



***** 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 '07-' 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

February 12, 2007 4:30 P.M.

****Musicians from Heibei Province in the People's Republic of China will perform prior to the Council Meeting at 3:30****

PROCLAMATIONS – 4:15 P.M.

Iowa – Heibei, China Awareness Day

INVOCATION: Rev. Tim Diebel
First Christian Church, 2500 University Avenue

07-190 1. **ROLL CALL: Present: Cownie, Coleman, Hensley, Kiernan, Mahaffey, Meyer and Vlassis.**

07-191 2. **APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: Moved by Hensley to adopt. Motion Carried 7-0.**

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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.**

07-192 3. **APPROVING CONSENT AGENDA – items 3 through 60: Moved by Vlassis to adopt the balance of the consent agenda. Motion Carried 7-0.**

LICENSES AND PERMITS

[07-193](#)

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

NEW APPLICATIONS

- (A) BAN THAI RESTAURANT 215 E WALNUT ST C Beer/Wine

RENEWAL APPLICATIONS

- (B) CENTERPLATE 1 LINE DR C Liquor
(C) FAREWAY STORE #900 100 E EUCLID AVE C Beer
(D) FAREWAY STORE #975 3000 SE 22ND ST C Beer
(E) GIT N GO STORE #10 816 E EUCLID AVE C Beer
(F) GIT N GO STORE #28 3274 E UNIVERSITY AVE C Beer
(G) INGERSOLL LIQUOR 3500 INGERSOLL AVE E Liquor
(H) J BENJAMINS 5800 FRANKLIN AVE C Liquor
(I) MARS CAFE 2318 UNIVERSITY AVE C Beer/Wine
(J) QUIKTRIP #501 2221 E EUCLID AVE C Beer
(K) SHANGRI LA BUFFET 4349 MERLE HAY ROAD B Beer
(L) SOUTHPORT SPORTS BAR 1101 ARMY POST RD C Liquor
(M) THAI FLAVORS 1254 E 14TH ST C Beer/Wine
(N) TOBACCO OUTLET PLUS #503 400 EUCLID AVENUE C Beer

[07-194](#)

5. [City](#) Clerk to issue Cigarette Licenses. **Moved by Vlassis to adopt. Motion Carried 7-0. 1. Nays: Cownie.**

[07-195](#)

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

PUBLIC IMPROVEMENTS

7. Ordering construction of the following: **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-196](#)

- (A) [Center](#) Street Pedestrian Bridge (Riverwalk) – Receiving of bids (IDOT), (2-20-07), and Setting date of hearing, (3-12-07). (Construction Estimate - \$12,490,000) ([Council Communication No. 07-056](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-197](#)

- (B) McKinley Avenue Widening & Signalization at SE 5th Street, - Receiving of bids, (2-27-07), and Setting date of hearing, (3-12-07). (Construction Estimate - \$1,397,580) ([Council Communication No. 07-058](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

Carried 7-0.

