



**\*\*\* DES MOINES CITY COUNCIL MEETING REPORT \*\*\***

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

**SUMMARY OF DES MOINES CITY COUNCIL MEETING**

October 25, 2010  
4:30 PM

**PROCLAMATIONS – 4:15 PM**

**Everybody Wins! Iowa Power Lunch Week**

**SPECIAL PRESENTATION**

**Recognition of Rebuilding Together**

**INVOCATION:** Council Member Mahaffey

- [10-1702](#) 1. ROLL CALL: **Present: Cownie, Coleman, Griess, Hensley, Mahaffey, Meyer and Moore.**
- [10-1703](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Meyer to adopt. Motion Carried 7-0.**
- [10-1704](#) 3. APPROVING CONSENT AGENDA \* – items 3 through 40: **Moved by Mahaffey to adopt the balance of the Consent Agenda. Motion Carried 7-0.**

**\*Note:** These are routine items and will be enacted by one roll call vote without separate discussion unless someone, Council or public, requests an item be removed to be considered separately.

**LICENSES AND PERMITS**

- [10-1705](#) 4. [Approving](#) Alcoholic Beverage License Applications for the following: **Moved by Mahaffey to adopt. Motion Carried 7-0.**

**NEW APPLICATIONS**

(A)	BIG CITY BURGERS	400 LOCUST ST	C Liquor
(B)	CASEYS #2921	3725 BEAVER AVE	C Beer
(C)	CASEYS #2922	3501 E 14TH ST	B Beer

**RENEWAL APPLICATIONS**

(D)	APEX OIL	1200 SE 30TH ST	C Beer
(E)	BORDENAROS PIZZA	6108 SW 9TH ST	C Liquor
(F)	CENTRO RESTAURANT	1011 LOCUST ST	C Liquor
(G)	DAHLS FOODS	4343 MERLE HAY RD	E Liquor
(H)	DUBLIN	2307 UNIVERSITY	C Liquor
(I)	DUDS N SUDS	2629 BEAVER AVE	B Beer
(J)	HESSEN HAUS	101 4TH STREET	C Liquor
(K)	HY VEE GAS #5	1113 E ARMY POST	C Beer
(L)	J & J PIZZA PUB	2500 MLK JR PKWY	C Liquor
(M)	JESSES EMBERS	3301 INGERSOLL	C Liquor
(N)	KAMODO KLUB	214 3RD ST	C Liquor

**TRANSFER TO NEW LOCATION**

- (O) DRAKE UNIVERSITY 3000 E GRAND AVE C Liquor  
Temporary transfer from 2875 University Avenue for an American Diabetes Association event on November 11, 2010 at the Animal Learning Center.

- [10-1706](#) 5. [City](#) Clerk to issue Cigarette Licenses. **Moved by Mahaffey to adopt. Motion Carried 5-2. Nays: Cownie and Moore.**

**PUBLIC IMPROVEMENTS**

- [10-1707](#) 6. [Ordering](#) construction of City Hall Window Replacement: Receiving of bids, (11-23-10), Setting date of hearing, (12-6-10). (Construction Estimate - \$480,000). ([Council Communication No. 10-634](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**

- [10-1708](#) 7. [Approving](#) Professional Services Agreement with Stanley Consultants, Inc. for design and construction phase services for the Principal Riverwalk North of Grand Avenue, not to exceed \$108,000. ([Council Communication No. 10-632](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**

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

- [10-1709](#) (A) [Elder](#) Corporation – Cownie Soccer Fields Improvements – Phase 3. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [10-1710](#) (B) [Corell](#) Contractor, Inc. – Grays Lake Emergency Storm Sewer Repair. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [10-1711](#) (C) [Jasper](#) Construction Services, Inc. – Ingersoll Avenue Streetscape Enhancements – 28<sup>th</sup> to 31<sup>st</sup> Street. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [10-1712](#) (D) [OMG](#) Midwest, Inc., d/b/a Des Moines Asphalt & Paving – McKinley Avenue Resurfacing – Fleur Drive to South Union Street. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [10-1713](#) (E) [Grimes](#) Asphalt & Paving Corporation – 2<sup>nd</sup> Avenue Resurfacing – Grand to University Avenue. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [10-1714](#) (F) [MPS](#) Engineers, P.C. – SE 5<sup>th</sup> Street Sidewalk from E. Miller to E. Watrous Avenue. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [10-1715](#) (G) [Absolute](#) Concrete Construction, Inc. – 2009 Sidewalk Replacement Program. ([Council Communication No. 10-654](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [10-1716](#) 9. [Approving](#) request from Elder Corporation (Jared R. Elder II, President) for extension of time on Principal Riverwalk-Walnut Street to Grand Avenue, West Side. ([Council Communication No. 10-635](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [10-1717](#) 10. [Approving](#) the MidAmerican Energy Proposal to lower concrete encased conduits for the Principal Riverwalk, not to exceed \$38,289.17. ([Council Communication No. 10-638](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**

