DES MOINES CITY COUNCIL MEETING

November 20, 2006 4:30 PM

RECOGNITION – 4:15PM

Blank Park Zoo as “Iowa Tourist Attraction of the Year”

PROCLAMATIONS – 4:15PM

National Hospice Month

INVOCATION: Chaplain John Harrell
Des Moines Fire Department

1. ROLL CALL:

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

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*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 42:

LICENSES AND PERMITS

4. Approving Alcoholic Beverage License Applications for the following:

   NEW APPLICATIONS

   (A) AMICI EXPRESSO 206 6TH AVE  C
       Liquor
   (B) BIANCHIS HILLTOP RESTAURANT 2820 HUBBELL AVE  C
       Liquor
   (C) CAPITOL ROOM 315 E 5TH ST  C
       Liquor
| (D) | EL CORITA | 1541 E GRAND AVE | C | Liquor |
| (E) | FLEUR WINE & ALE | 4521 FLEUR DR | E | Liquor |
| (F) | SILVESTRINIS PIZZA | 5418 DOUGLAS AVE | C | Beer/Wine |
| (G) | VILLAGE BEAN | 400 E LOCUST ST | B | Wine |

**RENEWAL APPLICATIONS**

| (H) | EL ARAGON | 900 E ARMY POST RD | C | Liquor |
| (I) | EL RODEO #2 | 1234 E EUCLID AVE | C | Liquor |
| (J) | FELIX & OSCARS | 4050 MERLE HAY RD | C | Liquor |
| (K) | FIESTA CANCUN MEXICAN REST | 5118 SE 14TH ST | C | Liquor |
| (L) | GINOS RESTAURANT & LOUNGE | 2809 6TH AVE | C | Liquor |
| (M) | GIT N GO STORE #2 | 1307 ARMY POST RD | C Beer |
| (N) | HAPPY JOES PIZZA & ICE CREAM | 4743 SE 14TH ST | B | Beer |
| (O) | KARLY’S PIT STOP | 607 SE 30TH ST | C | Liquor |
| (P) | KUM & GO #207 | 4200 HUBBELL AVE | C Beer |
| (Q) | KUM & GO #208 | 3200 SE 14TH ST | C Beer |
| (R) | KUM & GO #2722 | 2211 UNIVERSITY | C Beer |
| (S) | KUM & GO #2729 | 2829 EASTON BLVD | C Beer |
| (T) | KUM & GO #2731 | 3104 UNIVERSITY | C Beer |
| (U) | KUM & GO #60 | 806 SE 14TH ST | C Beer |
| (V) | PORKYS DINER | 4444 DOUGLAS AVE | B Beer |
| (W) | ROYAL MILE | 210 4TH ST | C | Liquor |
| (X) | RUSTYS | 2565 WEDGEWOOD | C | Liquor |
| (Y) | SKIPS | 4000 FLEUR DR | C | Liquor |
| (Z) | SLEEPY HOLLOW SPORTS PARK | 4051 DEAN AVE | C | Liquor |
| (AA) | SUDSUCCERS | 1511 E ARMY POST RD | C | Liquor |
| (BB) | VAUDEVILLE MEWS | 212 4TH ST | C | Liquor |
5. Approving Class E Liquor License Application with Class C Beer and Class B Wine Privileges for Plaza Pantry, 300 Walnut Street.

6. City Clerk to issue Cigarette Licenses.

7. City Clerk to issue Coin Operated Machine Licenses.

PUBLIC IMPROVEMENTS

8. Communication from Sande Construction and Supply Co., Inc. requesting permission to sublet certain items on the Crivaro Park Water Playground Project.

9. Accepting completed construction and final payment for Elder Corporation for Gray’s Lake Northwest Entrance Modifications.

SPECIAL ASSESSMENTS

10. Approving deletion of NAC-Emergency Assessments for the following:

   (A) Various locations.

   (B) 939 Herold Ave.

   (C) 4822 Merced St.

   (D) 6001 Indianola Rd.

11. Approving Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility Credits for October 2006.

LAND/PROPERTY TRANSACTIONS

13. Acceptance of real estate documents for property located in Northeast Polk County from Edward Ochylski for Wetlands Mitigation purposes for the Airport Runway 13R/31L project.

