

DES MOINES CITY COUNCIL MEETING

July 14, 2008
4:30 P.M.

SPECIAL PRESENTATION – 4:15 P.M.

[Recognition](#) of City of Des Moines Employees for their work during the floods of 2008

INVOCATION: Pastor Craig Robertson
Grant Park Christian Church
2440 Capitol Avenue

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 56:

LICENSES AND PERMITS

4. [Approving](#) Alcoholic Beverage License applications for the following:

NEW APPLICATIONS

(A)	JASPER WINERY	2400 GEORGE FLAGG	C Native Wine
(B)	MARINOS ITALIAN REST	4940 FRANKLIN AVE	C Beer/Wine
(C)	MB MART LLC	3000 SW 9TH ST	C Beer
(D)	PRINCIPAL FINANCIAL	600 7TH ST	C Liquor
(E)	SUPER STOP	727 SE 14TH ST	E Liquor

RENEWAL APPLICATIONS

(F)	AH BLANK GOLF COURSE	711 COUNTY LINE ROAD	C Liquor
(G)	AIRPORT HOLIDAY INN	6111 FLEUR DR	B Liquor
(H)	APPLEBEES NEIGHBORHOOD	6301 SE 14TH ST	C Liquor
(I)	APPLEBEES NEIGHBORHOOD	3900 MERLE HAY RD	C Liquor
(J)	CHUCKS RESTAURANT	3608 6TH AVE	C Liquor

(K)	DES MOINES AMVETS POST #2	2818 5TH AVE	C Liquor
(L)	DICKEY DOOGANS	1201 E ARMY POST ROAD	C Liquor
(M)	DOUBLE J'S ROADHOUSE	607 SE 30TH ST	C Liquor
(N)	DRAKE UNIV RATHSKEL	2875 UNIVERSITY AVE	C Liquor
(O)	GIT N GO STORE #26	2140 E PARK AVE	C Beer
(P)	GIT N GO STORE #36	4164 EASTON BLVD	C Beer
(Q)	GIT N GO STORE #7	3000 MERLE HAY RD	C Beer
(R)	LA PIZZA HOUSE	1013 SE 14TH STREET	C Liquor
(S)	LATIN KING RESTAURANT	2200 HUBBELL AVE	C Liquor
(T)	LOCUST TAP	434 E LOCUST ST	C Liquor
(U)	MASTER JACKS	3000 E GRAND AVE	B Beer
(V)	MICHAELS RESTAURANT	4041 URBAN DALE AVE	C Liquor
(W)	OASIS GROCERY & LIQUOR	2917 PAYNE RD	E Liquor
(X)	OLD WEST BARBEQUE	3000 E GRAND AVE	B Beer
(Y)	ORLONDOS	4337 PARK AVE	C Liquor
(Z)	PEOPLES CT/CC TAFT & CO/AK	216 COURT AVE	C Liquor
(AA)	QUIKTRIP #523	850 ARMY POST RD	C Beer
(BB)	SOUTH SIDE LIQUOR & TOBAC	1101 ARMY POST RD	E Liquor
(CC)	STAR BAR	2809 INGERSOLL AVE	C Liquor
(DD)	STOCKMANS INN	3000 E GRAND AVE	B Beer

OUTDOOR SERVICE APPLICATIONS

(EE)	BLAZING SADDLE	416 E 5TH ST	C Liquor
	Temporary outdoor service area in conjunction with East Village Bike Night on July 25, 2008. Pending approval of Building, Electrical and Fire Departments.		
(FF)	BREW HAUS LOUNGE	830 MCKINLEY AVE	C Liquor
	Adding permanent outdoor service area.		
(GG)	BUDDYS CORRAL	418 E 5TH ST	C Liquor
	Temporary outdoor service area in conjunction with East Village Bike Night on July 25, 2008. Pending approval of Building, Electrical and Fire Departments.		
(HH)	CHUCKS RESTAURANT	3608 6TH AVE	C Liquor
	Temporary outdoor service area for Annual Highland Park Sweet Corn Feed on July 26, 2008.		
(II)	LA HACIENDA	900 E ARMY POST RD	C Liquor
	Adding permanent outdoor service area.		
(JJ)	LOCUST TAP	434 E LOCUST ST	C Liquor
	Temporary outdoor service area in conjunction with East Village Bike Night on July 25, 2008.		
(KK)	STROLL INN (THE)	3325 HUBBELL AVE	C Liquor
	Adding permanent outdoor service area.		

