

**SUMMARY OF DES MOINES CITY COUNCIL MEETING**

**June 23, 1997 4:30 P.M.**

**SPECIAL PRESENTATIONS - 4:00 P.M.:**

(a) Recognition of Exemplary Service of outgoing members of the Neighborhood Advisory Board, Citizen Services Task Force and Des Moines Action Board.

**INVOCATION:** George Flagg, Council Member At-Large

**SPECIAL PRESENTATIONS - 4:30 P.M.:**

(b) Presentation of a gift from the Central Iowa Building Trades Council and Des Moines Construction Council, to the Union Park Neighborhood Association. Sponsor: McPherson

97-2145 1. ROLL CALL: **Present: Ray, Flagg, Hensley, McPherson, Phillips and Vlassis. Absent: Daniels.**

97-2146 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Vlassis to adopt. Motion Carried 6-1.**

97-2147 3. APPROVING CONSENT AGENDA - items 3 through 70: **Moved by Flagg to adopt the balance of the consent agenda. Motion Carried 6-1.**

**LICENSES AND PERMITS:**

Approving

97-2148 4. Communication from Legal Department regarding June 23, 1997 License and Permit Agenda. **Moved by Flagg to receive and file. Motion Carried 5-1-1. Nays: McPherson. Absent: Daniels.**

Class "B" Beer Licenses

97-2149 5. Amana Colonies State Fair Co., Carl Oehl, Contact Person, dba Amana's on the Hill, 3000 East Grand - Iowa State Fairgrounds; Renewal - Expires 7-31-97 (With Sunday Sales and Beer Garden) - Application submitted 6-6-97. **Moved by Flagg to adopt. Motion Carried 5-1-1. Nays: McPherson. Absent: Daniels.**

97-2150 6. Kyle W. Maxwell dba Beggar's Banquet, 2306 University; New Application submitted 5-27-97. **Moved by Flagg to adopt. Motion Carried 5-1-1. Nays: McPherson. Absent: Daniels.**

97-2151 7. Fine Host Corporation, Richard E. Kerley, President dba Fine Host, 1631 Fleur Drive - Gray's Lake; New Application for (5) Day Permit for event on July 4, 5, & 6, 1997 (With Sunday Sales and Beer Garden) - Application submitted 6-4-97. **Moved by Flagg to adopt. Motion Carried 5-1-1. Nays: McPherson. Absent: Daniels.**

#### Class "C" Beer Licenses

97-2152 8. Kwik Shop, Inc., Steve Mostrom, District Manager, dba Kwik Shop #508, 3733 Easton; Renewal - Expires 7-11-97 (With Sunday Sales) - Application submitted 6-4-97. **Moved by Flagg to adopt. Motion Carried 5-1-1. Nays: McPherson. Absent: Daniels.**

#### Class "E" Beer Licenses

97-2153 9. Kamaldip Sangha dba Sangha Super Mart, 800 19th Street; Renewal - Expires 6-24-97 (With Sunday Sales) - Application submitted 5-23-97. **Moved by Flagg to adopt. Motion Carried 5-1-1. Nays: McPherson. Absent: Daniels.**

#### Class "C" Beer-Wine Licenses

97-2154 10. 205 Corporation, Charles J. Celsi, President dba The Tavern South, 1106 Army Post Road; New Application (With Sunday Sales) - Application submitted 5-2-97. **Moved by Flagg to adopt. Motion Carried 5-1-1. Nays: McPherson. Absent: Daniels.**

#### Class "C" Liquor Licenses

97-2155 11. Creative Host Services, Sayed Ali, President dba Creative Host Services, 5800 Fleur Drive; New Application (With Sunday Sales) - Application submitted 6-4-97. **Moved by Flagg to adopt. Motion Carried 5-1-1. Nays: McPherson. Absent: Daniels.**

97-2156 12. Lee & Lee Ltd., Don L. Smith, President dba J & B Tap, 2841 East Euclid; Renewal - Expires 6-29-97 (With Sunday Sales) - Application submitted 6-2-97. **Moved by Flagg to adopt. Motion Carried 5-1-1. Nays: McPherson. Absent: Daniels.**

