



*** 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 '10-' 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 26, 2010 4:30 PM

JOINT MEETING WITH POLK COUNTY – 3:00 PM

SPECIAL PRESENTATIONS – 4:00 PM

Historic East Village Inc. Neighborhood Recognition

PROCLAMATIONS

Arbor Day

Fair Housing Month

- [10-572](#) 1. ROLL CALL: **Present: Cownie, Coleman, Griess, Hensley, Mahaffey, Meyer and Moore.**
- [10-573](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-574](#) 3. APPROVING CONSENT AGENDA * – items 3 through 45: **Moved by Coleman to adopt the balance of the consent agenda. Motion Carried 7-0.**

***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.**

LICENSES AND PERMITS

[10-575](#)

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

NEW APPLICATIONS

(A)	BASIL PROSPERI	407 E 5TH ST	B Wine
(B)	THIRSTY SPORTSMAN	4808 SW 9TH ST	C Liquor

RENEWAL APPLICATIONS

(C)	14TH STREET TAVERN	3418 E 14TH ST	C Liquor
(D)	ALL IN THE FAMILY LOUNGE	4413 FLEUR DR	C Liquor
(E)	BARATTAS RESTAURANT	2320 S UNION ST	C Liquor
(F)	BOURBON ST	500 ARMY POST RD	C Liquor
(G)	CAFE BARATTA'S	600 E LOCUST ST	C Liquor
(H)	COURT SIDE ENTERTAINMENT	1014 E 14TH ST	C Liquor
(I)	DES MOINES SOCIAL CLUB	1408 LOCUST ST	C Liquor
(J)	DES MOINES YACHT CLUB	2617 INGERSOLL	C Liquor
(K)	GRAND PIANO BISTRO	506 E GRAND AVE	C Liquor
(L)	KELLEYS ON BEAVER	3606 BEAVER AVE	C Liquor
(M)	KUM & GO #120	101 ARMY POST RD	C Beer
(N)	KUNG FU TAP & TACO	210 INDIANOLA	C Liquor
(O)	OLYMPIC FLAME	514 E GRAND AVE	C Beer/Wine
(P)	PARTY COVE	204 3RD ST	C Liquor
(Q)	QUIKTRIP #515	1421 INGERSOLL	C Beer

SPECIAL EVENTS APPLICATIONS

(R) DOS RIOS 420 COURT AVE Five (5) Day License
Class C Liquor License for Cinco De Mayo event on May 8, 2010 at the 420 Court Avenue parking lot. Pending approval of Building, Electrical, Fire, Vice and Zoning Departments.

(S) DOS RIOS 1717 INGERSOLL Five (5) Day License
Class C Liquor License for Des Moines Art Center's Art and Ends Preview Sale on April 30, 2010. Pending approval of Building, Electrical, Fire, Vice and Zoning Departments.

(T) DOS RIOS 400 LOCUST ST Five (5) Day License
Special Class C Liquor License (Beer/Wine) for Teacher's Appreciation Celebration on May 6, 2010. Pending approval of Building, Electrical, Fire, Vice and Zoning Departments.

[10-576](#)

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

PUBLIC IMPROVEMENTS

6. Ordering construction of the following:

- [10-577](#) (A) [High](#) Street Realignment – 10th Street to 14th Street – Phase 3: Receiving of bids, (5-11-10), and Setting date of hearing, (5-24-10). (Construction Estimate - \$531,298). ([Council Communication No. 10-223](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [10-578](#) (B) [Police](#) Department Metro Star Building Improvements: Receiving of bids, (5-11-10), and Setting date of hearing, (5-24-10). (Construction Estimate - \$358,200). ([Council Communication No. 10-226](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [10-579](#) (C) [Riverwalk](#)-North of Armory Building: Receiving of bids, (5-11-10), and Setting date of hearing, (5-24-10). (Construction Estimate - \$1,386,901). ([Council Communication No. 10-224](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [10-580](#) (D) [2010](#) ADA Sidewalk Ramp Program: Receiving of bids, (5-11-10), and Setting date of hearing, (5-24-10). (Construction Estimate - \$199,275). ([Council Communication No. 10-225](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

- [10-581](#) 7. [Approving](#) and authorizing execution of Iowa Department of Transportation (IDOT) Agreement for Waveland Trail – Phase 2. ([Council Communication No. 10-218](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