#### SPECIAL ASSESSMENTS

- [10-1718](#) 11. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development) Schedule No. 2010-12. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [10-1719](#) 12. [Approving](#) deletion of NAC-Emergency Assessment at 2517 Logan Avenue. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

13. Approving delinquent sewer rental and/or solid waste/storm water utilities for October 2010 on the following:

[10-1720](#) (A) Credits. Moved by Mahaffey to adopt. Motion Carried 7-0.

[10-1721](#) (B) Fees. Moved by Mahaffey to adopt. Motion Carried 7-0.

#### LAND/PROPERTY TRANSACTIONS

[10-1722](#) 14. Approving Tax Abatement applications for additional value added by improvements completed during 2010. (78 applications). (Council Communication No. 10-626) Moved by Mahaffey to adopt. Motion Carried 7-0.

[10-1723](#) 15. Approval for closing on properties approved for voluntary acquisition in the Four Mile flood plain area under the Community Development Block Grant (CDBG) Flood Buyout Project. (Council Communication No. 10-639) Moved by Mahaffey to adopt. Motion Carried 7-0.

#### BOARDS/COMMISSIONS/NEIGHBORHOODS

[10-1724](#) 16. Approving appointment of Rick Singleton as Primary and Sandra K. Morris as 1<sup>st</sup> Alternate members to Polk County E911 Service Board. Moved by Mahaffey to approve. Motion Carried 7-0.

#### SETTING DATE OF HEARINGS

[10-1725](#) 17. On conveyance of a Transmission Line Easement on City-owned property for the Central Place Levee Project to MidAmerican Energy Company, \$1, (11-8-10). Moved by Mahaffey to adopt. Motion Carried 7-0.

[10-1726](#) 18. On vacation and conveyance of a portion of SW 8<sup>th</sup> Street right-of-way at 309 SW 8<sup>th</sup> Street to Hubbell Realty Company, \$1,200, (11-8-10). Moved by Mahaffey to adopt. Motion Carried 7-0.

[10-1727](#) 19. On request from Connie Ashby to rezone the west 145 feet of 1521 E. 40<sup>th</sup> Street from “U-1” (Floodplain) to Ltd. “R1-60” (One-Family Low-Density Residential), subject to conditions, (11-8-10). Moved by Mahaffey to adopt. Motion Carried 7-0.

[10-1728](#) 20. On request from Quest Development to rezone 320 SW 9<sup>th</sup> Street from “C-3B” (Central Business District Mixed-Residential) to “PUD” (Planned Unit Development) and approval of PUD Conceptual Plan to build two four-story hotel complexes, subject to conditions, (11-8-10). Moved by Mahaffey to adopt. Motion Carried 7-0.

- [10-1729](#) 21. **On** request from William C. Knapp to rezone 2301, 2311 and 2367 E. 14<sup>th</sup> Street and 1408 and 1410 Guthrie Avenue from “R1-60” (One-Family Low-Density Residential) and “C-2” (General Retail and Highway Oriented Commercial) to Ltd. “C-1” (Neighborhood Retail Commercial) subject to conditions, (11-8-10). **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [10-1730](#) 22. **On** Zoning Text and Municipal Code amendments regulating pawnbrokers and delayed deposit service businesses, (11-8-10). **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [10-1731](#) 23. **On** renaming a portion of Stanton Avenue, east of Highway 28, to “Scout Trail”, (11-8-10). **Moved by Mahaffey to adopt. Motion Carried 7-0.**

**LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS**

- [10-1732](#) 24. **Approving** payment of \$6,883 to Peddicord, Wharton, Spencer and Hook, LLP for representation of Police Officer Mersed Dautovic. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [10-1733](#) 25. **Approving** payment of \$2,588.72 to Hall & Associates for representation in the matter entitled Iowa League of Cities v. United States Environmental Protection Agency. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [10-1734](#) 26. **Approving** payment of \$200 to Hall & Associates for services related to the Combined Sewer System and Combined Sewer Overflows related to the NPDES Permit. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [10-1735](#) 27. **Approving** payment of \$47,300.80 to Ronald Sowden and his attorney, Martin Ozga, Max Schott & Associates, P.C. for a workers’ compensation claim. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

**CITY MANAGER COMMUNICATIONS**

- [10-1736](#) 28. **Submitting** travel and training requests for Misti Allison, T. M. Franklin Cownie and David Seybert. (**Council Communication No. 10-649**) **Moved by Mahaffey to adopt. Motion Carried 6-1. Nays: Griess. Council Member Griess votes “No” on travel for T. M. Franklin Cownie only.**

## APPROVING

- [10-1737](#) 29. [Supportive](#) Housing Program (SHP) Renewal Grant Agreement with the United States Department of Housing and Urban Development (HUD) regarding Primary Health Care Street Outreach. ([Council Communication No. 10-653](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [10-1738](#) 30. [Main](#) Street Iowa Program Agreement with Iowa Department of Economic Development and 6<sup>th</sup> Avenue Corridor, Inc. ([Council Communication No. 10-647](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [10-1739](#) 31. [Release](#) of Mortgage for 2300 University Avenue LLC and University Place Rowhomes, LC. ([Council Communication No. 10-642](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [10-1740](#) 32. [Distribution](#) of a Preliminary Official Statement and the use of electronic bidding procedures for sale of \$75,515,000 General Obligation Refunding Capital Loan Notes, Series 2010H. (A special Council meeting will be held on Wednesday, October 27 at 4:00 PM) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [10-1741](#) 33. [Playground](#) and associated improvements installed by Rebuilding Together in Ashfield Park, 720 E. 19<sup>th</sup> Street. ([Council Communication No. 10-624](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [10-1742](#) 34. [Scope](#) of Services for consultant to conduct a natural resource inventory of the City's park and open space land and issuance of a Request for Proposal. ([Council Communication No. 10-643](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [10-1743](#) 35. [Department](#) of Justice, Community Oriented Policing Services (COPS) Office, 2010 COPS Secure Our Schools grant award to bring state-of-the-art security systems to Des Moines schools. ([Council Communication No. 10-646](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [10-1744](#) 36. [Submittal](#) of FY2010 Federal Annual Certification Report to the U.S. Department of Justice. ([Council Communication No. 10-645](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [10-1745](#) 37. [Receive](#) and file Quarterly Treasurer's Report as of September 30, 2010. **Moved by Mahaffey to receive and file. Motion Carried 7-0.**
- [10-1746](#) 38. [Authorizing](#) Finance Director to draw checks on [registers](#) for weeks of October 25 and November 1, 2010; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for weeks of October 25 and November 1, 2010; and to draw checks for biweekly payroll due November 5, 2010. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

**ORDINANCES - FINAL CONSIDERATION**

- [10-1747](#) 39. Amending Chapter 114 of the Municipal Code regarding traffic regulation changes as follows: **Moved by Mahaffey that this ordinance do now pass, #14,965. Motion Carried 7-0.**
- (A) Petition to allow parking – E. Maple Street, east of E. 18<sup>th</sup> Street.
  - (B) Request from Madison Elementary School for traffic modifications.
  - (C) Request for revised speed limit – SW 9<sup>th</sup> Street, south of Iowa 5.
  - (D) Request from Cattell Elementary School for traffic modifications.

