SUMMARY OF DES MOINES CITY COUNCIL MEETING

August 6, 2007
Special Joint Council Meeting with Polk County Board of Supervisors – 3:00 – 4:00 P.M.
Regular Council Meeting - 4:30 P.M.

JOINT MEETING – 3:00 – 4:00 P.M.

07-1473 Roll Call. Present: Cownie, Coleman, Hensley, Kiernan, Mahaffey and Vlassis. Absent: Meyer.

07-1474 I. Presentation and to receive and file a Draft Executive Summary of the Downtown Des Moines Planning Project (presentation by project consultants, Erin Olson-Douglas, AIA and Mario Gandelsonas, AIA). (Council Communication No. 07-492) Moved by Kiernan to receive and file the “Draft Executive Summary – Downtown Des Moines Planning Project” and request input from the Plan & Zoning Commission, Parks and Recreation Commission and the Urban Design Review Board on or by October 1, 2007 and from the public sessions to be held at the Des Moines Central Library on September 18, 2007. Upon receipt of the input and comments, the consultants will then complete the plan report and its related documents for submission to the City Council for adoption and to the Polk County Board of Supervisors for endorsement. Motion Carried 6-1.

07-1475 Adjourn. Moved by Vlassis to adjourn at 3:56 P.M. Motion Carried 6-1.

PROCLAMATIONS – 4:00 P.M.

National Night Out
Visiting Japanese Students
Boy Scouts – Troop 8 and South Park Neighborhood Association

INVOCATION: Fr. Michael Amadeo
Holy Trinity Church
2926 Beaver Ave

07-1476 1. ROLL CALL: Present: Cownie, Coleman, Hensley, Kiernan, Mahaffey, Meyer and Vlassis. Motion Carried 7-0.

07-1477 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.

07-1478 3. APPROVING CONSENT AGENDA – items 3 through 49: Moved by Vlassis to adopt the balance of the consent agenda. Motion Carried 7-0.

LICENSES AND PERMITS

07-1479 4. Approving Alcoholic Beverage License for the following: Moved by Vlassis to adopt Motion Carried 7-0.

NEW APPLICATIONS

(A) STROLL INN (THE) 3325 HUBBELL AVE C Liquor
(B) TURKEY TIME CONCESSION 3000 E GRAND AVE C Native Wine

RENEWAL APPLICATIONS

(C) AIRPORT HOLIDAY INN 6111 FLEUR DR B Liquor
(D) AMF DES MOINES LANES 3839 E 14TH ST C Liquor
(E) BEECHWOOD LOUNGE 416 E WALNUT ST C Liquor
(F) BUDDYS CORRAL 418 E 5TH ST C Liquor
(G) CROATIAN FRAT SLAVIC 6575 INDIANOLA C Liquor
(H) EL PATIO MEXICAN REST 611 37TH ST C Liquor
(I) LOCUST TAP 434 E LOCUST ST C Liquor
<table>
<thead>
<tr>
<th>(J) LOS COMPADRES</th>
<th>1440 MAURY ST</th>
<th>C Liquor</th>
</tr>
</thead>
<tbody>
<tr>
<td>(K) OAKMOOR RACQUETBALL</td>
<td>4731 MERLE HAY RD</td>
<td>B Beer</td>
</tr>
<tr>
<td>(L) PDS PUB</td>
<td>3803 SW 9TH STREET</td>
<td>C Liquor</td>
</tr>
<tr>
<td>(M) QV'S CAVATELLI</td>
<td>209 EUCLID AVE</td>
<td>C Liquor</td>
</tr>
<tr>
<td>(N) STAR BAR</td>
<td>2809 INGERSOLL AVE</td>
<td>C Liquor</td>
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<tr>
<td>(O) TNT VIETNAMESE REST</td>
<td>3452 ML KING J PKWY</td>
<td>B Beer</td>
</tr>
<tr>
<td>(P) TOBACCO OUTLET PLUS #510</td>
<td>3409 SW 9TH ST</td>
<td>C Beer</td>
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**OUTDOOR SERVICE APPLICATIONS**

