The City Council took the following action on items listed in the attached meeting agenda summary. Copies of ordinances, resolutions and other Council action may be obtained from the City Clerk's Office (515) 283-4209. The six-digit number beginning with '10-' preceding each item on the agenda is a roll call number assigned by the City Clerk. Please refer to this number when requesting information or copies.

SUMMARY OF DES MOINES CITY COUNCIL MEETING

September 13, 2010 4:30 PM

PROCLAMATIONS – 4:00 PM

International Ataxia Awareness Day

Library Card Sign-Up Month

INVOCATION: Council Member Coleman

10-1425 1. ROLL CALL: Present: Cownie, Coleman, Griess, Hensley, Mahaffey, Meyer and Moore. Mayor Cownie participated in the meeting via telephone.

10-1426 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: Moved by Hensley to adopt. Motion Carried 7-0.

10-1427 3. APPROVING CONSENT AGENDA * – items 3 through 48: Moved by Hensley to adopt the balance of the consent agenda. Motion Carried 7-0.

*Note: These are routine items and will be enacted by one roll call vote without separate discussion unless someone, Council or public, requests an item be removed to be considered separately.
4. Approving Alcoholic Beverage License Applications for the following: Moved by Hensley to defer consideration of item CC until October 25, to allow time to conduct an audit to verify the 50% or more in sales of products other than alcohol; also refer to the Legal Department to prepare an ordinance amendment to require 60% or more in sales of products other than alcohol and to also exclude tobacco products. Motion Carried 7-0.

NEW APPLICATIONS

(A) COUNTRY KITCHEN 5030 NE 14TH ST  C Liquor
(B) EL BLUE BURRITO INC 1434 DES MOINES ST  B Beer
(C) GUCKENHEIMER 1331 GRAND AVE  C Liquor
(D) NAT FOOD MART #1 3804 HUBBELL AVE  E Liquor
(E) SHOP N SAVE 1829 6TH AVE  E Liquor
(F) SHOP N SAVE 2127 M L KING JR  E Liquor

RENEWAL APPLICATIONS

(G) AK OCONNORS 4050 URBANDALE  C Liquor
(H) ANDYS PLACE 5114 SW 9TH ST  C Liquor
(I) CARLOS O’KELLYS 4371 MERLE HAY RD  C Liquor
(J) CASEYS GENERAL STORE #44 4560 E 14TH STREET  C Beer
(K) DES MOINES IZAAK WALTON 4343 GEORGE FLAGG  C Liquor
(L) DES MOINES MARRIOTT 700 GRAND AVE  E Liquor
(M) DES MOINES MARRIOTT 700 GRAND AVE  B Liquor
(N) EMBASSY SUITES HOTEL 101 E LOCUST ST  B Liquor
(O) FARΕWAY STORE #900 100 E EUCLID AVE  E Liquor
(P) FARΕWAY STORE #975 3000 SE 22ND ST  E Liquor
(Q) GODFATHERS PIZZA 4119 UNIVERSITY  B Beer
(R) H & A MINI MART 145 UNIVERSITY  E Liquor
(S) HEROES 216 COURT AVE  C Liquor
(T) HULL TAVERN TAP 834 E HULL AVE  C Liquor
(U) INDIA STAR 5514 DOUGLAS AVE  C Beer/Wine
(V) INFINITE 2829 EASTON BLVD  C Beer
(W) LA BAMBA MEXICAN 6101 GRAND AVE  C Liquor
(X) MERLE HAY LANES 3800 MERLE HAY RD  C Liquor
(Y) NOODLE ZOO 601 E LOCUST ST  C Beer/Wine
(Z) PROOF 1301 LOCUST ST  C Beer/Wine
(AA) QUIKTRIP #560 2300 ML KING  C Beer
(BB) SMOKEYS TRIANGLE TAP 2506 POST  C Liquor
*(CC) UNIVERSITY GROCERIES 2121 UNIVERSITY  E Liquor
(DD) WAL MART SUPERCENTER 5101 SE 14TH ST  E Liquor
TRANSFER TO NEW LOCATION

(EE) SA PRESENTS 2607 BEAVER AVE  C Beer/Wine
Temporary transfer from 75 E. Locust for a special event on September 17 – 18, 2010. Pending approval of Building, Electrical, Fire and Zoning Departments.

