SPECIAL PRESENTATIONS (4:00 P.M.)

Presentation by EMC of check for repair of Denman Fountain at Woodland Cemetery

PROCLAMATIONS (4:00 P.M.)

Administrative Professionals Day
Arbor Day
Stress Free Commute Week (MTA)
Rebuilding Together
Workers Memorial Day
Evelyn K. Scott-Davis Day
Days of Remembrance

INVOCATION: Rabbi Baruch HaLevi
Jewish Synagogue

1. ROLL CALL:

2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:

   * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * *

   *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.

3. APPROVING CONSENT AGENDA – items 3 through 55:

LICENSES AND PERMITS

4. Approving Alcoholic Beverage License Applications for the following:
NEW APPLICATIONS

(A) DAVIS CONCESSIONS  2601 HUBBELL AVE  B Beer
(B) FOOD N FUEL  2110 GUTHRIE AVE  C Beer
(C) SANDS VOLLEYBALL CLUB  6214 GRAND AVE  C Liquor

RENEWAL APPLICATIONS

(D) ALL IN THE FAMILY LOUNGE  4413 FLEUR DR  C Liquor
(E) BOURBON ST  500 ARMY POST RD  C Liquor
(F) DES MOINES ART CENTER RESTAURANT  4700 GRAND AVENUE  C Liquor
(G) GENES PLACE  2117 E UNIVERSITY AVE  C Liquor
(H) JOHNS PLACE  2401 E WALNUT ST  C Liquor
(I) KUM & GO #114  2919 E 14TH ST  C Liquor
(J) KUM & GO #743  3733 EASTON BLVD  C Liquor
(K) MANDARIN RESTAURANT  3520 BEAVER AVE  C Liquor
(L) QUIKTRIP #515  1421 INGERSOLL AVE  C Beer
(M) TIM FLANAGANS RESTAURANT & LOUNGE  2120 INGERSOLL AVE  C Liquor
(N) VIC & ANDYS PUB  5114 SW 9TH STREET  C Liquor
(O) YOUNKERS TEA ROOM  701 WALNUT ST  C Liquor
(P) YOUNKERS TEA ROOM  701 WALNUT ST  B Wine

SPECIAL EVENT APPLICATIONS

(Q) DRAKE UNIVERSITY - ALUMNI TENT  2830 FOREST AVE  B Beer
(R) DRAKE UNIVERSITY - HUBBELL  1319 30TH ST  C Beer/Wine
(S) DRAKE UNIVERSITY - LEVITT HALL  2507 UNIVERSITY  C Liquor

5. City Clerk to issue Cigarette Licenses.

PUBLIC IMPROVEMENTS

6. Ordering construction for the following:

(A) Clark Street Sanitary Sewer Pump Station – Receiving of Bids, (5-11-04), and Setting Date of Hearing, (5-17-04), (Construction Estimate - $1,075,776.50).

(B) Cownie Soccer Complex Concession Shelter Repair – Receiving of Bids, (5-11-04), and Setting Date of Hearing, (5-17-04), (Construction Estimate - $45,000).

(C) SW 9th Street & Virginia Avenue Traffic Signals – Receiving of Bids, (5-11-04), and Setting Date of Hearing, (5-17-04), (Construction Estimate - $85,000).
2004 Sanitary Sewer Televising Program Contract 2 – Receiving of Bids, (5-11-04), and Setting Date of Hearing, (5-17-04), (Construction Estimate - $136,114).

7. Approving agreement with Iowa Department of Transportation for E. 14th/S.E. 14th Street Traffic Signal Visibility Improvements.

(Council Communication No. 04-192)


(Council Communication No. 04-195)

9. Approving Birdland Marina Entrance Repairs – designating lowest responsible bidder, The Underground Company (Duane Burkhardt, President/CEO, DSM), and approving contract and bond, $23,800.

10. Accepting completed construction and approving final payment of the following:

(A) 8th Street Intake Removal South of Euclid Avenue, Corell Contractor, Inc.,

(B) 8th & Mulberry Parking Garage Asbestos Removal, August Enterprises, L.L.C.

11. Approving extension of time and Change Order No. 1 with ASI-Modulex for additional work on 2003 Skywalk Directories and Overhead Signs, $18,744.