<table>
<thead>
<tr>
<th>(Q) BLAZING SADDLE</th>
<th>416 E 5TH ST</th>
<th>C Liquor</th>
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<tbody>
<tr>
<td></td>
<td>TEMPORARY OUTDOOR SERVICE AND TEMPORARY CLOSURE OF SIDEWALK WITHIN THE LICENSED PREMISE AREA IN CONJUNCTION WITH HISTORIC EAST VILLAGE BIKE NIGHT ON AUGUST 31, 2007.</td>
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**SPECIAL EVENTS APPLICATIONS**

<table>
<thead>
<tr>
<th>(R) BIRD'S NEST</th>
<th>3000 E GRAND AVE</th>
<th>B Beer</th>
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<tbody>
<tr>
<td></td>
<td>FOURTEEN DAY LICENSE FOR IOWA STATE FAIR FROM AUGUST 8-21, 2007.</td>
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<tr>
<th>(S) CHRIST THE KING CATH</th>
<th>5711 SW 9TH ST</th>
<th>5 Day License</th>
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<tbody>
<tr>
<td></td>
<td>CLASS B BEER LICENSE FOR CORN FEST ON AUGUST 18, 2007. PENDING APPROVAL OF THE BUILDING, ELECTRICAL, ZONING AND FIRE DEPARTMENTS.</td>
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<tr>
<th>(T) DRAKE UNIV LEGAL CLINIC</th>
<th>2400 UNIVERSITY AVE</th>
<th>5 Day License</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>CLASS C BEER WINE LICENSE FOR SPECIAL EVENT “TRIAL ACADEMY” ON AUGUST 9, 2007. PENDING APPROVAL OF BUILDING, ELECTRICAL, ZONING AND FIRE DEPARTMENTS.</td>
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<thead>
<tr>
<th>(U) FEDERAL DISTRIBUTORS INC.</th>
<th>3000 E GRAND AVE</th>
<th>B Beer</th>
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<tbody>
<tr>
<td></td>
<td>FOURTEEN DAY LICENSE FOR IOWA STATE FAIR IN HERITAGE VILLAGE FROM AUGUST 8-21, 2007.</td>
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<tr>
<th>(V) FIREFEST</th>
<th>25 E COURT AVE</th>
<th>5 Day License</th>
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<tr>
<td></td>
<td>CLASS B BEER LICENSE FOR FIREFEST ON AUGUST 25, 2007. PENDING APPROVAL OF ELECTRICAL AND FIRE DEPARTMENTS.</td>
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<tr>
<th>07-1480</th>
<th>5. City Clerk to issue Cigarette Licenses. Moved by Vlassis to adopt. Motion Carried 6-0. Nays: Cownie.</th>
</tr>
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<tr>
<td>07-1481</td>
<td>6. City Clerk to issue Coin Operated Machine Licenses. Moved by Vlassis to adopt. Motion Carried 7-0.</td>
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**PUBLIC IMPROVEMENTS**

7. Ordering construction of the following:

| 07-1482 | (A) 7th & Grand Parking Garage Beam Repairs – Receiving of bids, (8-28-07), Setting date of hearing, (9-10-07). (Construction Estimate - $55,320). (Council Communication No. 07-484) Moved by Vlassis to adopt. Motion Carried 7-0. |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------
07-1483  (B)  Union Park Parking Lot – Phase 1 – Receiving of bids, (8-28-07), and Setting date for hearing, (9-10-07). (Construction Estimate - $196,536).  (Council Communication No. 07-485)  Moved by Vlassis to adopt.  Motion Carried 7-0.

8. Approving the following Iowa Department of Transportation Agreements:

07-1484  (A)  E. 14th Street (U.S. 69) from E. University Avenue to Aurora Avenue.  (Council Communication No. 07-480)  Moved by Mahaffey to adopt.  Motion Carried 7-0.

07-1485  (B)  Safety Improvements at railroad crossing of 16th Street, north of Martin Luther King Jr. Parkway.  (Council Communication No. 07-479)  Moved by Vlassis to adopt.  Motion Carried 7-0.

07-1486  9.  Iowa Clean Air Attainment Program (ICAAP) Fund Applications to the Iowa Department of Transportation (IDOT) for Merle Hay Road and Urbandale Avenue Intersection Improvements, and SE 14th Street and East Indianola Avenue Intersection Improvements.  (Council Communication No. 07-477)  Moved by Vlassis to adopt.  Motion Carried 7-0.

