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

April 23, 2007 4:30 P.M.

#### PROCLAMATIONS - 4:15 P.M.

Arbor Day

Strong and Healthy Families Month

#### INVOCATION:
Council Member Tom Vlassis

07-717 1. ROLL CALL: Present: Cownie, Coleman, Hensley, Kiernan, Mahaffey, Meyer and Vlassis.

07-718 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: Moved by Kiernan 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.

07-719 3. APPROVING CONSENT AGENDA – items 3 through 48: Moved by Hensley to adopt the balance of the consent agenda. Motion Carried 7-0.
4. **Approving** Alcoholic Beverage License Applications for the following: Moved Hensley to adopt. Motion Carried 7-0.

**NEW APPLICATIONS**

(A) DUBAYS 1229 25TH ST C Liquor
(B) KELLEYS ON BEAVER 3606 BEAVER AVE C Liquor
(C) NEW SIAGON CAFE 1541 6TH AVE B Beer
(D) RIVERBEND TRADING COMPANY 208 COUR TF AVE C Beer
(E) SANDS VOLLEYBALL CLUB 6214 GRAND AVE C Liquor
(F) SHORTSTOP #38 3501 E 14TH ST B Wine
(G) SHORTSTOP #42 3725 BEAVER AVE B Wine
(H) SHORTYS 208 COURT AVE C Liquor
(I) SOUTHSIDE PIZZA & PUB 4249 FLEUR DR C Liquor
(J) VILLAGE MARKET 325 E 5TH ST C Beer/Wine

**RENEWAL APPLICATIONS**

(K) 14TH STREET TAVERN 3418 E 14TH ST C Liquor
(L) ALL IN THE FAMILY LOUNGE 4413 FLEUR DR C Liquor
(M) BOURBON ST 500 ARMY POST RD C Liquor
(N) CENTRAL GRILL 2734 DOUGLAS AVE B Beer
(O) DES MOINES ART CENTER REST 4700 GRAND AVENUE C Liquor
(P) DES MOINES YACHT CLUB 2617 INGERSOLL AVE C Liquor
(Q) FAMOUS DAVES 4351 MERLE HAY RD C Liquor
(R) GENES PLACE 2117 E UNIVERSITY AVE C Liquor
(S) H & A MINI MART 5901 FLEUR DR C Beer
(T) KRUEGERS AMOCO #2 630 SW 9TH ST C Beer
(U) KUM & GO #114 2919 E 14TH ST C Beer
(V) KUM & GO #120 101 ARMY POST RD C Beer
(W) KUM & GO #142 4140 PARK AVE C Beer
(X) KUM & GO #743 3733 EASTON BLVD C Beer
(Y) LA TAPATIA 1440 DES MOINES ST E Liquor
(Z) LAST STOP BEVERAGE SHOP 2839 E UNIVERSITY AVE E Liquor
(AA) NEW ORIENTAL FOOD STORE 515 E GRAND AVE C Beer
(BB) PHO HA DAO 1521 2ND AVE C Beer/Wine
(CC) QUIKTRIP #515 1421 INGERSOLL AVE C Beer
(DD) SHOP N SAVE #3 1829 6TH AVE C Beer
(EE) SNACO 3000 SW 9TH ST C Beer
(FF) VIC & ANDYS PUB 5114 SW 9TH STREET C Liquor

**OUTDOOR SERVICE AREA APPLICATIONS**

(GG) DOUBLE DEUCE 2222 FOREST AVE C Liquor

Temporary outdoor service area for Drake Relays effective April 25, 2007 through
April 30, 2007. Pending approval of Building, Electrical and Fire Departments.

**SPECIAL EVENT APPLICATIONS**

(HH) DRAKE UNIVERSITY 1319 30TH ST C Beer/Wine
Five-day License for Drake Relays at Hubbell Hall, Kool Beans effective April 24, 2007 to April 28, 2007. Pending approval of Building and Fire Departments.

(II) DRAKE UNIVERSITY-ALUMNI TENT 2830 FOREST AVE B Beer
Five-day License for Drake Relays effective April 24, 2007 to April 28, 2007. Pending approval of Building and Fire Departments.

