

SUMMARY OF DES MOINES CITY COUNCIL MEETING

January 24, 2000 4:30 P.M.

SPECIAL PRESENTATIONS - 4:00 P.M.:

WITHDRAWN (A) Mayor Daniels and O'Reilly Automotive, to Very Special Arts Iowa--proceeds from the Mayor's Charity Cruise

(B) Recognition of Herbert Lewis Kruse Blunck Architecture for receipt of the "Year 2000 Institute Honor Award for Architecture" for the Center Street Park and Ride Facility

INVOCATION: Pastor Tony Thurston, College Avenue Christian Church

00-127 1. ROLL CALL: **Present: Daniels, Brooks, Coleman, Flagg, Hensley, McPherson, and Vlassis.**

00-128 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by McPherson to adopt. Motion Carried 7-0.**

00-129 3. APPROVING CONSENT AGENDA - items 3 through 73: **Moved by McPherson to adopt the balance of the Consent Agenda. Motion Carried 7-0.**

LICENSES AND PERMITS:

Approving

00-130 4. Communication from Legal Department regarding January 24, 2000 License and Permit Agenda. **Moved by McPherson to receive and file. Motion Carried 7-0.**

Class "B" Beer Licenses

00-131 5. Ervin Wagner dba Archery Field & Sports, 2542 East University; Renewal - Expires 1-22-00 (With Sunday Sales) - Application submitted 1-3-00. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-132 6. Sparta, Inc., James Frangos, President dba Coney Island, 3700 Southwest 9th Street; Renewal - Expires 1-20-00 - Application submitted 12-22-99. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-133 7. Porky's Diner, L.L.C., Mitchell Noah, Member dba Porky's Diner, 4444 Douglas; Renewal - Expires 1-31-00 (With Sunday Sales and Outdoor Service) - Application submitted 12-22-99. **Moved by McPherson to adopt. Motion Carried 7-0.**

Class "C" Beer Licenses

00-134 8. Git N Go Convenience Stores, Inc., Dennis Flora, President dba Git N Go #18, 6501 Southeast 14th Street; Renewal - Expires 2-6-00 (With Sunday Sales) - Application submitted 12-7-99. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-135 9. Git N Go Convenience Stores, Inc., Dennis Flora, President dba Git N Go #32, 2911 Douglas; New Application (With Sunday Sales) - Application submitted 12-7-99. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-136 10. Danlee Corporation, Dan Moellers, President dba Jiffy, 3718 Southwest 9th Street; Renewal - Expires 01-25-00 (With Sunday Sales) - Application submitted 11-15-99. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-137 11. Kwik Trip, Inc., John J. Hansen, President dba Tobacco Outlet #521, 2601 East Euclid; Renewal - Expires 2-1-00 (With Sunday Sales) - Application submitted 12-17-99. **Moved by McPherson to adopt. Motion Carried 7-0.**

Class "B" Wine Licenses

00-138 12. Git N Go Convenience Stores, Inc., Dennis Flora, President dba Git N Go #18, 6501 Southeast 14th Street; Renewal - Expires 2-6-00 - Application submitted 12-7-99. **Moved by McPherson to adopt. Motion Carried 7-0.**

Class "A" Liquor Licenses

00-139 13. ANG Service Club, Chris Hughes, President dba ANG Service Club, 3100 McKinley; Renewal - Expires 1-25-00 - Application submitted 12-27-99. **Moved by McPherson to adopt. Motion Carried 7-0.**