07-1487  10.  Authorizing City Manager to submit “Safe Routes to School” (SRTS) Fund Application to the Iowa Department of Transportation (IDOT) to be used to enhance school crossing at signalized intersections.  (Council Communication No. 07-478)  Moved by Vlassis to adopt.  Motion Carried 7-0.

07-1488  11.  Approving Change Order No. 1 with Van Hauen & Associates, Inc. for additional work on the Vandalia Trunk Sanitary Sewer Emergency Repair, $57,684.99.  (Council Communication No. 07-481)  Moved by Vlassis to adopt.  Motion Carried 7-0.

07-1489  12.  Communication from contractors requesting permission to sublet certain items on 2006 HMA Pavement Scarification & Resurfacing, and the Crawford Creek Watershed Improvement Projects – E. Gray Street to S.E. 9th Street public improvement projects.  Moved by Vlassis to adopt.  Motion Carried 7-0.

13. Accepting completed construction and approving final payment for the following:

07-1490  (A)  Hockmuth Concrete Services, Inc. – Hickman Road Sidewalk from Prospect Road to M.L. King, Jr. Parkway.  Moved by Vlassis to adopt.  Motion Carried 7-0.

07-1491  (B)  T. K Concrete Inc. – 2006 Sidewalk Replacement Program – Designated Neighborhoods.  Moved by Vlassis to adopt.  Motion Carried 7-0.

07-1492  (C)  Castle Concrete Services, Inc. – 2006 Sidewalk Replacement Program – Contract 2.  Moved by Vlassis to adopt.  Motion Carried 7-0.
SPECIAL ASSESSMENTS

14. Approving deletion of NAC-Emergency Assessments Schedule 2007-12 for the following:

07-1493 (A) 1117 Fremont Street. Moved by Vlassis to adopt. Motion Carried 7-0.

07-1494 (B) 1231 15th Street. Moved by Vlassis to adopt. Motion Carried 7-0.

LAND/PROPERTY TRANSACTIONS

07-1495 15. Approve and accept real estate documents for property at 1601 SE 35th Street from Donald W. and Constance L. Beals, and 1615 SE 35th Street from Fay J. and Gina M. Beals for the Des Moines Agrimergent Technology Park Project. (Council Communication No. 07-482) Moved by Vlassis to adopt. Motion Carried 7-0.

07-1496 16. Approving issuance of a replacement Quit Claim Deed for vacated alley adjoining 2913 E. 16th Street. Moved by Vlassis to adopt. Motion Carried 7-0.

07-1497 17. Approving issuance of replacement Quit Claim Deed for vacated alley adjoining 3236 E. University Avenue. Moved by Vlassis to adopt. Motion Carried 7-0.

07-1498 18. Authorization to proceed with acquisition of the necessary right-of-way and easements for the Dean’s Lake Pump Station Improvements Project. (Council Communication No. 07-483) Moved by Vlassis to adopt. Motion Carried 7-0.

07-1499 19. Acceptance of permanent easement for storm sewer right-of-way for an existing storm sewer located on property at SW 4th Street and Payton Avenue, $1 plus closing costs. Moved by Vlassis to adopt. Motion Carried 7-0.

07-1500 20. Approving release of covenant for the property owners of 2080 King Avenue. Moved by Vlassis to adopt. Motion Carried 7-0.

BOARDS/COMMISSIONS/NEIGHBORHOODS

07-1501 21. Recommendation from Mayor Frank Cownie to reappoint Gregory Jones to the Plan and Zoning Commission, Seat 1 for a five-year term commencing July 1, 2007 to expire July 1, 2012. Moved by Vlassis to adopt. Motion Carried 7-0.

expire June 30, 2008. Moved by Vlassis to adopt. Motion Carried 7-0.

07-1503 21-II Communication from Odell Jenkins advising of his resignation from the Park and Recreation Board, Seat 10, effective immediately. Moved by Vlassis to receive, file, and accept this resignation with appreciation for his years of service. Motion Carried 7-0.