(JJ) DRAKE UNIVERSITY-OLD MAIN 2507 UNIVERSITY Ave C Beer/Wine
Five-day License for Drake Relays effective April 24, 2007 to April 28, 2007. Pending approval of Building and Fire Departments.

07-721 5. City Clerk to issue Coin Operated Machine Licenses. Moved by Hensley to adopt. Motion Carried 7-0.

**PUBLIC IMPROVEMENTS**

6. Ordering construction of the following:

07-722 (A) 2007 Expanded Street Resurfacing Program – Contract 2 – Receiving of bids, (5-8-07), and Setting date of hearing, (5-21-07). (Construction Estimate - $1,108,500.80). (Council Communication No. 07-231) Moved by Hensley to adopt. Motion Carried 7-0.

07-723 (B) 3400/3500 E. 14th Street Storm Sewer Repairs – Receiving of bids, (5-8-07), and Setting date of hearing, (5-21-07). (Construction Estimate - $109,425). (Council Communication No. 07-230) Moved by Hensley to adopt. Motion Carried 7-0.

07-724 (C) Pennsylvania Avenue and Filmore Street Traffic Signal Installation – Receiving of bids, (5-8-07), and Setting date of hearing, (5-21-07). (Construction Estimate - $80,000). (Council Communication No. 07-229) Moved by Hensley to adopt. Motion Carried 7-0.

07-725 7. Approving Professional Services Agreement with Calhoun-Burns & Associates, Inc. for the City-Wide Bridge Evaluation-2007, $89,800. (Council Communication No. 07-228) Moved by Hensley to adopt. Motion Carried 7-0.

07-726 8. Communication from contractors requesting permission to sublet certain items on 12th Street Storm Sewer-Cherry to High Streets, and Blank Park Zoo Snow Monkey Hold and Safari Grill Building public improvement projects. Moved by Hensley to adopt.
Motion Carried 7-0.

9. Approving completion and recommending acceptance of private construction contracts for the following:

07-727 (A) Paving Improvements, Three Lakes Estates Plat 6, between Sternquist Construction Inc. and Erickson Development, Inc. Moved by Hensley to adopt. Motion Carried 7-0.

07-728 (B) Sanitary Sewer Improvements, Three Lakes Estates Plat 6, between Van Hauen & Associates, Inc. and Erickson Development, Inc. Moved by Hensley to adopt. Motion Carried 7-0.

07-729 (C) Storm Sewer Improvements, Three Lakes Estates Plat 6, between Van Hauen & Associates, Inc. and Erickson Development, Inc. Moved by Hensley to adopt. Motion Carried 7-0.

07-730 (D) Sanitary Sewer Improvements, Three Lakes Estates Plat 6, between Van Hauen & Associates, Inc. and Erickson Development, Inc. Moved by Hensley to adopt. Motion Carried 7-0.

07-731 (E) Sanitary Sewer Improvements, NE 46th Street, south of Hubbell Avenue, between Schroeder/Leverington, Inc. and Southeast Polk Community School District. Moved by Hensley to adopt. Motion Carried 7-0.

07-732 (F) Street Improvements, Walker Street School, 1421 Walker Street, between P.G. Construction Inc. and Des Moines Independent Community School District. Moved by Hensley to adopt. Motion Carried 7-0.

07-733 10. Accepting completed construction and approving final payment for Iowa Signal, Inc. - 2nd Avenue Traffic Signal Improvements at Douglas & Madison Avenues. Moved by Hensley to adopt. Motion Carried 7-0.

SPECIAL ASSESSMENTS

07-734 11. Levying assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development) Schedule No. 2007-08. Moved by Hensley to adopt. Motion Carried 7-0.

07-735 12. Levying Deficiency Assessments Schedule No. 2007-37. Moved by Hensley to adopt. Motion Carried 7-0.