Class "C" Liquor Licenses

00-140 14. Bob's Sports Bar & Grill, L.L.C., Bob Mickles, Owner dba Bob's Sports Bar & Grill, 918 East Euclid; Renewal - Expires 1-31-00 (With Sunday Sales and Outdoor Service) - Application submitted 1-3-00. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-141 15. Hy Vee, Inc., Ronald D. Pearson, President dba Des Moines Botanical Center, 909 East River Drive; Renewal - Expires 2-2-00 (With Sunday Sales) - Application submitted 1-11-00. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-142 16. Benoit Enterprises, Jack L. Benoit, President dba Diamond Jack's, 3000 East Grand - Iowa State Fairgrounds; Renewal - Expires 1-31-00 (With Sunday Sales and Outdoor Service) - Application submitted 1-3-00. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-143 17. Eastgate Lounge, Inc., Jerry E. Mercer, President dba Eastgate Lounge, 1512 East Douglas; Renewal - Expires 1-28-00 - Application submitted 12-14-99. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-144 18. Kambi and Modri, Inc., Muhamed Blazevic, President dba European Restaurant "Bosna", 900 East Army Post Road; Renewal - Expires 1-25-00 (With Sunday Sales) - Application submitted 12-27-99. **Moved by McPherson to adopt. Motion Carried 6-1. Nays: Flagg.**

00-145 19. Paul V. Strome dba Sambetti's, 1430 2nd Avenue; Renewal - Expires 1-31-00 (With Sunday Sales) - Application submitted 12-7-99. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-146 20. Lee Dynasty Corporation, Hsi Cheng Lee, Principal dba Yee Ho Garden, 520 Army Post Road; Renewal - Expires 2-8-00 (With Sunday Sales) - Application submitted 1-7-00. **Moved by McPherson to adopt. Motion Carried 6-1. Nays: Flagg.**

Temporary Transfers

00-147 21. S.A.O.C.C., Inc. Calvin Campbell, President dba The Depot, Iowa State Fairgrounds, 3000 East Grand, requesting permission to transfer Class "B" Beer License to Cattle Barn, Iowa State Fairgrounds from 2-14-00 thru 2-20-00 for special event. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-148 22. Des Moines Jaycees, dba Seniom Sed Friday Fest, Nollen Plaza, 3rd & Locust, requesting permission to transfer Class "B" Beer License to Kaleidoscope at the Hub, 900 Walnut on 2-5-00 for special event. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-149 22-I Request from Tumea and Sons Inc., 1501 SE 1st Street, to transfer Class "C" Liquor License to 508 Clifton, on January 30, 2000 for a special event. **Moved by McPherson to adopt. Motion Carried 7-0.**

Authorizing

00-150 23. City Clerk to issue Coin-Operated Amusement Machines Licenses. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-151 24. City Treasurer to issue refunds. **Moved by McPherson to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

00-152 25. Approving and authorizing execution of Iowa Department of Transportation Agreement for Traffic Safety Improvement Program Funding - IA 28 Traffic Signals at McKinley Avenue/Brown Woods Drive. ([Council Communication No. 00-019](#)). **Moved by McPherson to adopt. Motion Carried 7-0.**

00-153 26. Approving Professional Services Agreement with Snyder and Associates, Inc., (Dennis L. Snyder, President, Ankeny, IA) for conceptual design phase services for Closes Creek

Watershed Stormwater Drainage Improvements, not to exceed \$238,630. ([Council Communication No. 00-036](#)). **Moved by McPherson to adopt. Motion Carried 7-0.**

27. Resolution Ordering Construction of the following:

00-154 (A) 1998 Sanitary Trunk Sewer Relining, Receiving of Bids, (2-8-2000), and Setting Date of Hearing, (2-21-2000). (Construction Estimate - \$813,605). **Moved by McPherson to adopt. Motion Carried 7-0.**

00-155 (B) Sec Taylor Stadium Drain Repairs, Receiving of Bids, (2-8-2000), and Setting Date of Hearing, (2-21-2000). (Construction Estimate - \$47,700). **Moved by McPherson to adopt. Motion Carried 6-1. Nays: Flagg.**

00-156 (C) University Avenue at 19th Street and Martin Luther King, Jr., Parkway Traffic Signal Upgrade, Receiving of Bids, (2-8-2000), and Setting Date of Hearing, (2-21-2000). (Construction Estimate - \$128,500) **Moved by McPherson to adopt. Motion Carried 7-0.**