07-1504 (A) Recommendation from Council Member Bob Mahaffey to appoint George Krumrey to the Park and Recreation Board, Seat 20 for a four-year term commencing June 30, 2005 to expire June 30, 2009. Moved by Vlassis to adopt. Motion Carried 7-0.

07-1505 21-III Communication from Neighborhood Revitalization Board declaring Seat 3 vacant. Motion by Vlassis to receive, file, and accept resignation with appreciation for Ms. Seymour’s years of service. Motion Carried 7-0.

07-1506 (A) Recommendation from Council Member Bob Mahaffey to appoint Odell Jenkins to the Neighborhood Revitalization Board, Seat 3 for a three-year term commencing June 30, 2006 to expire June 30, 2009. Moved by Vlassis to adopt. Motion Carried 7-0.

07-1507 21-IV Recommendation from Council Member Michael Kiernan to appoint Leisha Barcus to the Plan and Zoning Commission, Seat 5 for a five-year term commencing July 1, 2006 to expires July 1, 2011. Moved by Vlassis to adopt. Motion Carried 7-0.

SETTING DATE OF HEARINGS

22. Items regarding property in the vicinity of Park Street between 7th Street and vacated 8th Street, Principal Life Insurance Company:

07-1508 (A) Communication from Plan and Zoning Commission regarding request for vacation and conveyance of the air rights, to allow for a private enclosed pedestrian sky bridge between a proposed new parking structure north of Park Street and the existing Corporate 4 Office Building south of Park Street, (limited to a 16’-wide strip at least 23’ above grade). Moved by Vlassis to receive and file, and refer to the City Manager for implementation in accordance with the City’s standard property disposition procedures. Motion Carried 7-0.

07-1509 (B) Communication from Plan and Zoning Commission regarding request for vacation and conveyance of an irregular shaped strip on the east edge of 8th Place between Center Street and Park Street, subject to provision of easements for existing utilities until they are relocated at the applicant’s expense. Moved by Vlassis to receive and file, and refer to the City Manager for implementation in accordance with the City’s standard property disposition procedures. Motion Carried 7-0.

07-1510 (C) Setting Date of Hearing on request to rezone property at 707 8th Street from “C-2” (General Retail & Highway Oriented Commercial) to “C-3” (Central Business District Commercial) to allow for construction of an off-street parking structure with a 2...
building setback from the four adjoining streets, subject to conditions, (8-20-07). 
Moved by Vlassis to adopt. Motion Carried 7-0.

23. Items regarding property at 2112 Woodland Avenue and 600 M.L.King Jr. Parkway:

07-1511 (A) Communication from Plan and Zoning Commission regarding request from Freedom Financial Bank, for vacation and conveyance of that portion of the east/west alley extending east from 22nd Street between Woodland Avenue and High Street, subject to conditions. Moved by Vlassis to receive and file, and refer to the City Manager for implementation in accordance with the City’s standard property disposition procedures. Motion Carried 7-0.

07-1512 (B) Setting Date of Hearing on request to rezone property from “R-2A” (General Residential) to “C-1” (Neighborhood Retail), to allow for expansion of the existing retail commercial site for a drive-up financial institution, (8-20-07). Moved by Vlassis to adopt. Motion Carried 7-0.

07-1513 24. On vacation and conveyance of an Encroachment Easement and Air Rights Easement to allow encroachment of existing building at 3510 University Avenue to James J. Holtkamp, $100, (8-20-07). Moved by Vlassis to adopt. Motion Carried 7-0.

07-1514 25. On conveyance of property at the corner of Southwest 6th Street and Cherry Street to Polk County in conjunction with the Martin Luther King Jr. Parkway-East/West Segment Project, $1, (8-20-07). Moved by Vlassis to adopt. Motion Carried 7-0.

07-1515 26. On request from Mark Scigliano to rezone property at 1507 Hartford Avenue from “M-1” (Light Industrial) to Limited “M-2” (Heavy Industrial) to allow for a conditional use for storage of inoperable vehicles, subject to conditions, (8-20-07). Moved by Vlassis to adopt. Motion Carried 7-0.