07-736 13. Approving Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility Fees for March 2007. Moved by Hensley to adopt. Motion Carried 7-0.
07-737  (A) **Approving** Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility Credits for March 2007. **Moved by Hensley to adopt. Motion Carried 7-0.**

**LAND/PROPERTY TRANSACTIONS**

07-738  14. **Establishing** fair market value and authorizing acquisition of various properties for the Forest Avenue Urban Renewal Project by gift, negotiation or condemnation. (*Council Communication No. 07-226*) **Moved by Hensley to adopt. Motion Carried 6-0.**

07-739  15. **Approving** Tax Abatement application for the additional value added by improvements at 4411 SE 14th Street. (*Council Communication No. 07-241*) **Moved by Hensley to adopt, with the tax abatement to be applied prospectively. Motion Carried 7-0.**

07-740  16. **Approving** Tax Abatement applications for additional value added by improvements made during 2005 at 3201 E. 52nd Street. (*Council Communication No. 07-219*) **Moved by Hensley to adopt, with the tax abatement to be applied prospectively. Motion Carried 7-0.**

07-741  17. **Approving** Tax Abatement applications for additional value added by improvements completed in 2005 and 2006 at 3400 3rd Street and 2809 Brockway Drive. (*Council Communication No. 07-242*) **Moved by Hensley to adopt, and to request that the Polk County Assessor apply the tax abatement retroactively commencing with the taxes payable in FY 2008/09 upon the value existing on January 1, 2007. Motion Carried 7-0.**

**BOARDS/COMMISSIONS/NEIGHBORHOODS**

07-742  18. **Recommendation** from Mayor Frank Cownie to appoint Peter Rounds to the Civil Service Commission, Seat 6, for a four-year term commencing April 1, 2007 to expire April 1, 2011. **Moved by Hensley to adopt. Motion Carried 7-0.**

07-743  19. **Recommendation** from Council Member Christine Hensley to appoint Robert Gainer to the Housing Appeals Board, Seat 6, to fill an unexpired term commencing March 16, 2005 to expire March 16, 2008. **Moved by Hensley to adopt. Motion Carried 7-0.**

07-744  20. **Communication** from Rudy Simms, Human Rights Director advising of the resignation of Lisa Dlouhy from the Human Rights Commission, Seat 2, effective immediately. **Moved by Hensley to receive, file, and accept Ms. Dlouhy’s resignation with appreciation for her years of service. Motion Carried 7-0.**

07-745  (A) **Communication** from Council Member Michael Kiernan to appoint Som Baccam to the Human Rights Commission, Seat 2, for a three-year term commencing April 1, 2006 to expire April 1, 2009. **Moved by Hensley to adopt. Motion Carried 7-0.**
21. **Recommendation** from Mayor Frank Cownie to reappoint Sachiko Murphy to the Sister Cities Commission, Seat 3, for a five-year term commencing April 28, 2007 to expire April 28, 2012. **Moved by Hensley to adopt. Motion Carried 7-0.**

22. **Recommendation** from Council Member Robert Mahaffey to reappoint Richard Bason to the Housing Appeals Board, Seat 5, for a three-year term commencing March 16, 2007 to expire March 16, 2010. **Moved by Hensley to adopt. Motion Carried 7-0.**

23. **Communication** from Barry Morton advising of his resignation from the Housing Appeals Board, Seat 6, effective April 15, 2007. **Moved by Hensley to receive, file, and accept Mr. Morton’s resignation with appreciation for his many years of service. Motion Carried 7-0.**

**COMMUNICATIONS FROM PLANNING AND ZONING**

24. **Regarding** request from Silver Oak Enterprises, LLC for review and approval of a preliminary subdivision plat for “Carman Estates Plat 6”, 5800 SE 24th Street, to allow for division of 12.6 acres of property into 76 lots, for ranch row townhome units and a common lot for surrounding land serving the development. **Moved by Hensley to receive and file. Motion Carried 7-0.**

**SETTING DATE OF HEARINGS**

25. **On** vacation and conveyance of north/south alley between 8th Street and 9th Street from Crocker to Center Street and a portion of 9th Street right-of-way between Crocker and Center Street to Principal Life Insurance Company, $58,750, (5-7-07). **Moved by Hensley to adopt. Motion Carried 7-0.**

26. **On** vacation and conveyance of 8th Street right-of-way between Center Street and Park Street to Principal Life Insurance Company, $108,895, (5-7-07). **Moved by Hensley to adopt. Motion Carried 7-0.**