8. Approving items regarding Deans Lake Phase 2 Project:

- [10-582](#) (A) [Iowa](#) Department of Transportation (IDOT) preconstruction agreement for Deans Lake Outfall along Union Pacific Railroad. ([Council Communication No. 10-217](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [10-583](#) (B) [Supplemental](#) Agreement No. 2 to I-235 Deans Lake Outlet Sewer Professional Services Agreement with Veenstra & Kimm, Inc. to perform construction phase services, not to exceed \$261,098.05. ([Council Communication No. 10-216](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

- [10-584](#) 9. [Approving](#) Private Construction Contract between Kenyon Construction, Inc. and Casey's Marketing Company for storm sewer improvements in 6120 Douglas Avenue, \$91,680. **Moved by Coleman to adopt. Motion Carried 7-0.**

10. Accepting completed construction and approving final payment for the following

[10-585](#)

(A) [MPS](#) Engineers, P.C. – 2009 Designated Neighborhood Sidewalk Replacement Program. **Moved by Coleman to adopt. Motion Carried 7-0.**

[10-586](#)

(B) [Van](#) Hauen & Associates, Inc. – Ingersoll Run Storm Sewer – 34th Street to 35th Street. **Moved by Coleman to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

[10-587](#)

11. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development) Schedule No. 2010-05. **Moved by Coleman to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

[10-588](#)

12. [Approving](#) first modification of offer to purchase real estate between Sutton Hill Residential Cooperative and the City for excess City-owned property adjoining 2080 King Avenue. **Moved by Coleman to adopt. Motion Carried 7-0.**

[10-589](#)

13. [Release](#) of PUD Restoration Bond in the amount of \$108,915 from Conlin Equities, LLC, Traveler's Casualty and Surety Company of America for Deer Ridge V River Oaks Centre development in the vicinity of 6000 Creston Avenue. ([Council Communication No. 10-206](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

[10-590](#)

14. [Ratifying](#) Community Development Block Grant (CDBG) Hazard Mitigation Grant Program match for property acquisition contracts with Iowa Department of Economic Development and approving and authorizing contract amendments. ([Council Communication No. 10-219](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

[10-591](#)

15. [Recognition](#) of Historic East Village, Inc. as a recognized neighborhood association. ([Council Communication No. 10-210](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

[10-592](#)

16. [Recommendation](#) from Council Member Brian Meyer to reappoint Mack Morgan to the Housing Appeals Board, Seat 7, for a three-year term commencing March 26, 2010 to expire March 16, 2013. **Moved by Coleman to adopt. Motion Carried 7-0.**

17. Recommendations from the following for reappointments to the Citizen Odor Board:

- [10-593](#) (A) [Council](#) Member Halley Griess – Judi Isaacson, Seat 3, for a three-year term commencing April 1, 2009 to expire April 1, 2012. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [10-594](#) (B) [Council](#) Member Bob Mahaffey – Carolyn Mehl, Seat 5, for a three-year term commencing April 1, 2010 to expire April 1, 2013. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [10-595](#) (C) [Council](#) Member Brian Meyer – Keith Mehl, Seat 6, for a three-year term commencing April 1, 2010 to expire April 1, 2013. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [10-596](#) (D) [Mayor](#) T.M. Franklin Cownie – Ida Miles, Seat 1, for a three-year term commencing April 1, 2009 to expire April 1, 2012. **Moved by Coleman to adopt. Motion Carried 7-0.**

WITHDRAWN

- [10-597](#) 18. ~~Appointments to Wastewater Reclamation Authority (WRA).~~
- [10-598](#) 19. [Reappointments](#) to Des Moines Area Regional Transit Authority (DART). **Moved by Coleman to adopt. Motion Carried 7-0.**
- [10-599](#) 20. [Communication](#) from Council Member Christine Hensley advising of her resignation from the Metropolitan Planning Organization (MPO), effective immediately. **Moved by Coleman to receive, file and accept resignation with appreciation for her service. Motion Carried 7-0.**
- [10-600](#) (A) [Reappointment](#) of Merrill Stanley to the Metropolitan Planning Organization (MPO), changing Alternate Member, Seat 18 to Regular Member, Seat 2, effective immediately. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [10-601](#) 21. [Communication](#) from Emily Naylor advising of her resignation from the Urban Design Review Board, Seat 8, effective immediately. **Moved by Coleman to receive, file and accept resignation with appreciation for her service. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [10-602](#) 22. [Regarding](#) request to vacate Boyd Street from E. 14th Street to a dead end point 328 feet to the East, subject to conditions. **Moved by Coleman to receive and file and refer to the Engineering Department, Real Estate Division. Motion Carried 6-0. Council Member Mahaffey declares a conflict of interest and abstains from voting.**

