INVOCACTION: Pastor Candace Brown  
Capital Hill Christian Church  
3322 E. 25th Street

1. ROLL CALL:

I. Recommendations from the City Council Employee Evaluation Sub-Committee regarding the following:

(A) City Manager  
(B) City Attorney  
(C) City Clerk  
(D) Human Rights Director

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 47:
LICENCES AND PERMITS

4. **Approving** Alcoholic Beverage License applications for the following:

### NEW APPLICATIONS

<table>
<thead>
<tr>
<th>(A)</th>
<th>KRISTAL SLIPPER LOUNGE</th>
<th>4001 6TH AVENUE</th>
<th>C Liquor</th>
</tr>
</thead>
<tbody>
<tr>
<td>(B)</td>
<td>NEW SIAGON CAFÉ</td>
<td>1541 6TH AVENUE</td>
<td>B Beer</td>
</tr>
<tr>
<td>(C)</td>
<td>SENIOM SED</td>
<td>313 WALNUT ST</td>
<td>B Beer</td>
</tr>
<tr>
<td>(D)</td>
<td>Z’S BAR AND GRILL</td>
<td>1511 SOUTH UNION ST</td>
<td>C Liquor</td>
</tr>
</tbody>
</table>

### RENEWAL APPLICATIONS

<table>
<thead>
<tr>
<th>(E)</th>
<th>CJS II</th>
<th>316 E 30TH STREET</th>
<th>C Liquor</th>
</tr>
</thead>
<tbody>
<tr>
<td>(F)</td>
<td>DAHLS FOODS</td>
<td>4121 FLEUR DR</td>
<td>E Liquor</td>
</tr>
<tr>
<td>(G)</td>
<td>DEN</td>
<td>4369 MERLE HAY RD</td>
<td>C Liquor</td>
</tr>
<tr>
<td>(H)</td>
<td>FOUR POINTS BY SHERATON</td>
<td>1810 ARMY POST RD</td>
<td>B Liquor</td>
</tr>
<tr>
<td>(I)</td>
<td>HUGH’S JUNGLE ROOM</td>
<td>5715 DOUGLAS AVE</td>
<td>C Liquor</td>
</tr>
<tr>
<td>(J)</td>
<td>LUCCA</td>
<td>420 E LOCUST ST</td>
<td>C Liquor</td>
</tr>
</tbody>
</table>

### TRANSFER TO NEW LOCATION

<table>
<thead>
<tr>
<th>(P)</th>
<th>DEPOT</th>
<th>3000 E GRAND AVE</th>
<th>B Beer</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Temporary transfer to the Midway area for the Golden Circle Games June 20, 2007.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### OUTDOOR SERVICE APPLICATIONS

<table>
<thead>
<tr>
<th>(Q)</th>
<th>BEECHWOOD LOUNGE</th>
<th>416 E WALNUT ST</th>
<th>C Liquor</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Temporary outdoor service area on June 16-17, 2007. Pending approval of Building, Electrical, Fire and Zoning Departments.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
(R) BISTRO MONTAGE 2724 INGERSOLL AVE C
Liquor
Adding permanent outdoor service area.

(S) BLAZING SADDLE 416 E 5TH ST C
Liquor
Temporary and closure of sidewalk within the licensed premise in conjunction with Capital City Pride Celebration on June 10-11, 2007. Pending approval of Building and Fire Departments.

(T) BUDDYS CORRAL 418 E 5TH ST C
Liquor
Temporary and closure of sidewalk within the licensed premise in conjunction with Capital City Pride Celebration on June 9-10, 2007. Pending approval of Building and Fire Departments.

(U) DAWG HOUSE 2301 HUBBELL AVE C
Liquor
Temporary and closure of sidewalk within the licensed premise for Grand Opening Celebration June 9, 2007. Pending approval of Building, Electrical, Fire and Zoning Departments.

(V) HIGH LIFE LOUNGE 200 SW 2ND ST C
Liquor

SPECIAL EVENTS APPLICATIONS

(W) BIG COUNTRY BASH 2201 GEORGE FLAGG PKWY Five (5) Day License

(X) GARDEN 25 E LOCUST ST bridge Five (5) Day License

(Y) HY VEE BG WORLD CUP TRIATHLON 1007 E GRAND AVE (STATE CAPITOL) Five (5) Day License

(Z) RACCOON RIVER BREWING ARTFEST1 1500 LOCUST Five (5) Day License
Booth 1 Class B Beer License in conjunction with Des Moines Arts Festival June 28, 2007 through July 1, 2007. Pending approval of Building, Electrical, Fire and Zoning Departments.
(AA) Raccoon River Brewing Artfest 2
1401 Grand
Five (5) Day License
Booth 2 Class B Beer License in conjunction with Des Moines Arts Festival

(BB) Raccoon River Brewing Artfest 3
1418 Grand
Five (5) Day License
Booth 3 Class B Beer License in conjunction with Des Moines Arts Festival

5. City Clerk to issue Cigarette Licenses.

6. City Clerk to issue Coin Operated Machine Licenses.

PUBLIC IMPROVEMENTS

7. Ordering construction of the following:

(A) ADA Transition Plan Improvements- Phase 1 – Receiving of bids, (7-10-07), and Setting date of hearing, (7-23-07). (Construction Estimate - $361,542).