- [07-198](#) (C) [Northwest](#) Community Center Park Shelter - Receiving of bids, (2-27-07), and Set date of hearing, (3-12-07). (Construction Estimate - \$120,000). ([Council Communication No. 07-077](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-199](#) (D) [2007](#) Aquatic Center Shade Structures - Receiving of bids, (2-27-07), and Setting of hearing, (3-12-07). (Construction Estimate - \$44,600). ([Council Communication No. 07-076](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-200](#) 8. [Approving](#) Iowa Department of Transportation Agreement for Crocker Street at Avenue, 6th Avenue, and 7th Street Traffic Signal Installation. ([Council Communication No. 07-050](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-201](#) 9. [Approving](#) Iowa Department of Transportation Agreement for Traffic Signal Visibility Improvements on S.W. 9th Street at Park and Bell Avenues. ([Council Communication No. 07-052](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-202](#) 10. [Approving](#) Professional Services Agreement with 360 Architecture, Inc. for design and construction phase services for Skywalk Bridges 11D-12D, 12th and Walnut & 11C-12th and Mulberry, not to exceed \$311,350. ([Council Communication No. 07-051](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [07-203](#) 11. [Approving](#) Professional Services Supplemental Agreement No. 1 with Durrant Group, Inc. for design and construction phase services for Blank Park Zoo Snow Monkey Holding Safari Grill Buildings, not to exceed \$19,000. ([Council Communication No. 07-053](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-204](#) 12. [Approving](#) Professional Services Supplemental Agreement No. 1 with Douglas H. Hensley Landscape Architect, Inc. for additional engineering services for the Ingersoll Avenue Streetscape Project, not to exceed \$99,000. ([Council Communication No. 07-054](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-205](#) 13. [Approving](#) Professional Services Agreement with Larson Architecture, LLC for design and construction phase services for the M.L. King Jr. Park Shelter and Congregate Meal Shelter, not to exceed \$78,716. ([Council Communication No. 07-057](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-206](#) 14. [Communication](#) from L-M Venture Corporation, Inc. requesting permission to submit certain items on the Local Flood Protection Levee Closures public improvement project. **Moved by Vlassis to adopt. Motion Carried 7-0.**
15. Accepting completed construction and approving payment for the following:
- [07-207](#) (A) [Sheets](#) Excavating, Ltd. – SW 9th Street and County Line Road Intersection. **Moved by Vlassis to adopt. Motion Carried 7-0.**

- [07-208](#) (B) [Kingston](#) Environmental Services, Inc. – Brooks & Logan Community Centers C Floor Removal. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-209](#) (C) [Russell](#) Construction Co., Inc. – Ashby Park Water Playground. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-210](#) (D) [Visu-Sewer](#) Clean & Seal, Inc. – 2004 Sanitary Sewer Lining Program – Contract. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-211](#) (E) [J. Pettiecord](#) Inc. – Botanical Center and Police Station Underground Fuel Tank. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-212](#) (F) [The Underground](#) Company, Ltd. – 2006 Sanitary Sewer Repair Program. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-213](#) (G) [Rocky](#) Hurst Construction – Crivaro Park Redevelopment – Phase 2. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-214](#) (H) [The](#) Underground Company, Ltd. – Leetown Creekway Wooden Box Replacement Phase 3. **Moved by Vlassis to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [07-215](#) 16. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Order (Community Development) for Schedule No. 2007-02. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-216](#) 17. [Approving](#) deletion of NAC-Emergency Assessments at 1104 26th Street. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-217](#) 18. [Approving](#) Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility Credits January 2007. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-218](#) 19. [Approving](#) Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility Fees January 2007. **Moved by Vlassis to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [07-219](#) 20. [Real](#) estate documents for transfer of property at 2001 De Wolf Street in the Gut Avenue Business Park from 2001 Partnership, LLC to City of Des Moines, \$1. ([Council Communication No. 07-083](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-220](#) 21. [Approving](#) acceptance of Avigation and Hazard Easement for the property at 4707 F Drive for redevelopment of a Hy-Vee Grocery Store and gas station. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-221](#) 22. [Approving](#) filing of a Partial Release of Judgment Lien in Polk County District Court to release judgments of titles of properties at 1807 10th Street, 1321 10th Street, 2 Woodland, 1913 Jefferson, and 1620 Franklin and retaining the judgments per request of Estate of Edward Moss and Susan Moss. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-222](#) 23. [Approving](#) Acquisition Plan for the Forest Avenue Urban Renewal Project, 2200 Block Forest Avenue. ([Council Communication No. 07-080](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-223](#) (A) [Authorizing](#) acquisition by eminent domain of property at 1408 22nd Street, (requiring **5 affirmative votes**). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-224](#) (B) [Authorizing](#) acquisition by eminent domain of property at 1405 23rd Street. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-225](#) (C) [Authorizing](#) acquisition by eminent domain of property at 2201 Forest Avenue. **Moved by Vlassis to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [07-226](#) 24. [Recommendation](#) from Council Member Brian Meyer to appoint Wade Allan Bassford to Seat 7 on the Des Moines Music Commission for a three-year term commencing July 1, 2005 to expire July 1, 2008. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-227](#) 25. [Approving](#) appointments to the E911 Service Board. **Moved by Vlassis to approve. Motion Carried 7-0.**
- [07-228](#) 26. [23rd](#) Boards and Commissions Appreciation Dinner to be held on Thursday, May 10, 2007.