(Council Communication No. 04-191)

12. Communication from Jensen Construction Co. and United Contractors, Inc. for the M. L. King Jr. Parkway and Fleur Drive Intersection/Bridges Combined Project requesting permission to sublet certain items on the public improvement project.


SPECIAL ASSESSMENTS
14. Approving the following corrections of NAC-Emergency Assessment Schedule – No. 2004-05:

(A) 1839 Capitol Avenue.

(B) 1340 Clark Street.

15. Approving deletion of NAC-Emergency Assessment at 1520 E. 15th Street.

LAND/PROPERTY TRANSACTIONS

16. Approve and accept real estate documents for property at 2337 Maury Street for the East 20th Street Trunk Connector Sewer Project, $2,200 plus closing costs.

17. Approve and accept real estate documents for property at 12472 Adams Street for the Southeast Ridge Trunk Sanitary Sewer Project, $140 plus closing costs.

18. Approve and accept real estate documents for property at 214 Jackson Avenue for the American Discovery Trail Project-Riverpoint Segment, $3 plus closing costs.

19. Approve and accept real estate documents for 4137 Colfax Avenue and 4140 East 38th Street for the Four Mile Interceptor Extension Project, $420 plus closing costs.

20. Acceptance of agreement and Quit Claim Deed for transfer of Public Road Jurisdiction of former Iowa 28 from County Line Road to relocated Iowa 5 when received from the Iowa Department of Transportation.

21. Authorize Settlement Agreement for acquisition of property at 1716 and 1804 SE 35th Street, and 3444 Vandalia Road for the Agrimergent Technology Park Project for a total of $139,600.

22. Authorization to proceed with early acquisition of two properties (2143 and 2147 High Street) for the Ingersoll Run Outlet Sewer Project, $30,000 estimated cost.

BOARDS/COMMISSIONS/NEIGHBORHOODS
23. Recommendation of Council Member Chris Coleman to appoint Andrew Tice to the Housing Appeals Board (Seat 3) for a three year term commencing March 16, 2003 to expire March 16, 2006.


SETTING DATE OF HEARINGS

24. On Application for Certificate of Public Convenience and Necessity from Charles DeVries to operate Limousine Services, (5-3-04).

25. On vacation and sale of the North/South alley adjoining 3009 SW 9th Street to abutting property owners, (5-3-04).

26. On sale of property at 2515 E. 35th Street to Donald L. Vaughn, $1,300, (5-3-04).

27. On transfer of the wetlands area in the vicinity of US Hwy 65 and the Skunk River, to the Polk County Conservation Board, (5-3-04).

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS


29. Approving settlements made by City Attorney, not exceeding $5,000.

CITY MANAGER COMMUNICATIONS

30. Submitting various traffic regulation changes as follows:

(A) Loading Zone – East Side of 13th Street, South of Forest Avenue.

(B) Parking Restriction Extension – East Side of SW 6th Street, South of Elm Street.

(C) Loading Zone – East Side of 5th Avenue, South of Watson Powell Jr. Way.

(Council Communication No. 04-193)

   (Council Communication No. 04-172)

**APPROVING**

32. Contracts with Iowa Department of Human Rights/Division of Community Action Agencies for the following:

   (A) Weatherization assistance with State of Iowa Contract No. DOE-04-07J - $325,244 from April 1, 2004 to March 31, 2005.


33. NUMBER NOT USED.

34. NUMBER NOT USED.

35. 2003 Shelter Plus Care Agreement by and between HUD and the City of Des Moines for supplemental funding for local homeless programs to address service gaps, $738,792.

   (Council Communication No. 04-175)


   (Council Communication No. 04-174)

37. Contract with Dodgen Industries Incorporated (Humboldt, IA) to construct a Forensic Homicide Command Post Vehicle for use by the Police Department, $109,730.

   (Council Communication No. 04-178)
38. Annual renewal of agreement with Employee and Family Resources, Inc. for provision of Employee Assistance Program services for a period of one year beginning May 1, 2004, $24,000.