SPECIAL EVENT APPLICATIONS

- (LL) BUD TENT 3000 E GRAND AVE B Beer
Fourteen Day License from August 5-18, 2008 for Iowa State Fair.
- (MM) HIGH LIFE LOUNGE BREWFEST 322 SW 3RD ST Five (5) Day License
Class B Beer License for Des Moines Cityview Brewfest on August 2, 2008.
Pending approval of Zoning and Fire Departments.
- (NN) LIFT 222 4TH STREET Five (5) Day License
Class B Beer License for 515 Alive on July 26, 2008. Pending approval of
Building, Electrical, Fire, Vice and Zoning Departments.
- (OO) LIFT 407 COURT AVE BEER GARDEN Five (5) Day License
Class B Beer License for 515 Alive on July 26, 2008. Pending approval of
Building, Electrical, Fire, Vice and Zoning Departments.
- (PP) OVATIONS FOOD SERVICES 900 5TH AVE(VETS PKG) Five (5) Day License
Class C Liquor License for Rib America Festival on July 18-20, 2008. Pending
approval of Building and Fire Departments.
- (QQ) SOCIETY OF ITALIAN AMERICANS 1801 MCKINLEY Five (5) Day License
Class B Beer License for Society of Italian American Festival on July 31, 2008
through August 3, 2008. Pending approval of Building and Fire Departments.
5. [Consideration](#) of Class C Liquor License for Piramidas, 2718 Douglas Avenue. **Zoning Department recommends DENIAL. Recommendation is to approve application.**
6. [City](#) Clerk to issue Cigarette Licenses.

PUBLIC IMPROVEMENTS

7. [Approving](#) Iowa Department of Transportation (IDOT) Change Order No. 1 to Ingersoll Run Phase 2 Storm Sewer outlet, not to exceed \$64,665.83.

([Council Communication No. 08-399](#))
8. Approving Private Construction Contracts for the following:
- (A) [Detrick](#) Excavating Inc. and 1536 Army Post Sackett, LLC for sanitary sewer improvements in 1536 E. Army Post Road.
- (B) [Jordison](#) Construction and LB Properties X. L.L.C. for alley paving improvements in the north/south alley between 9th, 10th, Walnut and Mulberry Streets.

- (C) [Huber](#) Grading, Inc. and Cornerstone Family Church for subgrade preparation improvements in Airport Industrial Park Plat 2.
 - (D) [The](#) Underground Company, Ltd., and Cornerstone Family Church for sanitary and storm sewer improvements in Airport Industrial Park Plat 2.
 - (E) [Manatts](#), Inc. and Cornerstone Family Church for paving improvements in Airport Industrial Park Plat 2.
9. [Communication](#) from Rocky Hurst Construction, Inc. requesting permission to sublet certain items on the 2007 Sidewalk Replacement Program – Contract 2.
10. Accepting completed construction and approving final payment for the following:
- (A) [Cramer](#) and Associates, Inc. – 7th & Grand Parking Garage Beam Repairs.
 - (B) [S. J.](#) Louis Construction, Inc. – Southeast Ridge Trunk Sanitary Sewer-Phase 2A.

SPECIAL ASSESSMENTS

- 11. [Levying](#) assessments for cost of Nuisance Abatement-NAC Emergency Orders (Community Development) for Schedule No. 2008-10.
- 12. [Approving](#) deletion of NAC-Emergency Assessment at 2701 Woodland Avenue.
- 13. [Approving](#) Delinquent Sewer Rental and/or Solid Wastewater/Stormwater Utility Credits for June 2008.