6:30 P.M. at the Airport Holiday Inn, 6111 Fleur Drive. **Moved by Vlassis to approve Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [07-229](#) 27. [Regarding](#) request from East Village Court, LLC, for vacation and conveyance of surf rights over a segment of E. 3rd Street adjoining property at 301 E. Court Avenue to allow for installation of wheelchair ramp entrance along west side of structure, subject to conditions. **Moved by Vlassis to receive and file, and to refer to the City Manager for further processing in accordance with standard City property disposition procedures. Motion Carried 7-0.**
- [07-230](#) 28. [Regarding](#) request from Northern Warren Fire and Emergency Response Agency for vacation and conveyance of portion of Army Post Road right-of-way adjoining property at 6304 SW 7th Street, subject to conditions. **Moved by Vlassis to receive and file, and to refer to the City Manager for further processing in accordance with standard City property disposition procedures. Motion Carried 7-0.**
- [07-231](#) 29. [Regarding](#) request from ResCare, Inc. for vacation and conveyance of air rights within 10 feet of the south and west facades of existing building on property at 600 E. Grand Avenue to allow for installation of four 2nd floor bay windows, subject to conditions. **Moved by Vlassis to receive and file, and to refer to the City Manager for further processing in accordance with standard City property disposition procedures. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [07-232](#) 30. [On](#) conveyance of City-owned property at 1417 12th Street, acquired by tax deed from Greater Des Moines Habitat for Humanity, \$800, (2-26-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-233](#) 31. [On](#) vacation and conveyance of parcel of property in Ewing Park, south of Fire Station Number, 10 to Bloomfield United Methodist Church, \$15,000, (2-26-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-234](#) 32. [On](#) request from Donald Walsmith to rezone property at 121 12th Street from “C-3” (Central Business District Support Commercial) to “C-3” (Central Business District Support Commercial) to allow conversion of portion of the building to a live performance venue, subject to conditions, (2-26-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-235](#) 33. [On](#) request from Silver Oak Enterprises, LLC for a Fourth Amendment to the Carrington Estates PUD Conceptual Plan defining development for property at 5800 SE 24th Street, immediately northeast of intersection of Indianola Avenue and E. Payton Avenue to allow

for development of 76 ranch row townhome units, subject to conditions, (2-26-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**

34. On Amendments to the Scheduled Airline Operating Agreements and Terminal Building Leases at the Des Moines International Airport to extend to June 30, 2008, (2-26-07) follows:

[07-236](#) (A) [ExpressJet](#) Airlines, Inc., d/b/a Continental Express. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-237](#) (B) [MESA](#) Airlines, Inc. d/b/a U.S. Airways. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-238](#) (C) [Northwest](#) Airlines, Inc. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-239](#) (D) [United](#) Air Lines, Inc. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-240](#) 35. **On** Amendment to current Operating Agreement with Federal Express Corporation extending their scheduled cargo airline at the Des Moines International Airport until June 30, 2008, (2-26-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-241](#) 36. **On** amendment to the Annual Budget for current fiscal year ending June 30, 2007, (2-26-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-242](#) (A) **On** proposed Annual Budget for fiscal year ending June 30, 2008, (2-26-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-243](#) 37. **On** issuance of not to exceed \$40,000,000 Aviation System Revenue Refunding Capital Loan Notes, (3-12-07). ([Council Communication No. 07-085](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-244](#) 38. **On** issuance of not to exceed \$5,000,000 General Obligation Refunding Bonds, (for essential corporate purpose) for refunding and refinancing of General Obligation Bonds Taxable Series 1999B, (2-26-07). ([Council Communication No. 07-064](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-245](#) 39. **On** vacation and conveyance of the north/south alley between E. 9th and Wright Street extending from E. Hull Avenue to E. Tiffin Avenue, to adjoining property owners, \$4,600,000 (2-26-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [07-246](#) 40. [Approving](#) payment of \$11,246.80 to Ahlers & Cooney, P.C. for services related to Se 2006D Stormwater Management Utility Revenue Bonds. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-247](#) 41. [Approving](#) payment of \$447.98 to Ahlers & Cooney, P.C. for services related Supplement No. B5 of the Master Lease Program. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-248](#) 42. [Approving](#) payment of \$3,573.20 to Myers & Jenkins for representation in the U Corporation, ATA Holdings Corp., Delta Air Lines, Inc., et.al. (Comair, Inc.) Northwest Airlines Corporation, et.al. bankruptcies. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-249](#) 43. [Approving](#) payment of \$49,156.08 to Michele Mills for a worker's compensation claim. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-250](#) 44. [Approving](#) additional payments of \$3,369 to Family Homes Development, and \$4,664 to Pro Dry Emergency Water Removal for property damage claims as the result of sewer backups. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-251](#) 45. [Approving](#) additional payment of \$8,073.95 to Progressive Insurance Company, Subro of Shannon Evers for property damage claim as the result of an auto accident. **Moved by Vlassis to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- [07-252](#) 46. [Submitting](#) out-of-state travel requests for David McDermott II, Ralph Penley, Mike Kr Mary Neiderbach (2), Greg Clark, Joe Giudicessi, Alycia Peterson, Jason Shediway, I Gallardo, Stewart Drake, Richard Brown, and Kathy Kahoun. ([Council Communication No. 07-084](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

APPROVING

- [07-253](#) 47. [Execution](#) of HOME contract documents with Community Housing Initiatives, Inc. renovation of low-income rental housing. ([Council Communication No. 07-081](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-254](#) 48. [Modifications](#) and update of HOME documents for Esther Hall a/k/a Hawthorne Hill, Pleasant with Chestnut Hills Limited Partnership. ([Council Communication No. 07-081](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

- [07-255](#) 49. [Community](#) Services Block Grant (CSBG) Contract (Community Action Plan) with Iowa Department of Human Rights/Division of Community Action Agencies for 2006-2007 CSBG Program Year for provision of community services to low-income persons from October 1, 2006 through September 30, 2007. ([Council Communication No. 07-074](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-256](#) 50. [Extension](#) of the deadline for satisfaction of conditions precedent in accordance with terms of purchase agreement with Hubbell Realty Company for excess property in vicinity of Martin Luther King Jr. Parkway and High Street. ([Council Communication No. 07-074](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-257](#) 51. [Directing](#) advertisement for sale of \$4,675,000 General Obligation Refunding Bonds, Taxable Series 2007A, (a special Council Meeting will be held at 4:30 PM on **Wednesday, August 2-28-07** to award the sale). **Moved by Vlassis to adopt. Motion Carried 7-0.**
52. Authorizing execution of contracts between the City of Des Moines Human Rights Commission and the Iowa Civil Rights Commission for the following: ([Council Communication No. 07-074](#))
- [07-258](#) (A) [Cooperative](#) Agreement. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-259](#) (B) [Memorandum](#) of Understanding. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-260](#) 53. [Grant](#) application through the Governor's Traffic Safety Bureau (GTSB) to provide overtime and equipment for officers to have the ability to focus on OWI drivers, from August 1 through September 30, 2007. ([Council Communication No. 07-046](#)) **Moved by Vlassis to approve. Motion Carried 7-0.**
- [07-261](#) 54. [Receipt](#) of 2006 Polk County Assessor Annual Report. **Moved by Vlassis to receive and file report. Motion Carried 7-0.**
- [07-262](#) 55. [City](#) of Des Moines Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2006. **Moved by Vlassis to receive and file report. Motion Carried 7-0.**
56. Bids from the following:
- [07-263](#) (A) [TMC](#) Auto Body per State of Iowa Contract CT1965-26 for additional auto body repair services during fiscal year 2007, \$25,000. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-264](#) (B) [Johnson](#) Controls to overhaul the chiller at City Hall, \$42,287. (Eight bids mailed)