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

00-157 (A) 1997 Sanitary Sewer Repair Contract No. 2, Municipal Pipe Tool Co., Inc., \$6,094.06 is now due and \$2,036.96 remaining balance payable at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-158 (B) 1998 Sanitary Sewer Relining Contract No. 2, Visu-Sewer Clean & Seal, Inc., \$23,879.39 is now due and \$17,080.72 remaining balance payable at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-159 (C) 1999 PCC Pavement Resurfacing Program, Des Moines Asphalt & Paving Co., \$8,233.03 is now due and \$10,888.83 remaining balance payable at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-160 (D) 1999 Sidewalk Replacement Program, Double T Asphalt Co., Inc., \$27,970.82 is now due and \$7,055.13 remaining balance payable at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-161 (E) Fire Station No. 1 Overhead Door Replacement, Adams Door Co., Inc., \$8,431.25 is now due and \$2,053.25 remaining balance payable at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-162 (F) Woodland Park, R. G. Elder & Son Co., \$11,477.46 is now due and \$13,079.01 remaining balance payable at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-163 28. (G) Jordan Playground Improvements, Johnson Concrete & Petroleum Const., Inc., \$1,483.33 is now due and \$2,391.18 remaining balance payable at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-164 (H) E. 37th Street and E. University Avenue North Side Storm Sewer Improvements, R.G. Elder & Son Company, \$13,475.75 is now due and \$2,777.38 remaining balance payable at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-165 (I) University Avenue Bridge over Des Moines River Joint Repair, Cramer & Associates, Inc., \$2,749.43 remaining balance payable at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-166 (J) Witmer Park Path Paving, Grimes Asphalt & Paving Corp., \$770.56 remaining balance payable at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-167 (K) 42nd Street Sanitary Sewer Repair, Van Hauen & Associates, Inc., \$1,345 remaining balance payable at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-168 (L) 5th Avenue Emergency Sanitary Sewer Repair at Grand Avenue, Van Hauen & Associates, Inc., \$3,350 remaining balance payable at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-169 29. Approving partial payments on thirteen public improvement projects. (Call City Clerk's Office for listing). **Moved by McPherson to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

00-170 30. Resolution Levying Assessments for costs of Nuisance Abatement-Sidewalk Repair, Replace and/or Reconstruct (Public Works), Schedule No. 2000-33 and providing for payment. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-171 31. Approving Delinquent Sewer Rental and/or Solid Waste/ Stormwater Utility Fees for the month of December, 1999, for certification to Polk County Treasurer, (call the City Clerk's Office for various amounts). **Moved by McPherson to adopt. Motion Carried 7-0.**

00-172 32. Authorizing Assessment Clerk to correct Delinquent Solid Waste/Stormwater Utility and/or Sewer Rental Credits Schedule, for December, 1999. **Moved by McPherson to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

00-173 33. Approving execution of Iowa Emergency Management Division (IEMD) Hazard Mitigation Grant Program (HMGP) Disaster Assistance Agreement for acquisition, relocation and demolition of June 1998 flood properties funding. ([Council Communication No. 00-023](#)). **Moved by McPherson to adopt. Motion Carried 7-0.**

00-174 34. Approving authorization of execution of Iowa Department of Economic Development Community Development Block Grant (CDBG) Program Grant Contract for acquisition, relocation and demolition of June 1998 Flood Properties Funding in conjunction with Hazard Mitigation Grant Program (HMGP). ([Council Communication No. 00-024](#)). **Moved by McPherson to adopt. Motion Carried 7-0.**