LAND/PROPERTY TRANSACTIONS

- 14. [Accepting](#) real estate documents for traffic signal improvements at Merle Hay Road, north of Douglas Avenue and south of Madison Avenue.
- 15. [Establishing](#) fair market value at 2001 Hubbell Avenue from Union Pacific Railroad Company for the I-235 Dean’s Lake Outlet Sewer Project - Phase 2, \$96,200.

[\(Council Communication No. 08-407\)](#)

- 16. [Authorizing](#) acquisition of additional right-of-way for the widening of 34th Street as part of the Ingersoll Run Storm Sewer – 34th Street to 35th Street Project.

[\(Council Communication No. 08-406\)](#)

17. [Authorization](#) approving partial release of utility easement reservation for a portion of Ingersoll Avenue right-of-way between 17th Street and 18th Street.
18. [Reduction](#) of required security and extension of time for filing of final subdivision plat entitled Airport Industrial Park Plat 2.

[\(Council Communication No. 08-393\)](#)

BOARDS/COMMISSIONS/NEIGHBORHOODS

19. [Recommendation](#) from Mayor Frank Cownie to reappoint Frank Owens to the Neighborhood Revitalization Board, Seat 11 for a three-year term commencing July 1, 2007 to expire July 1, 2010.
20. [Recommendation](#) from Council Member Brian Meyer to appoint Jim Martin to the Plan and Zoning Commission, Seat 14 for a five-year term commencing July 1, 2004 to expire July 1, 2009.
- 20-I. [Recommendation](#) from Council Member At-Large Michael Kiernan to appoint Jacqueline Easley to the Plan and Zoning Commission, Seat 4 for a five-year term commencing July 2, 2007 to expire July 2, 2012.
- 20-II [Recommendation](#) from Council Member At-Large Michael Kiernan to appoint Alberta Finley to the Housing and Appeals Board, Seat 2 for a three-year term commencing March 16, 2006 to expire March 16, 2009.
21. [Recommendation](#) from Council Member Bob Mahaffey to reappoint Neal Westergaard to the Neighborhood Revitalization Board, Seat 8 for a three-year term commencing June 30, 2007 to expire June 30, 2010.
22. [Recommendation](#) from Council Member Tom Vlassis to reappoint Peggy Dandy to the Human Rights Commission, Seat 4 for a three-year term commencing April 4, 2008 to expire April 4, 2011.
23. [Communication](#) from Kaye Lozier advising of her resignation from the Plan and Zoning Commission, Seat 12, effective immediately.
 - (A) [Recommendation](#) from Council Member Christine Hensley to appoint Ted Irvine to the Plan and Zoning Commission, Seat 12 for a five-year term commencing July 5, 2004 to expire July 5, 2009.

23-I. [Communication](#) from Dale Vande Haar advising of his resignation from the Library Board of Trustees, Seat 5, effective immediately.

(A) [Recommendation](#) from Mayor Frank Cownie to appoint Jason Grinstead to the Library Board of Trustees, Seat 5 for a six-year term commencing July 1, 2008 and to expire July 1, 2014.

COMMUNICATIONS FROM PLANNING AND ZONING

24. [Regarding](#) request from Simon Tire Company, 211 E. Walnut Street, to vacate and convey a segment of north/south alley running 122 feet south of E. Walnut Street between E. 2nd Street and E. 3rd Street, subject to conditions.

25. [Regarding](#) request from Flat Fender Properties, L.L.C. for approval of preliminary subdivision plat for “Good Trust Plat 2” at 1556 NE 46th Avenue in unincorporated Polk County within the City’s two mile jurisdiction for subdivision review, to allow division of 3.62 acres into three lots for heavy industrial development, subject to conditions.

SETTING DATE OF HEARINGS

26. [On](#) conveyance of city-owned property, 310 E. Fulton, to R.M. Madden Construction Inc. for infill housing, \$14,299.99, (7-28-08).

