

*** 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 '06-' 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

October 9, 2006
4:30 P.M.

PROCLAMATIONS – 4:15 P.M.

Des Moines Jazz History Day

INVOCATION: Rev. Tim Diebel
First Christian Church

[06-1942](#) 1. ROLL CALL: **Present: Cownie, Coleman, Hensley, Kiernan, Mahaffey and Vlassis**

[09-1943](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Vlassis to adopt. Motion Carried 6-0.**

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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.

[06-1944](#) 3. APPROVING CONSENT AGENDA – items 3 through 53: **Moved by Vlassis to adopt the balance of the consent agenda. Motion Carried 6-0.**

LICENSES AND PERMITS

[06-1945](#)

4. [Approving](#) Alcoholic Beverage License applications for the following: **Moved by Henry to refer to the City Clerk and City Manager for review and recommendation regarding various City ordinances that affect events in Des Moines. Motion Carried 6-0.**

NEW APPLICATIONS

(A)	EL ANGEL MEXICAN GROCERY	4812 SW 9TH ST	C Beer
(B)	FIREHOUSE LOUNGE	1930 SE 6TH ST	C Liquor
(C)	SPLASH SEAFOOD BAR & GRILL	303 LOCUST ST	B Wine

RENEWAL APPLICATIONS

(D)	ALDI INC #29	500 E ARMY POST RD	C Beer
(E)	BEST FOOD MART	4028 E 14TH ST	C Beer
(F)	BLAZING SADDLE	416 E 5TH ST	C Liquor
(G)	BLUES ON GRAND	1501 GRAND AVE	C Liquor
(H)	CAMPBELLS CONCESSIONS-4H BLDG	3000 E GRAND AVE	B Beer
(I)	CAMPBELLS CONCESSIONS-PAVILLION AVE	3000 E GRAND AVE	B Beer
(J)	CAMPBELLS CONCESSIONS-TOURISM	3000 E GRAND AVE	B Beer
(K)	DRAKE DINER	1111 25TH ST	C Liquor
(L)	EL ZACATECAS CLUB	3211 INDIANOLA AVE	C Liquor
(M)	FAMILY PANTRY	4538 LOWER BEAVER	E Liquor
(N)	G T RACE CAR BAR	3013 INGERSOLL AVE	C Liquor
(O)	KARTARS MINI MART	3761 E UNIVERSITY	C Beer
(P)	KENNY DS	3925 E 14TH STREET	C Liquor
(Q)	ROBINS WOOD OVEN GRILL	6401 SE 14TH ST	C Liquor
(R)	TROPIK RESTAURANT AND BAR	3015 MERLE HAY RD	C Liquor
(S)	ZIMMS	3124 INGERSOLL AVE	C Liquor

OUTDOOR SERVICE APPLICATIONS

(T)	CONTINENTAL	428 E LOCUST ST	C Liquor
	Temporary outdoor service area and temporary closure of sidewalk within the licensed premise area for World Food Festival on October 13-15, 2006.		
(U)	LOCUST TAP	434 E LOCUST ST	C Liquor

Temporary outdoor service area and temporary closure of sidewalk within the licensed premise area for World Food Festival on October 13-15, 2006. Pending approval of Building and Fire Departments.

SPECIAL EVENTS APPLICATIONS

- (V) DOWNTOWN EVENTS GROUP 602 E LOCUST ST B Beer
Five-day license for Tent B in conjunction with the World Food Festival on October 13-15, 2006. Pending approval of Building and Fire Departments.
- (W) MANHATTAN CATERING 650 8TH ST C Beer/Wine
Five-day license in conjunction with event on November 1, 2006 at Principal Tower. Pending approval of Fire Department.

[06-1946](#)

4-I. [Approving](#) the following applications: **Moved by Vlassis to adopt. Motion Carried 6-0.**

- (A) Temporary Outdoor Service Area for Blazing Saddles, 416 E. 5th Street, in conjunction with the World Food Festival on October 13th and October 14, 2006. Pending approval of Building, Electrical, Zoning and Fire Departments.
- (B) Five-Day Class C Liquor License for Flying Mango in conjunction with an event at John & Mary Pappajohn Higher Education Center, 1200 Grand Avenue, on October 21, 2006. Pending approval of Building, Electrical, Fire and Zoning Departments.
SPONSOR: Hensley.