**ORDINANCES - SECOND CONSIDERATION**

- [10-1748](#) 40. On rezoning of 2713 Martin Luther King Jr. Parkway from “M-3” (Limited Industrial) to Ltd. “C-2” (General Retail and Highway Oriented Commercial) to allow vehicle repair and vehicle sales and display businesses. **Moved by Moore that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

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

**ORDINANCES - FIRST CONSIDERATION**

- [10-1749](#) 41. Amending Chapter 78 of the Municipal Code requiring push-carts outside of Nollen Plaza to obtain a Transient Merchant License and various other amendments. (Council Communication No. 10-644) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Nays: Coleman.**
- [10-1750](#) (A) Final consideration of ordinance above, (waiver requested by City Manager), requires 6 votes. **Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #14,966. Motion Carried 6-1. Nays: Coleman.**

## COMMUNICATIONS/REPORTS

- [10-1751](#) 42. [From](#) Shirley J. Aldrich, 3940 Columbia Street, to speak regarding the Northside Library. **Moved by Hensley to send a letter to the Library Board encouraging them to consider two priorities: 1) use of volunteers to help restore library hours 2) long-term plan to put a branch at Southridge Mall or somewhere on the southeast side of Des Moines. Motion Carried 7-0.**
- [10-1752](#) 43. [From](#) Valerie Cramer, 1163 24<sup>th</sup> Street, #200, to speak regarding Forest Market at 2105 Forest Avenue. **Moved by Hensley to receive and file comments. Motion Carried 7-0.**
- WITHDRAWN  
[10-1753](#) 44. ~~Communications requesting to speak regarding 2121 University Avenue.~~
- [10-1754](#) 45. [From](#) Bill Dunlop or Mary Christopher, 453 Tonawanda Drive, to speak regarding the placing of “emergency no parking” sign resulting in his vehicle being towed. **Moved by Hensley to receive and file comments, and work with the Clerk’s Office to schedule an administrative hearing. Motion Carried 5-2. Absent: Griess and Meyer.**
- [10-1755](#) 46. [From](#) Chet Guinn, 1041 8<sup>th</sup> Street, to speak regarding the Nollen Plaza Peace Garden. **Moved by Moore to receive and file comments; refer to the City Manager to report on the Peace Garden Plan and on the tree analysis prepared by Jim Urban. Motion Carried 7-0.**
- [10-1756](#) 47. [From](#) Kevin Johnson, 3801 SW 56<sup>th</sup> Street, to speak regarding the City Codes and Housing in reference to landlord dumping septic tank in nearby creek. **Moved by Hensley to receive and file. Mr. Johnson did not speak. Motion Carried 7-0.**

## HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 48 THRU 58)

- [10-1757](#) 48. [On](#) authorization of loan agreement and issuance of, not to exceed \$1,600,000, Aviation System Revenue Capital Loan Notes. ([Council Communication No. 10-652](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1758](#) (A) [Authorization](#) for additional action. **Moved by Hensley to adopt. Motion Carried 7-0.**
- WITHDRAWN  
[10-1759](#) 49. ~~On denial of ownership change and revocation of liquor license for Sun Mart located at 300 Walnut Street, Suite 150.~~
- [10-1760](#) 50. [On](#) conveyance of excess City-owned real property south of the 1400 block of Mulberry Street, to Central Iowa Shelter & Services, \$507,860. ([Council Communication No. 10-641](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**



- [10-1761](#) 51. On conveyance of remaining alley right-of-way adjoining 1051 19<sup>th</sup> Street to Ryan Galloway, \$100. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1762](#) (A) Acceptance of real estate from Ryan Galloway, (\$1) and dedication as right-of-way. (Council Communication No. 10-640) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1763](#) 52. On vacation and lease of public right-of-way for a sidewalk café to Saints Pub & Patio at 4041 Urbandale Avenue. (Council Communication No. 10-625) **Moved by Griess to adopt. Motion Carried 7-0.**
- [10-1764](#) (A) First consideration of ordinance above. **Moved by Griess that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [10-1765](#) (B) Final consideration of ordinance above (waiver requested by applicant), requires six votes. **Moved by Griess 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, [#14,967](#). Motion Carried 7-0.**
- [10-1766](#) 53. On vacation and conveyance of north/south alley west of and adjoining 2201 Forest Avenue to Anawim Housing for Forest Avenue Urban Renewal Project, \$1. **Moved by Griess to adopt. Motion Carried 7-0.**
- [10-1767](#) (A) First consideration of ordinance above. **Moved by Griess that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [10-1768](#) (B) Final consideration of ordinance above (waiver requested by applicant), requires six votes. **Moved by Griess 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, [#14,968](#). Motion Carried 7-0.**
- [10-1769](#) (C) Loan documents with Anawim d/b/a Anawim Housing for new construction of 16 units of rental housing at 2201 and 2223 Forest Avenue. (Council Communication No. 10-631) **Moved by Griess to adopt. Motion Carried 7-0.**

