



***** 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 '22-' 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

August 8, 2022
5:00 P.M.

- [22-1217](#) 1. ROLL CALL: **Present: Cownie, Boesen, Gatto, Mandelbaum, Sheumaker, Voss and Westergaard.**
- [22-1218](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1219](#) 3. APPROVING CONSENT AGENDA * – items 3 through 50: **Moved by Gatto to adopt the balance of the Consent Agenda. Second by Boesen. Motion Carried 7-0.**

***Note: These are routine items and will be enacted by one roll call vote without separate discussion unless pursuant to Council rules, Council requests an item be removed to be considered separately.**

LICENSES AND PERMITS

[22-1220](#)

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

NEW APPLICATIONS

(A) BAR NICO	428 E LOCUST ST	Class C Liquor
(B) BARREL HOUSE	401 E COURT AVE #300	Class C Liquor
(C) COCOS BAR	1833 HUBBELL AVE	Class C Liquor
(D) DRAKE UNIVERSITY	2615 CARPENTER AVE	Special Class C
(E) HOME TOUCH KITCHEN	1552 E GRAND AVE #D	Special Class C
(F) W-TAO SUSHI	400 WALNUT ST #101	Class C Liquor

RENEWAL APPLICATIONS

(G) AJS ON EAST COURT	419 E COURT AVE	Class C Liquor
(H) BEECHWOOD LOUNGE	416 E WALNUT ST	Class C Liquor
(I) BLUE SUSHI SAKE GRILL	316 COURT AVE	Class C Liquor
(J) BUDDYS CORRAL	418 E 5TH ST	Class C Liquor
(K) CHAMLING FOOD/LIQUOR	200 ARMY POST RD #20	Class C Beer
(L) DRAKE UNIVERSITY	2601 FOREST AVE	Special Class C
(M) DSM CONCESSIONS	5800 FLEUR DR	Class C Liquor
(N) EAST SIDE EDDIES	3517 E 26TH ST	Class C Liquor
(O) EL PALOMINO	3116 E 14TH ST	Class C Beer
(P) EL VALLE TIENDA	101 ARMY POST RD	Class C Beer
(Q) FRESH IDEAS	3200 GRAND AVE	Class C Liquor
(R) GIT N GO STORE #36	4164 EASTON BLVD	Class C Beer
(S) HOMEWOOD SUITES	7201 SW 22ND ST	Special Class C
(T) HOTEL FORT DES MOINES	1000 WALNUT ST	Class B Liquor
(U) HY VEE C STORE	1113 E ARMY POST RD	Class E Liquor
(V) HY-VEE GAS #4	4701 FLEUR DR	Class E Liquor
(W) INGERSOLL TAP	2837 INGERSOLL AVE	Class C Liquor
(X) KUM & GO #0731	3104 UNIVERSITY AVE	Class E Liquor
(Y) LA HACIENDA MEXICAN	6050 SE 14TH ST	Class C Liquor
(Z) NEW DISCOUNT MARKET	3207 DOUGLAS AVE	Class C Beer
(AA) PINTS PUB N PATIO	319 COURT AVE	Class C Liquor
(BB) PROOF	1301 LOCUST ST #C	Class C Liquor
(CC) SECRET ADMIRER	110 SW 5TH ST	Class C Liquor
(DD) SORIANO LATINO	2300 HICKMAN RD	Class C Beer
(EE) STAR BAR	2811 INGERSOLL AVE	Class C Liquor
(FF) SUPER QUICK	303 SE 30TH ST	Class E Liquor
(GG) THAI FLAVORS	1254 E 14TH ST	Special Class C
(HH) TOADS TAVERN	3002 STATE AVE	Class C Liquor
(II) ZORA BAR ROOFTOP	2120 INGERSOLL AVE	Class C Liquor

SPECIAL EVENT APPLICATIONS

(JJ) APRES BAR CO 519 PARK ST 5 days
CLASS C LIQUOR LICENSE FOR DES MOINES WEDDING SHOW ON AUGUST 28, 2022.