[06-1947](#)

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

[06-1948](#)

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

PUBLIC IMPROVEMENTS

7. Ordering construction of the following:

[06-1949](#)

(A) [SE](#) Connector-Elm Street Pavement Removals and Levee Reconstruction – Receiving of bids, (10-17-06), and Setting date of hearing, (11-6-06). (Construction Estimate - \$312,332.50). ([Council Communication No. 06-650](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**

[06-1950](#)

(B) [5th](#) & Keo Parking Garage Lighting Replacement – Receiving of bids, (10-24-06), Setting date of hearing, (11-06-06). (Construction Estimate - \$330,000). ([Council Communication No. 06-641](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**

- [06-1951](#) (C) [Hickman](#) Road Sidewalk from Prospect Road to M.L. King, Jr. Parkway – Receiving of bids, (10-24-06), and Setting date of hearing, (11-06-06). (Construction Estimate - \$67,590). ([Council Communication No. 06-643](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-1952](#) (D) [Mulberry](#) Street Storm Sewer – 9th Street to 10th Street - Receiving of bids, (10-24-06), and Setting date of hearing, (11-06-06). (Construction Estimate - \$85,870). ([Council Communication No. 06-644](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-1953](#) 8. [Approving](#) issuance of Request for Proposal on design and construction phase services for Dean's Lake Pump Station Improvements. ([Council Communication No. 06-629](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-1954](#) 9. [Approving](#) Professional Services Supplemental Agreement No. 1 with Shiffler Associates Architects, P.C. for additional design services for the West Zone Maintenance Facility. (\$19,700). ([Council Communication No. 06-640](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-1955](#) 10. [Approving](#) Change Order No. 1 with Cramer & Associates, Inc. for additional work on University Avenue Bridge Over the Des Moines River-Arch Rehabilitation, \$78,000. ([Council Communication No. 06-631](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-1956](#) 11. [Approving](#) Private Construction Contract between Nelson Construction Services and Bernard J. Baker II for paving improvements at 3400 E. Euclid Avenue. **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-1957](#) 12. [Communication](#) from various contractors requesting permission to sublet on three projects. **Moved by Vlassis to adopt. Motion Carried 6-0.**
13. Accepting completed construction and final payment for the following:
- [06-1958](#) (A) [Cramer](#) and Associates, Inc. – Central Place Pump Stations Trash Rack Replacement. **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-1959](#) (B) [Des](#) Moines Asphalt & Paving Co. – 2006 Expanded Street Resurfacing Program - Arterial. **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-1960](#) 14. [Authorizing](#) submittal of STP and STP-TE Fund Applications to the Des Moines Metropolitan Planning Organization. ([Council Communication No. 06-634](#)) **Moved by Hensley to adopt. Motion Carried 6-0.**

SPECIAL ASSESSMENTS

- [06-1961](#) 15. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Ordinance (Community Development) Schedule No. 2006-07. **Moved by Vlassis to adopt. Motion Carried 6-0.**

LAND/PROPERTY TRANSACTIONS

- [06-1962](#) 16. [Conditionally](#) granting prior approval of tax abatement for a new residence at 202 Williams Street, subject to conditions. ([Council Communication No. 06-655](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-1963](#) 17. [Approving](#) release of Sidewalk Bond No. IAC 30803 in amount of \$10,389 as surety for Sunrise Estates Plat 3 for satisfactory completion of required improvements. ([Council Communication No. 06-645](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-1964](#) 18. [Extending](#) the deadline for satisfaction of the conditions of the purchase agreement with Hubbell Realty Company for excess property in the vicinity of Martin Luther King Parkway and High Street. ([Council Communication No. 06-657](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [06-1965](#) 19. [Recommendation](#) from Council Member Kiernan to appoint David Abler to Seat 11 on the Urban Design Review Board for a three year term expiring June 30, 2007. **Moved by Vlassis to receive and file. Motion Carried 6-0.**

