



(K)	SHORT STOP #42	3725 BEAVER AVE	C Beer
(L)	SKIPS	4000 FLEUR DR	C Liquor
(M)	SLEEPY HOLLOW SPORTS PARK	4051 DEAN AVE	C Liquor
(N)	SUDSUCKERS	1511 E ARMY POST	C Liquor
(O)	VAUDEVILLE MEWS	212 4TH ST	C Liquor

**SPECIAL EVENT APPLICATION**

- (P) BARATTAS 519 PARK Five (5) Day License  
Class B Beer License for event on December 3-8, 2008.
- 5. [Consideration](#) of Class E Liquor License with B Wine and C Beer privileges for Sun-Mart, 300 Walnut St, Ste. 150.
- 6. [City](#) Clerk to issue Cigarette Licenses.
- 7. [City](#) Clerk to issue Coin Operated Machine Licenses.

**PUBLIC IMPROVEMENTS**

- 8. [Approving](#) Change Order No. 6 with Sternquist Construction, Inc. for additional work on Scott Avenue Bridge over Leetown Creekway, not to exceed \$77,000.

[\(Council Communication No. 08-701\)](#)

- 9. Accepting completed construction and approving final payment for the following:
  - (A) [2007](#) Box Sewer Rehabilitation Program – Proshot Concrete, Inc.
  - (B) [3510](#) SW 5<sup>th</sup> Street Emergency Storm & Sanitary Sewer Repair – Van Hauen & Associates, Inc.
  - (C) [1624](#) Pennsylvania Avenue Storm Sewer Repair – Reilly Construction Company, Inc.
  - (D) [McKinley](#) Avenue Widening & Signalization at SE 5<sup>th</sup> Street – Cedar Valley Corporation.
  - (E) [M. L. King](#) Jr. Parkway Paving SW 16<sup>th</sup> Street to SW 7<sup>th</sup> Street – Pete Peterson.
  - (F) [Principal](#) Riverwalk Bridge over Des Moines River-Rehabilitation – Jensen Construction Company.

## **LAND/PROPERTY TRANSACTIONS**

10. [Approving](#) release of reserved utility easement on vacated portion of SW 6<sup>th</sup> Street right-of-way now within Lots 1, 2 and 3 of Riverpoint Plat No. 4.

## **BOARDS/COMMISSIONS/NEIGHBORHOODS**

11. [Communication](#) from Chair of the Urban Design Review Board requesting Council declare Seat 7 vacant.

## **COMMUNICATIONS FROM PLANNING AND ZONING**

12. [Regarding](#) request from R.M. Madden Construction, Inc. for vacation and conveyance of segment of east/west alley and segment of north/south alley between 24<sup>th</sup> and 25<sup>th</sup> Street, north of Rollins Avenue and south of Interstate 235, subject to conditions.
13. [Regarding](#) request from St. Anthony's Church of Des Moines for vacation and conveyance of north/south alley between SW 1<sup>st</sup> Street and Indianola Avenue from Edison to Indianola Avenue, subject to conditions.

## **SETTING DATE OF HEARINGS**

14. [On](#) conveyance of vacated portion of north/south alley adjoining 1535 29<sup>th</sup> Street to Denis and Nancy Wolf-Keith, \$100, (12-8-08).
15. [On](#) vacation and conveyance of a dead-end segment of east/west alley adjoining 812 Virginia Avenue between Virginia Avenue and Pleasant View Drive, west of SW 7<sup>th</sup> Street to Jeff Law, \$50, (12-8-08).
16. [On](#) corrected conveyance of north/south alley between 8<sup>th</sup> Street and 9<sup>th</sup> Street from Crocker to Center Street and a portion of 9<sup>th</sup> Street right-of-way between Crocker and Center Street to Principal Life Insurance Company, (12-8-08).

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

17. [Approving](#) settlement and release agreement with General Reinsurance Corporation and Genesis Underwriting as reimbursement to the City for Chapter 411 costs incurred.

## CITY MANAGER COMMUNICATIONS

18. [Submitting](#) training requests for Michele Bischof and Terry DeMarce.

([Council Communication No. 08-711](#))

## APPROVING

19. [Supportive](#) Housing Program (SHP) Renewal Grant Agreement with the United States Department of Housing and Urban Development (HUD).

([Council Communication No. 08-696](#))

20. [Issuance](#) of certificate of completion for Esther Hall, 921 Pleasant Street, (aka Hawthorn Hill) and authorizing payment of economic assistance.

([Council Communication No. 08-698](#))

21. [Acceptance](#) of Project Safe Neighborhoods Anti-Gang Initiative grant award from the U.S. Department of Justice, \$28,724.

([Council Communication No. 08-709](#))

22. [Appointment](#) of Park and Recreation Director as City representative to the Pappajohn Sculpture Park Selection Committee.

23. [One-year](#) extension of the contract for the USS Des Moines ship model on public display in the Great Hall of City Hall.