97-2157 13. Kelly J. Manning dba Kelley's, 3606 Beaver Avenue; Renewal - Expires 7-2-97 (With Sunday Sales) - Application submitted 5-21-97. **Moved by Flagg to adopt. Motion Carried 5-1-1. Nays: McPherson. Absent: Daniels.**

97-2158 14. Tony's Lounge, Inc., Janet Mortale, President dba Tony's Sports Bar & Grill, 918 East Euclid; Renewal - Expires 7-6-97 (With Beer Garden) - Application submitted 5-13-97. **Moved by Flagg to adopt. Motion Carried 5-1-1. Nays: McPherson. Absent: Daniels.**

97-2159 15. Polk County Government, Florence Buhr, Chairman dba Veteran's Memorial Auditorium, 833 - 5th Street; Renewal - Expires 6-30-97 (With Sunday Sales and Beer Garden) - Application submitted 5-30-97. **Moved by Flagg to adopt. Motion Carried 5-1-1. Nays: McPherson. Absent: Daniels.**

Authorizing

97-2160 16. City Clerk to issue Cigarette Licenses. **Moved by Flagg to adopt. Motion Carried 5-1-1. Nays: McPherson. Absent: Daniels.**

Beer Gardens

97-2161 17. Approving temporary beer garden for RonBonj, Inc., Bonnie Platt, President dba Bourbon Street, 500 Army Post Road - for event to be held July 18 thru July 23, 1997 - Application submitted 5-27-97. Subject to submission of acceptable building inspections. **Moved by Flagg to adopt. Motion Carried 5-1-1. Nays: McPherson. Absent: Daniels.**

97-2162 18. Approving temporary extension of current beer garden for Raccoon River Brewing Company, John Zehr, President dba Raccoon River Brewing Company, 200 - 10th Street - for event to be held July 5, 1997 thru July 6, 1997 - Application submitted 6-12-97. Subject to submission of acceptable building and fire inspections. **Moved by Flagg to adopt. Motion Carried 5-1-1. Nays: McPherson. Absent: Daniels.**

97-2163 19. Approving temporary beer garden for TJJS, Inc., Terry Stanley, President dba The Dugout, 210 Indianola Road - for event to be held on July 4, 1997 - Application submitted 6-16-97. Subject to submission of acceptable building, electrical, and fire inspections. **Moved by Flagg to adopt. Motion Carried 5-1-1. Nays: McPherson. Absent: Daniels.**

Gamerrooms

97-2164 20. Silver Cinemas, Inc., Tom Owens, President dba Silver Cinema, 6000 Aurora; New Application submitted 6-18-97 in conjunction with movie theater. Subject to submission of acceptable building, zoning, and fire inspections and vice report. Proposed opening date 6-25-97. **Moved by Flagg to adopt. Motion Carried 6-1.**

Refunds

97-2165 21. City Treasurer to issue refunds. **Moved by Flagg to adopt. Motion Carried 6-1.**

## **PUBLIC IMPROVEMENTS**

97-2166 22. Ordering construction of 1995 Paving Program No. 1, Contract 3, Schedule No. 1995-01, fixing date for hearing on plans, specifications, form of contract and estimate of cost, (7-21-97) and receiving of bids, (7-8-97). **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2167 (A) First consideration of ordinance establishing the grade for E. 34th/SE 34th Street - Dean Avenue south to Railroad Tracks. **Moved by Flagg that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**

23. Resolution Ordering Construction of the following:

97-2168 (A) Asbestos Removal - Martin Luther King, Jr., Parkway Contract 1 East/West, Receiving of Bids, (7-1-97), and Setting Date of Hearing, (7-7-97), (Construction Estimate - \$40,000). **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2169 (B) Des Moines & Raccoon River Levee Tree Removal, Receiving of Bids, (7-8-97), and Setting Date of Hearing, (7-21-97), (Construction Estimate - \$30,000). **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2170 (C) Harmon Park Tennis Court Subdrain, Receiving of Bids, (7-8-97), and Setting Date of Hearing, (7-21-97), (Construction Estimate - \$22,975). **Moved by McPherson to adopt. Motion Carried 6-1.**