WITHDRAWN

- [06-1966](#) ~~20. Recommendation from Mayor Frank Cownie to appoint June L. Owens to the Civil Service Commission, Seat 6 to fill unexpired term of Michael Tonini through April 1, 2007 and be reappointed for a four-year term commencing April 1, 2007 and expiring April 1, 2011.~~
- [06-1967](#) 21. [Appointment](#) of Sandy Morris to replace Captain William Jones as alternate voting member to the Warren County E911 Joint Service Board. **Moved by Vlassis to adopt. Motion Carried 6-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [06-1968](#) 22. Regarding request from Grand View College, owner of 1446 Boyd Street, for vacation and conveyance of adjoining 200 foot dead-end segment of Boyd Street located east of E. Street, subject to conditions. **Moved by Vlassis to receive and file, and to refer to City Manager for further processing in accordance with standard City property disposition procedures. Motion Carried 5-0. Council Member Mahaffey declares conflict of interest and abstains from voting.**
- [06-1969](#) 23. Regarding request from Storey Kenworthy Company, owner of 307 Locust Street, for vacation and conveyance of adjoining north/south alley between 3rd Street and 4th Street running 152' north of Locust. **Moved by Hensley to receive and file, and to refer to City Manager for further processing in accordance with standard City property disposition procedures. City Manager to also review an option to lease the property. Motion Carried 5-0. Mayor Cownie declares a conflict of interest and abstains from voting.**
- [06-1970](#) 24. Regarding City-initiated proposal for vacation and conveyance of a portion of Cherry Street between 12th and 13th Streets and a portion of 13th Street between Mulberry and Cherry Streets, subject to reservation of easements for utilities. **Moved by Vlassis to receive and file, and to refer to the City Manager for further processing in accordance with standard City property disposition procedures. Motion Carried 6-0.**

SETTING DATE OF HEARINGS

- [06-1971](#) 25. On conveyance of Electrical Line Easement to Mid American Energy for a new power station at Southeast Ridge Trunk Sanitary Sewer Project-Phase Two, (10-23-06). **Motion Carried 6-0. Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-1972](#) 26. On vacation and conveyance of east 10 feet of SE 10th Street, and the west 10 feet of SE 11th Street adjoining 1005 Maury Street to Southern Rose, LP, \$5,600, (10-23-06). **Motion Carried 6-0. Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-1973](#) 27. On vacation and conveyance of Maple Street between E. 20th Ct. and Union Pacific Railroad to Dennis A. Murray, \$1,290 and to Prism Realty LLC, \$1,290, (10-23-06). **Motion Carried 6-0. Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-1974](#) 28. On vacation and conveyance of Maryland Pike right-of-way in vicinity of 2300 Beaver Avenue to 2300 Beaver, LLC, \$1,000 and Mark E. and Karen E. Barkley, \$100, (10-23-06). **Motion Carried 6-0. Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-1975](#) 29. On request from Nelson Development 14, LLC, to rezone property at 401 31st Street from "R1-80" (One Family Residential) to "PUD" (Planned Unit Development) and approve the proposed "PUD" conceptual plan for development of the property with four single-family units. **Motion Carried 6-0. Moved by Vlassis to adopt. Motion Carried 6-0.**

dwellings, subject to conditions, (10-23-06). **Moved by Vlassis to adopt. Motion Carried 6-0.**

[06-1976](#) 30. [On](#) request from Rose of East Des Moines, LP to rezone property at 1331 Idaho Street from "R-2A" (General Residential) to "PUD" (Planned Unit Development), subject to conditions, (10-23-06). **Moved by Vlassis to adopt. Motion Carried 6-0.**

[06-1977](#) 31. [On](#) voluntary annexation of 5475 Meredith Drive and approving agreement for immediate connection to the City sewer system, (11-20-06). ([Council Communication No. 06-6](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

[06-1978](#) 32. [Approving](#) payment of \$22,203.86 to Ahlers & Cooney, P.C. for legal representation regarding General Obligation Bonds. **Moved by Vlassis to adopt. Motion Carried 6-0.**

[06-1979](#) 33. [Approving](#) payment of \$978.48 to Myers & Jenkins for representation of the City in UAL Corporation, ATA Holdings Corp., Delta Air Lines, Inc., et.al (Comair, Inc.) Northwest Airlines Corporation, et.al Bankruptcies. **Moved by Vlassis to adopt. Motion Carried 6-0.**

[06-1980](#) 34. [Approving](#) payment of \$7,000 to Penelope Dimery-Bragg and Edward Bragg, and attorney Robert Wright, Jr. for bodily injury as the result of an auto accident. **Moved by Vlassis to adopt. Motion Carried 6-0.**