OUTDOOR SERVICE APPLICATIONS

(FF) CHRISTOPHERS DINING 2816 BEAVER AVE  C Liquor
Temporary in conjunction with Beaverdale Fall Festival on September 17 – 18, 2010. Pending approval of Building, Electrical, Fire and Zoning Departments.

(GG) GOODSONS 2815 BEAVER AVE  C Liquor
Temporary in conjunction with Beaverdale Fall Festival on September 17 – 18, 2010. Pending approval of Building, Electrical, Fire and Zoning Departments.

(HH) MAIN GATE 2956 E GRAND AVE  C Liquor
Temporary for annual Hog Roast Event on September 18, 2010. Pending approval of Building, Electrical, Fire and Zoning Departments.

(II) SUDSUCKERS 1511 E ARMY POST  C Liquor
Temporary for Sud Stock Event on September 18, 2010. Pending approval of Building, Electrical, Fire and Zoning Departments.

(JJ) TALLYS 2712 BEAVER AVE  C Liquor
Temporary in conjunction with Beaverdale Fall Festival on September 17 – 18, 2010. Pending approval of Building, Electrical, Fire and Zoning Departments.

(KK) UNDERGROUND 500 E LOCUST ST  C Liquor
Temporary in conjunction with Car Show in East Village on September 19, 2010. Pending approval of Building, Electrical, Fire and Zoning Departments.

SPECIAL EVENTS APPLICATIONS

(LL) DOWNTOWN EVENTS 401 E 5TH ST  Five (5) Day License
Special Class C Liquor License for World Food Festival on October 8 – 10, 2010. Pending approval of Building, Electrical, Fire and Zoning Departments.

(MM) DRAKE AREA BUSINESS 2318 UNIVERSITY  Five (5) Day License
Class B Beer License for Dog Town Fest on September 25, 2010. Pending approval of Building, Electrical, Fire and Zoning Departments.

(NN) IN ANY EVENT 103 4TH ST  Five (5) Day License
Class C Liquor License for Oktoberfest on September 24 – 25, 2010. Pending approval of Building, Electrical, Fire and Zoning Departments.

(OO) WALLACE HOUSE 756 16TH ST  Five (5) Day License
Class B Native Wine Permit for an event on September 18, 2010. Pending approval of Building, Electrical, Fire and Zoning Departments.
5. **Consideration** of Class C Liquor License for Lucca, 420 E. Locust Street. Building Department recommends DENIAL. **Moved by Meyer to timely file their application for an additional 30 days, and to approve the license pending approval of the Building Department and compliance with code deficiencies. Motion Carried 7-0.**

6. **City** Clerk to issue Cigarette Licenses. **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Cownie and Moore.**

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

**PUBLIC IMPROVEMENTS**

8. Ordering construction of the following:

   (A) **Grand** Avenue – 19th Street to Polk Boulevard Older Driver-Pedestrian Traffic Control: Receiving of bids, (9-28-10), Setting date of hearing, (10-11-10). (Construction Estimate - $148,100). (Council Communication No. 10-548) **Moved by Hensley to adopt. Motion Carried 7-0.**

   (B) **2010** Golf Course Sewer Repairs: Receiving of bids, (9-28-10), Setting date of hearing, (10-11-10). (Construction Estimate - $310,000). (Council Communication No. 10-543) **Moved by Hensley to adopt. Motion Carried 7-0.**

   (C) **Court** Avenue & Water Street Storm Water Pump Station: Receiving of bids, (10-12-10), Setting date of hearing, (10-25-10). (Construction Estimate - $6,030,000). (Council Communication No. 10-550) **Moved by Hensley to adopt. Motion Carried 7-0.**

   (D) **Dean’s** Lake Storm Sewer Crossing Improvements: Receiving of bids, (10-12-10), Setting date of hearing, (10-25-10). (Construction Estimate - $1,965,000). (Council Communication No. 10-549) **Moved by Hensley to adopt. Motion Carried 7-0.**

9. **Approving** 28E Agreement regarding connection by Des Moines to Urbandale Sanitary Sewer District Sewer along Merle Hay Road. (Council Communication No. 10-545) **Moved by Hensley to adopt. Motion Carried 7-0.**

10. **Approving** Change Order No. 1 with Reilly Construction Company, Inc. and Subsidiaries for additional work on the 33rd Street Sewer Separation Project, not to exceed $53,106. (Council Communication No. 10-544) **Moved by Hensley to adopt. Motion Carried 7-0.**
10-1438 10. Approving execution of Iowa Department of Transportation Agreements for Euclid Avenue Intersection Improvements.  (Council Communication No. 10-546) Moved by Hensley to adopt. Motion Carried 7-0.

