

SUMMARY OF DES MOINES CITY COUNCIL MEETING

October 26, 1998 4:30 P.M.

*****CLOSED SESSION*****

3:15 P.M.

98-3291 1. ROLL CALL: **Present: Daniels, Coleman, Flagg, Hensley, McPherson, Phillips and Vlassis, (Council Members Flagg and Hensley entered the meeting at 4:30).**

98-3292 I. (a) Recess, and reconvene in closed session pursuant to Section 21.5, subsection 1, paragraph C of the Iowa Code, to discuss as necessary strategy with counsel in matters that are presently in litigation or where litigation is imminent, where its disclosure would be likely to prejudice or disadvantage the position of the City. **Moved by McPherson to adopt. Motion Carried 5-2. Absent: Flagg and Hensley.**

98-3293 (b) Closed Session to discuss matters of pending litigation.

98-3294 (c) Terminate this closed session and reconvene in open session. **Moved by Coleman to adopt. Motion Carried 5-2. Absent: Flagg and Hensley.**

98-3295 (d) Motion to recess and reconvene at 4:30 P.M. **Moved by Phillips to adopt. Motion Carried 5-2. Absent: Flagg and Hensley.**

PROCLAMATIONS - 4:00 P.M.:

(a) Des Moines Panthers Day

(b) Ramon McCarrell Day

SPECIAL PRESENTATIONS - 4:00 P.M.:

From Mopars Unlimited to Mayor Daniels

CULTURAL CONNECTION - 4:15-4:30 P.M.:

Showcase of Local Arts - Jane Tham

Representing the Sweet Adelines

INVOCATION: Rev. Thomas Carpe

Capitol Hill Christian Church

98-3296 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. 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.**

98-3297 3. APPROVING CONSENT AGENDA - items 3 through 46. **Moved by Hensley to adopt the balance of the Consent Agenda and Extra Items 1, 2, 5, and 8. Motion Carried 7-0.**

LICENSES AND PERMITS:

Approving

98-3298 4. Communication from Legal Department regarding October 26, 1998 License and Permit Agenda. **Moved by Hensley to receive and file. Motion Carried 7-0.**

Class "C" Beer Licenses

98-3299 5. Apex Oil, Inc., Patrick J. McManus, President dba Apex Oil, 1200 Southeast 30th Street; Renewal - Expires 11-8-1998 - Application submitted 9-18-98. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3300 6. Git N Go Convenience Stores, Inc., Dennis Flora, President dba Git N Go Store #6, 5736 Franklin Avenue; Renewal - Expires 11-19-98 (With Sunday Sales) - Application submitted 9-2-98. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3301 7. Geron Inc., Eugene H. Davis, President dba Kwik Shop #515, 4538 Lower Beaver; Renewal - Expires 11-19-98 (With Sunday Sales) - Application submitted 9-29-98. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3302 8. Keck Inc., John Keck, President dba Petropointe, 1501 2nd Avenue; Renewal - Expires 11-03-98 (With Sunday Sales) - Application submitted 9-29-98. **Moved by Hensley to adopt. Motion Carried 7-0.**

Class "E" Beer Licenses

98-3303 9. Foods, Inc., Ronald C. Bartos, President dba Dahl's Food Market, 3710 Hubbell; Renewal - Expires 11-15-98 (With Sunday Sales) - Application submitted 9-29-98. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3304 10. Foods, Inc., Ronald C. Bartos, President dba Dahl's Food Market, 4343 Merle Hay Road; Renewal - Expires 11-2-98 (With Sunday Sales) - Application submitted 9-29-98. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3305 11. QuikTrip Corporation, Chester Cadieux, President dba QuikTrip #551, 3940 Northeast 14th Street; Renewal - Expires 11-12-98 (With Sunday Sales) - Application submitted 9-8-98. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3306 12. QuikTrip Corporation, Chester Cadieux, President dba QuikTrip #556, 1815 Hubbell; Renewal - Expires 11-6-98 (With Sunday Sales) - Application submitted 9-8-98. **Moved by Hensley to adopt. Motion Carried 7-0.**

Class "C" Liquor Licenses

98-3307 13. William E. Best Jr. dba Billy's, 1300 Southeast 1st Street; Renewal - Expires 11-4-98 (With Sunday Sales and Beer Garden) - Application submitted 10-7-98. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3308 14. BVT, Inc., Betty V. Thielen, President dba Dally's Pub & Emporium, 430 East Locust; Renewal - Expires 10-26-98 (With Sunday Sales) - Application submitted 9-18-98. **Moved by Coleman to defer action to receive additional information from staff. Motion Carried 7-0.**