97-2171 23. (D) 1997 Stormwater Intake Repair, Receiving of Bids, (7-8-97), and Setting Date of Hearing, (7-21-97), (Construction Estimate - \$84,860). **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2172 24. Approving Change Order No. 3 with Venter Spooner, Inc., for additional work in conjunction with Archie Brooks Community Center Gymnasium Expansion - \$96,757. (Council Communication No. 97-351). **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2173 25. Request from Venter Spooner, Inc., Daniel Venter, President, 5644 NE 17th Street, for an extension of time until August 5, 1997, for the Archie Brooks Community Center Gymnasium Expansion. **Moved by Flagg to receive, file and grant the extension of time of thirty (30) days extending the contract completion until August 5, 1997. Motion Carried 6-1.**

97-2174 26. Communication from Johnson Concrete & Petroleum Construction Co., Inc. requesting permission to sublet certain items on the Union Park Playground Improvements project. **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2175 27. Approving completion and recommending acceptance of Private Contract for construction of storm sewer manhole on E. 17th Street to serve the Warehouse, 2111 E. 17th Street between C.I. Carlisle Mechanical, Inc., Craig I. Carlisle, President, Contractors and E. 17th Street L.C. Dale Humiston, Member, Owner. **Moved by Flagg to adopt. Motion Carried 6-1.**

28. Approving the following Private Construction Contracts:

97-2176 (A) PCC Pavement widening (bus lane) on South side of E. Leach Avenue between South Union and SE 2nd Street to serve Granger School between National Concrete Services,

Inc., Frank Gillotti, President, Contractors and Des Moines Public Schools, Elizabeth Goodwin, Board President, Owners. **Moved by Flagg to adopt. Motion Carried 5-1. Absent: Daniels. Council Member McPherson declares a conflict of interest, and abstains from voting.**

97-2177 (B) Paving improvements for the proposed Three Lakes Estates Plat #1 Subdivision at East Army Post Road & Three Lakes Parkway between Sternquist Construction, Inc., Brett Sternquist, President, Contractors, and Erickson Development, Inc., Tim Erickson, President, Owners. **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2178 28. (C) Bus Turn-In Improvements Findley Elementary School along East Curb Line of Oxford between E. Hull Avenue and E. Tiffin Avenue between Nuckolls Concrete Services, Inc., Brett Nuckolls, President, Contractors and Des Moines Independent Community School District, Elizabeth Goodwin, Board President, Owners. **Moved by Flagg to adopt. Motion Carried 5-1. Absent: Daniels. Council Member McPherson declares a conflict of interest, and abstains from voting.**

97-2179 29. Authorizing City Engineer to proceed with Sidewalk Construction, waiver signed by one property owner and Paving or Curb Replacement Program, waivers signed by four property owners. (See roll call for list) **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2180 30. Approving partial payments on five public improvement projects. (See roll call for list). **Moved by Flagg to adopt. Motion Carried 6-1.**

## **LAND/PROPERTY TRANSACTIONS**

97-2181 31. Accepting Letter of Credit in amount of \$83,157 covering estimated cost of stabilizing site in the event grading and soil erosion measures are not met in accordance with the approved Grading Plan for the "PUD" Conceptual plan entitled Druid Hill Townhomes in vicinity of 2815 Fleur developed by Clarke Companies, Ltd. **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2182 32. Warranty Deeds for Intermodal Transportation Facility (Park & Ride), transferring title from Des Moines Metropolitan Transit Authority to the City. **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2183 33. Approving Escrow Account to clear title for 1507 E. Walnut Street, Roy and Laurretta Smith, owners, in Capitol East Neighborhood Urban Renewal Area - \$22,000. **Moved by Flagg to approve. Motion Carried 6-1.**

97-2184 34. Acceptance of Warranty Deed, Partial Release of Mortgage and Tenant contract, with Michael D. and Evie J. Barnes, and STS, Inc., in conjunction with Fleur Drive Paving, Army Post Road to County Line Road, \$7,844. **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2185 35. Approving Easement for Pedestrianway, from Des Moines Independent Community School District, \$1.00, (vicinity of Oxford and Tiffin). **Moved by Flagg to adopt. Motion**