27. [On](#) conveyance of city-owned property, 1238 E. 16th Street, to Lab Investment Company, Inc. for infill housing , \$7,560, (7-28-08).

28. [On](#) conveyance of overhead electric line easement across city-owned property, 1615 SE 14th Street, to MidAmerican Energy Company, \$1, (7-28-08).

29. [On](#) conveyance of underground electric line easement across city-owned property west of Robert D Ray Drive to MidAmerican Energy Company, \$1, (7-28-08).

30. [On](#) vacation and conveyance of excess city-owned right-of-way at E. 19th Street and Hubbell Avenue to Kenoyer and Associates, L.L.C, \$2,425, (7-28-08).

31. [On](#) vacation and conveyance of east/west alley adjoining 816 Virginia Avenue to Samuel J. Fucaloro, \$75, (7-28-08).

32. [On](#) request from FHL&R, LLC to rezone property at 1930 SE 6th Street from “C-1” (Neighborhood Retail Commercial) and “R1-60” (One-Family Low-Density Residential) to “C-2” (General Retail and Highway Oriented Commercial), to allow for expansion of existing legal non-conforming tavern use by providing an outdoor area for consumption of alcoholic beverages, (7-28-08). **Plan and Zoning Commission recommends DENIAL.**

33. [On](#) request from 3025 Douglas Ave. Inc. to rezone property at 3025 Douglas Avenue from “C-2” (General Retail and Highway Oriented Commercial) to Limited “M-1” (Light Industrial), (7-28-08). **Plan and Zoning Commission recommends DENIAL.**
34. [On](#) Supplement No. C-2 to the Governmental Lease-Purchase Master Agreement with DeLage Landen Public Finance LLC, to acquire 5 recycling trucks and 40,000 recycling bins, not to exceed \$3,025,000, (7-28-08).

[\(Council Communication No. 08-398\)](#)

35. On amendments to current agreements, extending the scheduled airline operating agreement and terminal building lease at the Des Moines International Airport, through September 30, 2008, for the following, (7-28-08):
 - (A) [Allegiant](#) Air LLC
 - (B) [American](#) Eagle Airlines, Inc.
 - (C) [Comair](#), Inc
 - (D) [ExpressJet](#) Airlines, Inc.
 - (E) [Midwest](#) Airlines, Inc
 - (F) [Northwest](#) Airlines, Inc
 - (G) [United](#) Air Lines, Inc
 - (H) [ABX](#) Air, Inc
 - (I) [United](#) Parcel Service Co.

[\(Council Communication No. 08-417\)](#)

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

36. [Approving](#) payment of \$4,863.90 to Ahlers & Cooney, P.C. for services related to general matters.
37. [Approving](#) payment of \$967.50 to Ahlers & Cooney, P.C. for legal services regarding the Des Moines International Airport.
38. [Approving](#) payment of \$1,055.60 to Ahlers & Cooney, P.C. for services related to the Master Lease Program.
39. [Approving](#) increasing authorized amount for employment of Hall & Associates to provide professional consultation and legal representation services related to the combined sewer overflow and NPDES Permit for the Wastewater Reclamation Facility by \$50,000.

40. [Approving](#) payment of \$210 to Myers & Jenkins Law Firm for representation in the UAL Corporation, ATA Holdings Corp., Delta Air Lines, Inc., et.al. (Comair, Inc.) and Northwest Airlines Corporation, et. al. Bankruptcies.

CITY MANAGER COMMUNICATIONS

41. [Regarding](#) an offer from Louis and Benjamin Zenti dba Central Wire and Iron, 401 SE 4th Street, to purchase real estate in the Guthrie Business Park for construction of a light industrial business.

[\(Council Communication No. 08-415\)](#)

42. [Submitting](#) training requests for Bruce Bergman, Jeff Dawson, Joe A. Gonzalez, Sandra Morris, Kandi Reindl, Kathleen Vanderpool, Anna W. Whipple and Venkata Yarlagadda.