10-1439 11. Approving Private Construction Contract between Jordison Construction, Inc. and Neighborhood Development Corporation for alley paving improvements west of E. 16th Street from Des Moines Street to E. Grand Avenue, $2,400. Moved by Hensley to adopt. Motion Carried 7-0.

12. Accepting completed construction and approving final payment to the following:

10-1440 (A) Baker Electric, Inc. – Combined Fleur Drive and SE 14th Street/Army Post Road Traffic Signal Interconnect. Moved by Hensley to adopt. Motion Carried 7-0.

10-1441 (B) Proshot Concrete, Inc. – 1706 Pennsylavania Avenue Soil Stabilization. Moved by Hensley to adopt. Motion Carried 7-0.

SPECIAL ASSESSMENTS

10-1442 13. Levying assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development) Schedule No. 2010-10. Moved by Hensley to adopt. Motion Carried 7-0.

10-1443 14. Levying assessments for fees, fines, penalties, costs and interest imposed in the enforcement of Neighborhood Inspection Rental Code, Schedule No. 2010-06. Moved by Hensley to adopt. Motion Carried 7-0.

10-1444 15. Approving deletion of NAC-Emergency, Delinquent Sewer, Solid Waste, and Storm Water Assessments at 1603 Clark Street. Moved by Hensley to adopt. Motion Carried 7-0.

16. Approving deletion of rental inspection assessments at the following:

10-1445 (A) Various locations. Moved by Hensley to adopt. Motion Carried 7-0.

10-1446 (B) 3339 E. University Avenue. Moved by Hensley to adopt. Motion Carried 7-0.

LAND/PROPERTY TRANSACTIONS

10-1447 17. Approving final Subdivision Plat for “Woodside Estates West, Plat 6”, vicinity of 5590 NW 3rd Court, in unincorporated Polk County, within 2-mile review area.  (Council Communication No. 10-554) Moved by Hensley to adopt. Motion Carried 7-0.
BOARDS/COMMISSIONS/NEIGHBORHOODS

10-1448 18. Communication from Justin Gross advising of his resignation from the Neighborhood Revitalization Board, Seat 12, effective immediately. Moved by Hensley to receive, file and accept resignation with appreciation for his service. Motion Carried 7-0.

10-1449 19. Appointment of Michael Ludwig as Regular Member (replacing Larry Hulse) and Bert Drost as Alternate Member (replacing Michael Ludwig) of the Transportation Technical Committee of the Metropolitan Planning Organization (MPO). Moved by Hensley to adopt. Motion Carried 7-0.

10-1450 20. Recommendation from Council Member Halley Griess to appoint Aaron Todd to the Urban Design Review Board, Seat 8, for a three-year term commencing June 30, 2010 to expire June 30, 2013. Moved by Hensley to adopt. Motion Carried 7-0.

COMMUNICATIONS FROM PLANNING AND ZONING

10-1451 21. Regarding City Council initiated request for vacation of a dead end segment of Merced Drive and a dead end segment of 30th Street running south of Merced Drive, subject to conditions. Moved by Hensley to receive and file and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.

10-1452 22. Regarding request from The Rotary Club for an honorary street name change to a one block portion of 12th Street between Grand Avenue and Locust Street as “Rotary Way” in recognition of their Centennial Celebration. Moved by Hensley to receive and file and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.

10-1453 23. Regarding request from Iowa Lutheran Hospital Auxiliary for an honorary street name change to Neola Avenue, west of Pennsylvania Avenue to “Auxiliary Way” in recognition of their 100th Anniversary. Moved by Hensley to receive and file and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.

