



***** 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 '05-' 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

December 19, 2005 4:30 P.M.

SPECIAL PRESENTATIONS – 4:15 P.M.

2005 James C. Howland Award for Municipal Enrichment

PROCLAMATIONS – 4:15 P.M.

Universal Hour of Peace

INVOCATION: Council Member Tom Vlassis

- 05-2959 1. **ROLL CALL: Present: Cownie, Brooks, Coleman, Hensley, Kiernan, Mahaffey, and Vlassis.**
- 05-2960 2. **APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: Moved by Hensley to adopt. Motion Carried 7-0.**

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

- 05-2961 3. APPROVING CONSENT AGENDA – items 3 through 50: **Moved by Hensley to adopt the balance of the consent agenda. Motion Carried 7-0.**

LICENSES AND PERMITS

- 05-2962 4. Approving Alcoholic Beverage License Applications for the following: **Moved by Hensley to adopt. Motion Carried 7-0.**

NEW APPLICATIONS

(A)	CENTRAL GRILL	2734 DOUGLAS AVE	B Beer
(B)	CIVIC CENTER	1011 LOCUST ST	C Liquor
(C)	LOVELY FOOD MART	4600 FLEUR DR	C Beer
(D)	PHO 777	1541 6TH AVE	B Beer

RENEWAL APPLICATIONS

(E)	801 STEAK AND CHOP HOUSE	801 GRAND AVE	C Liquor
(F)	A DONG RESTAURANT	1511 HIGH ST	C Beer/Wine
(G)	AMERICAN LEGION HISPANIC POST	1511 S UNION ST	C Liquor
(H)	CHRISTOPHERS DINING ROOM	2816 BEAVER AVE	C Liquor
(I)	EL RANCHO ALEGRE	3308 INDIANOLA AVE	B Beer
(J)	FEDERAL DISTRIBUTORS INC	3000 E GRAND AVE	B Beer
(K)	GIT N GO STORE #2	1307 ARMY POST RD	C Beer
(L)	GIT N GO STORE #29	4900 URBANDALE AVE	C Beer
(M)	HAPPY JOES PIZZA & ICE CREAM	4743 SE 14TH ST	B Beer
(N)	HIGHLAND PARK POST NO 374	3712 2ND AVE	A Liquor
(O)	JESSES EMBERS	3301 INGERSOLL AVE	C Liquor
(P)	JOHNNY MACS BAR & GRILL	2279 HUBBELL AVE	C Liquor
(Q)	LA CRUZ	4007 SE 13TH ST	C Beer
(R)	MEZZODIS	4519 FLEUR DR	C Liquor
(S)	SLEEPY HOLLOW SPORTS PARK	4051 DEAN AVE	C Liquor

SPECIAL EVENTS APPLICATIONS

- (T) AURA 1408 LOCUST ST C Liquor
 In conjunction with a New Years Eve Celebration on December 31, 2005.
 Pending approval of Building and Fire Departments.

- 05-2963 5. Approving Class C Liquor License application for Derry's Lounge, 4845 Merle Hay Rd. **Moved by Hensley to adopt. Motion Carried 7-0.** (Pending approval of Board of Adjustment on December 21, 2005).
- 05-2964 6. City Clerk to issue Cigarette Licenses. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-2965 7. City Clerk to issue Coin Operated Machine Licenses. **Moved by Hensley to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

8. Resolution Ordering Construction of the following:
- 05-2966 (A) Skywalk Bridge 6D-6E Repairs – Receiving of Bids, (1-10-06), and Setting Date of Hearing, (1-23-06). (Construction Estimate - \$35,000). **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-2967 (B) Kirkwood Avenue Storm Sewer - Receiving of Bids, (1-10-06), and Setting Date of Hearing, (1-23-06). (Construction Estimate - \$301,576). **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-2968 (C) Foster Drive Sanitary and Storm Sewer Repair, 600 Block - Receiving of Bids, (1-10-06), and Setting Date of Hearing, (1-23-06). (Construction Estimate - \$220,556). **Moved by Hensley to adopt. Motion Carried 7-0.**
9. Approving Iowa Department of Transportation Agreements for the following:
- 05-2969 (A) 2nd Avenue Resurfacing from Grand Avenue to University Avenue. ([Council Communication No. 05-711](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-2970 (B) University Avenue Resurfacing from 6th Avenue to the Des Moines River Bridge. ([Council Communication No. 05-712](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
10. Accepting completed construction and approving final payment for the following:
- 05-2971 (A) Rognes Corporation – Clark Street Sanitary Sewer Pump Station. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-2972 (B) Elder Corporation – 10th Street and 12th Street Reconstruction. **Moved by Hensley to adopt. Motion Carried 7-0.**

adopt. Motion Carried 7-0.