[\(Council Communication No. 08-420\)](#)

APPROVING

43. [Supportive](#) Housing Program (SHP) Renewal Grant Agreement with the United States Department of Housing and Urban Development (HUD).

[\(Council Communication No. 08-395\)](#)

44. [Certification](#) of Local Government Approval for Nonprofit Organizations receiving ESG Funds from State Grantees.

[\(Council Communication No. 08-394\)](#)

45. [Subordination](#), Non-Disturbance and Attornment Agreement with Burger King Corporation for transfer of leasehold interest in the Burger King Restaurant in the Kaleidoscope Mall.

46. [First](#) Amendment to Parking License Agreement with Principal Life Insurance Company for parking spaces in 11th and M.L. King Parking Lot.

[\(Council Communication No. 08-416\)](#)

47. [Sidewalk](#) Café Lease to HFL, LLC dba Johnny’s Hall of Fame, 302 Court Avenue.

[\(Council Communication No. 08-411\)](#)

48. [2008](#) Edward Byrne Memorial Justice Assistance Grant Program for period of October 1, 2007 to September 30, 2011 and Memorandum of Understanding with Polk County.

[\(Council Communication No. 08-409\)](#)

49. [Communication](#) from Downtown Community Alliance for approval of banner design on behalf of the United Way for 26 banners to be displayed in downtown on Walnut Street.

50. [Receipt](#) of Airport Board Regulation No. 08-57 regarding parking fees as part of rates and charges at the Des Moines International Airport.

51. ~~[Annual](#) Renewal Maintenance Agreement with Intergraph Corporation for Police Computer Aided Dispatch and Records Management System, and Mobile Data System software.~~

~~[\(Council Communication No. 08-408\)](#)~~

52. [Purchase](#) of two (2) replacement pumper trucks from Toyne Inc. to be used by the Fire Department, \$924,958.

[\(Council Communication No. 08-392\)](#)

53. Bids for the following:

- (A) [Jerico](#) Services and Smith Fertilizer and Grain for deicing chemicals to be used by Public Works, Street Maintenance Division (cooperative effort with West Des Moines and Waukee), estimated cost \$48,115.50. (Thirteen bids mailed, three received.)

[\(Council Communication No. 08-412\)](#)

- (B) [ESRI](#) for annual maintenance and support for Geographical Information System (GIS) software to be used by the IT Department, \$25,867.33.

[\(Council Communication No. 08-391\)](#)

- ~~(C) [Pool](#) Tech Midwest for pool chlorination chemicals to be used by the Park & Recreation Department, \$52,250.~~

- (D) [Home](#) Depot for building materials and supplies per State of Iowa Contract to be used by various departments, \$110,000.

54. [Civil](#) Service Entrance List for Fleet Services Serviceperson.

55. [Authorizing](#) Finance Director to draw checks on registers for the weeks of July 14 and July 21, 2008; to draw checks for bills of the Des Moines Municipal Housing Agency for the weeks of July 14 and July 21, 2008; and to draw checks for bi-weekly payroll due July 18, 2008.

ORDINANCES - FINAL CONSIDERATION

56. [Amending](#) Chapter 114 of the Municipal Code regarding traffic regulation changes as follows:
- (A) Conversion of existing 2-hour parking meters to 10-hour parking meters-south side of Walnut Street between 14th Street and 15th Street.
 - (B) Code revisions to agree with existing conditions – stop signs at Adams Avenue at 40th Place and Amick Avenue at 40th Place.

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

ORDINANCES - FIRST CONSIDERATION

57. [Amending](#) Chapter 114 of the Municipal Code regarding traffic regulation changes as follows:
- (A) Code Revisions regarding Resident Permit Parking and Special Parking Permits for Special Events and Emergency Restrictions.
 - (B) Request from Drake Area Businesses for removal of parking restrictions near 23rd Street and University Avenue.