SETTING DATE OF HEARINGS

- [10-603](#) 23. [On](#) conveyance of excess City-owned property adjoining 3211 Delaware Avenue to DDSM, LLC, \$14,880, (5-10-10). **Moved by Coleman to adopt. Motion Carried 7-0.**
- [10-604](#) 24. [On](#) request from Sutton Hill Residential Cooperative to rezone 2080 King Avenue from “R-6” (Planned Residential Development) and “R1-80” (One-Family Residential) to “PUD” (Planned Unit Development), subject to conditions, (5-10-10). **Moved by Coleman to adopt. Motion Carried 7-0.**
- [10-605](#) 25. [On](#) request from Grand View University to rezone property in the vicinity of 2901 E. 14th Street, 1410 Morton and 2613 Idaho Street from R1-60 (One-Family Low-Density Residential) to PUD (Planned Unit Development) and 1417 Hull Avenue owned by Virginia Plummer from C-2 (General Retail and Highway Oriented Commercial) to PUD (Planned Unit Development), subject to conditions, (5-10-10). **Moved by Coleman to adopt. Motion Carried 6-0. Council Member Mahaffey declares a conflict of interest and abstains from voting.**
- [10-606](#) 26. [On](#) Scheduled Airline Operating Agreement and Terminal Building Lease with Fly Branson Travel LLC d/b/a Branson Airexpress, (5-10-10). **Moved by Coleman to adopt. Motion Carried 7-0.**
- [10-607](#) 27. [On](#) proposed Urban Renewal/Tax Increment Finance (TIF) Plan for NE Economic Development District Urban Renewal Area, (6-14-10). ([Council Communication No. 10-233](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

28. Approving payment of workers’ compensation claims for the following:
- [10-608](#) (A) [Donald](#) Sloss, \$40,677.10. **Moved by Moore to adopt. Motion Carried 7-0.**
- [10-609](#) (B) [Wayne](#) Frederes, \$23,973.99. **Moved by Moore to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- [10-610](#) 29. [Submitting](#) travel and training request for Angela Dierenfeld and Garey Bryan. ([Council Communication No. 10-232](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

APPROVING

- [10-611](#) 30. [Supportive](#) Housing Program (SHP) New Grant Agreement with United States Department of Housing and Urban Development (HUD) for a grant award of \$250,787 2008 SHP funding for YMCA Permanent Housing Program. ([Council Communication No. 10-205](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [10-612](#) 31. [Community](#) Development Block Grant (CDBG) Budget Adjustment for Community Development Department, Neighborhood Conservation Services Division in order to provide rehabilitation funding for viable rental projects and extend commitments to homebuyer and homeowner rehabilitation programs until 12-31-2011. ([Council Communication No. 10-207](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [10-613](#) 32. [State](#) of Iowa Office of Energy Independence (OEI) Energy Efficiency and Conservation Block Grant (EECBG) funding of \$185,000 for retrofitting 87 light fixtures along M. L. King Jr. Pkwy. from Ingersoll to SW 16th Street and upgrading and expanding current Global Control Module. ([Council Communication No. 10-235](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [10-614](#) (A) [Setting](#) date of hearing on issuance of not to exceed \$110,000 General Obligation Bonds (for a General Corporate Purpose), (5-10-10). ([Council Communication No. 10-237](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [10-615](#) 33. [Amendments](#) correcting Urban Renewal Development Agreement with ND 25 SW 5th LLC for renovation of 328 SW 5th Street. ([Council Communication No. 10-211](#)) **Moved by Coleman to adopt and approve the proposed amendments to the Urban Renewal Development Agreement and the Declaration of Covenants between the City of Des Moines, Iowa and ND 25 SW 5th, LLC. Motion Carried 7-0.**
- [10-616](#) 34. [Lease](#) with Mark Bernard and Kimberly Irene Smith for Pioneer Park residence at 1602 Pioneer Park Road, \$650 monthly. ([Council Communication No. 10-213](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [10-617](#) 35. [One](#)-year renewal agreement extending contract until April 30, 2011 with Holland & Knight, LLP to provide federal government affairs services, \$90,000 plus travel expenses. ([Council Communication No. 10-236](#)) **Moved by Coleman to approve. Motion Carried 6-1. Nays: Meyer.**