- 05-2973 11. Approving Addendum No. 5 to Urban Design Standards for Public Improvements, 2001 Edition, and Addendum No. 7 to Urban Standard Specifications for Public Improvements, 1998 Edition. ([Council Communication No. 05-734](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- 05-2974 12. Approving delinquent sewer rental and/or solid waste/stormwater utility fees for November 2005. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-2975 13. Approving delinquent sewer rental and/or solid waste/stormwater utility credits for November 2005. **Moved by Hensley to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- 05-2976 14. Real estate documents for property at the intersection of Clover Hill Drive and Iowa Highway 5 for the Clover Hill Sanitary Trunk Sewer Project. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-2977 15. Establishing fair market value and authorizing acquisition of property at 928 Spring Street for the FEMA Flood Mitigation Buyout Program, \$69,100 plus closing costs. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-2978 16. Establishing fair market value and authorizing acquisition of multiple properties for the Closes Creek Storm Water Improvement - 26th Street Detention Basin Project, \$88,500 plus closing costs. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-2979 17. Approving reduction of Subdivision Bond No. IAC 35078 for Park Place Estates Plat 2 from \$11,079 to \$4,668 for partial completion of required sidewalks. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-2980 18. Approving Tax Abatement Applications for additional value added by improvements made during 2005 for 228 applications. ([Council Communication No. 05-704](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- 05-2981 19. Approving appointments to the Metropolitan Planning Organization (MPO) for 2006. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-2982 19I. Approving recommendation of Council Member Michael Kiernan to reappoint Tom Ross to Seat 2 on the Airport Board for a four year term to expire June 30, 2009. **Moved by**

Hensley to adopt. Motion Carried 7-0.

COMMUNICATIONS FROM PLANNING AND ZONING

- 05-2983 20. Regarding Capital Improvements Program (CIP) Subcommittee's recommendations for FY 2006-2007 Capital Improvements Program. **Moved by Hensley to receive and file, and refer to the City Manager. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- 05-2984 21. On application from Lyman Enterprises LC, to rezone 2 Hartford Avenue, from Ltd. "C-1" (Neighborhood Retail Commercial) to an amended Ltd. "C-1", to expand the permitted uses to include Dance Studio, (subject to conditions), (1-9-06). **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-2985 22. On electric line easement across City-owned property in the east/west alley south of 302-310 Court Avenue between 3rd and 4th Streets, (1-9-06). **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-2986 23. On Application for Voluntary Annexation from LeMar Koethe, for approximately 133 acres in Warren County, south of Iowa Highway 5 between County Highway R63 and 100th Avenue, (1-23-06). **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-2987 24. On Supplement No. B4 to the Governmental Lease-Purchase Master Agreement with Banc of America Leasing & Capital, LLC, to acquire patrol cars and other vehicles for the Police Department, \$692,978.41, (1-9-06). ([Council Communication No. 05-700](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- 05-2988 25. Approving payment of \$6,279.89 to Myers & Jenkin for representation in the Delta Air Lines, Inc., et. al (Comair, Inc.) and Northwest Airlines Corporation, et. al. bankruptcies. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-2989 26. Approving payment of \$16.70 to Sullivan and Ward Law Firm to represent City stormwater management utility with regard to IDNR's issuance of TMDLS impacting the City's MS-4 NPDES Permit (National Pollution Discharge Elimination System permit). **Moved by Hensley to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- 05-2990 27. Submitting traffic regulation changes as follows: ([Council Communication No. 05-733](#)) **Moved by Hensley to receive, file, and refer to Legal Department for preparation of proper legislation. Motion Carried 7-0.**
- (A) Parking Restriction-South side of Twana Drive from 48th Street to 51st Street.
 - (B) Parking Restriction–East side of Illinois Street, south of University Avenue.
 - (C) Loading Zone-West side of 17th Street, south of Olive Avenue.
 - (D) Special Parking Permits-Hooded Parking Meter Charges.
 - (E) Re-installation of Parking Meters-Areas between Grand Avenue and Locust Street and from 10th Street to 13th Street.
- 05-2991 28. Submitting out-of-state travel for Chris Hardy, Ross Klein, Dana Wingert and T.M. Franklin Cownie. ([Council Communication No. 05-696](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