two received.) **Moved by Vlassis to defer to the 2-26-07 City Council meeting**
Motion Carried 7-0.

- [07-265](#) (C) [Various](#) vendors for fire fighting supplies to be used by the Fire Department \$128,683.64. (Ten bids mailed, nine received.) **Moved by Vlassis to adopt**
Motion Carried 7-0.
- [07-266](#) 57. [Receipt](#) of Legislative Update of the 82nd General Assembly. **Moved by Vlassis to receive**
and file the report. Motion Carried 7-0.
- [07-267](#) 58. [Civil](#) Service Entrance Lists for Housing Services Application Specialist and Street
Maintenance Supervisor. **Moved by Vlassis to receive and file. Motion Carried 7-0.**
- [07-268](#) 59. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of February
February 12, and February 19, 2007; to draw checks for the bills of the [Des Moines](#)
[Municipal Housing Agency](#) for the weeks of February 5, February 12, and February
2007; and to draw checks for bi-weekly payroll due February 16, 2007. **Moved by Vlassis**
to adopt. Motion Carried 7-0.

ORDINANCES - FINAL CONSIDERATION

- [07-269](#) 60. [Amending](#) Chapter 114 of the Municipal Code regarding traffic regulation changes
follows: **Moved by Vlassis that this ordinance do now pass, #14,627. #14,627.**
[Ordinance Summary](#) **Motion Carried 7-0.**
- (A) Removal of Parking Restriction due to I-235 Construction – north side of Crook
Street, west of 31st.
- (B) Provisions for Bus Loading at St. Anthony's School, 15 Indianola Avenue.
- (C) Parking Restriction – west side of Knob Hill Drive from Timber Lane to the dead
south.
- (D) Parking Restriction – east side of 31st Street from the cul-de-sac to south of Carpe
Avenue.
- (E) Request for Stop Signs, E. Jefferson Avenue at E. 22nd Street.
- (F) Parking Restriction – both sides of Grandview Avenue from the dead end east of
42nd Street.
- (G) Parking Restriction – north side of Gannett Avenue from SW 28th Street, west to
dead end.
- (H) Parking Meters in the 9th and Locust Parking Garage – change in hours of operation.

- (I) Loading Zone and Installation of Parking Meters – south side of E. Grand Avenue west of E. 4th Street.

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

Council considered Hearing Items 67 thru 69 next

ORDINANCES - FIRST CONSIDERATION

- [07-270](#) 61. Establishing the Ingersoll Avenue Self-Supported Municipal Improvement District (SSMID), and providing for the establishment of a capital improvement and operation fund, and levy of an annual tax. ([Council Communication No. 07-067](#)) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-0. Mayor Cownie declares a conflict of interest and abstains from voting.**
- [07-271](#) (A) Final consideration of ordinance above, (waiver requested by City Manager), requires 6 votes. **Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to 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, #14,600. Motion Carried 6-0. Mayor Cownie declares a conflict of interest and abstains from voting.**
- [07-272](#) 62. Amending Chapter 74 of the Municipal Code regarding ball diamond fees. ([Council Communication No. 07-065](#)) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [07-273](#) 63. Amending Chapter 114 of the Municipal Code submitting traffic regulation changes as follows: ([Council Communication No. 07-054](#)) **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- (A) Parking Restriction to facilitate Movement of Solid Waste Vehicle – south and west sides of Parmer Drive within the cul-de-sac at Fairlane Drive.
- (B) Parking Restrictions within the Meredith Neighborhood Association Boundaries.
- (C) Snow Route Changes due to street changes within I-235 Construction.
- (D) One-sided parking Restrictions – Summersfield Plat 1.
- (E) One-sided Parking Restriction – Brook Run Village Plat 12.