(Council Communication No. 07-331)

(B) 2007 City-Wide Pavement Restoration Program – Receiving of bids, (6-26-07), and Setting date of hearing, (7-9-07). (Construction Estimate - $159,600).

(Council Communication No. 07-328)

(C) 2007 Designated Neighborhood Sidewalk Replacement – Contract 2 – Receiving of bids, (6-26-07), and Setting date of hearing, (7-9-07). (Construction Estimate - $174,500).

(Council Communication No. 07-329)
8. **Approving** the revised Iowa Department of Transportation Agreement to reallocate funding from the Fleur Trail Connector Project to the American Discovery Trail – Segment 4 Project.

   *(Council Communication No. 07-323)*

9. **Approving** Agreement with MidAmerican Energy Company to replace wood distribution poles with fiberglass poles, install new decorative street and pedestrian lights and reduce the amount of overhead wiring for the Ingersoll Avenue Streetscape – 28th Street to 31st Street, $250,265.

   *(Council Communication No. 07-325)*

10. **Professional** Services Agreement with Howard R. Green Company for construction administration services for the Ingersoll Avenue Streetscape Project – 28th Street to 31st Street, $316,000.

    *(Council Communication No. 07-324)*


12. Accepting completed construction and approving final payment for the following:

    (A) **Des** Moines Asphalt & Paving Co. – Fleur Drive Resurfacing – Railroad Viaduct to M. L. King Jr. Parkway.

    (B) **Elder** Corporation – Easter Lake Drive Turn Lane at Indianola Avenue.

    (C) **Cramer** and Associates, Inc. – 2006 Bridge Repair Program – Contract 1.
SPECIAL ASSESSMENTS

13. **Levying** assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development) Schedule No. 2007-10.

LAND/PROPERTY TRANSACTIONS

14. **Approving** authorization to pursue acquisition of property for future expansion of Glendale and Woodland Cemeteries.

   (Council Communication No. 07-343)

15. **Approving** final subdivision plat entitled Anderson Commercial Park Plat 3 located in vicinity of 5409 SE 14th Street.

   (Council Communication No. 07-330)

16. **Approving** final plat for Douglas Acres Plat Nine located at 4660 NE 31st Street in unincorporated Polk County (within two mile jurisdiction review area).

   (Council Communication No. 07-311)

17. Approving construction period tax abatement for the Nationwide office expansion for the following:

   (A) **1100** Locust Street, (property between Locust and Walnut Street and between 10th and 12th Streets).

   (B) **1200** Locust Street, (property between Locust and Walnut Streets and between 12th and 13th Streets).

   (Council Communication No. 07-313)

18. Approving 2007 Tax Sale Certificate requests for the following:

   (A) **On** vacant lots from Polk County Treasurer at annual auction.

   (Council Communication No. 07-332)

   (B) **Assignment** of Tax Sale Certificates to Greater Des Moines Habitat for Humanity for development of low to moderate-income owner occupied housing.
(Council Communication No. 07-333)

(C)  **On** public nuisance at 1131 28th Street from Polk County Treasurer at annual auction.

(Council Communication No. 07-341)

**BOARDS/COMMISSIONS/NEIGHBORHOODS**

19.  **Communication** from Des Moines Music Commission regarding the new KFMG LP 99.1 FM radio station in Des Moines.

20.  **Approving** appointment of Brian Meyer as regular member to the Metropolitan Planning Organization (MPO) to fill the seat vacated by Archie Brooks.

    (A)  **Appointing** Merrill Stanley as an alternate member to the Des Moines Area Regional Transit (DART) Authority Commission.


22.  Recommendation from Council Member Tom Vlassis to reappoint the following:

    (A)  **Robert** Modersohn III to Seat 8 on the Park and Recreation Board for a four-year term commencing June 30, 2007 to expire June 30, 2011.

    (B)  **Robert** Saf to Seat 4 on the Traffic Safety Committee for a three-year term commencing December 31, 2006 to expire December 31, 2009.