00-175 35. Form of Permanent Easement for Traffic Signal and Street Lighting Systems and Future Title Work Compensation in conjunction with University Avenue at 19th Street and M. L. King Traffic Signal Upgrade, from Basilica of St. John, 1915 University Avenue - \$160. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-176 36. Release of Subdivision Bond No. IAC 23626 in amount of \$23,927.00 from Mid-America Investment Co. as security for completion of required improvements for FORT DES MOINES BUSINESS PARK. ([Council Communication No. 00-017](#)). **Moved by McPherson to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

00-177 37. Appointment of Des Moines Representatives to the I-235 Steering Committee, as listed by sub-committees, for 2000. **Moved by Hensley to appoint those listed on attachment to this roll call.**

00-178 38. Approving Seventeenth Annual Boards and Commission Appreciation Dinner-- Tuesday, May 2, 2000, at the Airport Holiday Inn. **Moved by McPherson to adopt and appoint Council Member Vlassis to assist with solicitation of funds. Motion Carried 7-0.**

00-179 39. Appointment recommendation of Council Member Christine Hensley of Scott Sargent to Citizen Odor Board for a three-year term commencing in 1998 to expire July 2, 2001. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-180 40. Reappointment recommendation of Council Member Christine Hensley of Jack Sink to the Des Moines Traffic Safety Committee for a three-year term to expire December 31, 2002. **Moved by McPherson to adopt. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

00-181 41. On proposed 11th Amendment to the Central Place Industrial Park Urban Renewal Plan, to permit tax abatement for new metal-sided structures, upon the property owner entering into a minimum assessment agreement (3-6-00). ([Council Communication No. 00-021](#)). **Moved by McPherson to adopt. Motion Carried 7-0.**

00-182 42. On 2000-1 Omnibus Amendments to the City's Urban Revitalization Plans to extend the City-wide tax abatement Program for five years, to December 31, 2005. (2-7-00). **Moved by McPherson to adopt. Motion Carried 6-0. Council Member Flagg abstains from voting.**

00-183 43. On 8th Amendment to the restated Urban Revitalization Plan for the City-Wide Urban Revitalization Area, to encourage rehabilitation and redevelopment of the Locust Mall by adding the property to the Downtown West Urban Revitalization Area "A", and to encourage commercial development of the west 1/2 of the Hotel Fort Des Moines block by removing property from the Hotel Fort Des Moines Block Historic Urban Revitalization Area, (2-7-00). **Moved by McPherson to adopt. Motion Carried 7-0.**

00-184 44. On application from The Six Incorporated, 1969 Trust (Owner) represented by Robert W. Vogel of Colby Interests to rezone property located at 1107 SW. 63rd Street from a "FW" Floodway District to a "C-2" General Retail and Highway Oriented Commercial District (2-7-00). **Moved by McPherson to adopt. Motion Carried 7-0.**

00-185 45. On proposed lease of property in vicinity of 227 SW 63rd Street, to Eller Media, Inc., 10-year term ending August 31, 2009, annual rental of \$2,000, for the first 5 years, and \$2,200 for the second five years, (2-7-00). **Moved by McPherson to adopt. Motion Carried 7-0.**

46. On the following items regarding proposed Walgreen's property at 2927 Brattleboro Avenue:

00-186 (A) Vacation and conveyance of the North/South alley right-of-way north and east from Brattleboro, between 29th and 31st Streets, to Drake University, (2-7-00). **Moved by McPherson to adopt. Motion Carried 7-0.**

00-187 (B) Rezoning of property from R-3 (Multiple Family Residential) to "C-1" (Neighborhood Retail Commercial District), (2-7-00). **Moved by McPherson to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

00-188 47. Approving payment of \$1,855.35 to Gaudineer & Comito, L.L.P. for representation of John Leporte in case of Robert Rissman, Jr., et al. v. City of Des Moines, et al. No. 4-95-cv-70724. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-189 48. Approving payment of \$1,187.50 to Gaudineer & Comito, L.L.P. for representation of Officer Garey Bryan concerning a Grand Jury investigation. **Moved by McPherson to approve payment. Motion Carried 7-0.**