07-1516 27. On request from Savanah Homes, Inc. to rezone property in the vicinity of 5100 NE 38th Avenue, from “A-1” (Agricultural) to “PUD” (Planned Unit Development) and approve PUD Conceptual Plan for “Silver Leaf”, to include development of approximately 37 acres of agricultural land for 121 single-family residential lots and 38 bi-attached residential units, (8-20-07). Moved by Vlassis to adopt. Motion Carried 7-0.

07-1517 28. On request from West Lakes Properties, LC to rezone property in the vicinity of County Line Road from “A-1” (Agricultural) to “PUD” (Planned Unit Development) to allow for development of 128 acres of commercial, multiple-family residential, standardsingle-family residential and small-lot single-family residential development and approval of proposed PUD Conceptual Plan titled “Southern Ridge Concept Plan”, subject to conditions, (8-20-07). Moved by Vlassis to adopt. Motion Carried 7-0.

07-1518 29. On proposed amendments to the Zoning Ordinance to place limitations on electronic signs and off-premises advertising signs, (8-20-07). (Council Communication No. 07-489) Moved by Coleman to adopt. At the hearing, City Manager will provide information
regarding: 1. The number of signs impacted; 2. Amortization of billboards; Possibility of reducing the maximum size. Motion Carried 7-0.

07-1519  30. **On** request from ColorAll Technologies, for text amendments to Chapter 134 (Zoning) to permit limited transient automobile scratch and dent repair services within a tent as accessory use to vehicle display lot, rental car agency and fleet vehicle operations, (8-7-07). **Council Communication No. 07-487** Moved by Hensley to adopt. Motion Carried 7-0.

07-1520  31. **On** Developer-Initiated Redevelopment Proposal from Houghton Properties to redevelop Disposition Parcel No. 16A (South of Mattern Avenue to E. Jefferson Avenue between Dixon and De Wolf Streets) in the Guthrie Avenue Business Park Urban Renewal Area Setting Date of Hearing on vacation of E. 18th Street between Mattern and E. Jefferson Avenue and E. Jefferson Avenue between Dixon and DeWolf, (9-24-07). **Council Communication No. 07-465** Moved by Vlassis to approve. Motion Carried 7-0.

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

07-1521  32. **Approving** payment of $140,698.72 to Lonnie Shannon for a workers’ compensation claim. **Moved by Vlassis to adopt. Motion Carried 7-0.**

07-1522  33. **Approving** payment of $18,052.64 to Progressive Insurance, as subrogee of Mark Reno, for an automobile accident. **Moved by Vlassis to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

07-1523  34. **Submitting** travel requests for Darren Cornwell, Sara Henry, Rex Sparks, Melissa Sweeny, and Marylee Woods. **(Council Communication No. 07-491) Moved by Vlassis to adopt. Motion Carried 7-0.**

APPROVING

07-1524  35. **Supportive** Housing Program (SHP) Renewal Grant Agreements with the United States Department of Urban Development (HUD) for continuation of the Enhancement Project and the Street Outreach Team. **(Council Communication No. 07-467) Moved by Vlassis to adopt. Motion Carried 7-0.**

07-1525  36. **Supportive** Housing Program (SHP) Renewal Grant Agreements with the United States Department of Housing and Urban Development (HUD) for continuation of Buchanan Transitional Living Center Program, Lighthouse Host Home Program, and the West Des Moines Transitional Housing Program. **(Council Communication No. 07-468) Moved by Vlassis to adopt. Motion Carried 7-0.**
37. **Fiscal** Year 2003 Continuum Of Care (COC) Closeout Certification Documents. **Moved by Vlassis to adopt. Motion Carried 7-0.**

38. **Application** for Financial Assistance to the State of Iowa Department of Economic Development for a Community Economic Betterment Account (CEBA) loan to Healthways and approving preliminary terms of an economic development loan of $120,000. **(Council Communication No. 07-469) Moved by Vlassis to adopt. Motion Carried 7-0.**

39. **Petitioning** the Iowa Department of Economic Development for an extension of Des Moines Enterprise Community Enterprise Zone (EZ-2). **(Council Communication No. 07-476) Moved by Vlassis to approve. Motion Carried 7-0.**