- [07-274](#) 64. **From** Council Member Tom Vlassis to speak regarding digital billboards. **Moved by Vlassis to receive and file. Motion Carried 7-0.**
- [07-275](#) (A) **Resolution** establishing a temporary moratorium on new off-premises advertising signs with electronic displays. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-276](#) (B) Discussion regarding billboards in Des Moines. **Moved by Vlassis to refer to City Manager and City Attorney to come back with a report in 120 days regarding amortizing out of billboards in Des Moines, and any financial impact. Motion Carried 7-0.**

Council considered Items 70 thru end of agenda next

COMMUNICATIONS/REPORTS

WITHDRAWN

- [07-277](#) ~~65. **Request** from David Brooks, 621 49th Street, to speak regarding establishing “no parking” in the 600 block of 49th Street between Woodland and Waterbury Rd.~~

WITHDRAWN

- [07-278](#) ~~66. **From** Gerald LaBlanc, 8912 N.E. 46th Avenue, Altoona, to speak regarding proposed closing of Iowa Lutheran Hospital.~~

HEARINGS (OPEN AT 5:12 P.M.) (ITEMS 67 THRU 69)

67. Items regarding approximately 217 acres of property at 3930 SE 72nd Avenue, unincorporated Polk County, Mid-America Real Estate Co.:
- [07-279](#) (A) **To** amend the Des Moines 2020 Community Character Land Use Plan future land use designation from Agricultural to Commercial Auto-Oriented Small-Scale Single-Family Development, Medium Density Residential, Low Density Residential, and Public/Semi-Public, subject to approval of the annexation. **Moved by Coleman to adopt. Motion Carried 6-1. Nays: Meyer.**
- [07-280](#) (B) **Hearing** on rezoning of the property from “A-1” (Agricultural) to “PUD” (Planned Unit Development). **Moved by Coleman to adopt and approve the rezoning ordinance. Motion Carried 6-1. Nays: Meyer.**
- [07-281](#) (C) **First** consideration of ordinance above. **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Nays: Meyer.**

WITHDRAWN

[07-282](#) (D) ~~[Final](#) consideration of ordinance above, (waiver requested by applicant).~~

[07-283](#) (E) [On](#) request for Voluntary Annexation. ([Council Communication No. 07-007](#)) **Moved by Coleman to continue the public hearing on the annexation until 2-07, at 5:00 P.M., in the Council Chambers. Motion Carried 6-1. Nays: Mey**

[07-284](#) 68. [On](#) 12th Street Storm Sewer – Cherry to High Streets: Resolution approving plans, specifications, form of contract documents, and Engineer’s Estimate and designating lowest responsible bidder as The Underground Company, Ltd., (Duane Burkhardt, President), \$2,228,690.10. ([Council Communication No. 07-059](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-285](#) (A) [Approving](#) contract and bond, and permission to sublet.) **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-286](#) 69. [On](#) Birdland Swimming Pool Buildings Exterior Replacement: Resolution approving plans, specifications, form of contract documents, Engineer’s Estimate and designating lowest responsible bidder as Western Waterproofing Co., Inc., (William Bishop, President), \$52,589. ([Council Communication No. 07-060](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**

[07-287](#) (A) [Approving](#) contract and bond. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

END HEARINGS AT 5:29 P.M.