00-190 49. Approving payment of \$809.85 to Davis, Brown, Koehn, Shors & Roberts, P.C. for representation of Debra Richardson and Michael McBride in case of Smithson, et al. v. City of Des Moines, et al. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-191 50. Approving payment of \$1,998.85 to Brown, Winick, Graves, Gross, Baskerville, Schoenebaum, P.L.C. for representation of Jeffrey Aldrich and Judy Stanely in Smithson, et al. v. City of Des Moines, et al. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-192 51. Approving payment of \$992.41 to Jane McAllister of Ahlers, Cooney, Dorweiler, Haynie, Smith & Allbee, P.C. for resolution of certain environmental matters in conjunction with

development of Kiwanis Nature Island at Riverview Park. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-193 52. Approving payment of \$27,842.15 to Ahlers, Cooney, Dorweiler, Haynie, Smith & Allbee, P.C. for bond counsel service regarding the Passenger Facility Charge for the Des Moines International Airport. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-194 53. Approving payment of \$3,619.89 to John L. Corbett of Spiegel & McDiarmid Law Firm for consultation and representation services in connection with City's response to FAA concerns regarding City's Airport PILOT charge. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-195 54. Approving payment of \$21,419.55 to Duane R. Leonard for Workers' Compensation Claim for injury in the course and scope of employment. **Moved by McPherson to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

00-196 55. Authorizing City Manager to place an Adult Crossing Guard at the intersection of Lower Beaver Road and Madison Avenue, for Woodlawn Elementary School. ([Council Communication No. 00-031](#)). **Moved by McPherson to adopt. Motion Carried 7-0.**

00-197 56. Submitting out-of-state travel requests for Terry Donohoe, Mark Dooley, Matt Rosen, William Stowe, Mark Dooley, Debora Hobbs, Kurtis Bender, and John Cisar. ([Council Communication No. 00-020](#)). **Moved by McPherson to adopt. Motion Carried 7-0.**

00-198 57. Submitting traffic regulation changes as follows, ([Council Communication No. 00-029](#)). **Moved by McPherson to receive, file and refer to Legal Department for preparation of proper legislation. Motion Carried 7-0.**

(1) Corner Clearance Parking Restriction--East Side of 30th Street south of Aurora

(2) Corner Clearance Parking Restriction--West Side of 32nd Street north of Lincoln Avenue.

(3) Corner Clearance Parking Restriction--South Side of Porter Avenue East and West of Southwest 7th Street.

APPROVING

00-199 58. Receipt of Des Moines International Airport FY1998/99 Annual Report covering program activities and financial status. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-200 59. Release of Civil infraction lien against two lots at 812 24th Street and 822 24th Street for the Home Opportunities Made Easy, Inc. low income housing project. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-201 60. Tax Abatement applications for additional value added by improvements during 1999. (346 applications on file in City Clerk's Office). ([Council Communication No. 00-016](#)). **Moved by McPherson to adopt. Motion Carried 7-0.**

00-202 61. Authorizing City Manager to contact IDOT, with consideration to advance the signal installations at Guthrie Avenue and I-235 Exit Ramps, for construction to begin in 2001 rather than the scheduled 2002. ([Council Communication No. 00-032](#)). **Moved by McPherson to adopt. Motion Carried 7-0.**

00-203 62. Receipt of communication from Human Resources Director regarding revised job specifications for the Wastewater Treatment Plant Process Automation Specialist. ([Council Communication No. 00-028](#)). **Moved by McPherson to receive and file. Motion Carried 7-0.**

00-204 63. Agreement with Palmer Search Group for professional search services to fill the position of Real Estate Division Manager, for an amount not to exceed \$16,000. ([Council Communication No. 00-026](#)). **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Flagg.**

WITHDRAWN00-205 64. Development and issuance of Request for Proposal (RFP) for design and construction of mausoleum/columbarium at Glendale Cemetery. (Council Communication No. 00-033).