54. On applications for Certificate of Public Convenience and Necessity to operate a taxicab service for the following:

[10-1770](#)

(A) [City Cab LLC](#) for Shani Amin and Mohamed Ahmed. ([Council Communication No. 10-651](#)) **Moved by Moore to adopt. MOTION TO APPROVE APPLICATION FAILED – 3 YEAS, 4 NAYS. Pursuant to Des Moines Municipal Code Section 126-186(b), this application is denied.**

[10-1771](#)

(B) [United Cab, Ltd.](#) for Mohamed Habib. ([Council Communication No. 10-650](#)) **Moved by Hensley to adopt; refer to the City Manager to work with the cab companies on a process to share costs associated with managing multiple cab locations (Court Avenue and Downtown Library). Motion Carried 7-0.**

[10-1772](#)

(C) [Communications](#) regarding the above items. **Moved by Coleman to receive and file. Motion Carried 7-0.**

[10-1773](#)

55. [On](#) proposed Annexation Moratorium Agreement and 28E Agreement with the City of Pleasant Hill. ([Council Communication No. 10-628](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2. Absent: Coleman and Moore.**

[10-1774](#)

56. [Reopen](#) the public hearing on voluntary annexation of territory in unincorporated Polk County at the 4900 Block of Easton Boulevard. **Moved by Mahaffey to reopen the public hearing and reconsider the proposed annexation as described above. Motion Carried 6-1. Absent: Moore.**

[10-1775](#)

(A) [Ratifying](#) voluntary annexation of property at 4900 Block of Easton Boulevard. **Moved by Mahaffey to adopt. Motion Carried 6-1. Absent: Moore.**

[10-1776](#)

57. [On](#) Court Avenue & Water Street Storm Water Pump Station: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and status of funded activities under IDED Contract No. 08-DRI-032: Resolution to receive and file bids designating lowest responsible bidder as Larson & Larson Construction, LLC, (Jeffrey C. Larson, President), \$5,761,003.26. ([Council Communication No. 10-633](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Moore.**

[10-1777](#)

(A) [Approval](#) of contract and bond, and permission to sublet. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Moore.**

[10-1778](#)

(B) [Approving](#) Supplemental Agreement No. 3 to Court Avenue & Water Street Sewer Separation Professional Services Agreement with Veenstra & Kimm, Inc. for required archaeological investigations, monitoring, and construction phase services, for the Court Avenue/Water Street Sewer Separation Project, not to exceed \$97,048. ([Council Communication No. 10-630](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Moore.**

[10-1779](#) 58. On Dean's Lake Storm Sewer Crossing Improvements: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Reilly Construction Co., Inc., (Chris R. Reilly, President), \$1,397,952. ([Council Communication No. 10-637](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**

[10-1780](#) (A) Approving contract and bond, and permission to sublet. **Moved by Meyer to adopt. Motion Carried 7-0.**

\*\*\* END HEARINGS AT 6:21 PM \*\*\*

### APPROVING

[10-1781](#) 59. Traffic Analysis of Ingersoll Avenue Restriping Project. ([Council Communication No. 10-629](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Coleman.**

[10-1782](#) 60. Preliminary terms of agreement with The Alexander Company for redevelopment of the former downtown Younkers Department Store at 713 Walnut Street. ([Council Communication No. 10-623](#)) **Moved by Hensley to receive, file and approve preliminary terms of agreement set forth in the Council Communication and to direct the City Manager to proceed with negotiations of formal agreements with The Alexander Company consistent with the terms set forth in the Council Communication. Motion Carried 7-0.**

### WITHDRAWN

[10-1783](#) 61. ~~Agreement with Greater Des Moines Partnership for administration of the Greater Des Moines Sister Cities Commission. (Council Communication No. 10-627)~~