**COMMUNICATIONS FROM PLANNING AND ZONING**

23.  **Regarding** request from Patricia Havel Trust for vacation and abandonment of easement rights for portions of E. Madison Avenue, NE 50th Street and Seneca Avenue.

24.  **Regarding** determining proper assessed values of land and/or structures that contain very valuable billboards and promoting customer service announcements such as Amber Alerts.
SETTING DATE OF HEARINGS

25. **On** vacation and conveyance of a portion of 14th Place from Ascension Street to Keosauqua Way, along with conveyance of an irregular portion of excess Keosauqua Way right-of-way and Ascension Street, west of and adjoining 14th Place to D. Lance Cooper, $5,000, (6-18-07).

26. **On** request from Heritage Corporation, Ltd. to rezone property in vicinity of 2142 Indianola Avenue from “C-1” (Neighborhood Retail Commercial) and “R1-60” (One-Family Low-Density Residential) to “NPC” (Neighborhood Pedestrian Commercial) to allow for mixed-use retail, office and multiple-family residential development, subject to conditions, (6-18-07).

27. **On** request from Conlin Equities, LLC for amendment to River Oaks Centre PUD Conceptual Plan for 6000 Creston Avenue to allow for development of a lot into four three-story 24-unit buildings, one three-story 16-unit building and one single-family dwelling for the manager’s residence, (6-18-07).

28. **On** proposed amendments to Zoning Ordinance to place limitations on electronic signs and off premises advertising signs, (6-18-07).

   *(Council Communication No. 07-340)*

29. **On** approval of Commercial Operator Lease and Agreement with MidAmerica Jet Center for services at the Des Moines International Airport, (6-18-07).

30. Number not used

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

31. **Approving** payment of $441.71 to Hall & Associates for services related to the combined sewer system and combined sewer overflows related to the NPDES Permit.


   (Council Communication No. 07-344)

**APPROVING**

34. **Continuum** of Care Program Application funding to provide needed services to homeless persons in Des Moines and Polk County.

   (Council Communication No. 07-319)

35. **Fiscal** Year 2004 Continuum Of Care (COC) Closeout Certification documents for the House of Mercy Supportive Housing Program Project.

36. **Grant** Agreements with the United States Department of Housing and Urban Development (HUD) for funding of the 2007 HUD Consolidated Plan.

   (Council Communication No. 07-318)


   (Council Communication No. 07-316)

   (A) **Communication** from Neighborhood Revitalization Board.

38. **Agreement** with Summersfield, LLC, regarding the future improvement of NE 46th Street.

   (Council Communication No. 07-342)

39. **Parking** System Management Agreement with Ampco System Parking.

   (Council Communication No. 07-320)

40. **Submittal** of a Multiple Education Pathways Blueprint Grant from the United States Department of Labor.

   (Council Communication No. 07-346)
41. **Long-Term** Disability Insurance coverage with The Hartford Life Group beginning July 1, 2007 through June 30, 2010 with three one-year options to renew.

   (Council Communication No. 07-337)

42. **Facility** Use Agreement on Gray’s Lake Park for Hy-Vee Triathlon.

   (Council Communication No. 07-339)

43. **Amendment** to the FY2005 Law Enforcement Terrorism Prevention Program (LETPP) Grant to change the performance period.

   (Council Communication No. 07-345)

44. **2007** COPS Secure Our Schools Grant Application.

   (Council Communication No. 07-310)

45. **Removal** of sidewalk along Walnut Hill Avenue adjacent to 434 56th Street.

46. Bids from the following:

   (A) **Tough** Solutions for Panasonic laptop computers to replace outdated equipment per State of Iowa Contract for use by the Patrol Division, $104,419.04.

   (B) **Tri** State Companies for two (2) Toro replacement outfront rotary mowers per State of Iowa Department of Transportation Contract for use by the Parks & Recreation Department, $46,823.46.

47. **Authorizing** Finance Director to draw check on registers for the weeks of June 4 and June 11, 2007; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of June 4 and June 11, 2007; and to draw checks for biweekly payroll due June 8, 2007.
ORDINANCES - FIRST CONSIDERATION

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

   (A) Parking Restriction Modifications – 6th Avenue between Walnut Street and Locust Street

   (B) Parking Restrictions Modifications – Grand Avenue, east of 18th Street.

   *(Council Communication No. 07-322)*

49. **Amending** Chapter 74 of the Municipal Code regarding fees at the Brenton Skating Plaza.

   *(Council Communication No. 07-338)*

COUNCIL REQUESTS

50. From Council Member Brian Meyer to discuss an ordinance change regarding temporary 5-day liquor licenses.

COMMUNICATIONS/REPORTS

51. From Michael Rentiers, representing Iowa Youth Leadership Town Hall, requesting to speak regarding support for Iowa Town Hall on global trade issues and the manufacturing and agriculture industry.