CITY MANAGER COMMUNICATIONS

[06-1981](#) 35. [Submitting](#) out-of-state travel request for Tom Vlassis. ([Council Communication No. 653](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**

APPROVING

36. Continuum of Care (COC) Closeout Certification Documents for the following:

[06-1982](#) (A) [Fiscal](#) Year 2002 documents for the Enhancement Project. **Moved by Vlassis to adopt. Motion Carried 6-0.**

[06-1983](#) (B) [Fiscal](#) Year 2003 documents for the Homeless Helpline Project. **Moved by Vlassis to adopt. Motion Carried 6-0.**

[06-1984](#) 37. [LIHEAP](#) Contract with Iowa Department of Human Rights/Division of Community Action Agencies for provision of energy related assistance to low-income persons during

period from October 1, 2006 through September 30, 2007. ([Council Communication No. 06-626](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**

- [06-1985](#) 38. [Application](#) for Enterprise Zone Certification for the Hawthorne Park Enterprise Zone. ([Council Communication No. 06-649](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-1986](#) 39. [Trail](#) Alignment and authorization to proceed acquiring right-of-way for the Waveland Trail, 40th to 42nd Streets. ([Council Communication No. 06-630](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-1987](#) 40. [Cost](#) sharing and conveyance of nine bicycle racks to Downtown Community Alliance for installation in the Liberty Building parking garage, 418 6th Avenue, and allowing use by the public, \$2,000. ([Council Communication No. 06-647](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-1988](#) 41. [Second](#) Amendment to Lease Agreement with Greater Des Moines Baseball Co. (GDMBC) for Principal Park to eliminate the City's responsibility for trash removal. ([Council Communication No. 06-646](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-1989](#) 42. [Extension](#) of Agreement with Life and Fire Safety (LAFS) to provide life and fire safety educational programs to children and the elderly in the Greater Des Moines area. ([Council Communication No. 06-627](#)) **Moved by Hensley to adopt. Motion Carried 6-0.**
- [06-1990](#) 43. [Extension](#) of Agreement for Enhanced Parking System Customer Services and Related Programs with Downtown Community Alliance (DCA) until June 30, 2007. **Moved by Vlassis to adopt. Motion Carried 6-0.**
- [06-1991](#) 44. [Communication](#) from the Neighborhood Revitalization Board, submitting their final recommendations for the Third Year Action Plan (2007), of the 2005-2009 HUD Consolidated Plan. **Moved by Coleman to receive and file and refer to City Manager to set up a workshop to discuss staff's sub grantee selection criteria and make a recommendation. Motion Carried 6-0.**
- [06-1992](#) (A) [Authorizing](#) the Director of Community Development to act as the "Certifying Official" for HUD Certifications of Consistency with the Consolidated Plan. **Moved by Coleman to adopt. Motion Carried 6-0.**
- [06-1993](#) 45. [Receipt](#) of quarterly reports from twenty-nine Neighborhood Based Service Delivery (NBSD) neighborhoods. ([Council Communication No. 06-654](#)) **Moved by Kiernan to receive and file the reports. Motion Carried 6-0.**

****Council considered Hearing Items 58 through 69 next****

- [06-1994](#) 46. [Request](#) from Downtown Community Alliance on behalf of the Iowa Stars, to approve banner design for 60 banners to be displayed in downtown along Locust Street in

Western Gateway from October through March. **Moved by Vlassis to receive, file and approve the banner design. Motion Carried 6-0.**

[06-1995](#) 46-I. [Request](#) from Des Moines Marathon to approve banners at 5th and Walnut and 3rd Walnut on October 15, 2006. SPONSOR: Vlassis. **Moved by Vlassis to approve and file. Motion Carried 6-0.**

[06-1996](#) 47. [2007](#) City Council Meeting Schedule. **Moved by Vlassis to adopt. Motion Carried 6-0.**

[06-1997](#) 48. [Receipt](#) of Annual Report from the Greater Des Moines Public Art Foundation. **Moved by Vlassis to receive and file. Motion Carried 6-0.**

[06-1998](#) 49. [Receipt](#) of Official Report for City Streets for FY2006. ([Council Communication No. 639](#)) **Moved by Vlassis to adopt. Motion Carried 6-0.**

50. Bids from the following:

[06-1999](#) (A) [Iowa](#) Transit for a non-competitive procurement for a Topcon Survey Station to be used by the Engineering Department, \$29,495. **Moved by Vlassis to adopt. Motion Carried 6-0.**