(KK) WINEFEST DES MOINES 4025 TONAWANDA DR 5 days
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR GREEN STATE IOWA LAWN PARTY ON AUGUST 28, 2022.

(LL) ZOSS WEDDING 120 E 5TH ST 5 days
CLASS C LIQUOR LICENSE FOR A RECEPTION ON AUGUST 20, 2022.

[22-1221](#) 5. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits. **Moved by Gatto to adopt. Seconded by Boesen. Motion Carried 6-1. Nays: Cownie.**

[22-1222](#) 6. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Gatto to adopt. Seconded by Boesen. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

[22-1223](#) 7. [Ordering](#) construction of Principal Park Phase 1 Improvements: Receiving of bids, (9-13-22) and Setting date of hearing, (10-3-22), Engineer's estimate, \$5,800,000. ([Council Communication No. 22-374](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1224](#) 8. [Granting](#) a variance of Floodplain Development Code Section 50-34 (14) for development in a floodway that results in an increase of base flood elevation for Des Moines Levee Alterations – Phase C. ([Council Communication No. 22-373](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1225](#) 9. [Approving](#) the Fiscal Year 2024 Traffic Safety Improvement Program (TSIP) application to the Iowa Department of Transportation (IDOT) for the SE 36th Street and E. Army Post Road Roundabout Project. ([Council Communication No. 22-369](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1226](#) 10. [Approving](#) the Fiscal Year 2024 Traffic Safety Improvement Program (TSIP) application to the Iowa Department of Transportation (IDOT) for the E. University Avenue (IA 163) from E. 14th Street (US 69) to Easton Boulevard Four-Lane to Three-Lane Conversion Project. ([Council Communication No. 22-367](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1227](#) 11. [Approving](#) Professional Services Agreement with HR Green, Inc. for 63rd Street Trail – McKinley Avenue to Raccoon River Bridge, not to exceed \$109,000. ([Council Communication No. 22-360](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

- [22-1228](#) 12. [Approving](#) Professional Services Agreement with Bolton & Menk, Inc. for University Avenue Rehabilitation – 4908 University Avenue to 39th Street, not to exceed \$79,520. ([Council Communication No. 22-371](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1229](#) 13. [Approving](#) Professional Services Agreement with Bolton & Menk, Inc. for the Central Place Levee Trail Phase 1, not to exceed \$126,027. ([Council Communication No. 22-363](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1230](#) 14. [Approving](#) Change Order No. 1 with Jasper Construction Services, Inc. for additional work on 2nd Avenue Bridge over Des Moines River Rehabilitation and 2nd Avenue Bridge over Birdland Drive Replacement, \$156,341.16. ([Council Communication No. 22-359](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1231](#) 15. [Approving](#) Change Order No. 2 with Absolute Concrete Construction, Inc. for additional work on Indianola Avenue Reconstruction – E. Army Post Road to US Highway 69, \$386,500. ([Council Communication No. 22-370](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1232](#) 16. [Approving](#) Change Order No. 5 with RW Excavating Solutions, LC for additional work on Hamilton Drain Storm Water Improvements Phase 2, \$239,760. ([Council Communication No. 22-372](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
17. Approving Private Construction Contracts between the following for Grover Woods Plat 3:
- [22-1233](#) (A) [McAninch](#) Corporation and HRC Grover Woods, LLC for Storm Sewer Improvements. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1234](#) (B) [McAninch](#) Corporation and HRC Grover Woods, LLC for Sanitary Sewer Improvements. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1235](#) 18. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
19. Accepting completed construction and approving final payment for the following:
- [22-1236](#) (A) [Locust](#) Street Bridge over the Des Moines River – Cramer and Associates, Inc. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1237](#) (B) [2022](#) Skywalk Bridge Structural Repair Program – GTG Construction, LLC. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [22-1238](#) 20. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Neighborhood Services), Schedule No. 2022-07. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 6-1. Nays: Sheumaker.**