**Carried 5-1. Absent: Daniels. Council Member McPherson declares a conflict of interest, and abstains from voting.**

97-2186 36. Approval and acceptance of Temporary Easement Contract granted to IDOT, west of Beaver Ave., south of I-35/I-80. **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2187 37. Approval and acceptance of Temporary Easement for Construction, in conjunction with 1997 Sanitary Sewer Repair Contract No. 2, 4200 block of Park Avenue, Dow Roettger, \$25. **Moved by Flagg to adopt. Motion Carried 6-1.**

## **BOARDS/COMMISSIONS/NEIGHBORHOODS**

97-2188 38. Approving recommendation of Mayor and City Council and appropriate agencies for appointments to proposed "Citizen Advisory Board", (complete list of nominations available Monday, June 23). **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2189 39. Approving recommendation of At Large Council Member George E. Flagg for reappointment of Susie McCauley to the Des Moines Access Advisory Board for a four-year term to expire June 15, 2001. **Moved by Flagg to adopt. Motion Carried 6-1.**

40. Nominations of the following to the Public Housing Board, for a two-year term to expire June 30, 1999, effective July 1, 1997.

97-2190 (A) Council Member At-Large George E. Flagg, for appointment of Mr. LaVerne Williams. **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2191 (B) Council Member Mike McPherson, Ward II, for appointment of Jean K. Bodenstedt. **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2192 (C) Council Member Tom Vlassis Ward I, for appointment of Velma Turner. **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2193 (D) Council Member At-Large Preston Daniels for appointment of Justine Morton. **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2194 (E) Council Member Gene Phillips, Ward IV, for appointment of Linda Ruble. **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2195 (F) Mayor Ray, for appointment of Sue Luthens. **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2196 (G) Council Member Christine Hensley, Ward III, for appointment of William Davis. **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2197 40I. Approving recommendation of Council Member Chris Hensley, Ward III, for appointment of Scott Stouffer to the Architectural Advisory Board, three-year term to expire

February 15, 2000. **Moved by Flagg to adopt. Motion Carried 6-1.**

## **STREET CLOSINGS**

97-2198 41. Approving closure of the following city streets: **Moved by Flagg to adopt. Motion Carried 6-1.**

(1) Carol Hasting, representing Union Park Baptist Church, 821 Arthur, requesting permission to close Arthur from East 9th Street to East 8th Street on Sunday, June 29, 1997 from 4:30 until 8:00 P.M. for a Hog Roast.

(2) Kenneth Hopper, representing the Des Moines Symphony, 221 Walnut, requesting permission to close Court Avenue from East 7th Street to East 12th Street on Thursday, July 3, 1997 from 9:00 until 11:00 P.M. for a concert and fireworks.

(3) Beverly West, 2505 33rd Street, requesting permission to close 33rd Street from Hickman to Sheridan and at Holcomb on Friday, July 4, 1997 from 9:45 until 10:30 A.M. for a neighborhood parade.

(4) David Kreyling, representing the Chautauqua Park Neighborhood Association, 1328 Chautauqua Parkway, requesting permission to close 13th Street to Jefferson, Allison to 16th Street, Burlington Terrace to 16th Street, Hickman Road to Chautauqua West, Nash to Hickman Road, and Hickman to Chautauqua East on Sunday, August 3, 1997 from 1:30 until 6:30 P.M. for a tour of homes.

(5) Sonia Johnson, 2805 45th Street, requesting permission to close 45th Street from Beavercrest to New York on Saturday, July 19, 1997 from 2:00 until 10:00 P.M. for a neighborhood block party.

97-2199 42. Approving exception regarding length of time request from John Zehr, representing the Raccoon River Brewing Company, 200 Tenth Street, request to close Mulberry Street from 10th Street to 11th Street and 11th Street from Mulberry Street to Walnut Street on Saturday, July 5, 1997 from 4:00 P.M. until 1:00 A.M. for a party for the Barnstormers. **Moved by Flagg to adopt. Motion Carried 6-1.**

## **CITY PLAN COMMISSION RECOMMENDATIONS**

**WITHDRAWN 43.** Regarding request from Robert J. Conley, Conaldo Inc., to vacate and convey a portion of Davis Avenue right-of-way in the vicinity of 2301 SW 9th Street.