SETTING DATE OF HEARINGS

10-1454 24. On conveyance of property located at 2201 and 2217 Forest Avenue and 1405 23rd Street and Residential Development Agreement with Anawim Housing for the Forest Avenue Urban Renewal Project $1, (9-27-10). (Council Communication No. 10-562) Moved by Hensley to adopt. Motion Carried 7-0.

10-1455 25. On conveyance of underground electric line easement on city-owned property at 5000 Franklin Avenue to MidAmerican Energy Company, $1, (9-27-10). Moved by Hensley to adopt. Motion Carried 7-0.
26. **On** conveyance of electric line easement on city-owned property at 200 Guthrie Avenue to MidAmerican Energy Company, (9-27-10). **Moved by Hensley to adopt. Motion Carried 7-0.**

27. **On** request from Sandra Matchinsky to rezone property at 1401 E 12th Street from “R1-60” (One-Family Low-Density Residential) to “C-2” (General Retail and Highway Oriented Commercial) to allow the former Wallace Elementary School to be used as an auction business, (9-27-10). (Plan and Zoning Commission recommends DENIAL). **Moved by Hensley to adopt. Motion Carried 7-0.**

28. **On** request from KLM International to rezone property at 901 19th and 930 18th Street from “R-3” (Multi-Family Residential) and “R-HD” (Residential Historic) to “NPC” (Neighborhood Pedestrian Commercial) to allow property to be used as a teen center, (9-27-10). **Moved by Hensley to adopt. Motion Carried 7-0.**

29. **On** proposed Annexation Moratorium Agreement and 28E Agreement with the City of Pleasant Hill, (10-25-10). (Council Communication No. 10-556) **Moved by Hensley to adopt. Motion Carried 7-0.**

30. **On** applications for Limousine and Taxicab Licenses for the following, (9-27-10):

   (A) **Luxxor Limousines LLC** for Scott Sweers, (Limousine). **Moved by Hensley to adopt. Motion Carried 7-0.**

   (B) **Joy Ride Transport LLC** for Bethany Cochran, (Para transit Taxicab). **Moved by Hensley to adopt. Motion Carried 7-0.**

   (C) **City Cab LLC** for Shani Amin and Mohamed Ahmed, (Taxicab). **Moved by Hensley to adopt. Motion Carried 7-0.**

   (D) **United Cab, Ltd.** for Mohamed Habib, (Taxicab). **Moved by Hensley to adopt. Motion Carried 7-0.**

31. **On** denial of ownership change and revocation of liquor license for Sun Mart, 300 Walnut Street, (10-11-10). **Moved by Hensley to adopt. Motion Carried 7-0.**
LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

10-1465 32. Approving payment of $20,021.23 to Ahlers & Cooney, P.C. regarding General Obligation Bonds, Series 2010D and 2010E. Moved by Hensley to adopt. Motion Carried 7-0.

33. Approving payment of workers’ compensation claims for the following:

10-1466 (A) Eric Akkerman, $12,484.37. Moved by Hensley to adopt. Motion Carried 7-0.

10-1467 (B) Harold Mills, $14,106.65. Moved by Hensley to adopt. Motion Carried 7-0.

10-1468 (C) Stan Mitchell, $153,000. Moved by Hensley to adopt. Motion Carried 7-0.

CITY MANAGER COMMUNICATIONS

10-1469 34. Submitting travel and training request for T. M. Franklin Cownie. (Council Communication No. 10-563) Moved by Hensley to adopt. Motion Carried 7-0.

APPROVING

10-1470 35. Receive and file letter from Board of Adjustment regarding current Zoning Ordinance sign regulations. Moved by Moore to receive and file the communication, and refer to the City Manager for review and recommendation and to report on sign regulations in other Metro cities. Motion Carried 7-0.

10-1471 36. Receive and file communication from Chair of the Polk County Housing Continuum Board recommending that the City Council adopt the Board’s recommendations for the 2010 Supportive Housing Program Priorities and Procedures. (Council Communication No. 10-540) Moved by Hensley to adopt. Motion Carried 7-0.

37. Supportive Housing Program (SHP) Renewal Grant Agreement with the United States Department of Housing and Urban Development (HUD) for the following: (Council Communication No. 10-541)

10-1472 (A) House of Mercy Transitional Housing. Moved by Hensley to adopt. Motion Carried 7-0.