[06-2000](#) (B) [Deeter](#) Foundry for manhole castings to be used by the Public Works Department, \$47,400. (Ten bids mailed, five received.) **Moved by Vlassis to adopt. Motion Carried 6-0.**

[06-2001](#) 51. [Civil](#) Service Entrance List for Senior Public Safety Dispatcher. **Moved by Vlassis to receive and file. Motion Carried 6-0.**

[06-2002](#) 52. [Authorizing](#) Finance Director to draw checks on registers for the weeks of October 9 and October 16, 2006; and to draw checks for the bills of the Des Moines Municipal House Agency for the weeks of October 6 and October 16, 2006; and to draw checks for weekly payroll due October 13, 2006. **Moved by Vlassis to adopt. Motion Carried 6-0.**

ORDINANCES - SECOND CONSIDERATION

[06-2003](#) 53. [On](#) vacation of the north 25 feet of Army Post Rd. between SW 5th and SW 6th Streets. **Moved by Vlassis that this ordinance be considered and given second vote passage. Motion Carried 6-0.**

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

ORDINANCES - FIRST CONSIDERATION

- [06-2004](#) 54. [Amending](#) Chapter 114 of the Municipal Code regarding traffic regulation changes follows: **Moved by Hensley that this ordinance be considered and given first vote passage. Motion Carried 6-0.**
- (A) Parking Restriction and Parking Meter Removal – East side of Water Street between Walnut Street and Vine Street.
 - (B) Changes to Parking and Loading Restrictions for Goodrell Middle School Temporary Site: Walker Street between E. 14th and E. 15th.
 - (C) Loading Zone – East side of 15th Street, north of Enos Avenue. ([Council Communication No. 06-628](#))
- [06-2005](#) (D) Final consideration of ordinance above. **Moved by Hensley 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 now pass, #14,592. Motion Carried 6-0.**

COMMUNICATIONS/REPORTS

WITHDRAWN

- [06-2006](#) 55. ~~[From](#) Bob Wessel, 2719 E. Leach, to speak regarding taxation.~~
- [06-2007](#) 56. [From](#) John Morrissey, 2913 Oxford Street, to speak regarding installation of 4-way Stop Signs at the intersections of North Union Street & Tiffin Avenue and North Union Street & Ovid Avenue. **Moved by Mahaffey to receive and file comments; refer to the City Manager and Traffic Safety Committee for review and recommendation, and schedule a neighborhood meeting. Motion Carried 6-0.**
- [06-2008](#) 57. [From](#) Peter Pacha, 1726 E. Walnut Street, to speak regarding a housing inspection. **Moved by Hensley to receive and file comments; refer to the City Manager and Land Use Department for review and recommendation. Motion Carried 6-0.**

HEARINGS (OPEN AT 5:08P.M.) (ITEMS 58 THRU 69)

- [06-2009](#) 58. [On](#) issuance of a Certificate of Appropriateness for exterior alterations to Esther Hill (a/k/a Hawthorn Hill at 921 Pleasant Street). (continued from 9/25/06). **Moved by Hensley to adopt. Motion Carried 6-0.**
- [06-2010](#) (A) [Approving](#) Urban Renewal Development Agreement and HOME Investment

Partnership Agreement with Chestnut Hills Limited Partnership, and approve proposed Conceptual Development Plan for renovation of Esther Hall. ([Council Communication No. 06-652](#)) **Moved by Hensley to adopt. Motion Carried 6-0.**

[06-2011](#) 59. **On** vacation and conveyance of easement for subsurface rights located in a six foot strip street and alley right-of-way adjoining 912 Walnut Street, to LB Properties X, L \$35,000. ([Council Communication No. 06-636](#)) **Moved by Kiernan to adopt. Motion Carried 6-0.**

[06-2012](#) (A) **First** consideration of ordinance above. **Moved by Kiernan that this ordinance be considered and given first vote for passage. Motion Carried 6-0.**

[06-2013](#) (B) **Final** consideration of ordinance above, (waiver requested by applicant), require 2/3 majority votes. **Moved by Kiernan 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, #14,500. Motion Carried 6-0.**