LAND/PROPERTY TRANSACTIONS

- [22-1239](#) 21. [Acceptance](#) and approval of Amended Storm Water Management Facilities Maintenance Covenant and Permanent Easement Agreement for The Woods of Copper Creek Plat 5. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1240](#) 22. [Authorization](#) to proceed with acquisition of the necessary property interests for the 16th Street Area Reconstruction and Trail Connection Project. ([Council Communication No. 22-361](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [22-1241](#) 23. [Recommendation](#) from Council Member Westergaard to appoint Alexander Cutchey to the Greater Des Moines Sister Cities Commission, Seat 11, with a term commencing on April 28, 2021, and expiring April 28, 2026. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1242](#) 24. [Approving](#) appointment of Steven J. Garrison as a member of the Des Moines Skywalk Committee. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1243](#) 25. [Communication](#) from Stacey Hanley advising of her resignation from the Urban Design Review Board, Seat 6, effective immediately. **Moved by Gatto to receive, file and accept resignation with appreciation for her service. Second by Boesen. Motion Carried 7-0.**
- [22-1244](#) 26. [Receive](#) and file letter of support for Parks and Recreation seasonal staff recruitment efforts from the Parks and Recreation Board. **Moved by Gatto to receive and file. Second by Boesen. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [22-1245](#) 27. **Regarding** request from JSB Fiontair, LLC (David Brick, Officer) for vacation of the westernmost 381 lineal feet of the east-west right-of-way of E. Jefferson Avenue located to the west of Dixon Street. **Moved by Gatto to receive and file the communication from Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division. Second by Boesen. Motion Carried 7-0.**
- [22-1246](#) 28. **Regarding** request from PPDSM, LLC (Adam Sieren, Officer) and BOS Investments, LLC (Jim Sinclair, Officer) for review and approval of a Preliminary Plat “West Edge Rowhomes Plat 1” for subdivision of 2.12 acres of property in the vicinity of 6501 Hickman Road and 2404 Westover Boulevard into 32 lots and one (1) outlot, for a townhome development. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1247](#) 29. **Regarding** request from TB, LLC (Nick Jensen, Officer) for review and approval of a Preliminary Plat “Bricktop 36 Preliminary Plat” for subdivision of 7.82 acres of property in the vicinity of 1328 Thomas Beck Road into 36 lots and one (1) outlot, for a townhome development. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [22-1248](#) 30. **On** vacation of north-south alley right-of-way located east of and adjoining 413 Euclid Avenue and conveyance to Euclid Foresight, LLC, \$800. (8-22-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1249](#) 31. **On** vacation of a segment of SE 3rd Street and E. Market Street right-of-way and to correct the vacation of portions of street and alley right-of-way, all located north of E. Martin Luther King, Jr. Parkway and west of SE 6th Street as part of the Market District Redevelopment Project, (8-22-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1250](#) 32. **On** conveyance of excess City-owned property located west of and adjoining 1626 Dixon Street to Liberty Holdings, Inc, \$25,875, (8-22-22). **Moved by Westergaard to adopt. Second by Voss. Motion Carried 7-0.**
- [22-1251](#) 33. **On** request from Drake Neighborhood Association (Lori Calhoun, Officer) to amend PlanDSM Creating Our Tomorrow Plan to revise the future land use classification from Medium Density Residential to Park/Open Space, and to rezone the property located in the vicinity of 2400 block of Cottage Grove Avenue to “P1” Public, Civic, and Institutional District, to allow development of the open space with a garden, swing, and neighborhood entrance sign, (8-22-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1252](#) 34. [On](#) request from Roll-Offs of Des Moines, Inc. (Anthony & Gregory S. Holt, Owners) to rezone the property in the vicinity of 20 E. 18th Street, from “I2” Industrial District to Limited “I2” Industrial District, to allow a Junk or Salvage Yard Use, (8-22-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1253](#) 35. [On](#) request from Mercy Hospital Medical Center (Diane Cummings, Officer) for review and approval of an 8th amendment to the Mercy Hospital Center PUD Conceptual Plan located at 1111 6th Avenue, to allow modifications to the western parking ramp area, (8-22-22). **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