[\(Council Communication No. 08-404\)](#)

COMMUNICATIONS/REPORTS

58. ~~[From](#) Rob Parker, 1420 South Union, to speak regarding flooding and a manhole on the south side of the levee near Principal Park.~~

***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 59 THRU 71)

59. [On](#) appeal from Joshua Green, 2525 SW County Line Road, #247, of the Administrative Hearing Officer's decision regarding his dog.
60. Items regarding the Metropolitan Salt Storage Facility:
- (A) [Hearing](#) on plans, specifications, form of contract and estimate of cost of construction of improvements pursuant to agreement with Metro Waste Authority, \$1,161,986.84; and authorization of 28E Agreement with West Des Moines, Urbandale, Johnston, Clive, Windsor Heights, Waukee, Grimes, Pleasant Hill and Metro Waste Authority, for Lease Purchase of facility on Metro Waste Authority property, City of Des Moines' cost of construction not to exceed \$581,818.11 without written amendment.
 - (B) [Approving](#) plans, specification, form of contract and estimate of construction and execution of the 28E Agreement for the lease purchase of the facility with the above entities.
 - (C) [Approving](#) the 28E Agreement with City of West Des Moines, Urbandale, Johnston, Clive, Windsor Heights, Waukee, Grimes and Pleasant Hill for operation and maintenance of the facility.

[\(Council Communication No. 08-414\)](#)

61. Items regarding Merle Hay Commercial Area Urban Renewal Plan and redevelopment of a portion of Merle Hay Mall:
- (A) [Receive](#) and file communication from Plan and Zoning Commission finding the Urban Renewal Plan to be in conformance with the Des Moines 2020 Community Character Plan.
 - (B) [Resolution](#) of Necessity finding the Merle Hay Commercial Area Urban Renewal Area appropriate for designation as an economic development area.
 - (C) [Resolution](#) closing hearing on proposed Merle Hay Commercial Area Urban Renewal Plan and adopting same.

[\(Council Communication No. 08-397\)](#)

- (D) [First](#) consideration of ordinance above.

- (E) [Final](#) consideration of ordinance above, (waiver requested by applicant), requires 6 votes.
- (F) [Resolution](#) approving Urban Renewal Development Agreement with Merle Hay Mall Limited Partnership for redevelopment of a portion of Merle Hay Mall, 3850 Merle Hay Road.

[\(Council Communication No. 08-396\)](#)

62. Items regarding property at 5100 NE 38th Avenue:

- (A) [To](#) amend the Des Moines 2020 Community Character Land Use Plan, to designate the property as Small-Scale Strip Development, Medium Density Residential and Low/Medium Density Residential.
- (B) [Hearing](#) to rezone property from “A-1” (Agricultural) to “PUD” (Planned Unit Development) and approve the Brook Run North PUD Concept Plan.
- (C) [First](#) consideration of ordinance above.
- (D) [Final](#) consideration of ordinance above, (waiver requested by applicant), requires 6 votes.

63. Items regarding property at 605 E. 15th Street, (Imperial Properties Inc.)

- (A) [To](#) amend the Des Moines 2020 Community Character Land Use Plan future land use designation from Low Density Residential to Small-Scale Strip Development.
- (B) [On](#) request to rezone property from “R1-60” (One Family Low-Density Residential) to Limited “C-1” (Neighborhood Retail Commercial) to allow for development for a drive-through restaurant, subject to conditions.
- (C) [First](#) consideration of ordinance above.

64. [On](#) request from Des Moines Medical Center, Inc. to rezone property at 1057 5th Avenue from “C-0” (Commercial Residential) to Limited “C-1” (Neighborhood Retail Commercial) to allow for redevelopment of property with medical offices having commercial architectural character, subject to conditions.

- (A) [First](#) consideration of ordinance above.
- (B) [Final](#) consideration of ordinance above, (waiver requested by applicant), requires 6 votes.