[06-2014](#) 60. **On** vacation and conveyance of dead-end segment of N.E. 47th Court, south of NE Hubbell to Hubbell Properties II, LC, \$700. ([Council Communication No. 06-635](#)) **Moved by Mahaffey to adopt. Motion Carried 6-0.**

[06-2015](#) (A) **First** consideration of ordinance above. **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 6-0.**

[06-2016](#) (B) **Final** consideration of ordinance above, (waiver requested by applicant), require 2/3 majority 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, #14,500. Motion Carried 6-0.**

61. Items regarding property at 219 College:

[06-2017](#) (A) **To** amend the Des Moines 2020 Community Character Land Use Plan future land use designation from Low/Medium Density Residential to General Industrial. **Moved by Vlassis to continue to October 23, 2006. Motion Carried 6-0.**

[06-2018](#) (B) **Hearing** on request from Mark Daggy to rezone the property from “R-3” (Medium Density Family Residential) to Ltd. “M-1” (Light Industrial) to allow for industrial development, subject to conditions. **Moved by Vlassis to continue the public hearing on the proposed rezoning until October 23, 2006, to allow the applicant to have further opportunity to agree in writing to the imposition of the special conditions. Motion Carried 6-0.**

on the rezoning identified above. The hearing will be held at 5:00 P.M. Motion Carried 6-0.

WITHDRAWN

[06-2019](#)

(C) ~~[First](#) consideration of ordinance above.~~

WITHDRAWN

[06-2020](#)

(D) ~~[Final](#) consideration of ordinance above, (waiver requested by applicant), requiring 7 votes.~~

62. Items regarding property at 5525 SE 14th Street:

[06-2021](#)

(A) [To](#) amend the Des Moines 2020 Community Character Land Use Plan future land designation from Low Density Residential to Medium Density Residential. **Motion Carried 6-0. Moved by Kiernan to approve the proposed amendment. Motion Carried 6-0.**

[06-2022](#)

(B) [Hearing](#) on request from Tom Hildebrandt to rezone the property from “R1-80” (One-Family Residential) to “R-3” (Multiple Family Residential), subject to conditions of rezoning. **Moved by Kiernan to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 6-0.**

[06-2023](#)

(C) [First](#) consideration of ordinance above. **Moved by Kiernan that this ordinance be considered and given first vote for passage. Motion Carried 6-0.**

[06-2024](#)

(D) [Final](#) consideration of ordinance above, (waiver requested by applicant), requiring 7 votes. **Moved by Kiernan 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, #14,500. Motion Carried 6-0.**

[06-2025](#)

63. [On](#) request from Parker Street Foundation to rezone property at 1211 Davis Street from “R1-70” (One-Family Low-Density Residential) to “R-2” (One and Two-Family Residential) to allow conversion to a two family dwelling. (Plan and Zoning Commission recommends DENIAL). **Moved by Hensley to adopt and DENY the rezoning. Motion Carried 6-0.**

[06-2026](#)

(A) [Recommendation](#) from Plan and Zoning Commission. **Moved by Hensley to deny the proposed amendment to the Des Moines 2020 Community Character Land Use Plan for the reasons identified in the letter from the Plan and Zoning Commission. Motion Carried 6-0.**

[06-2027](#)

64. [On](#) application from Junior Wright as Co-Trustee of the J & K Wright Family Trust and Darrell Lawrence for Voluntary Annexation of land in Polk County, located south of Watrous Drive and west of SE Brooks Drive. (continued from 9-11-06). ([Cou](#)

[Communication No. 06-656](#)) Moved by Vlassis to adopt. Motion Carried 6-0.