40. **2007** Prairie Meadows Community Betterment Grant Application for equipment and training for the Mounted Police Patrol. **(Council Communication No. 07-470) Moved by Vlassis to adopt. Motion Carried 7-0.**

41. **Procurement** of hardware systems from L-3 Communications Government Services, Inc. and Public Technology Inc., $214,549.37. **(Council Communication No. 07-475) Moved by Hensley to approve. Motion Carried 7-0.**

42. Bids from the following:

(A) **Truck** Country Des Moines for eight (8) replacement single axle trucks to be used by the Public Works Department, $1,184,000. (Seven bids mailed, eleven received. **Council Communication No. 07-490) Moved by Vlassis to adopt. Motion Carried 7-0.**

(B) **C. Green** Contractor for annual contract with two (2) additional one-year renewal options to furnish architectural concrete construction repair service on the Fleur Drive planters and other architectural concrete structures to be used by the Park & Recreation Department, Building Services Division, estimated annual cost $50,000. (Four bids mailed, two received. **Moved by Vlassis to adopt. Motion Carried 7-0.**

(C) **Communication** Innovators for data and telephone technician labor services per State of Iowa Contract to be used by the Information Technology Department, estimated annual cost $50,000. **Moved by Vlassis to adopt. Motion Carried 7-0.**

43. **Civil** Service Promotional Lists for Utility Locator Coordinator, Sewer Television Technician, Utility Locator and Senior Police Officer, and Entrance List for Airport Field Worker. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

44. **Authorizing** Finance Director to draw checks on registers for the weeks of August 6 and August 13, 2007; to draw checks for the bills of the **Des Moines Municipal Housing**
Agency for the weeks of August 6 and August 13, 2007; and to draw checks for bi-weekly payroll due August 17, 2007. Moved by Vlassis to adopt. Motion Carried 7-0.

ORDINANCES - FINAL CONSIDERATION

07-1536 45. Amending Chapter 2 of the Municipal Code regarding the local preference and procurement ordinance. Moved by Vlassis that this ordinance do now pass, #14,683. Motion Carried 7-0.

ORDINANCES - SECOND CONSIDERATION

07-1537 46. Amending Chapter 74 of the Municipal Code prohibiting smoking in City of Des Moines Park facilities. Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.

07-1538 47. Amending Chapter 26 of the Municipal Code regarding the following:

(A) Building and building regulations. Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.

(B) The Licensing and Appeals Board. Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.

07-1540 48. Amending Chapter 46 of the Municipal Code regarding the following:

(A) Fire Protection and Prevention Code. Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.

(B) Adoption of the International Fire Code and amendments and additions to the International Fire Code. Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.

07-1542 49. On vacation and abandonment of public road easements for portions of E. Madison Avenue, NE 50th Street and Seneca Avenue, within the property at 4995 NE 39th Avenue. Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.

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

**Council considered Items 50 and 51 next**
COMMUNICATIONS/REPORTS

07-1543  50. From Denise Long-Aaron, 1414 Goddard Court, to speak regarding the utility company. Moved by Vlassis to receive and file comments. Ms. Long-Aaron did not appear at the Council meeting. Motion Carried 7-0.

07-1544  51. From Stephanie Weisenbach, 3850 Merle Hay Road, to speak regarding an invitation to workshops for 1000 Friends of Iowa. Moved by Vlassis to receive and file comments. Motion Carried 7-0.

**Council considered Hearing Items 54 thru 56 next**

07-1545  52. From Ed Conlow, 4801 Observatory Road, to speak regarding proposed amendment to Municipal Code referencing plan and zoning requirements. Moved by Hensley to receive and file comments; refer to the City Manager for review and recommendations. Motion Carried 7-0.

07-1546  53. From Michael Morton, 40 N. Hawthorn Drive, Altoona, to speak regarding a golf shuttle services. Moved by Vlassis to receive and file comments; refer to the City Manager for review and recommendations. Motion Carried 7-0.

07-1547  53-I From Su Cora Hameister, 3926 11th Place, to speak regarding public nuisance. Moved by Mahaffey to receive and file comments and refer to City Manager for review and recommendation. Motion Carried 7-0.