10-1473 (B) Primary Health Care Enhancement. Moved by Hensley to adopt. Motion Carried 7-0.
38. Fiscal Year 2008 Continuum of Care (COC) Closeout Certification Documents for the following:

10-1474  
(A) **Anawim** Housing Shelter Plus Care. **Moved by Hensley to adopt. Motion Carried 7-0.**

10-1475  
(B) **Lighthouse** Host Home. **Moved by Hensley to adopt. Motion Carried 7-0.**

10-1476  
39. **Proposal** from Confluence (Chris Della Vodova, Principal) for concept planning services to examine redevelopment options for the Southern Meadows Apartments, not to exceed $24,950. (Council Communication No. 10-558) **Moved by Hensley to adopt. Motion Carried 7-0.**

10-1477  
40. **Acceptance** of assignment of contract from Artistic Waste Services to Waste Management of Iowa, Inc. for trash removal services for SCRUB Program. (Council Communication No. 10-553) **Moved by Hensley to adopt. Motion Carried 7-0.**

10-1478  
41. **Use** of various City Facilities as poll sites for precincts during the General Election to be held on Tuesday, November 2, 2010. **Moved by Hensley to approve. City Clerk will notify the Parks Department and the Municipal Housing Department to arrange access to the buildings. Motion Carried 7-0.**

10-1479  
42. **Communication** from Greater Des Moines Convention & Visitors Bureau requesting permission to place a temporary banner on the north side of Veterans Memorial Auditorium welcoming the American Quilter’s Society, commencing immediately and continuing through October 9, 2010. **Moved by Hensley to adopt. Motion Carried 7-0.**

10-1480  
43. **Des Moines Marathon** requesting approval for banners across the streets on Locust for the starting line between 3rd and 4th and finish line on 3rd between Locust and Walnut on Sunday, October 17, 2010. **Moved by Hensley to receive, file and approve banner. Motion Carried 7-0.**

10-1481  
44. **Banner** design submitted by Downtown Community Alliance, on behalf of the Civic Center, to be displayed in downtown on Grand Avenue in November and December, 2010. **Moved by Hensley to approve banner design. Motion Carried 7-0.**

45. Bids from the following:

10-1482  
(A) **Brown’s Dirt Work** (Matt Brown/President) for water service stop box relocation services for use by the Public Works Department, $35,550. (Twelve bids mailed, four received). **Moved by Hensley to adopt. Motion Carried 7-0.**
10-1483  (B) **G & S Service** (Glen Mikel/President) for an annual contract with two (2) additional one-year renewal options to furnish towing and emergency road services for city-owned vehicles for use by the Equipment Maintenance Center, estimated annual cost $35,000. (Seven bids mailed, three received).  **Moved by Hensley to adopt. Motion Carried 7-0.**

10-1484  (C) **Iowa Roofing Company** (David Guy/President) and Academy Roofing & Sheet Metal (Brian Durmm/President) for an annual contract with two (2) addition one-year renewal options to furnish roofing repair services for use by the Park & Recreation Department, estimated annual cost $50,000. (Eleven bids mailed, two received).  **Moved by Hensley to adopt. Motion Carried 7-0.**

10-1485  (D) **Jerico Services** (John Marshall/General Manager) and Smith Fertilizer and Grain (Galen Smith/General Manager) for joint purchase along with West Des Moines, Waukee, Johnston and Windsor Heights and Dallas County for deicing chemical for the 2011 fiscal year, estimated annual cost $55,100. (Sixteen bids mailed, eight received).  (Council Communication No. 10-552) **Moved by Hensley to adopt. Motion Carried 7-0.**

10-1486  46. **Civil Service Promotional Lists** for Senior Police Officer, Senior Refuse Collector and Housing Services Maintenance Mechanic A.  **Moved by Hensley to receive and file. Motion Carried 7-0.**

10-1487  47. **Authorizing** Finance Director to draw checks on registers for weeks of September 13 and September 20, 2010; to draw checks for bills of the Des Moines Municipal Housing Agency for weeks of September 13 and September 20, 2010; and to draw checks for biweekly payroll due September 24, 2010.  **Moved by Hensley to adopt. Motion Carried 7-0.**