27. **On** vacation and conveyance of Market Street right-of-way between SW 7th Street and SW 8th Street to Employers Mutual Casualty Company, $85,608, (5-7-07). **Moved by Hensley to adopt. Motion Carried 7-0.**

28. **On** rezoning of 2025 E. Grand Avenue, (Eastside Boxing Club), from “C-1” (Neighborhood Retail Commercial) and “R1-60” (One-Family Low-Density Residential) to “C-2” (General Retail and Highway Oriented Commercial), (5-7-07). **Moved by Hensley to adopt. Motion Carried 7-0.**

29. **On** request from Vision Fuels Des Moines, LLC, to rezone approx. 165 acres of City-owned property generally located south of 3801 block of Vandalia Road, from “M
(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, (5-7-07). Moved by Hensley to adopt. Motion Carried 7-0.

07-755 30. On request from Tai Village, to rezone approx. 0.35 acres of City property in the vicinity of 4200 ML King Jr. Parkway, to “PUD” and for approval of an amended PUD Conceptual Plan entitled Tai Village at Sawyer’s Landing, for approx 84 acres to develop a village for the Tai Dam cultural community to include 12 units of single-family housing, a Tai cultural palace, a Tai museum, sustainable agricultural gardens, an ancestral shrine, Native American meditation area and an internal network of trails with shelters at various activity nodes, (5-7-07). Moved by Hensley to adopt. Motion Carried 7-0.

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

07-756 31. Approving payment of $576.98 to Enterprise Rent-A-Car Company for claim of Amanda Sammon as the result of auto damage by a City garbage truck. Moved by Hensley to adopt. Motion Carried 7-0.

CITY MANAGER COMMUNICATIONS

07-757 32. Submitting travel requests for Robert Clock and Brian Mathis. (Council Communication No. 07-220) Moved by Hensley to adopt. Motion Carried 7-0.

APPROVING

07-758 33. Request For Proposals (RFP) for Underwriting Services on issuance of General Airport Revenue Bonds. (Council Communication No. 07-215) Moved by Hensley to adopt. Motion Carried 7-0.

07-759 34. Amendment to Community Attraction and Tourism (CAT) Grant Agreement for Principal Park Stadium Improvements for extension of time to make grant disbursements to August 31, 2007. (Council Communication No. 07-222) Moved by Hensley to adopt. Motion Carried 7-0.

07-760 35. Professional Services Contract with ETC Institute for the development and implementation of the 2007 Resident Satisfaction Survey, $21,105. (Council Communication No. 07-214) Moved by Hensley to adopt. Motion Carried 7-0.

07-761 36. Parking License Agreement with Principal Insurance Company for 11th Street and M...
King Jr. Parkway Park and Ride Lot and authorizing City Manager to negotiate Memorandum of Understanding with Des Moines Area Regional Transit (DART) for shuttle bus service. (Council Communication No. 07-221) Moved by Hensley to adopt. Motion Carried 7-0.

07-762 37. Execution of a Metropolitan Medical Response System (“MMRS”) Grant and designating the Chief of the Fire Department as authorized representative for purposes of administering the “MMRS” Grant. (Council Communication No. 07-207) Moved by Hensley to adopt. Motion Carried 7-0.

07-763 38. Application for United States Department of Homeland Security Assistance To Firefighters Grant, $29,540. (Council Communication No. 07-243) Moved by Hensley to adopt. Motion Carried 7-0.

07-764 39. Termination of Lease Agreement with South Des Moines Little League for use of Irving Stone Park Baseball Field. (Council Communication No. 07-237) Moved by Hensley to adopt. Motion Carried 7-0.

07-765 40. Termination of Lease Agreement with South Des Moines Girls Amateur Softball Association (SDMGASASA) for use of Carney Park Softball Fields. (Council Communication No. 07-236) Moved by Hensley to adopt. Motion Carried 7-0.

07-766 41. Lease of farmland, in vicinity of SE 22nd Street and Hartford Avenue, to Dennis Steyffler and Vince Overton for the 2007 and 2008 growing seasons, $12,384.50 annually. (Council Communication No. 07-228) Moved by Hensley to adopt. Motion Carried 7-0.