98-3309 15. The Garden Inc., Scott Neasham, President dba The Garden, 112 Southeast 4th Street; Renewal - Expires 11-8-98 (With Sunday Sales and Beer Garden) - Application submitted 10-1-98. **Moved by Hensley to adopt. Motion Carried 7-0.**

Authorizing

98-3310 16. City Clerk to issue Cigarette Licenses. **Moved by Hensley to adopt. Motion Carried 7-0.**

Change Of Location

98-3311 17. Kwik Trip, Inc., John J. Hansen, President dba Tobacco Outlet Plus #510, 4505 Southwest 9th Street requesting change of location for Class "C" Beer Permit No. BC-25147 to 3413 Southwest 9th Street effective 11-1-98. Subject to submission of acceptable building, electrical, zoning, and health inspections. **Moved by Hensley to adopt. Motion Carried 7-0.**

Change of Name

98-3312 18. Request for change of name from Rhodex, Inc., David Ituru, President dba Night Shift, 424 East Locust to Rhodex, Inc., dba Venue. **Moved by Coleman to defer action to receive additional information from staff. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

98-3313 19. Authorizing City Manager to proceed on Southeast Annex Area Stormwater Master Plan Minor Structures-Phase 1. ([Council Communication No. 98-491](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3314 20. Authorizing City Manager to proceed on the Closes Creek-27th to 31st Storm Sewer Improvements. ([Council Communication No. 98-492](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3315 21. Supplemental Agreement Number 5 for Professional Services with Snyder & Associates, Inc., 501 SW Oralabor Road, Ankeny, Dennis Snyder, President, for additional work on the Urban Design Standard and Specifications Manuals for the Central Iowa Area, for compensation of \$40,600. ([Council Communication No. 98-482](#)). **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Flagg.**

98-3316 22. Resolution Ordering Construction of SE 14th Street and Southridge Mall South Exit Traffic Signalization, Receiving of Bids, (11-10-98), and Setting Date of Hearing, (11-16-98), (Construction Estimate - \$150,000). **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3317 23. Approving Change Order No. 3 with The Underground Company, Ltd. (Duane Burkhardt, Pres.) for additional work in conjunction with 1997 Sanitary Sewer Repair Contract No. 1 - \$22,000. ([Council Communication No. 98-485](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

24. Report of the Chief Civil Engineer showing construction progress, amounts due and funding availability of the following:

98-3318 (A) Glendale Mausoleum Renovation, Munro Construction Co., \$1,424.53 is now due and \$1,514.00 to be paid at the end of 30 days. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3319 (B) EMC Welding Shop Relocation & Overhead Door Replacement, Point Builders, Inc., \$442.20 is now due and \$11,216.25 to be paid at the end of 30 days. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3320 (C) Blank Park Zoo Pinniped Pool Painting, Specialty Construction Services, Inc., \$2,669.22 is now due and \$1,404.85 to be paid at the end of 30 days. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3321 25. Approving partial payments on four public improvement projects. (Call City Clerks Office for listing). **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3322 26. Authorizing City Engineer to proceed with Paving or Curb Replacement Program, waiver signed by two property owners, at 1325 24th Street and 1076 21st Street. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3323 27. Approving contract and bond for WRA Raw Sewage Pump Station Improvements - John T. Jones Construction Company (John B. Jones, Pres., Fargo, ND) - \$8,192,000. **Moved by Hensley to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

98-3324 28. Approving issuance of replacement quit claim deed, for vacated alley in vicinity of 911 SE 14th Street, Joseph J. and Melissa JoAnn Davidson. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3325 29. Offer to Purchase and Warranty Deed in conjunction with Airport Expansion, from Virgil Allen Kerr and Twylla Arlene Kerr, 2412 Littell Avenue - \$140,000. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3326 30. Offer to Purchase and Warranty Deed in conjunction with Airport Expansion, from George W. Wise, Jr. and Winifred P. Wise, 2515 Littell Avenue - \$103,000. **Moved by Hensley to adopt. Motion Carried 7-0.**