00-206 65. Professional Services Agreement with Terrus Real Estate Group to develop and evaluate a Request for Proposal (RFP) for improved security and safety measures for City Hall and the Armory. ([Council Communication No. 00-034](#)). **Moved by McPherson to adopt. Motion Carried 6-1. Nays: Flagg.**

00-207 66. Employment of Spiegel & McDiarmid for professional services in conjunction with Riverpoint West Redevelopment. ([Council Communication No. 00-015](#)). **Moved by McPherson to adopt. Motion Carried 6-1. Nays: Flagg.**

00-208 67. Selection of The CBE Group, Inc. (3362 University Avenue, Waterloo, IA., Thomas R. Penaluna, President) for City's collection services agency. ([Council Communication No. 00-027](#)). **Moved by McPherson to adopt. Motion Carried 7-0.**

00-209 68. Acceptance of 1999 Local Law Enforcement Block Grant Award and establishment and appointment of the membership for the Advisory Board, acceptance of the Advisory Board charge and the proposed schedule of Advisory Board events. ([Council Communication No. 00-018](#)). **Moved by McPherson to adopt. Motion Carried 7-0.**

69. Bids for the following:

00-210 (A) Winterset Auto LC, (Winterset, IA, Pete Kaiser, President) for a one-ton truck with dump body and accessories to be used by the Public Works Department (Street Maintenance), \$19,484. (Ten bids mailed-six received). **Moved by McPherson to adopt. Motion Carried 7-0.**

00-211 (B) Danko Emergency Equipment, (Snyder, NE, Daniel Kreikemeier, President) for six (6) self-contained breathing apparatus and air tanks to be used by the Police Department, \$16,056. (Seven bids mailed-five received). **Moved by McPherson to adopt. Motion Carried 7-0.**

00-212 69. (C) American Home Improvement, (3408 Broadway, Doboris Mienke, President) for an annual contract with two (2) renewal options for roofing repair service on a time and material basis to be used by the Park and Recreation Department (Building services), \$10,000. (Eight bids mailed-five received). (Call City Clerk's Office for breakdown). **Moved by McPherson to adopt. Motion Carried 7-0.**

00-213 (D) Pat Clemons, Inc., (Boone, Michael Clemons, President) for sport utility vehicle and four-door sedan to replace two existing vehicles to be used by the Police Department (Vice and Narcotics). State of Iowa Contract No. 2408, Municipal Code section 2-86(c). \$41,940. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-214 (E) Benson Motors, (Ames, Bob Benson, President) for mid-size sedan to replace existing vehicle to be used by the Police Department (Vice and Narcotics). State of Iowa Contract No. 2408, Municipal Code section 2-86(c). \$18,360.85. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-215 (F) Toyne, Inc., (Breda, IA, Roger B. Schwabe, President) for 1500 GPM triple combination fire truck to be used by the Fire Department, \$282,655. (Sixteen bids mailed-three received). **Moved by McPherson to adopt. Motion Carried 7-0.**

00-216 (G) Bid awarded to Swaney Equipment Co., (Ankeny, IA., Bob Martin, Jr., President) for an industrial loader to be used by the Public Works Department (Street Maintenance), \$73,434.34. Bid from Rueter's did not meet specifications, therefore, non-compliant. (Nine bids mailed-six received). **Moved by McPherson to adopt. Motion Carried 7-0.**

70. Report of Civil Service Commission for January 4, 2000 and January 18, 2000 for the following:

00-217 (A) Entrance Lists for Recreation Supervisor, Intermediate Clerk Typist, Police Information Typist, Civil Engineer I, and Promotional List for Airport Field Worker. **Moved by McPherson to receive and file. Motion Carried 7-0.**