07-767 42. Receive and file Quarterly Treasurer’s Report as of March 31, 2007. Moved by Hensley to receive and file. Motion Carried 7-0.

07-768 43. Receipt of Airport Board Regulation No. 07-54 regarding rates and charges at the Des Moines International Airport. Moved by Hensley to adopt. Motion Carried 7-0.

07-769 44. Exception to procurement ordinance competitive bidding requirements for good cause approving a contract with Carpenter Uniform & Promotional Products for uniform services for the Fire Department, $65,000. (Council Communication No. 07-234) Moved by Hensley to adopt. Motion Carried 7-0.

07-770 45. Exception to procurement ordinance competitive bidding requirements for State of Iowa contract purchase of Microsoft Software Products and Services from Software Spectrum, $1,036,276. (Council Communication No. 07-240) Moved by Hensley to adopt. Motion Carried 7-0.

46. Bids from the following:


07-771 (A) General Traffic Controls Inc. for various traffic signal poles for use at the intersections of Penn & Filmore and at University near 29th Street, $31,203. (Eight bids mailed, two received). Moved by Hensley to adopt. Motion Carried 7-0.

07-772 46. (B) Keck Inc. for annual agreement renewable for two (2) additional twelve (12) month periods to furnish fuel products for use by the Equipment Maintenance Center and other departments. (Six bids mailed, three received). Moved by Hensley to adopt. Motion Carried 7-0.

07-773 (C) Bituminous Materials & Supply for annual agreement renewable for two (2) additional twelve (12) month periods to furnish emulsified asphalt materials to be used by Street Maintenance Division, $300,000. (Two bids mailed, one received). (Council Communication No. 07-216) Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Hensley.

07-774 (D) Norwalk Ready Mixed Concrete, Liberty Ready Mix, CTI Ready Mix and American Concrete Products as primary and secondary suppliers for annual agreements with two (2) additional one year renewal options to furnish Portland cement concrete products, $1,200,000 annually. (Six bids mailed, four received). Moved by Hensley to adopt. Motion Carried 7-0.

07-775 (E) Durham Communications for non-competitive procurement of mobile data radio equipment to use with the City’s existing mobile data system, $29,705. Moved by Hensley to adopt. Motion Carried 7-0.

07-776 (F) Tough Solutions for Panasonic laptop computers per State of Iowa Contract for use by Neighborhood Based Service Delivery Officers, $25,638.24. Moved by Hensley to adopt. Motion Carried 7-0.

07-777 47. Civil Service Promotional List for Police Lieutenant and Entrance List for Labor Analyst II. Moved by Hensley to receive and file. Motion Carried 7-0.

07-778 48. Authorizing Finance Director to draw checks on registers for the weeks of April 23, April 30; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of April 23 and April 30, 2007; and to draw checks for biweekly payroll due April 27, 2007. Moved by Hensley to adopt. Motion Carried 7-0.

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

ORDINANCES - FIRST CONSIDERATION

07-779 49. Amending Chapter 60 of the Municipal Code regarding Housing Code. Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 7-0.

07-780 (A) Amending the Schedule of Fees and the Schedule of Administrative Penalties, sub
to final approval of the ordinance. (Council Communication No. 07-245) Moved by Vlassis to adopt. Motion Carried 7-0.

**Council considered Items 49 and 50 next**

COMMUNICATIONS/REPORTS

07-781  50. From David Harkin, 535 E. Army Post Road, requesting relief from the temporary moratorium on off-premises advertising signs and electronic displays. Moved by Vlassis to receive and file comments. Motion Carried 7-0.

WITHDRAWN

(A) Resolution to grant requested relief.

07-782  (B) Alternate Motion: To grant requested relief to this and to all similar signs. Moved by Vlassis to adopt and approve the waiver, and to amend the temporary moratorium initially imposed on February 12, 2007, by Roll Call No. 07-275, to exempt all electronic signs no larger than 12 square feet in size. Motion Carried 7-0.