APPROVING

- 05-2992 29. Closeout documents for a Fiscal Year 2002 Continuum of Care Grant award. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-2993 30. 2004 Supportive Housing Program Renewal Grant Agreement with HUD for supplemental funding for local homeless programs. ([Council Communication No. 05-697](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-2994 31. Application for Enterprise Zone certification for the proposed Ingersoll Enterprise Zone. ([Council Communication No. 05-702](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-2995 32. Development Agreement with Court Center, LLC for renovations to 216 Court Avenue. ([Council Communication No. 05-731](#)) **Moved by Hensley to approve. Motion Carried 7-0.**
- 05-2996 33. City Economic Development Loan for \$50,000 to James Goodman for renovation to 107 E. 5th Street. ([Council Communication No. 05-730](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

34. Labor Agreement with the following: ([Council Communication No. 05-732](#))
- 05-2997 (A) Receive and file summary agreements with Units 10 and 11 of the International Association of Machinists and Aerospace Workers (Library Clerks and Library Professionals) **Moved by Hensley to receive and file. Motion Carried 7-0.**
- 05-2998 (B) Approve agreements with Municipal Employees Association (MEA), Central Iowa Public Employees Council (CIPEC) and the Des Moines Police Bargaining Unit Association, and authorize the Mayor to sign formal agreements when available. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-2999 35. National Recreational Trails Program (NRT) grant award from the Iowa Department of Transportation (IDOT) to widen and resurface the Bill Riley Trail. ([Council Communication No. 05-706](#)) **Moved by Kiernan to approve. Motion Carried 7-0.**
- 05-3000 36. Receipt of Proposed Airport Board Regulation No. 05-50 regarding rate changes. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-3001 37. Federal Aviation Administration Certification of Title for 12 properties along McKinley Avenue near SW 56th Street. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-3002 38. Designation of multiple depositories for City Funds. ([Council Communication No. 05-703](#)) **Moved by Vlassis to adopt. Motion Carried 6-1. Pass: Hensley.**
- WITHDRAWN
- 05-3003 39. ~~Emergency Medical Services Education Agreement with Catholic Health Initiatives— Iowa, Corporation d/b/a Mercy School of Emergency Medical Services for paramedic education and training. ([Council Communication No. 05-701](#))~~
- 05-3004 40. Contract with Durham Communications Incorporated for installation of Mobile Data Infrastructure for Public Safety. ([Council Communication No. 05-708](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- 05-3005 41. Proposal for the provision of professional services for analysis of a whitewater course and river trail on the Des Moines River with McLaughlin Whitewater Design Group. ([Council Communication No. 05-727](#)) **Moved by Hensley to approve. Motion Carried 7-0.**
- 05-3006 42. Extension of Lease for the Public Plaza at 401 5th Avenue and Amendment to 28E Agreement with the Des Moines Independent Community School District. ([Council Communication No. 05-707](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- 05-3007 43. Rental agreement of Greenwood Park residence, 4812 Grand Avenue. ([Council Communication No. 05-705](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-3008 44. Donations of \$4,611.16 to be transferred to the Clare and Miles Mills Rose Garden Fund at the Greater Des Moines Community Foundation. ([Council Communication No. 05-709](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-3009 45. One-year contract extension for the USS Des Moines ship model, on public display in the Great Hall in City Hall. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-3010 46. City of Des Moines 2005 Equal Opportunity Status Report and the 2005-2006 Affirmative Action Annual Work Plan by the Human Resources Department. ([Council Communication No. 05-699](#)) **Moved by Hensley to receive and file. Motion Carried 7-0.**
47. Bids for the following:
- 05-3011 (A) Ultramax Ammunition, OMB Police Supply and Gil Hebard Guns for rifle ammunition to be used by the Patrol Bureau of the Police Department, \$65,001.14. (Eight bids mailed, six received). **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-3012 (B) Stew Hansens Dodge City for 4 replacement compact sedans to be used by the Police Department, \$56,896. (Eleven bids mailed, five received). ([Council Communication No. 05-698](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-3013 (C) W. S. Darley & Company for Con-Space communications accessories to be used by the Metro S.T.A.R. unit, \$29,156.50. ([Council Communication No. 05-715](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-3014 48. Civil Service Entrance Lists for Management Analyst, Jail Security Officer and Promotional Lists for Senior Police Officer, Senior Horticulture Technician, and Senior Building Equipment Operator. **Moved by Hensley to receive and file. Motion Carried 7-0.**
- 05-3015 49. Authorizing Finance Director to draw checks on the register of December 22, December 29, 2005 and January 5, 2006; and to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of December 19, December 28, 2005 and January 3, 2006; and to draw checks for biweekly payroll due December 23, 2005 and January 6, 2006. **Moved by Hensley to adopt. Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