**WITHDRAWN 44.** Regarding 19th Amendment to River Hills Urban Renewal Plan, to change 75-foot setback standard for two River Hills Urban Renewal properties to a 25-foot setback standard.

**WITHDRAWN 45.** Regarding the Thirty-first Amendment to the Urban Renewal Plan for Capitol-Center Development Area Urban Renewal Project, authorizing use of TIF revenues for

maintenance of public improvements--bringing Plan into conformance with other major downtown Urban Renewal Plan for Riverpoint Capitol-Center Development Area Urban Renewal Project.

### **SETTING DATE OF HEARINGS**

97-2200 46. On amendment to the Zoning Ordinance regulations regarding allowed signage in Neighborhood Pedestrian Commercial (NPC) Districts, (7-7-97). **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2201 47. On application from Kevin Smith, Turkey Time Concessions, for vacation and conveyance of East/West alley right-of-way in the vicinity of 303 SE 34th Street, \$588 plus costs, (7-7-97). **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2202 48. On application from Community Development Department to vacate a portions of street right-of-way in the vicinity of E. 19th Street and Mattern Avenue, (7-7-97). **Moved by Flagg to adopt. Motion Carried 6-1.**

### **LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS**

97-2203 49. Approving payment of \$7,930.57 to Matthew W. Stephenson for worker's compensation claim, subject to the approval of the Industrial Commissioner for alleging injuries in the course of his employment. **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2204 50. Approving payment of \$320.50 to Jane McAllister of Ahlers, Cooney, Dorweiler, Haynie, Smith & Allbee, P.C. to assist in resolution of certain legal matters in conjunction with City's contract with Total Environmental Abatement Services. **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2205 51. Approving payment of \$4,718.47 to Ahlers, Cooney, Dorweiler, Haynie, Smith & Allbee, P.C. for bond counsel services to the City in conjunction with financing acquisition of certain equipment for City's Solid Waste Enterprise. **Moved by Flagg to adopt. Motion Carried 6-1.**

### **APPROVING**

97-2206 52. Minimum Assessment Agreement, satisfying requirements of Urban Renewal Contract, with Meredith Corporation, in conjunction with their new office building bounded by Grand, Locust, 16th and 17th. **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2207 53. Documents regarding City loan of \$25,000 to Don Huss, d/b/a Word of Mouth Interior Design, 314 Sixth Avenue. (Council Communication No. 97-342). **Moved by Flagg to approve. Motion Carried 6-1.**

97-2208 54. Grant Application to Federal Aviation Administration (FAA)-- \$8,388,900, for funding Runway 5 extension and road relocation project. (Council Communication No. 97-347).



**Moved by Flagg to adopt. Motion Carried 6-1.**

97-2209 55. Contract with Des Moines Area Community College (DMACC) for the Enterprise Community (EC) Employment Consortium (ECEC) project to negotiate three subcontracts to administer outreach, training, and employment programs, \$424,608 in funding from Social Services Block Grant (SSBG). (Council Communication No. 97-338). **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2210 56. Annual Report for Program Year 1996 Comprehensive Housing Affordability Strategy (CHAS), for citizen review. (Council Communication No. 97-336). **Moved by Flagg to adopt. Motion Carried 6-1.**

57. Close-out documents for the following--weatherization and energy-related activities:

97-2211 (A) DOE 96-07J, June 1, 1996 to March 31, 1997. **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2212 (B) O/C 97-07J, July 1 1996 to April 30, 1997. **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2213 (C) MEC96-07J, April 1, 1996 to March 31, 1997. **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2214 (D) HEAP-97-07J-96, June 1 1996 to April 30, 1997. **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2215 58. Letter of Intent to participate in the State of Iowa's Residential Energy Assistance Challenge Option (REACH) demonstration grant application to Iowa Department of Human Rights. (Council Communication No. 97-335). **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2216 59. Revision of the policies, procedures and enforcement documents for Owned Housing Services division of Municipal Housing Agency to adopt "Zero Tolerance" Policy and improve lease-up capacity of agency. (Council Communication No. 97-346). **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2217 60. 1997 Comprehensive Grant Program Application to U.S. Department of Housing and Urban Development (HUD) for modernization funds for renovation of Royal View Manor and other projects - \$1,053,118. (Council Communication No. 97-334). **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2218 61. Municipal Housing Agency's Public Housing Operating Budget for Fiscal Year 1998 - \$2,742,770. (Council Communication No. 97-345). **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2219 62. Request for Council approval for the City Clerk to seek the Office of Second Vice President of the International Institute of Municipal Clerks (IIMC) in 1998. **Moved by Flagg to adopt and to formally endorse Ms. Boetel-Baker's candidacy. Motion Carried 6-1.**