**Council considered Items 63 next**

INFORMAL HEARINGS (OPEN AT 5:21 P.M.) (ITEMS 51 THRU 52)

07-783  51. On proposed additional property tax relief plan for use of Project Destiny local option sales tax proceeds. Moved by Coleman to adopt. Motion Carried 7-0.

07-784  (A) Approving form of ballot proposition. (Council Communication No. 07-217) Moved by Coleman to adopt. Motion Carried 7-0.

07-785  52. On mobile vending (ice cream trucks) on City streets. (Council Communication No. 07-235) Moved by Vlassis to receive and file comments and refer to City Manager to report back to Council at a later date with additional information regarding ice cream vendors and laws regulating all mobile vendors. Motion Carried 7-0.

HEARINGS (OPEN AT 6:33 P.M.) (ITEMS 53 THRU 62)

07-786  53. On appeal from Shawntell Rogers, 1602 Wilson Avenue, regarding recommended denial of a Limousine License. Moved by Hensley to refer to Legal Department and Traffic and Transportation Division to provide additional background information; applicant to provide a letter of employment for review at the May 7, 2007 Council Meeting. Motion Carried 5-2. Nays: Meyer and Vlassis.
54. Items regarding 3930 SE 72nd Avenue, Mid-America Real Estate Co. (continued from March 26, 2007 meeting):

07-787  (A) Hearing on voluntary annexation of property. Moved by Meyer to adopt. Motion Carried 7-0.

07-788  (B) Second consideration of ordinance rezoning the property from “A-1” (Agricultural) to “PUD” (Planned Unit Development). Moved by Meyer that this ordinance be considered and given second vote for passage. Motion Carried 7-0.

07-789  (C) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. (Council Communication No. 07-239) Moved by Meyer that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that ordinance do now pass, #14,643. Motion Carried 7-0.

55. On the following General Obligation Bonds: (Council Communication No. 07-218)

07-790  (A) On issuance of not to exceed $13,600,000 for Essential Corporate Purposes. Moved by Coleman to adopt. Motion Carried 7-0.

07-791  (1) Authorization for additional action. Moved by Coleman to adopt. Motion Carried 7-0.

07-792  (B) On issuance of not to exceed $15,355,000 for Urban Renewal Purposes. Moved by Hensley to adopt. Motion Carried 7-0.

07-793  (1) Authorization for additional action. Moved by Hensley to adopt. Motion Carried 7-0.

07-794  (C) On issuance of not to exceed $610,000 for General Corporate Purposes. Moved by Vlassis to adopt. Motion Carried 7-0.

07-795  (1) Authorization for additional action. Moved by Vlassis to adopt. Motion Carried 7-0.

07-796  (D) On issuance of not to exceed $770,000 for General Corporate Purposes. Moved by Hensley to adopt. Motion Carried 7-0.

07-797  (1) Authorization for additional action. Moved by Hensley to adopt. Motion Carried 7-0.
(E) **On** issuance of not to exceed $820,000 for General Corporate Purposes. **Moved by Vlassis to adopt. Motion Carried 7-0.**

(1) **Authorization** for additional action. **Moved by Vlassis to adopt. Motion Carried 7-0.**

(F) **On** issuance of not to exceed $950,000 for General Corporate Purposes. **Moved by Vlassis to adopt. Motion Carried 7-0.**

(1) **Authorization** for additional action. **Moved by Vlassis to adopt. Motion Carried 7-0.**

(G) **On** issuance of not to exceed $765,000 for General Corporate Purposes. **Moved by Hensley to adopt. Motion Carried 7-0.**

(1) **Authorization** for additional action. **Moved by Hensley to adopt. Motion Carried 7-0.**

(H) **On** issuance of not to exceed $760,000 for General Corporate Purposes. **Moved by Kiernan to adopt. Motion Carried 7-0.**

(1) **Authorization** for additional action. **Moved by Kiernan to adopt. Motion Carried 7-0.**

56. **On** request from City Engineer, to vacate various street rights-of-way in the vicinity of SE 34th to SE 37th and Granger Avenue. **Moved by Meyer to adopt. Motion Carried 7-0.**

(A) **First** consideration of ordinance above. **Moved by Meyer that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

(B) **Final** consideration of ordinance above, (waiver requested by City Engineer), requires 6 votes. **Moved by Meyer that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the 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, #14,644. Motion Carried 7-0.**

57. **On** vacation and conveyance of encroachment easement adjoining 301 East Court Avenue to East Village Court, LLC, $395. **(Council Communication No. 07-225) Moved by Meyer to adopt. Motion Carried 7-0.**

(A) **First** consideration of ordinance above. **Moved by Meyer that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

(B) **Final** consideration of ordinance above, (waiver requested by applicant), requires
votes. Moved by Meyer that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the 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, #14,645. Motion Carried 7-0.