   (Council Communication No. 06-727)

14. Approving final subdivision plat entitled Airport Commerce Park South Plat 2 located in vicinity of Gannett Avenue, south of relocated Army Post Road, and SW 28th Street.

   (Council Communication No. 06-714)

15. Approving final subdivision plat entitled Sawyer’s Landing Plat 1 located in vicinity of Hillcrest Drive and north of Twana Drive.

   (Council Communication No. 06-713)

BOARDS/COMMISSIONS/NEIGHBORHOODS


COMMUNICATIONS FROM PLANNING AND ZONING

17. Regarding request from Matthew and Stephanie Wruck, 115 Davis Avenue, for vacation and conveyance of the adjoining east/west alley between Davis and Olinda Avenue, extending from Highland to SW 1st Street, subject to conditions.

18. Regarding City-initiated request for vacation and closure of north/south alley between 22nd and 23rd Streets from University to Carpenter Avenue, subject to conditions.
SETTING DATE OF HEARINGS

19. On vacation and conveyance of a portion of the east/west alley extending west from East 30th Street between East Grand and East Capitol Avenues, and the north 25 feet of a segment of Capitol Avenue extending west from East 30th Street, to Neighborhood Development Corporation, $4,800, (12-04-06).

20. On vacation and conveyance of a segment of the north/south alley extending south from East University Avenue between East 23rd Court and East 24th Street to Michael L. Kinter, $2,385, (12-04-06).

21. On vacation and conveyance of a portion of a dead-end segment of Boyd Street adjoining 1446 Boyd Street to Grand View College, $6,765, (12-04-06).

22. On conveyance of City-owned property adjoining 1920 Washington Avenue to Ricky and Nu Haines, $150, (12-04-06).

23. To amend the legal description for a permanent easement for encroachment adjoining 301 East Court Avenue previously granted to East Village Court, L.L.C., $370, (12-04-06).

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS


25. Approving payment of $140,000 to William Daniels II, a former temporary refuse collector, of the Public Works Department for a workers’ compensation claim.

CITY MANAGER COMMUNICATIONS


(Council Communication No. 06-718)
APPROVING

27. Continuum of Care (COC) Closeout Certification Documents for the following Fiscal Years:
   (A) 2002.
   (B) 2003.
   (C) 2004.

28. Notice of Intent to request release of funds from the U.S. Department of Housing and Urban Development (HUD) for Self-Help Homeownership Opportunity Program (SHOP) Grant to Greater Des Moines Habitat for Humanity.
   (Council Communication No. 06-720)

   (Council Communication No. 06-711)

30. Letter of Agreement for the 2006 Holiday Food Project with the Catholic Pastoral Center, 601 Grand Avenue.
   (Council Communication No. 06-717)

   (Council Communication No. 06-725)

32. Purchase of 1212 Cherry Street and 1216 Mulberry Street.
   (Council Communication No. 06-722)

33. Changing dedication of former Central Library at 100 Locust Street from Library use to City of Des Moines use.
   (Council Communication No. 06-742)

   (Council Communication No. 06-726)
35. Directing advertisement for sale of $16,750,000 Stormwater Management Utility Revenue Bonds, Series 2006D, (bonds will be sold on November 29 at 10:00 AM and a special Council meeting will be held at 4:00 PM)

   (Council Communication No. 06-744)

36. Addendum to three year Maintenance Agreement with Greater Des Moines Baseball Co. (GDMBC) to add the maintenance responsibilities of James W. Cownie Baseball Park.

   (Council Communication No. 06-740)

37. Use of various City Facilities as poll sites for precincts 60, 82, and 83 for the Special Primary Election to be held Tuesday, December 12, 2006.

38. Intergovernmental 28E Agreement with Polk County Conservation Board and City of West Des Moines for shared purchase and use of a beach cleaner.

   (Council Communication No. 06-741)


40. Authorizing Finance Director to draw checks on registers for the weeks of November 20 and November 27, 2006; and to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of November 20 and November 27, 2006; and to draw checks for bi-weekly payroll due November 24, 2006.