(Council Communication No. 04-177)

39. Agreement with Iowa Environmental Services, Inc. (Rich Soyer, President, DSM) for periodic seasonal testing for mold in Armory Building.

(Council Communication No. 04-176)


(Council Communication No. 04-187)


(Council Communication No. 04-186)

(A) Ordering construction for Sylvan Theater Restoration- Receiving of Bids, (5-11-04), and Setting Date of Hearing, (5-17-04), (Construction Estimate - $274,500).

42. Short-term Mortgage executed by the Science Center of Iowa for Disposition Parcel No. 01-2, Metro Center Urban Renewal Project.

(Council Communication No. 04-185)

43. Grant Application for 2004 Lead-Safe for Kids’ Sake Project.

(Council Communication No. 04-188)

44. Receipt of proposed Airport Regulation No. 04-46 relating to rates and charges and insurance requirements at the Des Moines International Airport relating to operation of aircraft at the airport.

45. Receipt of two Federal Surface Transportation Program (STP) Transportation Enhancement (TE) grants from the Metropolitan Planning Organization (MPO) totaling $300,000 for construction of the Riverpoint Segment of the American Discovery Trail (ADT).

(Council Communication No. 04-190)
46. Declaring official intent to issue debt to reimburse the City for certain original expenditures paid in conjunction with specified Sanitary Sewer Projects.

   (Council Communication No. 04-179)

47. Resolution adjusting the principal amount of the following General Obligation Refunding Bonds:

   (A) Series 2004A, from $22,310,000 to $22,335,000.

   (Council Communication No. 04-180)

   (B) Series 2004B, from $34,660,000 to $34,490,000.

   (Council Communication No. 04-181)

48. Communication from Downtown Community Alliance submitting banner design on behalf of Mercy Medical Center requesting design approval and permission to display 40 banners in downtown on Locust Street in May and October, 2004.

49. Receipt of the Legislative Update of the 80th Iowa General Assembly.

50. Civil Service Entrance List for Horticulture Technician and Promotions List for Senior Police Officer.

51. Issuance of Request For Proposals for Ambulance Billing services.

   (Council Communication No. 04-189)

52. Bids from the following:

   (A) Carpenter Uniform Company for an annual contract with two additional one-year renewal options to furnish uniform clothing to be used by the Fire Department. (Ten bids mailed, one received).

   (Council Communication No. 04-173)

   (B) A-1 Ready Mix, Norwalk Ready Mix Concrete and American Concrete Products for an annual contract with two additional one-year renewal options to furnish Portland cement concrete products to be used by the Public Works Department. (Five bids mailed, three received).
(C) Iowa Roofing Company for an annual contract with two additional one-year renewal options to furnish roofing repair services to be used by the Park & Recreation Department. (Seven bids mailed, two received).

(D) WahlTek for dictation equipment per State of Iowa Contract CT1113MV to be used by the Criminal Investigation Bureau of the Police Department, $31,125.

(E) Interstate Electric Supply Company, $24,080 and Brown Traffic Products, $35,100 for various traffic signal modules to be used by the Traffic and Transportation Department. (Nine bids mailed, six received).

(F) Capital City Equipment for skid-steer loaders and trailers to be used by the Public Works Department Sewer Operations Division, $110,541. (Twelve bids mailed, five received).

(G) Motorola Inc. for radio equipment per State of Iowa Contract CT1199MV to be used by the Police Department, $58,165.30.

53. Authorizing Finance Director to issue checks on the registers of April 22 and April 29, 2004; and to draw checks for bills of the Des Moines Municipal Housing Agency for the weeks of April 19 and April 26, 2004; and to draw checks for biweekly payroll due employees on April 30, 2004.

ORDINANCES - FINAL CONSIDERATION

54. Items regarding rezoning of the following areas from “M-1” (Light Industrial) to “D-R” (Downtown Riverfront):

   (A) Area generally bounded by Raccoon and Allen Streets on the north, Scott Avenue on the south, SE 4th Street on the East and SE 2nd and SE 3rd Streets on the west.

   (B) Area generally bounded by Interstate 235 on the north, Des Moines Street on the south, E. 4th Street on the east, and Robert D Ray Drive on the west.