**ORDINANCES - SECOND CONSIDERATION**

48. Rezoning of the following properties, in the Historic East Village area:

10-1488  (A) **Vicinity** of 201 E. Locust Street and 306 E. 3rd Street, from “C-3” (Central Business District Commercial) to Ltd. “C-3”.  **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

10-1489  (B) **Vicinity** of 211 and 215 E. Walnut Street, from “C-3” (Central Business District Commercial) to Ltd. “C-3”.  **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

10-1490  (C) **Vicinity** of 201 and 205 E. Walnut Street, from “C-3” (Central Business District Commercial) to Ltd. “C-3”.  **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**
10-1491  (D) The area recognized as Historic East Village, from “C-3” (Central Business District Commercial) and “M-1” (Light Industrial) to “C-3B” (Central Business District Mixed Use) and Ltd “C-3”. Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.

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

COMMUNICATIONS/REPORTS

WITHDRAWN

10-1492  49. From Kevin Johnson, 3801 SW 56th Street, to speak regarding landlord, tenant, City laws and communications.

10-1493  50. Petitions from property owners requesting sidewalks on NE 46th Street from E. Valdez Drive to Delaware Elementary School. Moved by Griess to receive, file and refer to City Engineer for review and recommendation. Motion Carried 7-0.

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 51 THRU 57)

10-1494  51. On request from Sutton Hill Residential Cooperative, to rezone property at 2080 King Avenue from “R-6” (Planned Residential Development) and “R1-80” (One-Family Residential) to “PUD” (Planned Unit Development) and approval of the PUD Conceptual Development Plan and to continue to January 10, 2011 at 5:00 PM. Moved by Meyer to continue to January 10, 2011 Council Meeting at 5:00 PM. Motion Carried 6-1. Absent: Griess.

10-1495  52. On conveyance of underground electric line easement to MidAmerican Energy Company for service to World Food Prize Foundation at 100 Locust Street. Moved by Hensley to adopt. Motion Carried 6-1. Absent: Griess.

10-1496  53. On conveyance of a portion of vacated alley, east of 831 40th Place to Roger E. and Lori Renae Short, $25. (Council Communication No. 10-547) Moved by Hensley to adopt. Motion Carried 7-0.

54. Items regarding request from Hickman Storage, LLC (Brad VanderLinden/Officer), regarding property at 2504 Westover Blvd., (Plan and Zoning Commission recommends denial):

10-1497  (A) On rezoning the property from “R1-60” (One Family Low-Density Residential) to “C-2” (General Retail and Highway Oriented Commercial) to allow property to serve as ingress/egress with limited access for emergency and larger delivery/moving trucks to a mini-warehouse facility within adjoining jurisdiction of Urbandale to the west. Moved by Griess to adopt, and deny the proposed rezoning. Motion Carried 7-0.
10-1498 (B) **On** amendments to the Des Moines 2020 Community Character Plan, to revise the future land use designation from Low-Density Residential to Commercial: Auto-Oriented Small-Scale Strip Development. **Moved by Griess to adopt, and deny the proposed amendment.** Motion Carried 7-0.

10-1499 55. **On** intent to convey City-owned property between 3100-3800 block of the north side of SE Watrous Avenue to the Des Moines Metropolitan Wastewater Reclamation Authority for the WRA Equalization Basin Utilization Project, $1. **Moved by Meyer to adopt.** Motion Carried 7-0.

10-1500 56. **On** intent to convey permanent sanitary sewer easements to Des Moines Metropolitan Wastewater Reclamation Authority for the WRA Four Mile Interceptor Projects. **Moved by Moore to adopt.** Motion Carried 7-0.

10-1501 (A) **Recommendation** from Park and Recreation Board. **Moved by Moore to receive and file and refer to City Manager for review and recommendation.** Motion Carried 7-0.

10-1502 57. **On** Jackson Avenue Detention Basin Pump Station: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate, and status of funded activities under IDED Contract No. 08-DRI-235: Resolution to receive and file bids, designating lowest responsible bidder as Rice Lake Contracting Corporation, d/b/a Rice Lake Construction Group, (Luke Spalj, C.E.O.), ($5,455,000). **(Council Communication No. 10-551)** Moved by Meyer to adopt. Motion Carried 7-0.