### WITHDRAWN

[10-1784](#) (A) ~~First consideration of ordinance regarding composition and administration of the Sister Cities Commission.~~

62. Items regarding the retention and expansion of Kemin Industries, Inc., and the construction of the SE Connector East of SE 14<sup>th</sup> Street:

[10-1785](#) (A) Receive and file City Manager Communication. ([Council Communication No. 10-636](#)) **Moved by Meyer to receive and file. Motion Carried 7-0.**

[10-1786](#) (B) Authorization to proceed with acquisition of necessary right-of-way and easements for the SE Connector – SE 14<sup>th</sup> Street to SE 30<sup>th</sup> Street. **Moved by Meyer to adopt. Motion Carried 7-0.**

[10-1787](#)

- (C) [Approve](#) recommendation from the City Manager regarding economic development incentives to retain Kemin Industries, Inc. and accommodate a proposed expansion in the vicinity of 2100 Maury Street. **Moved by Meyer to: 1) Authorize the City Manager to negotiate with Kemin Industries Inc. on an Urban Renewal Development Agreement addressing economic development incentives associated with the construction of Kemin’s Five-year Capital Expansion Plan in the City of Des Moines, subject to further City Council review and approval; 2) Authorize the City Manager to hold discussions with Polk County for possible acquisition of County-owned parcels located in the proposed economic development project area; 3) Authorize City Manager to evaluate and recommend potential interim and permanent locations for City services now located on land to be acquired for construction of the SE Connector, subject to further City Council review and approval; 4) Initiate the vacation of the Scott Avenue right-of-way beginning at E. 20<sup>th</sup> Street and extending to the east edge of the proposed economic development project area; 5) Initiate the appropriate amendments to the SE Agribusiness Urban Renewal Plan; all as more specifically described in the Council Communication. Motion Carried 7-0.**

[10-1788](#)

- (D) [Approving](#) application from Kemin Industries, Inc. to Iowa Department of Economic Development for Enterprise Zone Benefits and a forgivable loan to assist in the expansion of its corporate headquarters in the Des Moines Agribusiness Enterprise Zone. **Moved by Meyer to adopt. Motion Carried 7-0.**

[10-1789](#)

63. [Approving](#) Iowans Helping Iowans Unmet Needs Contract with Iowa Department of Human Services and Sub-Agreement with Red Rock Community Action Program to administer funds in unincorporated Polk County to assist homeowners affected by 2010 flooding. ([Council Communication No. 10-655](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

## EXTRA ITEMS

- [10-1790](#) 1. Approving two-year extension of labor agreement with Des Moines Association of Professional Fire Fighters, Local No. 4. Sponsor: Mayor Cownie. (Council Communication No. 10-656) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1791](#) 2. Approving private construction contract between Neumann Brothers, Inc. and Blank Park Zoo Foundation, Inc. for Zoo improvements in the Australian Trail Adventure at Blank Park Zoo. Sponsor: Council Member Meyer. **Moved by Meyer to adopt. Motion Carried 7-0.**

## BOARD OF HEALTH

[10-1792](#) MOTION TO CONVENE. **Moved by Griess that the City Council adjourn and convene as a Board of Health. Motion Carried 7-0.**

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

[10-1793](#) (A) 3206 62<sup>nd</sup> Street, garage structure, Titleholder: Timothy F. Rutz. **Moved by Griess to adopt. Motion Carried 7-0.**

[10-1794](#) (B) 841 E. Bell Avenue, garage structure, Titleholder: Sharon A. Haight, Mortgage Holder: Wells Fargo Bank, NA. **Moved by Griess to adopt. Motion Carried 7-0.**

[10-1795](#) (C) 3415 Washington Avenue, garage structure, Titleholder: Jan Clearman, Mortgage Holder: Wells Fargo Bank, NA. **Moved by Griess to adopt. Motion Carried 7-0.**

[10-1796](#) 2. The release of the fire escrow account held for the structure located at 1100 Buchanan Street. Date of loss: 07/17/2008. **Moved by Moore to adopt. Motion Carried 7-0.**

[10-1797](#) MOTION TO ADJOURN. **Moved by Griess to adjourn at 6:59 PM. Motion Carried 7-0.**

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