorrow Plan future land use

designation from Low Density Residential to Neighborhood Mixed Use, to allow for rezoning to “C-2” (General Retail and Highway-Oriented Commercial) and expansion of the existing mechanical contractor shop use, (six votes required for approval). **Moved by Gatto to adopt and approve the proposed amendment. Motion Carried 7-0.**

[18-1291](#)

(B) [Hearing](#) to rezone the property from “C-1” (Neighborhood Retail Commercial) to Ltd. “C-2” (General Retail and Highway-Oriented Commercial), (six votes required for approval). **Moved by Gatto to adopt. Motion Carried 7-0.**

[18-1292](#)

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

[18-1293](#)

(D) [Final](#) consideration of ordinance above (waiver requested by the 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, [#15,689](#). Motion Carried 7-0.**

[18-1294](#)

55. [On](#) request from Kenneth L. Lawler d/b/a Great Plains Garden Center to rezone 4455 and 4465 Hubbell Avenue from “A-1” (Agricultural) to Ltd. “C-2” (General Retail and Highway-Oriented Commercial) to allow the use of the property for a commercial daycare center and a residential dwelling, subject to conditions, **and to continue to August 6, 2018 at 5:00PM**, to allow time for correction and completion of Acceptance of Rezoning document. **Moved by Westergaard to adopt. Motion Carried 7-0.**

56. Items regarding City-owned property at 418 E. Grand Avenue, in the Metro Center Urban Renewal Area, Nelson Development: ([Council Communication No. 18-379](#))

[18-1295](#)

(A) [On](#) approval of Urban Renewal Development Agreement with Nelson Development 1, LLC, to purchase and develop property, and approving Conceptual Development Plan. **Moved by Gatto to adopt. Motion Carried 7-0.**

[18-1296](#)

(B) [On](#) approval of a Parking Lease Agreement for use of the parking ramp to be located at 418 E. Grand Avenue. **Moved by Gatto to adopt. Motion Carried 7-0.**

*** END OF HEARINGS AT 5:16 PM ***

[18-1297](#) MOTION TO ADJOURN. Moved by Gatto to adjourn at 5:59 PM. Motion Carried 7-0.

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