31. Offer to Purchase and Warranty Deed in conjunction with Airport Expansion (Haverhill) from the following:

98-3327 (A) William H. Hoyman and Jane E. Hoyman, 6619 SW 30th Street - \$103,000. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3328 (B) Kirk E. Rhoades and Jo Anne Rhoades, 6740 SW 30th Street - \$138,000. **Moved by Hensley to adopt. Motion Carried 7-0.**

32. Fair Market Values in conjunction with Grand View Avenue Drainage Area for the following:

98-3329 (A) Gene Armstrong and Teri L. Steen-Armstrong, 737 Grandview Avenue - \$37,000. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3330 (B) Tracy L. Goff, 829 Morton Avenue - \$54,000. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3331 33. Fair Market Value for property located in vicinity of SW corner of Fleming Avenue and E. 16th Street in conjunction with Euclid Detention Basin, from Kramme Partnership - \$144,000. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3332 34. Approving Noise and Avigation Easements for eleven properties, in conjunction with the Airport Noise Compatibility Program, Phase II (Easement Purchase Program). **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3333 35. Quit Claim Deed for 207 SW 5th Street in conjunction with Martin Luther King, Jr. Parkway-Central Business District Arterial Loop By-Pass (CBD Loop), from Burlington

Northern and Santa Fe Railway Company - \$1,250. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3334 36. Approving Noise and Avigation Easements for Roger W. Aller, Jr. and Cindy A. Aller, 6807 SW 16th Street, in conjunction with Airport Noise Compatibility Program, Phase II (Resale Assurance Program). **Moved by Hensley to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

98-3335 37. Appointment recommendation by At Large Council Member Chris Coleman of Ms. Randa Joan Le Jeune to the Historic District Commission for a three-year term (term commencing in 1997) to expire October 18, 2000. **Moved by Coleman to adopt. Motion Carried 6-1. Absent: Hensley**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

98-3336 38. Approving payment of \$9,000 to Richard Downs, David Wieslander, Tenant, and L & D Trenching for settlement for property damage, loss of use, and loss of income resulting from implementation of Four Mile East Trunk Sanitary Sewer Project for full and complete Release in favor of the City and its employees. **Moved by Hensley to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

98-3337 39. Submitting out-of-state travel request for Rex Sparks. ([Council Communication No. 98-480](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

APPROVING

98-3338 40. Tax Abatement applications for additional value added by improvements made during 1998. (106 applications on file in City Clerk's Office). ([Council Communication No. 98-493](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3339 41. Intergovernmental 28E Agreement with Polk County, for Boundary Streets and Roads Maintenance Agreement. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3340 42. Amendment One to LIHEAP-2299-07J, to increase contract budget by \$304,463. **Moved by Hensley to adopt. Motion Carried 7-0.**

43. Actions regarding allocation of Low Income Housing Tax Credits (Iowa Housing Finance Authority) for the following, ([Council Communication No. 98-486](#)):

98-3341 (A) No Opposition - River Valley Estates Partnership LP, a/k/a Deer Ridge Apts, for new construction of five (5) buildings supplying 92 units at 6001, 6021-6023 SW Creston. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3342 (B) No Opposition - Kromer Flats, L.P., to rehab 8 units at 1433-1439 Sixth Avenue. **Moved by Hensley to adopt. Motion Carried 7-0.**

44. Bids for the following:

98-3343 (A) Antique Street Lamps, Inc., (Bob Perry, President, Buda, Texas) for eighty (80) street light poles and lighting fixtures to match and be compatible with the Sherman Hills historic area, Sherman Hill Historic Lighting Phase 3. (Municipal Code section 2-86(7)-non-competitive procurement, \$116,000. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3344 (B) Emergency Vehicle Sales & Service, (Alexander, IA, Gene Draper, Owner) for two (2) ambulances for the paramedic units to be used by the Fire Department, \$219,430. (Thirteen bids mailed, one received).([Council Communication No. 98-489](#)). **Moved by Vlassis to adopt. Motion Carried 5-1-1. Nays: Hensley. Pass: Flagg.**

98-3345 (C) Storey Kenworthy Co., (309 Locust, Glen Ohl, President) for office furniture to be used by the Engineering Department (Wastewater Reclamation Facility), \$103,060.50. (Twelve bids mailed-four received). ([Council Communication No. 98-490](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3346 45. Report of Civil Service Commission, submitting Entrance Lists for Transcriber Typist and Senior Construction Inspector. **Moved by Hensley to receive and file. Motion Carried 7-0.**