APPROVING

[07-288](#) 70. [Urban](#) Renewal Development Agreement with High Land Co., L.C., and approving proposed Conceptual Development Plan. ([Council Communication No. 07-061](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-289](#) 71. [Loan](#) Agreement with Court Avenue Ventures, L.L.P. for improvements related to restaurant development at 4th Street and Court Avenue, \$350,000 ([Council Communication No. 07-079](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-290](#) 72. [Extension](#) of time to comply with residency requirement for Rudolph Simms, Jr. until September 30, 2007. **Moved by Coleman to adopt. Motion Carried 7-0.**

[07-291](#) 73. [Summary](#) of Bidding/Contracting Process Changes for construction of public improvements, February 2007. ([Council Communication No. 07-062](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

Kiernan to adopt. Motion Carried 7-0.

- [07-292](#) 74. [Intergovernmental](#) 28E Agreement with Iowa Homeland Security and Emergency Management Division for Des Moines Police Bomb Squad's Participation as a Member of Iowa's Bomb Squad Task Force Program. ([Council Communication No. 07-049](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [07-293](#) 75. [Intergovernmental](#) 28E Agreement with Iowa Homeland Security and Emergency Management Division for Metro Special Tactics and Response (S.T.A.R.) Team participation as a member of Iowa's WMD Tactical Officers Task Force Program. ([Council Communication No. 07-048](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [07-294](#) 76. [Memorandum](#) of Understanding with Polk County in support of the Metro Special Tactics and Response (S.T.A.R.) Team. ([Council Communication No. 07-047](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [07-295](#) 77. [Intergovernmental](#) 28E Agreement with Metropolitan Advisory Council (MAC) member communities, for funding and implementation of Homeland Security Services. ([Council Communication No. 07-068](#)) **Moved by Kiernan to adopt; refer to the City Manager to continue cost sharing discussions with Polk County. Motion Carried 7-0.**

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.

- [07-296](#) 1. [Approving](#) recommendation from Mayor Cownie for appointment of the 2007 Mayor's Term. **Moved by Vlassis to appoint Council Member Michael Kiernan. Motion Carried 7-0.**

BOARD OF HEALTH

- [07-297](#) MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene a meeting of the Board of Health. Motion Carried 7-0.**

AUTHORIZING

1. The Legal Department to proceed with court action seeking authority to abate the pu

nuisance structures at the following addresses:

[07-298](#)

(A) [1538](#) Des Moines Street, Titleholder: Imperial Properties, Inc. **Moved by Coleman to adopt. Motion Carried 7-0.**

[07-299](#)

1. (B) [3722](#) Garfield Avenue, Titleholder: Bankers Trust Company of California, Inc. **Moved by Coleman to adopt. Motion Carried 7-0.**

[07-300](#)

(C) [1237](#) McCormick Street, Titleholder: Central States Conference Corporation of Seven-Day Adventists. **Moved by Coleman to adopt. Motion Carried 7-0.**

[07-301](#)

(D) [1355](#) Pennsylvania Avenue, Titleholder: William L. Gilliam. **Moved by Coleman to adopt. Motion Carried 7-0.**

[07-302](#)

(E) [907](#) 40th Place (garage), Titleholders: George W. Bergeson and Sara Melha Bergeson; Mortgage Holders: Wells Fargo Bank, NA, Mortgage Electronic Registration Systems, Inc. and First Franklin, a Division of National City Bank. **Moved by Coleman to adopt. Motion Carried 7-0.**

[07-303](#)

2. [The](#) release of the fire escrow account held by Leuwerke & Associates, Inc. regarding fire damage at 449 E. Granger. **Moved by Coleman to adopt. Motion Carried 7-0.**

COMMUNICATION

[07-304](#)

3. [Regarding](#) demolition cost reserve held by Allied Insurance, under claim number 14T06234 for the structure located at 816 E. 25th Street. **Moved by Hensley to receive and file and to direct that Corporation Counsel bring legal action within one hundred eighty days of receipt of notice if owners have not demolished or renovated structure. Motion Carried 7-0.**

[07-305](#)

MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 6:10 P.M. Motion Carried 7-0.**

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