97-2220 63. Report of Civil Service Commission submitting Entrance List for Computer Work Station Operator, and Promotional Lists for Horticulture Technician, Parks Technician, and EMS Coordinator. **Moved by Flagg to receive and file. Motion Carried 6-1.**

97-2221 64. Receipt of Insurance for various City projects and functions for recording by the City Clerk. **Moved by Flagg to adopt. Motion Carried 6-1.**

65. Bids for the following:

97-2222 (A) Courtice Auto Wreckers Limited, (Oshawa, Ontario, Harvy Ambrose, President) for sale of surplus equipment consisting of four (4) FARMCO rear discharge spreader boxes and miscellaneous spare parts located in Engineering (Wastewater Reclamation Facility), \$22,630. (Seven bids mailed-four received). **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2223 (B) Quality Ford, Inc., (West Des Moines, Franklin Greene, President) for one truck with aerial lift \$76,659. Mid-States Ford Truck Sales, Inc., (4300 N.E. 14th Street, Marv Perry, President) for one pickup truck - \$ 17,206.60, and two (2) trucks with dump body and snow plows - \$53,675.80, to be used by the Public Works Department (Forestry). (Total \$147,541.40). (Nine bids mailed-four received). **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2224 (C) Herman Brown Co., (100 Sheridan Avenue, Scott Packard, CEO) for one Street Sweeper No. 1 - \$73,789. Eddy Walker Equipment Co., (4044 E. 14th Street, Donald Eddy, President) for Street Sweeper No. 2 - \$59,310, to be used by the Public Works Department (Street Maintenance). (Total \$133,099). (Eleven bids mailed-four received). **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2225 (D) WESCO Distribution, Inc., (1820 E. Sheridan, Roy Haley, CEO) for replacement parts for a Westinghouse generator bus breaker to be used by the Engineering Department (Wastewater Reclamation Facility), \$31,285.70. Municipal Code Section 2-86 provision for single source-non-competitive procurement. **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2226 (E) Graybar Electric Co., (Des Moines) did not meet specifications, therefore, non-compliant. Bid awarded to Duro-Test Lighting, (4019 Mahaska Street, Bob Sorenesen, President) for 105 watt lamps to be used by the Traffic and Transportation Department, \$11,722. (Seven bids mailed-six received). **Moved by Flagg to adopt. Motion Carried 6-1.**

97-2227 66. Authorizing Finance Director to draw warrants on registers of June 27, 1997 and July 3, 1997; and the bills of the Des Moines Municipal Housing Agency for the weeks beginning June 23, 1997 and June 30, 1997, and the biweekly payroll due employees on July 3, 1997. **Moved by Flagg to adopt. Motion Carried 6-1.**

**ORDINANCES - FINAL CONSIDERATION**

97-2228 67. Creation of a Permanent Nineteen-member Strategic Planning Commission, (appointments to be made at the July 7 meeting). **Moved by Flagg that this ordinance do now pass, [#13,498](#). Motion Carried 6-1.**

97-2229 68. On application from Dennis J. Modde, to rezone property at 727 SE 28th and 2824 Maury, from "R-2" (One and Two Family Residential and "R-3" (Multiple Family Residential) to a Limited "M-1" (Light Industrial). **Moved by Flagg that this ordinance do now pass, [#13,499](#). Motion Carried 6-1.**

97-2230 69. Amending Chapter 2 of the Municipal Code regarding duties of the City Manager, to execute temporary easements and temporary backslope and property adjustment easements, to secure access to private property or property owned by governmental entities--compensation not to exceed \$1,000. **Moved by Flagg that this ordinance do now pass, [#13,500](#). Motion Carried 6-1.**