[22-1254](#) 36. [Approving](#) payment to SW 9th St. Properties, LLC for a property damage claim. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1255](#) 37. [Approving](#) payment to Progressive Northern Insurance Company on behalf of its insured, Dale Roshek, for an auto damage claim. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

APPROVING

[22-1256](#) 38. [Preliminary](#) terms of an Urban Renewal Development Agreement with Union at River’s Edge, LP (The Annex Group), for the new construction of a 216-unit multi-family apartment project at 214 Jackson Avenue. ([Council Communication No. 22-357](#)) **Moved by Mandelbaum to adopt. Second by Sheumaker. Motion Carried 4-3. Nays: Cownie, Gatto and Westergaard.**

[22-1257](#) 39. [Issuance](#) of Certificate of Completion to 611 Fifth Avenue, LLC for renovation of the existing office building at 611 5th Avenue. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1258](#) 40. [First](#) Amendment to Memorandum of Understanding with Invest DSM, Inc. for supplemental funding for the City’s Neighborhood Block Challenge Grant Program. ([Council Communication No. 22-353](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1259](#) 41. [Extension](#) of professional services agreement with RSM US LLP to provide auditing services for fiscal year FY2021/22. ([Council Communication No. 22-352](#)) **Moved by Gatto to adopt. Seconded by Boesen. Motion Carried 7-0.**

[22-1260](#) 42. [Approving](#) and authorizing the execution of Iowa Department of Transportation (IDOT) Agreements for Iowa Volkswagen Settlement Environmental Mitigation Trust Project: 7th and Center and 9th and Locust Parking Garages. ([Council Communication No. 22-368](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

- [22-1261](#) 43. [Authorizing](#) issuance of \$69,725,000 General Obligation Bonds, Series 2022A, levying a tax for payment, approving the Tax Exemption Certificate and the Continuing Disclosure Certificate. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1262](#) 44. [Authorizing](#) issuance and securing the payment of \$18,660,000 Stormwater Management Utility Revenue Bonds, Series 2022B and providing for a method of payment, approving the Tax Exemption Certificate and the Continuing Disclosure Certificate. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1263](#) 45. [Receive](#) and file Quarterly Treasurer’s Report as of June 30, 2022. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
46. Abatement of public nuisances as follows:
- [22-1264](#) (A) [3305](#) 6th Avenue. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1265](#) (B) [1017](#) Franklin Avenue. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1266](#) (C) [2617](#) SW 9th Street, Apts. 1, 2 and 3. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1267](#) (D) [1710](#) Forest Avenue. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1268](#) (E) [1102](#) Virginia Avenue. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1269](#) (F) [2322](#) E. 37th Court. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1270](#) (G) [1619](#) Gillette Street. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1271](#) (H) [2508](#) Logan Avenue. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1272](#) (I) [3725](#) University Avenue. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1273](#) (J) [2315](#) Holcomb Avenue. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1274](#) 47. [Release](#) of fire escrow at 1513 E. 23rd Street. **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

48. Purchases from the following:

[22-1275](#)

(A) [CDW](#) Government, LLC (Christine A. Leahy, President and CEO) for computer and accessory equipment per Omnia Partners/City of Mesa, AZ Contract, Minnesota WSCA-NASPO Master Agreement and State of Iowa Contract for use by the Information Technology Department, not to exceed \$200,000 and approving agreements with CDW Government, LLC and HP Inc. ([Council Communication No. 22-364](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1276](#)

(B) [Galls](#), LLC (R. Michael Andrews, CFO) and Streicher’s Inc. (Jeremy Jenniges, President) for purchase of approximately 120 ballistic personal protective systems per NASPO ValuePoint Agreements and State of Iowa Master Agreements for use by the Police Department, \$120,000. ([Council Communication No. 22-366](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 6-1. Nays: Sheumaker.**