10-1503 (A) **Approving** contract and bond, and permission to sublet. **Moved by Meyer to adopt.** Motion Carried 7-0.

**APPROVING**

10-1504 58. **Receive** and file Park and Recreation Board recommendation to approve sale of 70’ by 132’ portion of Waveland Golf Course to abutting property owner, Russell Parks, for a townhouse development. **(Council Communication No. 10-557)** Moved by Hensley to receive and file and refer to the City Manager for review and recommendation regarding policy, process and minimum criteria for uses of non-buildable park land, and to review the plan for the bird sanctuary. **Motion Carried 5-2. Nays: Cownie and Meyer.**

10-1505 (A) **Request** to speak and petitions from Grant Purdy, 4525 Boulevard Place. **Moved by Hensley to receive and file comments.** **Motion Carried 5-2. Nays: Cownie and Meyer.**
10-1506  (B) Request to speak from David Huston, 4321 University Avenue #2. Moved by Hensley to receive and file comments. Motion Carried 5-2. Nays: Cownie and Meyer.

10-1507  (C) Communication from Ed Conlow, President, Waveland Park Neighborhood Association. Moved by Hensley to receive and file comments. Motion Carried 5-2. Nays: Cownie and Meyer.

10-1508  59. Mitigation Supplement to Tree Preservation Principles for City Property, Public Improvement Projects and Utilities Policy. (Council Communication No. 10-561) Moved by Moore to adopt, and refer to the City Manager for review and recommendation regarding a process to assist citizens with pick-up and planting of trees on their property. Motion Carried 7-0.

10-1509  60. Use Agreement for Des Moines Independent Community School District board meetings to use the City Council Chambers for the period of October 5, 2010 through August 31, 2011. (Council Communication No. 10-555) Moved by Hensley to adopt. Motion Carried 7-0.

61. Agreements to assist homeowners affected by the 2010 flooding in Polk County: (Council Communication No. 10-559)

10-1510  (A) Grant Agreement with Iowa Finance Authority for the administration of Iowa Helping Iowans Housing Assistance Program for residents of Polk County. Moved by Moore to adopt. Motion Carried 7-0.

10-1511  (B) Authorizing the City Manager to enter into an Agreement with Polk County for the City to administer the Iowans Helping Iowans Housing Assistance Program for Polk County residents outside Des Moines city limits. Moved by Meyer to adopt. Motion Carried 7-0.

10-1512  62. State Energy Program Grant Agreement with Iowa Office of Energy Independence (OEI), for Capital Improvement to the Airport HVAC system, $783,333. (Council Communication No. 10-560) Moved by Hensley to adopt. Motion Carried 7-0.

EXTRA ITEMS

10-1513  1. Authorizing execution of contract amendment for a Community Development Block Grant with Iowa Department of Economic Development for property acquisition and demolition of structures in Four Mile Flood Plain area. Sponsor: Council Member Mahaffey. (Council Communication No. 10-564) Moved by Griess to adopt. Motion Carried 7-0.
BOARD OF HEALTH

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

1. Approving the Legal Department to proceed with court action authority to abate the public nuisance at the following locations:

(A) 2605 Lincoln Avenue, garage structure, Titleholders: Paul Ekanem and Frances Evans Ekanem; Mortgage Holder: Equicredit Corporation. Moved by Meyer to adopt. Motion Carried 7-0.

(B) 2916 E. 36th Street, garage structure, Titleholders: Steve Paxston and Brenda Trude. Moved by Meyer to adopt. Motion Carried 7-0.

(C) 4813 SW 5th Street, main structure, Titleholder: Tommy W. Current. Moved by Meyer to adopt. Motion Carried 7-0.

2. Communication from Shelter Insurance Companies dated 7/26/10 stating their insured, Lucie Klein, 2015 Motley Street, Des Moines, Iowa has sustained a fire loss. Shelter Insurance Companies is holding a fire escrow in the amount of $10,000. Moved by Meyer to receive and file and to direct that the City Attorney bring legal action within one hundred eighty days (180 days) of receipt of notice if owners have not demolished or renovated the structure. Motion Carried 7-0.

MOTION TO ADJOURN. Moved by Hensley to adjourn at 6:58 PM. Motion Carried 7-0.

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Des Moines
All-America City

September 13, 2010