#### **ORDINANCES - SECOND CONSIDERATION**

97-2231 70. Providing for abolition of the Office of City Assessor, for the City of Des Moines, abolition of the Conference Board, Examining Board and Board of Review for the Office of City Assessor, terminating terms of the offices, requesting a ten-member County Assessor Board of Review, and authorizing transfer of operations to the Office of County Assessor for Polk County, (effective 7-1-97 at a Special Council Meeting). **Moved by Flagg that this ordinance be considered and given second vote for passage and the City Clerk is hereby authorized and directed to cause this ordinance to be published in the Des Moines Register on July 1, 1997, the date set for third reading and final passage of this ordinance. Motion Carried 6-1.**

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

#### **ORDINANCES - FIRST CONSIDERATION**

97-2232 71. Amending Section 27-2680 of the Municipal Code regarding "No Parking Any Time" on E. Virginia Avenue between SE 20th and SE 22nd Street. **Moved by Phillips that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**

97-2233 72. Amending Section 27-1978 of the Municipal Code regarding "No Parking Any Time" on both sides of Beaver Avenue from 290' south of Madison to 290' North of Madison. **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**

97-2234 (A) Final consideration of ordinance above. **Moved by Vlassis that the rule requiring that ordinances 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, [#13,501](#). Motion Carried 6-1.**

**\*\*Council considered Item No. 74 next\*\***

## **HEARINGS (Opened at 5:55 P.M.) (Items 73)**

97-2235 73. On Des Moines Metropolitan Wastewater Reclamation Facility - Laboratory and Personnel Facilities Expansion: Resolution approving plans, specifications, form of contract documents, and Engineer's Estimate of Costs. **Moved by Vlassis to adopt. Motion Carried 6-1.**

\* \* END HEARINGS at 5:56 P.M. \* \*

## **APPROVING**

97-2236 74. Approving Preliminary Engineering Design concept, from Review Value Engineering Task Force, for Martin Luther King Jr. Parkway, and authorizing City Manager to negotiate a Contract Supplement. **Moved by Hensley to adopt. Motion Carried 5-1-1. Pass: Flagg. Absent: Daniels.**

97-2237 (A) Recommendation of Traffic Safety Committee and City Plan Commission. **Moved by Hensley to receive and file. Motion Carried 5-1-1. Pass: Flagg. Absent: Daniels.**

97-2238 (B) Recommendation from the M.L. King Jr. Parkway Citizens Committee. **Moved by Hensley to receive and file. Motion Carried 5-1-1. Pass: Flagg. Absent: Daniels.**

97-2239 (C) Communication from Gateway West Steering Committee regarding design for Martin Luther King Jr. Parkway. **Moved by Vlassis to receive and file. Motion Carried 6-1.**

**\*\*Council considered Item No. 73 next, then balance of agenda\*\***

97-2240 75. Communication from Hubbell Realty Company, requesting the City to acquire property for a proposed redevelopment project at SW 3rd and Elm Street, for use by Wellmark Inc., (Blue Cross/Blue Shield) in conjunction with their multi-state business in the Riverpoint Capitol-Center Development Area. **Moved by Flagg to receive and file. Motion Carried 5-1-1. Pass: Ray. Absent: Daniels.**

97-2241 (A) Communication from City Manager. (Council Communication No. 97-350). **Moved by Flagg to receive, file and adopt recommendation regarding the parking lot portion; defer action relative to acquisition of northern building on the property site. City Manager to follow up with additional review and recommendation. Motion Carried 5-1-1. Pass: Ray. Absent: Daniels.**

97-2242 76. Resolution requesting Capital Improvements of railroad crossings and increased maintenance of railroad property at eight locations. (Council Communication No. 97-340). **Moved by McPherson to adopt. Motion Carried 6-1.**

97-2243 77. Recommendation of Neighborhood Advisory Board (NAB) of new neighborhoods to become Designated Neighborhoods as part of Neighborhood Revitalization Program-- Fairground Neighbors for Community Improvement, North of Grand Neighborhood Association, and Sherman Hill Association, Inc. (Council Communication No. 97-341). **Moved by Hensley**