ORDINANCES - SECOND CONSIDERATION

55. Amending Chapter 114 of the Municipal Code regarding traffic regulation changes as follows:
(A) Parking Restriction Modifications due to the reconstruction of Park Street.

(B) Designation of Aurora Avenue as a Three-Lane Roadway from Beaver Avenue to Merle Hay Road.

(C) Parking Restriction Modification – 41st Street between University Avenue and Forest Avenue.

(D) Removal of Rush-Hour Restriction-6th Avenue between Locust Street and Walnut Street.

(E) Extension of Parking Restriction-South Side of East Fleming Avenue, East of East 14th Street.

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

ORDINANCES - FIRST CONSIDERATION

56. Amending Chapter 114 of the Municipal Code regarding traffic regulation changes as follows:

   (A) Parking Meter Changes-North Side of Walnut Street between 12th Street and 13th Street.

   (B) Corner Clearance-West Side of Fourth Street, South of Park Street.

COMMUNICATIONS/REPORTS

57. From Iowa Export-Import requesting “No Parking” signs on S.W. 6th Street to allow access to loading docks at 323 S.W. 6th Street.

HEARINGS (Opened at _______ P.M.) (Item 58)


**END HEARINGS AT _______ P.M.**

APPROVING
59. Recommendation regarding request from South Side Revitalization Partnership on placement of “Des Moines Welcomes You” brick structure and landscaping at Highway 69 and Bloomfield. (Continued from 3-22-04).

60. Items regarding the Des Moines Metropolitan Wastewater Reclamation Authority:

(A) Amended and Restated Agreement, consenting to issuance of bonds by the Board, to construct improvements under the term of the agreement, which includes the Facilities Plan Update.

(B) Operating Contract with the City.

(Council Communication No. 04-194)

61. Preliminary commitment of $500,000 for repair of the Polk County Convention Center.

EXTRA ITEMS

These extra items are filed after 5:00 P.M. on the Wednesday preceding a Council meeting and have been included upon the Amended Agenda by the City Clerk, with sponsorship of the Mayor or a City Council Member who shall deem the item of sufficient urgency to warrant immediate Council action - said statement of urgency from the City Manager and/or appropriate Department Director shall be placed on file with the City Clerk.

1. Setting Date of Hearing on release of easements for property located in vacated alley in 800 block of Walnut Street. SPONSOR: Vlassis.

BOARD OF HEALTH

MOTION TO CONVENE.

HEARING
1. On resolution to cause the removal of the garage structure by administrative process and to charge for the enforcement costs incurred in bringing an administrative removal action or to determine appropriate equitable action to be taken regarding 681 25th Street, Titleholder: May Stone.

2. Court authority to abate the public nuisance at the following locations:

(A) 2515 Garfield Avenue (vacant), Titleholder: Creative Homes, Inc.; Contract Buyer: Laura M. Tiedemann; Mortgage Holder: State Federal Savings & Loan Association of Des Moines.

(B) 1420 E. 21st Street (vacant), Titleholders: Gene Noble, Roy Noble, Ethel Noble, Fred Noble, Elaine Noble, Steve M. Noble, Janet Noble and Vicky Duff, heirs of Betty Noble; Dennis Bloom d/b/a Tax 105 and William Greven.

3. The Engineering Department to remove the following structures:

(A) 409 Franklin, Titleholder: Renitta Hervey d/b/a Solid Foundation Management.

(B) 1104 Fremont, Titleholder: Rising Homes, L.C.

(C) 1030 E. 8th Street, Titleholders: Jack and Mary Stuart; Tax Certificate Holders: Katherine Halloran d/b/a Wyoming 202 and John Zajicek d/b/a Z Fin 27.

(D) 1112 E. 13th Street, Titleholder: Rick Hickman d/b/a Hickman Auctions, Inc. d/b/a Hickman Properties.

(E) 1327 E. 14th Street, Titleholder: Cynthia Jones; Tax Certificate Holder: Glendower Corporation; Legal Interest Holder: United Services of Des Moines, Inc.

(F) 1051 19th Street, Titleholder: Rick Simmons; Tax Certificate Holders: Dave and Ann Powell.

MOTION TO ADJOURN AT ______________________ P.M.
All-America City