50. On vacation of the following:

05-3016

(A) East/west alley between Ingersoll Avenue and Grand Avenue from 17th to 18th Street. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

05-3017

(B) A portion of Ingersoll Avenue right-of-way between 17th and 18th Streets. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

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

Council considered Hearing Items 55 thru 65 next

ORDINANCES - FIRST CONSIDERATION

05-3018

51. Amending Chapter 70 of the Municipal Code to allow the Park & Recreation Director to permit deer hunting in City Parks. ([Council Communication No. 05-736](#)) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Nays: Brooks.**

05-3019

(A) Final consideration of ordinance above, (waiver requested by Park and Recreation Department), 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, [#14,524](#). Motion Carried 6-1. Nays: Brooks.**

05-3020

52. Amending Chapter 74 of the Municipal Code regarding fees for golf courses, Sylvan Theater and Garden reservations, swimming pools and Birdland Marina. ([Council Communication No. 05-726](#)) **Moved by Vlassis that this ordinance be considered and given first vote for passage, as amended, to remove the Senior golf fee, Senior cart fee and Youth Mentor Program fee, and bring these three items back on January 9, 2006 Council agenda. Motion Carried 7-0.**

05-3021

(A) Final consideration of ordinance above, (waiver requested by Park and Recreation Department), requires 6 votes. **Moved by Vlassis 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, [#14,525](#). Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

- 05-3022 53. From Heather Grabill, 2338 NW 70th Avenue, to speak regarding exemption status for taxicab company principally licensed and operated in another local municipality. **Moved by Coleman to receive and file comments. Motion Carried 6-1. Absent: Cownie.**
- 05-3023 54. Receipt of Des Moines Water Works' adopted budget for calendar year ending December 31, 2006. **Moved by Vlassis to defer to the January 9, 2006 Council Meeting. Motion Carried 6-1. Nays: Cownie.**

HEARINGS (OPEN AT 5:10 P.M.) (ITEMS 55 THRU 65)

- 05-3024 55. On conveyance of property located north of and adjacent to 849 16th Street, to Malcolm D. and Janel Wells, \$1,000. ([Council Communication No. 05-710](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
56. On items regarding annexation and rezoning of property at the southeast and southwest corners of SW 9th Street and County Line Road, owned by Larry and Kum Hibbs, and by Git-N-Go Convenience Stores, Inc.:
- 05-3025 (A) Closing the Hearing and approve rezoning of the Git-N-Go site at 9536 County Line Road, from "A-1" (Agricultural) to Ltd. "C-2" (General Retail and Highway Oriented Commercial). ([Council Communication No. 05-735](#)) **Moved by Brooks to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 7-0.**
- 05-3026 (B) First consideration of ordinance above. **Moved by Brooks that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- 05-3027 (C) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by Brooks 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, #14,526. Motion Carried 7-0.**
- 05-3028 (D) Closing the Hearing and approve annexation of both properties. **Moved by Brooks to adopt. Motion Carried 7-0.**
- 05-3029 57. On request from Donald Briggie to rezone property at 920 East Hillside Avenue from "U-1" (Floodplain) to "R1-60" (One-Family Low Density Residential) to allow for proposed detached garage and create legal conforming single-family dwelling, subject to conditions. **Moved by Brooks to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 7-0.**
- 05-3030 (A) First consideration of ordinance above. **Moved by Brooks that this ordinance be**

considered and given first vote for passage. Motion Carried 7-0.