98-3347 46. Authorizing Finance Director to draw warrants on the register of October 30, 1998, and the bills of the Des Moines Municipal Housing Agency for the week beginning October 26, 1988, and the biweekly payroll due employees on October 23, 1998. **Moved by Hensley to adopt. Motion Carried 7-0.**

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

98-3348 46-I Oral request of Council Member George Flagg to allow the Sons of Union Veterans to address the Council, regarding the issue of antique cannons in our community. **Moved by Flagg to grant the request, and refer the issue to the City Manager and Park Board, to work with Veteran's organizations to explore methods to safely display the cannons in the community. Motion Carried 7-0.**

ORDINANCES - FIRST CONSIDERATION

98-3349 47. Amending Chapter 15 of the Municipal Code regarding golf course fees for 1999 season. ([Council Communication No. 98-484](#)). **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

98-3350 (A) Approving policy to permit use of private golf carts for use by golfers 62 years and older on the three municipal golf courses starting with the 1999 golf season. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3351 48. Amending Chapter 2 of the Municipal Code regarding Accounting Division and collection and disbursement of money by the City Treasurer-code update. ([Council Communication No. 98-481](#)). **Moved by Hensley that this ordinance be considered and given first vote for passage adopt. Motion Carried 7-0.**

COUNCIL REQUESTS

98-3352 49. From Council Member Chris Coleman regarding the Transitional Housing Program of Des Moines Coalition for the Homeless. **Moved by Coleman to receive, file and refer to the City Manager for review and recommendation; also, to the Legal Department to develop some principles for expansion with locations throughout the City; a more defined requirement for the program; a log or accountability mechanism; ongoing contact with clients; and, a transition program to owner-occupant, to get clients on the road to self sufficiency. Motion Carried 6-1. Nays: Flagg.**

****Council considered Hearing Items 52 through 56 next****

COMMUNICATIONS/REPORTS

98-3353 50. Petition from area residents, submitting request for "No Parking" areas on both sides of the 3800 block of S.E. 10th from Watrous north to Rose. **Moved by Phillips to receive, file and refer to City manager and Traffic Safety Committee for review and recommendation. Motion Carried 7-0.**

98-3354 51. From Airport Board Chair regarding regulation to establish minimum standards for non-commercial aviation operators, effective December 14, 1998. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

****Council considered Items 56-I through end of agenda next****

HEARINGS (Opened at 5:55 P.M.) (Items 52 thru 56)

98-3355 52. On vacation and conveyance of a portion of E. 22nd Street north of Guthrie Avenue and a portion of Milton Avenue west of E. 22nd Street, to J. Doug Brown, \$0.46 per square foot. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-3356 (A) First consideration of ordinance above. **Moved by McPherson that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

98-3357 (B) Final consideration (waiver requested by J. Doug Brown). **Moved by McPherson 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 do now pass, [#13,656](#). Motion Carried 7-0.

98-3358 53. On vacation and conveyance of East/West alley north of University between Ure and E. 22nd Streets, to Tom Wong, \$6,700 plus costs. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-3359 (A) First consideration of ordinance above. **Moved by McPherson that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

98-3360 (B) Final consideration of ordinance above. **Moved by McPherson 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 do now pass, [#13,657](#). Motion Carried 7-0.**

98-3361 54. On 7th and Mulberry Parking Garage Demolition: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Peterson Contractors, Inc., (Cordell Q. Peterson, President, Reinbeck, IA), \$239,960. **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Flagg.**

98-3362 (A) Approving contract and bond. **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Flagg.**

98-3363 (B) Request for permission to sublet items. **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Flagg.**

98-3364 55. On Fire Station No. 1 Apparatus Floor Replacement: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Brocon Services, (Chris Brault, Owner/Operator, Urbandale), \$115,600. **Moved by Phillips to adopt. Motion Carried 6-1. Nays: Coleman.**

98-3365 56. On Laurel Hill Cemetery Gate: Resolution to REJECT all bids and close the hearing, (one bid received-over estimate). **Moved by Hensley to adopt. Motion Carried 7-0.**

* * END HEARINGS at 6:01 P.M. * *

****Council considered Items 50 and 51 next****

****Council Member McPherson left the meeting at 6:05 P.M.****

APPROVING

98-3366 56-I Receipt of The Court Avenue Neighborhood Urban Design Plan for referral to City Manager and appropriate City Departments for review and recommendation deferred from 10-19-98. [\(Council Communication No. 98-467 of 10-19-98\)](#). **Moved by Hensley to receive, file and refer to the City Manager and listed boards and commissions, including the**

Neighborhood Revitalization Board. City Manager to provide a listing of housing projects and activity in the community and to recommend consideration of placing a priority on housing in certain areas. Motion Carried 5-1-1. Pass: Flagg. Absent: McPherson.