HEARINGS (OPEN AT 5:02 P.M.) (ITEMS 54 THRU 56)

07-1548  54. On proposed ordinance for special valuation of Wind Energy Conversion Property. Moved by Mahaffey to adopt. Motion Carried 7-0.

07-1549  55. On vacation of the SW Water Street right-of-way south of Elm Street. Moved by Coleman to adopt. Motion Carried 7-0.

07-1550  (A) First consideration of ordinance above. Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 7-0.
56. On Woodland Cemetery Ornamental Fence: Resolution approving plans, specifications, form of contract documents, Engineer’s Estimate and designating lowest responsible bidder as American Fence Co. of Iowa, Inc., (Mark A. Wolodkewitsch, Manager), $60,577.00. (Council Communication No. 07-486) Moved by Hensley to adopt. Motion Carried 7-0.

57. Approving contract and bond and permission to sublet. Moved by Hensley to adopt. Motion Carried 7-0.

**END HEARINGS AT 5:15 P.M.**

58. Renaming the Waveland Tennis Courts as “McCollum/Waveland Tennis Complex” accepting a donation of $2,500 from the Greater Des Moines Tennis Association for purchase and installation of signage and display cases. (Council Communication No. 07-474) Moved by Hensley to adopt. Motion Carried 7-0.

59. Setting Date of Hearing on developer-initiated development proposal and development agreement from Nelson Development 15, L.L.C. for redevelopment of city-owned land at 230 E. Grand Avenue, in the Metro Center Urban Renewal Project, (9-24-07). (Council Communication No. 07-473) Moved by Mahaffey to adopt. Motion Carried 7-0.

60. Draft Beaverdale Master Plan developed by The Beaverdale Main Street Initiative and to refer to the City Manager and appropriate Boards and Commissions for review and recommendation. Moved by Coleman to receive, file and refer the Beaverdale Draft Master Plan to the City Manager and appropriate City boards and commissions for review and recommendation regarding its implementation. The City Manager will ask The Beaverdale Main Street Initiative to organize meetings with Neighborhood Associations and other interested parties, to share the information about this plan. Motion Carried 7-0.

61. Contract documents for a Community Development Block Grant (CDBG) Rehabilitation Grant Agreement with Sixth Avenue Apartments Investors, L.P. for elimination of lead hazards, and execution of an agreement upon full compliance of all requirements. (Council Communication No. 07-488) Moved by Hensley to adopt. 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.

07-1558 1. **Setting** Date of Hearing on appeal of Historic Preservation Commission decision regarding 1520 Center Street, (8-20-07). **Moved by Hensley to adopt. Motion Carried 6-0.**

**Council Member Kiernan declares a conflict of interest and abstains from voting.**

07-1559 2. **Receive** and file planning **proposal** and authorize City Manager to initiate master planning process and convene the steering committee for the Southside SuperBlock Master Plan. **Moved by Meyer to receive, file, and refer to the City Manager for action, as appropriate. Motion Carried 7-0.**

BOARD OF HEALTH

07-1560 **MOTION TO CONVENE.** **Moved by Vlassis that the City Council adjourn and convene as the Board of Health. Motion Carried 7-0.**

AUTHORIZING

1. The Legal Department to file legal action seeking an order from the court to direct abatement of the nuisance structures at the following locations:

**07-1561** (A) **1533 E. Grand,** Titleholder: Raul Hernandez. **Moved by Kiernan to adopt. Motion Carried 7-0.**

**07-1562** (B) **144 E. Sheridan Avenue,** Titleholder: Tythe Eric Lenhart. **Moved by Kiernan to adopt. Motion Carried 7-0.**

**07-1563** (C) **1409 2nd Place,** Titleholder: Jane A. Cook. **Moved by Kiernan to adopt. Motion Carried 7-0.**

**07-1564** (D) **1530 9th Street,** Titleholder: Ralph B. Henderson; Contract Holder: David Musser; Clementine Karl Musser; Mortgage Holder: Northwest Federal Savings Bank; Mortgage Holder: Mortgage Electronic Registration Systems, Inc. **Moved by Kiernan to adopt. Motion Carried 7-0.**

**07-1565** **MOTION TO ADJOURN.** **Moved by Vlassis to adjourn at 6:20 P.M. Motion Carried 7-0.**

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All-America City