65. [On](#) corrected vacation and conveyance of various segments of right-of-way in the vicinity of 3001 Logan Avenue, to the State of Iowa, to correct and error in the legal description of Parcel A.
- (A) [First](#) consideration of ordinance above.
 - (B) [Final](#) consideration of ordinance above, (waiver requested by Engineering Department), requires 6 votes.
66. Items regarding property at 2713 and 2717 Martin Luther King Jr. Parkway, **and to continue both hearings to August 11, 2008 at 5:00 PM:**
- (A) [On](#) request from Kathleen Kirschbaum, to rezone 2713 Martin Luther King Jr. Parkway from Ltd. “C-2” and “M-3” to Ltd. “M-1”
 - (B) [On](#) request from Steven Cairns, to rezone 2717 Martin Luther King Jr. Parkway from “M-3” to Ltd. “M-1”
67. [On](#) assessment of two \$500 penalties to Alcoholic Beverage License/Permit holders for violation of Iowa Alcoholic Beverage laws.
68. [On](#) 2008 Expanded Street Resurfacing Program – Contract 1: Resolution approving plans, specifications, form of contract documents, Engineer’s Estimate and designating lowest responsible bidder as OMG Midwest, Inc., dba Des Moines Asphalt & Paving, (James Gauger, President), \$863,776.
- [\(Council Communication No. 08-401\)](#)
- (A) [Approving](#) contract and bond, and permission to sublet.
69. [On](#) 2008 HMA Pavement Scarification & Resurfacing: Resolution approving plans, specifications, form of contract documents, Engineer’s Estimate and designating lowest responsible bidder as OMG Midwest, Inc., dba Des Moines Asphalt & Paving, (James Gauger, President), \$835,342.10.
- [\(Council Communication No. 08-400\)](#)
- (A) [Approving](#) contract and bond, and permission to sublet.

70. On Crocker Street at 5th Avenue, 6th Avenue & 7th Street Traffic Signal Installation: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designating lowest responsible bidder as Baker Electric, Inc., (Britt Baker, CEO), \$345,724.53.

[\(Council Communication No. 08-402\)](#)

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

71. On Fleur Drive Planters at Gray's Lake Park: 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), \$330,700.00.

[\(Council Communication No. 08-403\)](#)

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

- (B) Approving Professional Services Supplemental Agreement No. 1 with Calhoun-Burns & Associates for construction phase services, not to exceed \$46,180.20.

[\(Council Communication No. 08-405\)](#)

END HEARINGS AT _____ P.M.

APPROVING

72. Authorizing City Manager to negotiate and execute Agreement for development of a master plan for the Des Moines Botanical Center and grounds, not to exceed \$30,000.

[\(Council Communication No. 08-424\)](#)

73. Single-Stream Recyclables Processing Contract with Mid-America Recycling, LLC.

[\(Council Communication No. 08-413\)](#)

74. Designating Kurt A. Rueckel as the City's authorized representative for Disaster FEMA-1763-DR-IA.

[\(Council Communication No. 08-390\)](#)

75. [Emergency](#) proceedings at various locations for emergency repairs and approval of emergency purchase orders with lowest responsible bidder.

[\(Council Communication No. 08-410\)](#)

76. [Authorization](#) to request Emergency Community Development Block Grant Funds from Iowa Department of Economic Development to be used for a flood buy-out program.

[\(Council Communication No. 08-419\)](#)

77. [Resolution](#) initiating the rezoning of a portion of the River Bend Neighborhood to R1-60 (One-Family Low-Density Residential).

[\(Council Communication No. 08-418\)](#)

- (A) [Request](#) from Jeanne Johnson, 811 Hickman Road, to speak in support of the rezoning.

BOARD OF HEALTH

MOTION TO CONVENE.

AUTHORIZING:

1. [The](#) Legal Department to proceed with court action seeking authority to abate the public nuisance at 1652 Capitol Avenue, Titleholder: Teresa Hesseltine d/b/a Egbert, Inc.

MOTION TO ADJOURN AT _____ P.M.



All-America City
1949 1976 1981 2003