- [10-618](#) 36. [Acceptance](#) of proposal from Cummins Central Power, LLC (Ellis Smith, Vice President) for emergency power generation equipment and services standardization for stormwater and sanitary pump station facilities and authorizing City Manager to negotiate and execute a contract. ([Council Communication No. 10-214](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [10-619](#) 37. [First](#) Option to the South Air Cargo Building Lease with UPS Cartage Services, Inc. for property at the Des Moines International Airport. ([Council Communication No. 10-202](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [10-620](#) 38. [Application](#) from St. Anthony's Church for banners across the streets on SW 1st Street and Indianola Avenue, SW 1st Street and Columbus Avenue, 1804 SW 1st Street, 1703 S. Union Street and Granger Avenue, S. Union Street and Jackson Avenue and 11 Dunham Avenue in recognition of the Annual Corpus Christi Celebration on May 23, 2010. **Moved by Coleman to receive, file and approve banner. Motion Carried 7-0.**
- [10-621](#) 39. [Iowa](#) State Fair request for temporary head-in parking along north side of Dean Avenue from E. 31st to E. 34th Street; temporary fencing to the sidewalk along north side of Dean Avenue from E. 31st to E. 30th Street; and "No Parking" signs in the area east of E. 34th Street (Gate 7) and Grand Avenue both north of University Avenue and south to Walnut Street during the fair, August 9-22, 2010. **Moved by Moore to receive, file, grant the request, and authorize the City Traffic Engineer to post the necessary signage. Motion Carried 7-0.**
- [10-622](#) 40. [Receive](#) and file Quarterly Treasurer's Report as of March 31, 2010. **Moved by Coleman to receive and file. Motion Carried 7-0.**
- [10-623](#) 41. [Exception](#) to procurement ordinance competitive bidding requirements and approve State of Iowa Contract procurement of Microsoft Software Products and Services from Insight Public Sector (Kenneth Lamneck, President and CEO), \$557,815.26. ([Council Communication No. 10-208](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [10-624](#) 42. [Non-competitive](#) procurement of five (5) additional covert outdoor surveillance systems from Crime Point Company (Dan McLeod, President) to be used by the Police Department, \$31,933.50. ([Council Communication No. 10-231](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [10-625](#) 43. [Civil](#) Service Entrance Lists for Aviation Systems Technician, Identification Technician, and Human Relations Specialist, and Promotional List for Solid Waste Section Chief. **Moved by Coleman to receive and file. Motion Carried 7-0.**
- [10-626](#) 44. [Authorizing](#) Finance Director to draw checks on registers for the weeks of April 26 and May 3, 2010; to draw checks for bills of the Des Moines Municipal Housing Agency for the weeks of April 26 and May 3, 2010; and to draw checks for biweekly payroll due May 7, 2010. **Moved by Coleman to adopt. Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

- [10-627](#) 45. Amending Chapter 74 of the Municipal Code regarding various park and recreation fees. **Moved by Coleman that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

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

ORDINANCES - FIRST CONSIDERATION

- [10-628](#) 46. Amending Chapter 2 of the Municipal Code regarding composition of the Youth Advisory Board. (Council Communication No. 10-203) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- [10-629](#) 47. Amending Chapter 2 of the Municipal Code, regarding procurement of concessions at the Airport. (Council Communication No. 10-228) **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- [10-630](#) 48. Amending Chapter 102 of the Municipal Code regarding fees, location, design and maintenance for bus benches. (Council Communication No. 10-215) **Moved by Griess that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- [10-631](#) 49. Amending Chapter 60 of the Municipal Code regarding the Housing Code. (Council Communication No. 10-204) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- [10-632](#) 50. Amending Chapter 26 of the Municipal Code regarding building code requirements applicable to the conversion of existing buildings to a horizontal property regime or multiple housing cooperative. (Council Communication No. 10-209) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- [10-633](#) (A) Final consideration of ordinance above, (waiver requested by the Community Development Director), 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 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, #14,927. Motion Carried 7-0.**

- [10-634](#) (B) Amendment to the Schedule of Fees. **Moved by Hensley to adopt. Motion Carried 7-0.**