****Council considered Extra Item 4 next****

****Council Member Flagg left the meeting at 6:55 P.M.****

98-3367 57. Master Plan for Walnut Creek Trail System which connects downtown Des Moines, Grays Lake and Water Works Park with western areas of Des Moines metropolitan area following along Raccoon River and Walnut Creek corridors. ([Council Communication No. 98-483](#)). **Moved by Hensley to adopt. Motion Carried 4-3. Absent: Flagg, McPherson, and Phillips.**

98-3368 58. First Amendment to the Airport Business Traveler Service Center Agreement with International Travel Associates Corp., to extend agreement on a month-to-month basis--no longer than May 31, 1999. ([Council Communication No. 98-494](#)). **Moved by Vlassis to adopt. Motion Carried 5-2. Absent: Flagg and McPherson.**

98-3369 59. Fourth Amendment to the Airport Traveler Information and Service Center Agreement with travel and Transport Inc., extending on a month-to-month basis--no later than May 31, 1999. ([Council Communication No. 98-495](#)). **Moved by Vlassis to adopt. Motion Carried 5-2. Absent: Flagg and McPherson.**

60. Emergency Shelter Grant (ESG) Contract 1998 funding recommendations for the following, ([Council Communication No. 98-487](#)):

98-3370 (A) Recommending approval for Our Community Kitchen, \$12,900, July 1, 1998, to June 30, 1999. **Moved by Coleman to adopt. Motion Carried 5-2. Absent: Flagg and McPherson.**

98-3371 (B) Recommending denial for Des Moines Hispanic Ministry, \$28,000. **Moved by Coleman to adopt. Motion Carried 5-2. Absent: Flagg and McPherson.**

WITHDRAWN 98-3372 61. Reconsideration of the waiver of readings and passage of Ordinance No. 13,655 to rezone certain property located in vicinity of 43rd, 44th, and 46th Streets and Polk Boulevard between Ingersoll and Grand Avenues.

WITHDRAWN 98-3373 (A) Reconsideration to not give final passage to Ordinance 13,655.

WITHDRAWN 98-3374 (B) Setting Date of Hearing on Ingersoll Rezoning, (12-7-98).

62. Receipt of communications from Human Resources Director, regarding the following:

98-3375 (A) New position description for Sales and Marketing Coordinator--Park and Recreation Cemetery Division (MEA Range 24). ([Council Communication No. 98-488](#)). **Moved by Hensley to defer action to allow time to address questions raised by Council. Motion Carried 5-2. Absent: Flagg and McPherson.**

98-3376 (B) New bargaining agreement with International Association of Machinists and Aerospace Workers, Local Lodge 254 and the Des Moines Public Library, (continued from 10-19-98).([Council Communication No. 98-469 of 10-19-98](#)). **Moved by Vlassis to receive and file. Motion Carried 5-2. Absent: Flagg and McPherson.**

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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 on file with the City Clerk.

98-3377 1. Appointment recommendation of Mayor Preston A. Daniels for Martha Green to the Des Moines Access Advisory Board to fill the unexpired term of Brian Phillips to expire June 15, 1999. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3378 2. Approving Class B Beer License to S&R Anderson Inc., Ronald W. Anderson, president, DBA Hull Avenue, 834 Hull Avenue; New Application (with Sunday Sales)- Application submitted 10-12-98. SPONSOR: McPherson. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3379 (A) Approving Cigarette and Coin-Operated Machine Licenses, for Hull Avenue, 834 Hull Avenue. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3380 3. Accepting with gratitude the contribution of \$1,500,000, and conditions from David Kruidenier, for development of Gray's Lake Park. SPONSOR: Hensley. **Moved by Hensley to adopt. Motion Carried 5-2. Absent: Flagg and McPherson.**

98-3381 4. Request of Julie Westegaard and Dan Inzeo, to speak regarding zoning issue at 3510 Cottage Grove, (Lost Souls Cafe). Sponsor: Flagg. **Moved by Flagg to receive, file and grant the request to speak; refer to City Manager for review. Motion Carried 6-1. Absent: McPherson.**