[22-1277](#)

(C) [Motorola](#) Solutions, Inc. (Greg Brown, CEO) for five (5) additional APX handheld radios, a five (5) year subscription for service and maintenance for existing 385 APX handheld radios and CommandCentral Aware solution per NASPO ValuePoint Master Agreement and State of Iowa Master Agreement for use by the Police Department, \$581,236.25. ([Council Communication No. 22-358](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 6-1. Nays: Sheumaker.**

[22-1278](#)

49. [Exception](#) to the procurement ordinance competitive bidding requirements for procurement of eleven (11) Lucas Chest Compression Systems, related accessories and annual ambulance emergency medical services from Stryker Medical Corp. (sole source provider), \$188,712.11. ([Council Communication No. 22-365](#)) **Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1279](#)

50. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of August 8 and 15, 2022; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of August 8 and 15, 2022; to draw checks for biweekly payroll due August 12, 2022. **Moved by Gatto to adopt. Seconded by Boesen. Motion Carried 7-0.**

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

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 51 THRU 54)

- [22-1280](#) 51. **On** vacation of City alley right-of-way located north of and adjoining 2513 High Street and conveyance to Robert Fuller, \$75. **Moved by Mandelbaum to adopt. Second by Boesen. Motion Carried 7-0.**
- [22-1281](#) (A) **First** consideration of ordinance above. **Moved by Mandelbaum that this ordinance be considered and given first vote for passage. Seconded by Boesen. Motion Carried 7-0.**
- [22-1282](#) (B) **Final** consideration of ordinance above (waiver requested by Robert Fuller), requires six votes. **Moved by Mandelbaum 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, #[16,160](#). Seconded by Boesen. Motion Carried 7-0.**
- [22-1283](#) 52. **On** vacation of excess east-west alley right-of-way located south of E. Railroad Avenue, north of Harriett Street and east of SE 15th Street. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [22-1284](#) (A) **First** consideration of ordinance above. **Moved by Gatto that this ordinance be considered and given first vote for passage. Seconded by Voss. Motion Carried 7-0.**
- [22-1285](#) (B) Final consideration of ordinance above (waiver requested by City Manager), 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, #[16,161](#). Seconded by Voss. Motion Carried 7-0.**
- [22-1286](#) 53. **On** request from R. Michael Knapp 2001 Revocable Trust, Ellyn Patrice Knapp 2001 Revocable Trust, Ellyn P. Knapp Trust, and R Michael Knapp Trust (Owners) for property located in the vicinity of SW 56th Street, SW McKinley Avenue, and SW Watrous Avenue to amend the PlanDSM Creating Our Tomorrow Plan to revise the future land use classification from Low Density Residential, Business Park and Development Control Zone to Development Control Zone and Low Density Residential, and to rezone the property from “P2” Public, Civic, and Institutional District, “EX” Mixed Use District, and “N2b” Neighborhood District to Limited “N2b” Neighborhood District, to allow the development of the property for one-household residential uses. **Moved by Mandelbaum to adopt. Second by Gatto. Motion Carried 7-0.**

[22-1287](#) (A) **First** consideration of ordinance above. **Moved by Mandelbaum that this ordinance be considered and given first vote for passage. Second by Gatto. Motion Carried 7-0.**

[22-1288](#) (B) Final consideration of ordinance above, requires six votes. **Moved by Mandelabum 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, #[16,162](#). Second by Gatto. Motion Carried 7-0.**

[22-1289](#) 54. **On** request from 4021 Properties, LLC (Jenny Smith, Officer) for property located at 4019 and 4021 Ingersoll Avenue to amend the PlanDSM Creating Our Tomorrow Plan to revise the future land use classification from Medium Density Residential to Community Mixed-Use, and to rezone the property from “NX2” Neighborhood Mix District to “RX2” Mixed-Use District to allow a 2-story building addition for expansion of office use (continued from the July 18th Council Meeting). **Moved by Mandelbaum to adopt. Second by Boesen. Motion Carried 7-0.**