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 51 THRU 63)

- [10-635](#) 51. **On** appeal from Jeffrey A. Tedder, regarding Administrative Hearing Officer's decision on impounded vehicle. **Moved by Meyer to uphold the decision. Motion Carried 5-2. Nays: Cownie and Mahaffey.**
- [10-636](#) 52. **On** appeal from Order to Evacuate Central Place Levee Area. **Moved by Coleman to adopt; refer to the City Manager to send a letter to the Metro Waste Authority thanking them for the grant used to fund the clean-up efforts. Motion Carried 7-0.**
- [10-637](#) 53. **On** conveyance of permanent landscape buffer easements to various property owners that adjoin 3901 SW 42nd Street, \$6,246. ([Council Communication No. 10-221](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-638](#) 54. **On** conveyance of vacated east/west alley right-of-way lying north of 2 - 9th Street to Polk County for the purpose of providing transitional housing, \$1. ([Council Communication No. 10-220](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-639](#) 55. **On** vacation and conveyance of a small segment of street right-of-way, south of Buchanan Street and west of Pennsylvania Avenue, to Divine Temple Church of God in Christ for an off-street parking lot and incorporation into existing site, \$500. ([Council Communication No. 10-222](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [10-640](#) (A) **First** consideration of ordinance above. **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [10-641](#) (B) **Final** consideration of ordinance above (waiver requested by the applicant), requires six votes. **Moved by Mahaffey 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, #14,928. Motion Carried 7-0.**
- [10-642](#) 56. **On** vacation and conveyance of a portion of east/west alley between Walker and Maple Street from E. 14th Street to Johnson Court, to Des Moines Independent School District for expansion of and incorporation into existing site, \$1. **Moved by Meyer to adopt. Motion Carried 7-0.**

[10-643](#) (A) [First](#) consideration of ordinance above. **Moved by Meyer that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[10-644](#) (B) [Final](#) consideration of ordinance above (waiver requested by the applicant), requires six 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, #14,929. Motion Carried 7-0.**

[10-645](#) 57. [On](#) request from Foods, Inc. (Dahls) to rezone 3401 and 3407 Ingersoll Avenue from “NPC” (Neighborhood Pedestrian Commercial) to “PUD” (Planned Unit Development), subject to conditions. **(6/7th vote is required to approve the rezoning) [Consent Map](#) Moved by Hensley to continue to the May 10th Council meeting at 5:00 PM; refer to the City Manager to arrange a meeting with City staff, Neighborhood Association, Dahls, Ingersoll Business Association and Restoration Ingersoll to work toward a resolution. Motion Carried 7-0.**

WITHDRAWN

[10-646](#) (A) [First](#) consideration of ordinance above.

58. Items regarding property in the vicinity of 4448 and 4518 E. 50th Street (Broadway Storage, LC), to allow expansion of the existing mini-warehouse site onto property to the south:

[10-647](#) (A) [Amend](#) the Des Moines’ 2020 Community Character Plan from Low-Density Residential and Commercial: Auto-Oriented, Small-Scale Strip Development, to Planned Business Park. **Moved by Mahaffey to adopt and approve the proposed amendment. Motion Carried 7-0.**

[10-648](#) (B) [Hearing](#) on rezoning the property from “A-1” (Agricultural) to Ltd “M-1” (Light Industrial), subject to conditions. **Moved by Mahaffey to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 7-0.**

[10-649](#) (C) [First](#) consideration of ordinance above. **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[10-650](#) (D) Final consideration of ordinance above (waiver requested by the applicant), requires six votes. **Moved by Mahaffey 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, #14,930. Motion Carried 7-0.**

59. On items regarding 3401 University Avenue (M Investments, LLC) to allow adaptive reuse of former gas station as a dry cleaning business:

[10-651](#) (A) [Amend](#) Des Moines' 2020 Community Character Plan from Low/Medium Density Residential Development to Commercial: Pedestrian-Oriented Neighborhood Node. **Moved by Griess to adopt and approve the proposed amendment. Motion Carried 7-0.**

[10-652](#) (B) [Hearing](#) on rezoning from "R-3" (Multiple Family Residential) to Ltd. "C-1" (Neighborhood Retail Commercial), subject to conditions. **Moved by Griess to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 7-0.**

[10-653](#) (C) [First](#) consideration of ordinance above. **Moved by Griess that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