- [06-2028](#) 65. On 2007 Sanitary/Storm Manhole and Intake Repair: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate, and designating lowest responsible bidder as Underground Company, Ltd., (Duane Burkhardt, President), \$337,500. ([Council Communication No. 06-632](#)) Moved by Vlassis to adopt. Motion Carried 6-0.
- [06-2029](#) (A) Approving contract and bond and permission to sublet. Moved by Vlassis to adopt. Motion Carried 6-0.
- [06-2030](#) 66. On Cownie Soccer Complex Electrical Distribution: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate, and designating lowest responsible bidder as Baker Electric, Inc., (Britt Baker, CEO), \$84,228.85. ([Council Communication No. 06-637](#)) Moved by Kiernan to adopt. Motion Carried 6-0.
- [06-2031](#) (A) Approving contract and bond and permission to sublet. Moved by Kiernan to adopt. Motion Carried 6-0.
- [06-2032](#) 67. On Fire Station No. 8 Renovation: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate, and designating lowest responsible bidder as Bergstrom Construction, Inc., (Tom Gorgas, President), \$451,000. ([Council Communication No. 06-642](#)) Moved by Vlassis to adopt. Motion Carried 6-0.
- [06-2033](#) (A) Approving contract and bond and permission to sublet. Moved by Vlassis to adopt. Motion Carried 6-0.
- [06-2034](#) 68. On Local Flood Protection Levee Closures: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate, and designating lowest responsible bidder as L-M Venture Corporation, Inc., (LeRoy McGarity, President), \$71,269. ([Council Communication No. 06-648](#)) Moved by Kiernan to adopt. Motion Carried 6-0.
- [06-2035](#) (A) Approving contract and bond and permission to sublet. Moved by Kiernan to adopt. Motion Carried 6-0.
- [06-2036](#) 69. On Prospect Park Playground Improvements: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate, and designating lowest responsible bidder as Legacy Construction Associates, Inc., (Randall D. Trabing, President), \$88,900. ([Council Communication No. 06-633](#)) Moved by Vlassis to adopt. Motion Carried 6-0.
- [06-2037](#) (A) Approving contract and bond and permission to sublet. Moved by Vlassis to adopt. Motion Carried 6-0.

END HEARINGS AT 5:35 P.M.

****Council considered Items 54 through Board of Health next****

APPROVING

- [06-2038](#) 70. [Amendment](#) to 28E Agreement for School Resource Officers Program for the addition of three (3) new officers into the program. ([Council Communication No. 06-651](#)) **Moved by Hensley to adopt. Motion Carried 6-0.**
- [06-2039](#) 71. [Budget](#) for Downtown Self-Supported Municipal Improvement District for fiscal year 2006 to June 30, 2007. ([Council Communication No. 06-658](#)) **Moved by Hensley to adopt. Motion Carried 6-0.**

BOARD OF HEALTH

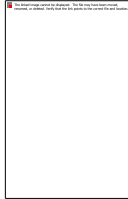
- [06-2040](#) MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene a meeting of the Board of Health. Motion Carried 6-0.**

AUTHORIZING

1. The Legal Department to proceed with court action seeking authority to abate the public nuisance at the following locations:
 - [06-2041](#) (A) [1127](#) Oak Park Avenue, Titleholder: Trafalgar Holdings, LC; Mortgage Holder: First State Bank of Colfax. **Moved by Kiernan to adopt. Motion Carried 6-0.**
 - [06-2042](#) (B) [1519](#) University Avenue, Titleholders: Tho D. Bui a/k/a Thom D. Bui, Lanh M. Bui and Thom Danh. **Moved by Kiernan to adopt. Motion Carried 6-0.**
 - [06-2043](#) (C) [2301](#) E. Walnut Street, Titleholders: Carmen Casillas, Clara Etzel, Robert F. Etzel, Jean Galloway, Gary Hess, David Wandling, Myron Wandling, Sharon Wolverton, and William Wolver as heirs of Dorothy Hess. **Moved by Kiernan to adopt. Motion Carried 6-0.**
 - [06-2044](#) (D) [3018](#) York Street, Titleholders: Beverly J. Adamson; Mortgage Holders: Firststar Bank of U.S.A, NA and US Bank National Association. **Moved by Kiernan to adopt. Motion Carried 6-0.**
 - [06-2045](#) (E) [1548](#) 2nd Place, Titleholder: Christine L. Hinds. **Moved by Kiernan to adopt. Motion Carried 6-0.**
 - [06-2046](#) (F) [3135](#) 7th Street, Titleholder: Thomas R. Sheridan. **Moved by Kiernan to adopt. Motion Carried 6-0.**
 - [06-2047](#) (G) [1905](#) E. 22nd Street, Titleholder: U.S. Bank National Association ND. **Moved by Kiernan to adopt. Motion Carried 6-0.**
2. [06-2048](#) [The](#) Engineering Department to cause the removal of the structure located at 1202 E. 3rd Street, Titleholder: Steve Thornton. **Moved by Vlassis to adopt. Motion Carried 6-0.**

[06-2049](#) MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 6:00 P.M. Motion Carried 6-0.**

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