24. [Communication](#) from Downtown Community Alliance on behalf of the Iowa Credit Union League to approve banner design to be displayed on E. Locust Street, Grand Avenue, Western Gateway Park, and 8<sup>th</sup> Street in January, February and March 2009.

25. [Community](#) Partnership Memorandum of Understanding between the City of Des Moines and MCC Iowa LLC dba Mediacom.

([Council Communication No. 08-694](#))

26. [Amendment](#) No. 1 to Jumpstart Small Business Assistance Program Grant Agreement to increase maximum allocation from \$109,947 to \$219,894; and maximum administration fee from \$2,198 to \$4,397.

([Council Communication No. 08-714](#))

27. Designation of multiple depositories for City funds and the maximum allowable amounts.

(Council Communication No. 08-693)

28. Civil Service Entrance List for Housing Case Manager and Promotional Lists for Senior User Support Technician, Senior License Clerk and Public Works Section Chief.
29. Authorizing Finance Director to draw checks on registers for the weeks of November 24 and December 1, 2008; to draw checks for the bills of the Des Moines Municipal Housing Agency for the week of November 24; and the draw checks for bi-weekly payroll due December 5, 2008.

**ORDINANCES - FINAL CONSIDERATION**

30. Amending Chapter 118 of the Municipal Code regarding Stormwater Utility Fee rate increase for residential and non-residential properties.
31. Amending Chapter 118 of the Municipal Code regarding establishment of Personal Property Protection Program and Subsidy Credit for qualifying plumbing work.
32. Amending Chapter 114 of the Municipal Code submitting traffic regulation changes to remove the truck route designation on SE 28<sup>th</sup> Street from Market to Scott, and to create a four-way stop at the intersection of SE 28<sup>th</sup> Street and Scott.

**ORDINANCES - SECOND CONSIDERATION**

33. On vacation of E. Granger Avenue right-of-way between Vandalia Road and the Burlington Northern Sante Fe Railroad from SE 35<sup>th</sup> to SE 36<sup>th</sup> Street.
34. Amending Chapter 114 of the Municipal Code submitting traffic regulation changes for Parking Restriction on the north side of Morton Avenue between E. 14<sup>th</sup> and Idaho Street.

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

## ORDINANCES - SECOND CONSIDERATION

35. On vacation of east/west alley between Woodland Avenue and High Street from a point 60 feet east of 14<sup>th</sup> Street to 15<sup>th</sup> Street, and 14<sup>th</sup> Street from Woodland Avenue to High Street to Central Iowa Health Properties Corporation.

## ORDINANCES - FIRST CONSIDERATION

36. Amending Chapter 114 of the Municipal Code regarding traffic regulation changes as follows:

(Council Communication No. 08-700)

- (A) Additional handicapped parking spaces on the north side of Ingersoll Avenue, west of 29<sup>th</sup> Street.
- (B) Request from Drake Area businesses for removal of parking restrictions near 23<sup>rd</sup> Street and University Avenue.
- (C) Final consideration of ordinance above, (waiver requested by Council Member Kiernan), requires 6 votes.
37. Amending Chapter 90 of the Municipal Code regarding powers and duties of the Public Housing Board regarding purchasing and procurement powers.

(Council Communication No. 08-710)

## COUNCIL REQUESTS

38. From Council Members Hensley and Kiernan to discuss creation of a quarterly Developers Roundtable, to receive input from Master Builders of Iowa and other appropriate groups regarding process and any issues they have encountered.
- 38I Request from Council Member Brian Meyer to speak regarding the median on Army Post Road between SE 14<sup>th</sup> and SE 15<sup>th</sup>.

## COMMUNICATIONS/REPORTS

39. From David Costello, 1105 Orchard Lane, requesting to speak regarding the need for more low cost housing.

**\*Note: If the City Council completes all items above before 5:00 PM, they will skip the Hearing Items, and continue the agenda starting with the next item following the Hearings. At 5:00 PM, they will return to this point in the agenda to consider the Hearing Items and then continue with all the remaining items on the agenda.**

**HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 40 THRU 47)**

40. [On](#) appeal from Robert Latshaw, 1243 E. 13<sup>th</sup> Street, of the Administrative Hearing Officer's decision regarding his dog.
41. [On](#) appeal from Shannon Simmons, 1800 Watrous Avenue, of the Administrative Hearing Officer's decision regarding her dog.
42. [On](#) Proposed Fifth (2009) Year Action Plan of 2005-2009 U.S. Department of Housing and Urban Development (HUD) Consolidated Plan, (continued from 11-10-08).

[\(Council Communication No. 08-695\)](#)

- (A) [Request](#) from Deborah Brewer, YWCA of Greater Des Moines, to speak regarding funding recommendation.
43. [On](#) vacation and conveyance of east/west alley between Ingersoll Avenue and High Street from 17<sup>th</sup> Street to a point approximately 175 feet east of 19<sup>th</sup> Street to 1717 Ingersoll, LLC, PW Waterbury, LC and OPOMODO, LLC, (continued from 11-10-08).