**ORDINANCES - FINAL CONSIDERATION**

41. Amending Chapter 114 of the Municipal Code submitting traffic regulation changes as follows:

   (A) Removal of Bus Loading Zone – west side of 48th Street, north of Franklin Avenue.
(B) Parking Restrictions – north side of Forest Avenue between 25th and 29th Streets.

(C) Temporary Municipal Parking Lot - 411 E. Grand.

(D) Removal of Metered Parking – south side of Mulberry Street, 7th to 9th Streets.

(E) Back-In Angle Parking – south side of Court Avenue, Water Street to E. 3rd Street; north side of Walnut Street Bridge; west side of E. 4th Street, Grand Avenue to Locust Street; and east side of E. 5th Street between Walnut Street and Grand Avenue.

42. To rezone property at 219 College from “R-3” (Multi-Family Residential) to Ltd. “M-1” (Light Industrial) to allow for industrial development, subject to conditions.

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

ORDINANCES - FIRST CONSIDERATION

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

(A) School Bus Loading Area – Longfellow Elementary School at 2115 E. 39th Street

(B) Loading Zone – 5th Avenue and Grand, and 5th Avenue and Locust

(C) Parking Restrictions – East side of 5th Avenue, Mulberry Street to Walnut Street

(D) Removal of Metered parking – 3rd Street between Center Street and School Street

(Council Communication No. 06-715)
COMMUNICATIONS/REPORTS

44. From Brenda LaBlanc or Cynde Rayman to speak regarding proposed ethanol plant.

45. From Jim Miller, 4130 E. 30th Street, to speak regarding the need for a park where residents can ride a four-wheeler.

46. From Jason Walsmith, Des Moines Music Commission, to speak regarding designated music venues.

*Note: If the City Council completes all items above before 5:00 PM, they will skip the Hearing Items, and continue the agenda starting with the next item following the Hearings. At 5:00 PM, they will return to this point in the agenda to consider the Hearing Items and then continue with all the remaining items on the agenda.

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 47 THRU 49)


   (Council Communication No. 06-712)

   (A) Neighborhood Revitalization Board recommendation.

48. On voluntary annexation of 5475 Meredith Drive and approving agreement for immediate connection to the City sewer system.

   (Council Communication No. 06-724)

49. On South Union Street & Park Avenue Storm Sewer Improvements: Resolution approving plans, specifications, form of contract documents, Engineer’s Estimate, and designating lowest responsible bidder as Reilly Construction Company, Inc., (Chris R. Reilly, President), $209,856.

   (Council Communication No. 06-716)

   (A) Approving contract and bond and permission to sublet.
APPROVING

50. Extensions of Collective Bargaining Agreements for Central Iowa Public Employees Council (CIPEC), Municipal Employees Association (MEA), Des Moines Association of Professional Firefighters, Local 4 (Fire), Des Moines Police Bargaining Unit Association (Police) and American Federation of State, County and Municipal Employees, Council 61, Local 3673 (AFSCME).

   (Council Communication No. 06-739)
   
   (A) Receive and file approved extensions of Collective Bargaining Agreements for Professional Employees Lodge No. 254, International Association of Machinist and Aerospace Workers, Units 10 and 11 (Clerks and Librarians).

   (B) Blue Choice Managed Care as Health Insurance Network.

   (Council Communication No. 06-739)


   (Council Communication No. 06-719)

52. Agreement with Principal Life Insurance Company and Des Moines River Front Development Authority for construction and funding of Center Street Bridge Project.

   (Council Communication No. 06-723)
   
   (A) Approving Iowa Department of Transportation Agreement for the Center Street Bridge.

   (Council Communication No. 06-721)

53. CIETC dissolution and approval of New 28E Agreement for Regional Workforce Investment Alliance.

54. First Amendment and Addendum to A.H. Blank Golf Course Concession Management Agreement-A.H. Blank Golf Course Improvements for improvements to cart paths.
(Council Communication No. 06-743)

55. Receipt of quarterly reports from 29 designated NBSD neighborhoods.

56. Receipt of Petition to Establish an Ingersoll Avenue Self-Supported Municipal Improvement District (SSMID).

MOTION TO ADJOURN AT ______________________ P.M.

All-America City