**to adopt selection of Sherman Hill and Fairgrounds Association. Vote on selection of North of Grand Neighborhood received 3 yes; 3 no votes; it will return for consideration on July 7. Motion Carried 6-1.**

97-2244 78. Accepting donation from Des Moines Disc Golf Club, of equipment for installation of a Disc Golf Course at Grandview Park. (Council Communication No. 97-343). **Moved by Vlassis to adopt. Motion Carried 6-1.**

97-2245 79. Authorization to negotiate contract with Advanced Risk Management Techniques, Inc., for actuarial services regarding City's self-insured workers compensation program, \$9,190. (Council Communication No. 97-348). **Moved by Vlassis to adopt. Motion Carried 5-2. Absent: Phillips and Daniels.**

97-2246 80. Revised Intergovernmental 28E Agreement with Polk County, and Neighborhood Finance Corporation, to extend period thru June 1, 2002. (Council Communication No. 97-337). **Moved by McPherson to approve. Motion Carried 5-2. Absent: Phillips and Daniels.**

97-2247 (A) Communication from Neighborhood Advisory Board Chair, regarding above. **Moved by McPherson to receive and file. Motion Carried 5-2. Absent: Phillips and Daniels.**

97-2248 81. Revision to the Manual for School Crossing Control, for transmittal to Des Moines School District. (Council Communication No. 97-349). **Moved by Hensley to adopt. Motion Carried 4-2. Absent: Phillips and Daniels. Council Member McPherson declares a conflict of interest, and abstains from voting.**

97-2249 82. Modified job specifications for Animal Control Field Supervisor job classification. (Council Communication No. 97-339). **Moved by Flagg to defer consideration to July 7, 1997. Motion Carried 6-1.**

## **COMMUNICATIONS/REPORTS**

97-2250 83. Petitions from neighbors of Highland Park, Union Park and Oak Park, regarding "No Parking" along both sides of Sixth Avenue, from north of the Des Moines River Bridge to South of Euclid Avenue. **Moved by McPherson to receive, file and refer to City Manager and Traffic Safety Committee for review and recommendation; also western section of Corning Avenue to be reviewed for a recommendation. Motion Carried 6-1.**

97-2251 84. From Southwestern Hills Neighborhood Association, requesting stop light at S.W. 42nd and Park Avenue. **Moved by Hensley to receive, file and refer to City Manager and Traffic Safety Committee for review and recommendation. Motion Carried 6-1.**

97-2252 85. Request from Don Swenson, 2800 Stanton Avenue, to speak regarding construction on Park Avenue at Valley Drive. **Moved by Flagg to receive, file and grant the request to speak. Motion Carried 6-1.**

## **A G E N D A**

## **BOARD OF HEALTH**

**June 23, 1997**

97-2253 MOTION TO CONVENE. **Moved by Vlassis that the City Council Adjourn and Convene as a Board of Health. Motion Carried 6-1.**

### **COMMUNICATION**

97-2254 1. Communication regarding demolition cost reserve escrowed for 2204 32nd Street. **Moved by Vlassis 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 the structure. Motion Carried 6-1.**

### **AUTHORIZING**

2. Court authority to abate the public nuisance at the following locations:

97-2255 (A) 1932 10th Street, vacant, Title Holders: Faren Q. Jones a/k/a Faren Q. Balkmon-Jones, Greg Jones, M.R. Scott a/k/a Maxine Scott Foster and Lionel C. Foster, Jr. **Moved by Vlassis to adopt. Motion Carried 6-1.**

97-2256 (B) 1401 E. 29th Street, vacant, Title Holder: Secretary of Veteran Affairs, an Officer of the United States of America, and his successor in interest, as such; Contract Buyer, The Estate of Clarence DeBoom. **Moved by Vlassis to adopt. Motion Carried 6-1.**

97-2257 (C) 1724 Lyon, vacant, Title Holder: The Estate of Craig Brown; Legal Interest Holder, Tax 9. **Moved by Vlassis to adopt. Motion Carried 6-1.**

97-2258 MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 6:43 P.M.**