07-812 58. On vacation of conveyance of north 25 feet of Army Post Road right-of-way adjoining 6304 SW 7th Street to Touch and Go, LLC, $3,500. (Council Communication No. 07-224) Moved by Meyer to adopt. Motion Carried 7-0.

07-813 07-813 (A) First consideration of ordinance above. Moved by Meyer that this ordinance be considered and given first vote for passage. Motion Carried 7-0.

07-814 58. (B) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. Moved by Meyer that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the 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, #14,646. Motion Carried 7-0.

07-815 59. On conveyance of overhead electric line easement across city-owned property adjoining 5701 Park Avenue to MidAmerican Energy Company, $1. Moved by Hensley to adopt. Motion Carried 7-0.

07-816 60. On Amendment to current Operating Agreement with American Eagle Airlines Inc. extending their scheduled Airline Operating Agreement and Terminal Building lease at the Des Moines International Airport until June 30, 2008. (Council Communication No. 07-238) Moved by Hensley to adopt. Motion Carried 7-0.

07-817 61. On 2007 Box Sewer Rehabilitation Program: Resolution approving plans, specifications, form of contract documents, Engineer’s Estimate and designating lowest responsible bidder as Proshot Concrete, Inc., (Timothy McDougle, President), $351,431. (Council Communication No. 07-232) Moved by Kiernan to adopt. Motion Carried 7-0.

07-818 62. On SW 9th Street at Bell and Park Avenues Traffic Signal Modifications: Resolution approving plans, specifications, form of contract documents, Engineer’s Estimate and designating lowest responsible bidder as Iowa Signal Inc., (Wayne Lesley, President), $146,562.62. (Council Communication No. 07-233) Moved by Hensley to adopt. Motion Carried 7-0.

07-819 07-819 (A) Approving contract and bond and permission to sublet. Moved by Hensley to adopt. Motion Carried 7-0.

**END HEARINGS AT 7:30 P.M.**
APPROVING

07-820  63.  **Contract** with i2Inc/Choice Pointe for Law Enforcement Intelligence Database, (continued from April 9, 2007 meeting).  (Council Communication No. 07-244) Moved by Coleman to adopt. Motion Carried 6-1. Pass: Kiernan.

  **Council considered Hearing Items 51 thru 62 and balance of the agenda next**

07-821  64.  **Sponsorship** Agreement with Toyota of Des Moines to support Park and Recreation Programs.  (Council Communication No. 07-227) Moved by Coleman to adopt. Motion Carried 7-0.

07-822  65.  **Zoo** expansion and new County Park Land Transfer Agreement between the City of Des Moines, Polk County Conservation Board, Polk County, and Blank Park Zoo Foundation Inc.  (Council Communication No. 07-246) Moved by Meyer to adopt. Motion Carried 7-0.

BOARD OF HEALTH

07-823  **MOTION TO CONVENE.**  Moved by Vlassis that the City Council adjourn and convene as a Board of Health. Motion Carried 7-0.

AUTHORIZED

1.  The Legal Department to proceed with court action seeking authority to abate the public nuisance structures at the following addresses:

07-824  (A)  **1528 E. 13th Street,** Titleholder: Centex Home Equity Corporation. Moved by Vlassis to adopt. Motion Carried 7-0.

07-825  (B)  **1400 60th Street,** Titleholder: Stephen Parker. Moved by Vlassis to adopt. Motion Carried 7-0.

07-826  **MOTION TO ADJOURN.**  Moved by Vlassis to adjourn at 7:32 P.M. Motion Carried 7-0.

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