98-3382 5. Oral communication from Council Member McPherson, regarding request from Oak Park Neighborhood, for stop signs at 12th and Seneca, and 12th and Douglas, and for "Not a Truck Route" signs at 12th and Euclid and 12th and Aurora. SPONSOR: McPherson. **Moved by Hensley to receive, file and refer to City Manager and Traffic Safety Committee for review and recommendation. Motion Carried 7-0.**

6. Oral Request from Mayor Daniels to discuss the following:

98-3383 (A) Changes in Fire Fighter Selection Process. **Moved by Vlassis to discuss and refer to City Manager to review the required "Dummy Drag" requirement. Motion Carried 5-2. Absent: Flagg and McPherson.**

98-3384 (B) Y2K Contingency Task Force. **Moved by Vlassis to discuss and refer to appropriate staff to assure a Disaster Plan is in place, to include adjacent communities and our corporate community. Motion Carried 5-2. Absent: Flagg and McPherson.**

98-3385 7. Oral request from Council Member Phillips, to speak regarding rebroadcasting of City Council Meetings on Cable Television. SPONSOR: Phillips. **Moved by Phillips to receive, file and refer to City Manager for review and recommendation to consider possible rebroadcasts on other than cable television. Motion Carried 5-2. Absent: Flagg and McPherson.**

8. Sanitary Sewer Trunk Connection Fee Agreement and Covenant with the following:
SPONSOR: Phillips

98-3386 (A) Brook Run L.C. (Gene Stanbrough, President, WDM) for the Brook Run Village Plat 1. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3387 (B) The Oaks Development Company, (John C. Kline, President, WDM), and Tom Tobis Revocable Family Trust and Robert W. Clark, for Easter Lake Estates Plat 5. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-3388 9. Appointment of citizens to the I-235 Sub-Committee Structure. SPONSOR: Hensley. **Moved by Hensley to adopt, eliminating Jerry Overman, who resigned, and direct recruitment of someone from the Drake area. Motion Carried 5-2. Absent: Flagg and McPherson.**

A G E N D A

BOARD OF HEALTH

October 26, 1998

98-3389 MOTION TO CONVENEMoved by Vlassis that the City Council Adjourn and Convene as a Board of Health. **Motion Carried 5-2. Absent: Flagg and McPherson.**

COMMUNICATION

98-3390 1. Communication regarding demolition cost reserve escrowed for 2710 Cleveland. **Moved by Vlassis to receive and file and to direct that Corporation Counsel bring legal action within one hundred eighty days of receipt of notice if owners have not demolished or renovated the structure. Motion Carried 5-2. Absent: Flagg and McPherson.**

AUTHORIZING

98-3391 2. (A) 2220 Des Moines, vacant, Titleholder: Cash Credit Corporation; Contract buyers: Ricardo I. Ramirez, Richard A. Ramirez. **Moved by Vlassis to adopt. Motion Carried 5-2. Absent: Flagg and McPherson.**

98-3392 (B) 2433 E. Grand, vacant, Titleholder: SRS, Inc.; Contract Buyers: Oscar Padilla, Angelica Padilla; Legal Interest Holder: Donna Reineccius. **Moved by Vlassis to adopt. Motion Carried 5-2. Absent: Flagg and McPherson.**

98-3393 (C) 1533 E. Walnut, vacant, Titleholder: Brian R. Kay, as Guardian and Next Best Friend of Rachel E. Kay, a Minor; Legal Interest Holder: Mooring Tax Asset Group XVIII L.L.C. **Moved by Vlassis to adopt. Motion Carried 5-2. Absent: Flagg and McPherson.**

98-3394 (D) 3836 - 2nd, vacant, Titleholder: SRS, Inc. **Moved by Vlassis to adopt. Motion Carried 5-2. Absent: Flagg and McPherson.**

98-3395 (E) 1051-17th, vacant, Titleholder: Mary R. Hall; Legal Interest Holder: United Central Bank of Des Moines., N.A. n/k/a NationsBank, N.A. **Moved by Vlassis to adopt. Motion Carried 5-2. Absent: Flagg and McPherson.**

98-3396 MOTION TO ADJOURN. **Moved by Vlassis to adopt. Motion Carried 5-2. Absent: Flagg and McPherson.**