00-218 (B) Entrance Lists for Tree Trimmer, and Promotional Lists for Cemetery Equipment Operator, Sewer Maintenance Worker, WRA Treatment Team Leader, WRA Facilities Team Leader, WRA Regulatory Compliance Team Leader, and WRA Solids Teams Leader. **Moved by McPherson to receive and file. Motion Carried 7-0.**

00-219 71. Receipt of Insurance for various City projects and functions for recording by the City Clerk. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-220 72. Authorizing Finance Director to draw checks on registers of January 21, 2000 and January 28, 2000, to draw checks for bills of the Des Moines Municipal Housing Agency for the weeks beginning January 17, 2000 and January 24, 2000, and to draw checks for biweekly payroll due employees on January 28, 2000. **Moved by McPherson to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

00-221 73. Amending Chapter 16 of the Municipal Code regarding posting of notices on public right-of-way. **Moved by McPherson that this ordinance do now pass, [#13,783](#). Motion Carried 7-0.**

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

00-222 74. Final consideration of ordinance rezoning property at 1420 E. 14th Street, from Conditional "C-2" (General Retail and Highway Oriented Commercial), to amended "C-2" (six affirmative votes required due to Planning Commission denial). **Moved by McPherson that this ordinance do now pass, [#13,784](#), and to receive and file landscape/setback plans submitted. Motion Carried 6-1. Nays: Hensley.**

00-223 (A) Communication from Des Moines Neighbors. **Moved by McPherson to receive and file. Motion Carried 6-1. Nays: Hensley.**

****Council considered Items 77, 93 and 95 next****

ORDINANCES - FIRST CONSIDERATION

00-224 75. Amending Chapter 27 of the Municipal Code regarding the following traffic regulation changes: **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- (1) Downtown Parking Meter Adjustments.
- (2) Two-Sided Parking Restriction-Valdez Drive from 46th Street to 48th Street.
- (3) Two-Sided Parking Restriction-44th Street from Harwood Drive to Pleasant Street.
- (4) Parking Restriction-North Side of Mondamin Avenue West of 21st Street to the Dead End.

(5) Corner Clearance Parking Restriction-North Side of Easton Boulevard West of Searle Street.

(6) Commercial Loading Zone Installation-East Side of East 6th Street North of East Walnut Street.

00-225 75. (A) Final consideration of ordinance above. **Moved by Hensley 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, [#13,785](#). Motion Carried 7-0.**

COUNCIL REQUESTS

00-226 76. From Council Member Christine Hensley to discuss number of available cable television channels in the City. **Moved by Hensley to receive, file and discuss. Motion Carried 7-0.**

00-227 77. Oral request from Council Member Hensley, to discuss the renaming of Keosauqua Way to Watson Powell Avenue. **Moved by Hensley to receive, file and discuss; approve concept and refer to City Manager and staff to determine appropriate naming and portions to be renamed, for a recommendation as soon as possible. Motion Carried 7-0.**

00-228 78. Request from Council Member McPherson to discuss naming of unnamed road in the Guthrie Avenue Business Park, (entrance is on Guthrie Avenue west of the viaduct). **Moved by McPherson to receive, file and discuss; and recommend that the road be named for Terry Moss; refer to City Manager and staff for review and recommendation. Motion Carried 6-1. Absent: Vlassis.**

00-229 79. From Council Member McPherson, to discuss placement of speed limit signs on Madison, from 1st to 16th Street. **Moved by McPherson to receive, file and discuss; refer to City Manager and Traffic Safety Committee for review and recommendation. Motion Carried 6-1. Absent: Vlassis.**

****Council Member Flagg left the meeting at 6:00 P.M.****

COMMUNICATIONS/REPORTS

00-230 80. From Jan Fleming, Board of Directors of the Iowa Multi-Cultural Center, to speak regarding forming and building the Iowa Multi-Cultural Center. **Moved by Vlassis to receive, file and grant the request to speak. Motion Carried 6-1. Absent: Flagg.**

00-231 81. From Samantha Ekstein, 211 SW Lacona, regarding Housing Code Enforcement in Ward IV. **Moved by Vlassis to receive and file. Mrs. Ekstein did not appear. Motion Carried 6-1. Absent: Flagg.**

WITHDRAWN00-232 82. From John Dingeman, 2710 SW 9th, to speak regarding property at 1420 9th and 1224 9th Street.