60. On issuance of General Obligation Bonds for 2010-11 Capital Improvement Budget for the following (bonds will be sold at a special Council meeting on June 2nd at 4 PM): ([Council Communication No. 10-234](#))

[10-654](#) (A) [\\$16,365,000](#) (Essential Corporate Purposes). **Moved by Moore to adopt. Motion Carried 7-0.**

[10-655](#) (1) [Authorization](#) for additional action. **Moved by Moore to adopt. Motion Carried 7-0.**

[10-656](#) (B) [\\$6,050,000](#) (Urban Renewal Purposes). **Moved by Moore to adopt. Motion Carried 7-0.**

[10-657](#) (1) [Authorization](#) for additional action. **Moved by Moore to adopt. Motion Carried 7-0.**

[10-658](#) (C) [\\$925,000](#) (General Corporate Purposes). **Moved by Moore to adopt. Motion Carried 7-0.**

[10-659](#) (1) [Authorization](#) for additional action. **Moved by Moore to adopt. Motion Carried 7-0.**

[10-660](#) (D) [\\$995,000](#) (General Corporate Purposes). **Moved by Moore to adopt. Motion Carried 7-0.**

[10-661](#) (1) [Authorization](#) for additional action. **Moved by Moore to adopt. Motion Carried 7-0.**

- [10-662](#) (E) [\\$535,000](#) (General Corporate Purposes). **Moved by Moore to adopt. Motion Carried 7-0.**
- [10-663](#) (1) [Authorization](#) for additional action. **Moved by Moore to adopt. Motion Carried 7-0.**
- [10-664](#) (F) [\\$905,000](#) (General Corporate Purposes). **Moved by Moore to adopt. Motion Carried 7-0.**
- [10-665](#) (1) [Authorization](#) for additional action. **Moved by Moore to adopt. Motion Carried 7-0.**
- [10-666](#) (G) [\\$520,000](#) General Corporate Purposes). **Moved by Moore to adopt. Motion Carried 7-0.**
- [10-667](#) (1) [Authorization](#) for additional action. **Moved by Moore to adopt. Motion Carried 7-0.**
- [10-668](#) (H) [\\$330,000](#) (General Corporate Purposes). **Moved by Moore to adopt. Motion Carried 7-0.**
- [10-669](#) (1) [Authorization](#) for additional action. **Moved by Moore to adopt. Motion Carried 7-0.**
- [10-670](#) (I) [\\$1,000,000](#) (General Corporate Purposes). **Moved by Moore to adopt. Motion Carried 7-0.**
- [10-671](#) (1) [Authorization](#) for additional action. **Moved by Moore to adopt. Motion Carried 7-0.**
- [10-672](#) 61. [On](#) 2009 Bridge Embankment Scour Repairs: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as T K Concrete, Inc., (Tony J. Vermeer, President), \$40,915. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [10-673](#) (A) [Approving](#) contract and bond. ([Council Communication No. 10-227](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [10-674](#) 62. [On](#) Highland Hills Sanitary Sewer Lining, and on the status of funded activities for the lining of the sanitary sewers in the eastern portion of the Highland Hills Sanitary Sewer Subsystem: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Insituform Technologies USA, Inc., (J. Joseph Burgess, President & CEO), \$783,910. **Moved by Hensley to adopt. Motion Carried 7-0.**

[10-675](#) (A) [Approval](#) of contract and bond, and permission to sublet. ([Council Communication No. 10-229](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[10-676](#) 63. [Resolution](#) to REJECT all bids and to close the hearing on plans, specifications, form of contract and Engineer's estimate for the 2010 Tennis Court Resurfacing. ([Council Communication No. 10-230](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

***END HEARINGS AT 7:20 PM ***

EXTRA ITEMS

1. Recommendation from Mayor T. M. Franklin Cownie for the following reappointments to the Civil Service Commission:

[10-677](#) (A) [John](#) Brooks, Seat 3, for a four-year term commencing April 1, 2010 to expire April 1, 2014. **Moved by Coleman to adopt. Motion Carried 7-0.**

[10-678](#) (B) [Mary](#) Campos, Seat 1, for a four-year term commencing April 1, 2008 to expire April 1, 2012. **Moved by Coleman to adopt. Motion Carried 7-0.**

[10-679](#) MOTION TO ADJOURN. **Moved by Meyer to adjourn at 7:20 PM. Motion Carried 7-0.**