- 05-3031 (B) Final consideration of ordinance above, (waiver requested by property owner), requires 6 votes. **Moved by Brooks 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, [#14,527](#). Motion Carried 7-0.**
- 05-3032 58. On request from Chris and Marsha Belcher to rezone property at 111 East 28th Street from “M-1” (Light Industrial) to “R1-60” (One-Family Low Density) to bring existing single-family residential property into conformance as a permitted use. **Moved by Brooks to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 6-1. Absent: Coleman.**
- 05-3033 (A) First consideration of ordinance above. **Moved by Brooks that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Coleman.**
- 05-3034 (B) Final consideration of ordinance above, (waiver requested by owner), requires 6 votes. **Moved by Brooks 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, [#14,528](#). Motion Carried 6-1. Absent: Coleman.**
- 05-3035 59. On request from High Street Development, LLC to rezone 1901 and 1903 High Street from “C-2” (General Retail and Highway-Oriented Commercial) to “NPC” (Neighborhood Pedestrian Commercial) to allow development of four row house dwelling units. **Moved by Hensley to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 7-0.**
- 05-3036 (A) First consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. The Developer will hold a Neighborhood Meeting prior to the second consideration of this ordinance. Motion Carried 7-0.**
- WITHDRAWN
- ~~05-3037 (B) Final consideration of ordinance above, (waiver requested by owner), requires 6 votes.~~
- 05-3038 60. On Petition to expand the Downtown Des Moines Self-Supported Municipal Improvement District (SSMID). ([Council Communication No. 05-728](#)) **Moved by Hensley to close the hearing and place an item to establish the boundaries on the January 23, 2006 Council agenda. Motion Carried 7-0.**
- 05-3039 61. On proposed text amendment to the Zoning Ordinance regarding uses that may be allowed

by a Special Permit issued by the Zoning Board of Adjustment. **Moved by Vlassis to adopt and approve, subject to final passage of the enacting ordinance. Motion Carried 7-0.**

- 05-3040 (A) First consideration of ordinance above. **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- 05-3041 (B) Final consideration of ordinance above, (waiver requested by Community Development Director), requires 6 votes. **Moved by Vlassis 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, [#14,529](#). Motion Carried 7-0.**
- 05-3042 62. On 2005 Storm Sewer Lining Program – Contract 1: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate, and designating lowest responsible bidder as Municipal Pipe Tool Co., Inc. (Steve V. Gearhart, President, Hudson, IA), \$274,822.72. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- 05-3043 (A) Approving contract and bond and permission to sublet. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- 05-3044 63. On Riverpoint West Detention Basin – Phase 2: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate, and designating lowest responsible bidder as Sheets Excavating, Ltd., (Charles Sheets, President, Montezuma), \$447,623. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-3045 (A) Approving contract and bond and permission to sublet. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 05-3046 64. On Southeast Ridge Trunk Sanitary Sewer – Phase 2A: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate, and designating lowest responsible bidder as S. J. Louis Construction, Inc., (James L. Schueller, President, Waite Park, MN), \$3,499,000. **Moved by Brooks to adopt. Motion Carried 7-0.**
- 05-3047 (A) Approving contract and bond and permission to sublet. **Moved by Brooks to adopt. Motion Carried 7-0.**
- 05-3048 65. On Southeast Ridge Trunk Sanitary Sewer – Phase 2B & Pump Station: Resolution

approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as The Underground Company, Ltd., (Duane Burkhardt, President, Carlisle), \$1,145,127.10. **Moved by Brooks to adopt. Motion Carried 7-0.**

05-3049 (A) Approving contract and bond and permission to sublet. **Moved by Brooks to adopt. Motion Carried 7-0.**