*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 52 THRU 61)

52. On leases of city property for parking of vehicles with the following:

   (A) **Storey** Kenworthy Company for use of vacated north/south alley between 3rd and 4th Streets and adjacent to property at 307 Locust.

   (1) **First** consideration of ordinance above.
53. On 10-year lease agreement with Barrett Family Trust for a portion of land abutting 1249 McKinley Avenue, $726.

   (Council Communication No. 07-312)

54. On vacation and conveyance of Elm Street between SW 7th Street and SW 8th Street, and excess West Martin Luther King Jr. Parkway right-of-way, north of Elm Street and between SW 7th Street and SW 8th Street to Hubbell Realty Company, $140,000.

   (Council Communication No. 07-326)

   (A) First consideration of ordinance above.

55. On Sale of City-owned property in vicinity of E. 5th and Walnut Streets to ST Investments, L.L.C., $161,500.

   (A) Approving Development Agreement with ST Investments, L.L.C. for development at East 5th and Walnut Streets.

   (Council Communication No. 07-321)

56. On request from Gregory and Cheri Smith to rezone property at 2750 E. Pine Avenue from “A-1” (Agricultural) to “R1-60” (One-Family Low-Density Residential), to allow subdivision of property for single-family residential development, subject to conditions.

   (A) First consideration of ordinance above.

   (B) Final consideration of ordinance above, (waiver requested by applicant) requires six votes.
57. **Close** the hearing and remand to the Plan and Zoning Commission the request from Vision Fuels Des Moines, LLC, to rezone approx. 165 acres of City-owned property generally located south of the 3801 block of Vandalia Road, from “M-1” (Light Industrial) to “PUD” (Planned Unit Development) and approval of proposed Vision Fuels PUD Conceptual Plan for the redevelopment with Light Industrial and Limited Heavy Industrial uses, including the development and production of renewal fuels such as a dry mill ethanol plant, *(continued from 5-7-07).*

58. **On** request from J.D. Byrider to rezone property at 2426 SE 14th Street from Limited “C-1” (Neighborhood Retail Commercial) to Limited “C-2” (General Retail and Highway Oriented Commercial), to allow development of property for a vehicle display lot, subject to conditions.

   (A) **First** consideration of above.

   (B) **Final** consideration of above, (waiver requested by applicant) requires six votes.


   *(Council Communication No. 07-334)*

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

60. **On** Evelyn K. Davis Park Improvements: Resolution approving plans, specifications, form of contract documents, Engineer’s Estimate and designating lowest responsible bidder as Elder Corporation, (Jared R. Elder II, President), $349,999.99.

   *(Council Communication No. 07-336)*

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

61. **On** Ingersoll Avenue Streetscape Improvements-28th to 29th Streets: Resolution approving plans, specifications, form of contract documents, Engineer’s Estimate and designating lowest responsible bidder as Jasper Construction Services, Inc., (Steven J. Rhoads, President), $578,089.25.
(Council Communication No. 07-335)

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

*** END HEARINGS AT _________ PM ***

APPROVING

62. Setting date of hearing on Proposal to enter into an Urban Renewal Development Agreement with River Point West, LLC for the Riverpoint West Redevelopment Project including the sale of land and inviting competing proposals, (7-9-07).

(Council Communication No. 07-315)

63. Communication from Office of Economic Development regarding preliminary terms of agreement with Opus-001, LLC for development of a mixed-use project to be located at 15th and Walnut Streets.

(Council Communication No. 07-314)

64. Council discussion regarding City Council compensation.

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. Approving negotiation of a Co-Sponsor Agreement with Greater Des Moines Music Coalition to host the 80/35 Summer Music Festival. SPONSOR: Kiernan.

(Council Communication No. 07-348)

2. Approving Agreement with Court Avenue Child Care LLC, owner of the property at 1408 E. Court Avenue, to allow paving of the adjoining north/south alley upon a disputed easement area. SPONSOR: Mayor Cownie.
3. Resolution to authorize payment of legal fees in connection with Central Iowa Employment and Training Consortium. SPONSOR: Mayor Cownie.

4. Approving payment to Carla and Jeff Forcier for settlement of claim as the result of a motor vehicle accident. SPONSOR: Vlassis.

BOARD OF HEALTH

MOTION TO CONVENE.

AUTHORIZING

1. The Legal Department to proceed with court action seeking authority to abate the public nuisance structure at 2835 Capitol Avenue, Titleholder: Wells Fargo Bank, NA. MEMO

MOTION TO ADJOURN AT ________________ P.M.