[\(Council Communication No. 08-702\)](#)

- (A) [First](#) consideration of ordinance above.
- (B) [Final](#) consideration of ordinance above, (waiver requested by applicant), requires 6 votes.
44. [On](#) vacation and conveyance of Birch Lane from Thornton Drive to SW 24<sup>th</sup> Street and SW 24<sup>th</sup> Street from Thornton Drive to Watrous Avenue to abutting property owners.

[\(Council Communication No. 08-703\)](#)

- (A) [First](#) consideration of ordinance above.
- (B) [Final](#) consideration of ordinance above, (waiver requested by applicant), requires 6 votes.
45. [On](#) request from R Way's, Inc. to rezone property at 1930 Indianola Avenue from "C-1" (Neighborhood Retail Commercial) to Ltd. "C-2" (General Retail and Highway Oriented Commercial) to allow reuse of property as a garage for general motor vehicle repair, subject to conditions, (continued from 11-10-08).

- (A) [First](#) consideration of ordinance above.

46. [On](#) request from Savannah Homes, Inc. to amend the Silver Leaf PUD Conceptual Plan for 5100 NE 38<sup>th</sup> Avenue to allow reconfiguration of the street, alley and lot layout, including an increase in number of lots from 131 to 158.
47. [On](#) M. L. King Jr. Parkway Levee Restoration: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designating lowest responsible bidder as Elder Corporation, (Jared R. Elder II, President), \$175,246.25.

[\(Council Communication No. 08-704\)](#)

- (A) [Approval](#) of contract and bond and permission to sublet.

**\*\*END HEARINGS AT \_\_\_\_\_ PM\*\***

**APPROVING**

48. Enterprise Zone Benefit Applications for the following Housing Projects:

[\(Council Communication No. 08-697\)](#)

- (A) [Fort](#) Des Moines Senior Living in the McKinley/SW 9<sup>th</sup>/Army Post Rd. Enterprise Zone.
- (B) [MLK](#) Brickstone, LLC in the Drake Park/Sherman Hill/Woodland Heights Enterprise Zone.
- (C) [Melbourne](#) Apartments 1, LLC in the SE 14<sup>th</sup> Street Enterprise Zone.
- (D) [Metro](#) Lofts, LLC in the Des Moines Gateway Enterprise Zone.
- (E) [Oakridge](#) Neighborhood Associates, LP in the Drake Park/Sherman Hill/Woodland Heights Enterprise Zone.
- (F) [Oakridge](#) Neighborhood Associates Phase II LP in the Drake Park/Sherman Hill/Woodland Heights Enterprise Zone.
- (G) [Oak](#) Point, LLLP in the 24<sup>th</sup> Street Enterprise Zone.
49. [Revised](#) agreement with Des Moines Regional Transit Authority (DART) providing for City contributions to DART and uniform regional funding of mass transit operations.

[\(Council Communication No. 08-712\)](#)

50. [Tax](#) Increment needs for FY 2009/2010.

[\(Council Communication No. 08-713\)](#)



## 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.

1. [Authorizing](#) letter to Congressional Delegation requesting assistance with Federal Funding for rebuilding of Central Place and Birdland Levees.

## BOARD OF HEALTH

MOTION TO CONVENE.

AUTHORIZING:

1. The Legal Department to proceed with court action seeking authority to abate the public nuisance at the following locations: [MEMO](#)
  - (A) [1317](#) Lewis Avenue, (structure), Titleholder: Patrick Avery; Mortgage Holder: Midfirst Bank.
  - (B) [3943](#) Lincoln Place Drive, (structure and garage structure), Titleholder: Sangamon Investment Company; Contract Buyer: Jack A. Stuart.
  - (C) [1900](#) ML King Jr. Pkwy, (garage structure), Titleholder: Deborah K. Smith a/k/a Deborah K. Henry.
  - (D) [1366](#) E. 14<sup>th</sup> Street, (fire-damaged structure), Titleholder: Derek Haugen; Mortgage Holder: Security State Bank.
  - (E) [7008](#) SW 14<sup>th</sup> Street, (fire-damaged structure), Titleholder: Kirk Rees; Mortgage Holder: Bank of America, NA.
  - (F) [1612](#) E. 31<sup>st</sup> Court, (garage structure), Titleholder: LaSalle Bank, NA.
  - (G) [1231](#) E. 36<sup>th</sup> Court, (fire-damaged structure), Titleholder: S Cooper Investments, Inc.; Mortgage Holder: State Savings Bank.

COMMUNICATION:

2. [Regarding](#) demolition cost reserve being held by Shelter Insurance Companies for the fire-damaged structure located at 1366 E. 14<sup>th</sup> Street.

MOTION TO ADJOURN AT \_\_\_\_\_ P.M.



All-America City  
1949 1976 1981 2003