[22-1290](#) (A) **First** consideration of ordinance above. **Moved by Mandelbaum that this ordinance be considered and given first vote for passage. Seconded by Boesen. Motion Carried 7-0.**

[22-1291](#) (B) **Final** consideration of ordinance above (waiver requested by the applicant), requires six votes. **Moved by Mandelbaum 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, #[16,163](#). Seconded by Boesen. Motion Carried 7-0.**

****END HEARINGS AT 5:15 P.M.****

INFORMAL HEARING

[22-1292](#) 55. **Authorization** to proceed with acquisition of the necessary property interests for the Fire Station 4 Relocation Project. (**[Council Communication No. 22-362](#)**) **Moved by Sheumaker to adopt. Second by Boesen. Motion Carried 7-0.**

ORDINANCES – FIRST CONSIDERATION

- [22-1293](#) 56. **Amending** Section 102-964 of the Municipal Code regarding staff notice of street number addressing. ([Council Communication No. 22-375](#)) **Moved by Gatto that this ordinance be considered and given first vote for passage. Second by Voss. Motion Carried 7-0.**
- [22-1294](#) (A) Final consideration of ordinance above, 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, #16,164. Second by Voss. Motion Carried 7-0.**
- [22-1295](#) 57. **Amending** the Municipal Code by repealing Article VII of Chapter 26 relating to Steam or Power Operating Equipment and elimination of the Power Engineers Examining Board. ([Council Communication No. 22-354](#)) **Moved by Boesen that this ordinance be considered and given first vote for passage. Second by Mandelbaum. Motion Carried 7-0.**
- [22-1296](#) (A) Final consideration of ordinance above, requires six votes. **Moved by Boesen 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, #16,165. Second by Mandelbaum. Motion Carried 7-0.**
- [22-1297](#) 58. **Oak** Park-Highland Park TIF District No. 4 and repeal Ordinance 16,142. **Moved by Westergaard that this ordinance be considered and given first vote for passage. Second by Voss. Motion Carried 7-0.**
- [22-1298](#) (A) **Final** consideration of ordinance above (waiver requested by Erin Olson-Douglas, Development Services Director), 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, #16,166. Second by Voss. Motion Carried 7-0.**

APPROVING II

- [22-1299](#) 59. **Review** of Zoning Board of Adjustment decision granting a variance from separation requirements to allow sales of alcoholic liquor, wine and/or beer by a “restaurant” use in “RX1” Mixed Use District for property at 1828 Hubbell Avenue owned by Javier Plesent. ([Council Communication No. 22-356](#)) **Moved by Gatto to adopt alternative C. The City Council declines to remand the decision to the Zoning Board of Adjustment. The decision of the Board becomes final on this date. Second by Sheumaker. Motion Carried 7-0.**

[22-1300](#)

60. [Review](#) of Zoning Board of Adjustment decision granting a variance from separation requirement to allow sales of alcoholic liquor, wine and/or beer by a “restaurant” use in “RX1” Mixed Use District for property at 1951 Indianola Avenue owned by Yuwei Lin. ([Council Communication No. 22-355](#)) **Moved by Gatto to adopt alternative C. The City Council declines to remand the decision to the Zoning Board of Adjustment. The decision of the Board becomes final on this date. Second by Sheumaker. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

[22-1301](#)

61. [Requests](#) to speak as follows: **Moved by Gatto to receive and file. Second by Sheumaker. Motion Carried 7-0.**

- (A) Jocelyn Hernandez
- (B) Adam Callanan
- (C) Jean O’Donnell
- (D) Chris Robinson
- (E) Jolene Prescott
- (F) Troy Trevino

[22-1302](#)

MOTION TO ADJOURN. **Moved by Gatto to adjourn at 6:48 P.M. Second by Boesen. Motion Carried 7-0.**

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