****END HEARINGS AT 5:50 P.M.****

****Council considered Items 51 thru 54 and then 66 thru balance next****

APPROVING

05-3050 66. Resolution regarding Application For Certificate of Public Convenience and Necessity to Operate Normal Limousine Service filed by OH-HO Venture Strategies, L.L.C. d/b/a Freedom Taxicab/Cabmobile.com. **Moved by Vlassis to adopt denial of the certificate. Motion Carried 7-0.**

05-3051 67. Communication from the City Manager regarding the proposed expansion by Allied Insurance and its parent company, Nationwide Mutual Insurance Company of its downtown Des Moines Campus. ([Council Communication No. 05-714](#)) **Moved by Kiernan to receive and file, and to direct the City Manager to negotiate terms of a preliminary and final agreement with Nationwide. Motion Carried 7-0.**

05-3052 (A) Enterprise Zone Application to the Des Moines Enterprise Zone Commission and to the Iowa Department of Economic Development regarding the proposed expansion by Allied Insurance and its parent company, Nationwide. **Moved by Kiernan to adopt. Motion Carried 7-0.**

05-3053 68. Western Gateway Area Goals and Guiding Principles. ([Council Communication No. 05-713](#)) **Moved by Hensley to receive and file, and to refer to the City Manager for application in the review of redevelopment projects within the Western Gateway Area that require City assistance. Motion Carried 7-0.**

05-3054 69. Creation of a Mayor's Task Force on Energy Conservation and Environmental Preservation. **Moved by Coleman to approve and to establish the Council representatives as Council Members Vlassis and Kiernan and Mayor Cownie. Motion Carried 7-0.**

- 05-3055 70. Amended and Restated Agreement for The Des Moines Regional Transit Authority. (Council Communication No. 05-729) **Moved by Hensley to adopt. Motion Carried 7-0.**

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.

- 05-3056 1. Approving recommendation of Mayor Cownie regarding appointment of Council committee to review Sawyer's Landing and related issues. SPONSOR: Mayor Cownie. **Moved by Coleman to establish a Council Committee of Mayor Cownie and Council Members Mahaffey and Coleman. Motion Carried 6-0. Council Member Vlassis declares a conflict of interest and abstains from voting.**

BOARD OF HEALTH

- 05-3057 MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene as a Board of Health. Motion Carried 7-0.**

AUTHORIZING

1. The Legal Department to proceed with court action seeking authority to abate the public nuisance at the following locations:
- 05-3058 (A) 3315 Cornell Street, Titleholder: Basim Bakri. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- 05-3059 (B) 2721 Sunset Road, Titleholders: Darren S. and Leyann Brown. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- 05-3060 (C) 1250 York Street, Titleholder: The Provident Bank. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- 05-3061 (D) 1031 E. 8th Street, Titleholder: Tax Acquisitions Xtraordinaire, LLC. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- 05-3062 (E) 3700 SE 12th Street, Titleholders: James K. and Delores M. Signs; Mortgage Holders: Lomas Mortgage USA, Inc., CitiFinancial, Inc. and ABN AMRO Mortgage Group, Inc. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- 05-3063 (F) 1701 24th Street, Titleholder: Equity Trust Company FBO Frank E. Weinstein IRA; Contract Buyer: Carlos A. Mosqueda. **Moved by Vlassis to adopt. Motion Carried 7-0.**

2. The Engineering Department to cause the removal of the following structures:

05-3064

(A) 401 Forest Avenue, Titleholders: Jerome J. and Josephine A. Schmitt; Contract Buyers: William E. and Daelene L. Clark. **Moved by Vlassis to adopt. Motion Carried 7-0.**

05-3065

(B) 1802 Jefferson Avenue: Titleholder: Blue Lotus, Inc. **Moved by Vlassis to adopt. Motion Carried 7-0.**

05-3066

3. The release of fire escrow account on the demolition cost reserve held by Allied Insurance, under claim number HMC15336868 regarding property located at 1238 Creston Avenue insured by Pam Jones. **Moved by Kiernan to adopt. Motion Carried 7-0.**

05-3067

MOTION TO ADJOURN. Moved by Vlassis to adjourn at 6:48 P.M. Motion Carried 7-0.

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All-America City
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