****Council considered 94 through end of agenda next****

HEARINGS (Opened at 5:34 P.M.) (Items 83 thru 91-I)

00-233 83. On vacation and conveyance of a strip of Glenbrook Drive adjoining 2223 Glenbrook Drive, to Theresa and Ronald Bauge, \$50. **Moved by McPherson to adopt. Motion Carried 7-0.**

00-234 (A) First consideration of ordinance above. **Moved by McPherson that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

00-235 (B) Final consideration of ordinance above, (waiver requested by applicant) requires 6 votes. **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, [#13,786](#). Motion Carried 7-0.**

00-236 84. On recommendation to deny request from RS Sales and Service, Darrell M. Rodwell, to rezone property at 2303 Merle Hay Road, from "C-1" (Neighborhood Retail Commercial), to "C-2" (General Retail and Highway Oriented Commercial), to allow used automobile sales. **Moved by Vlassis to continue to February 28, 2000 at 5:30 P.M. Motion Carried 7-0.**

00-237 85. On recommendation to deny request from Bill Moyer, Imperial Properties, to rezone property at 5803 Hickman Road From "C-1" (Neighborhood Retail Commercial, to Limited "C-2" (General Retail and Highway Oriented Commercial, for a used car sales lot. **Moved by Vlassis to continue to February 28, 2000 at 5:30 P.M. Motion Carried 7-0.**

00-238 86. On certificates of Occupancy and Housing Inspection Certificates for structures owned by James O. Boyt, at 512 1/2, 524 and 526 E. Grand. ([Council Communication No. 00-030](#)). **Moved by Brooks to continue hearing to February 7, 2000 at 5:30 P.M. Motion Carried 6-1. Nays: Hensley.**

00-239 87. On recommended approval of application from Randolph Jones, to rezone property at 2721 and 2725 34th Street, from "R1-60" (One Family Residential) to Ltd "R-2" (One and Two Family Residential, to allow for a two unit, 3 bedroom, 2 story townhouse with 2-car attached garages. **Moved by Flagg to continue the public hearing on the proposed rezoning until February 7, 2000, at 5:30 P.M. Motion Carried 7-0.**

00-240 88. Closing the public hearing on proposed vacation, sale and lease of portion of Vine Street--Van Vleet, Inc., (no specific proposal has been received). **Moved by Brooks to continue to 2-7-2000 at 5:30 P.M. City Manager to provide information requested on comparables. Motion Carried 7-0.**

00-241 89. On Union Park Carousel Pavilion: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Larson & Larson Construction, L.L.C., (Jeffrey C. Larson, 2882 106th, Suite 220), \$223,800. **Moved by McPherson to continue hearing to 2-7-2000. City Manager to provide past work history of contractor. Motion Carried 7-0.**

00-242 (A) Approving contract and bond, and permission to sublet. **Moved by McPherson to continue hearing to 2-7-2000. Motion Carried 7-0.**

00-243 (B) Approving Operating Agreement with Des Moines Carousel Foundation for construction of pavilion to house the carousel at Union Park and for continued operation of the carousel for ten years. ([Council Communication No. 00-035](#)). **Moved by McPherson to adopt. Motion Carried 7-0.**

00-244 90. On Southeast Airport Trunk Sewer Phase 2: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as McAninch Corporation, (Dwayne McAninch, WDM, IA), \$694,827. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-245 (A) Approving contract and bond, and permission to sublet. **Moved by Hensley to adopt. Motion Carried 7-0.**

00-246 91. On Closes Creek - 27th Street and Forest Avenue Storm Sewer Improvements: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as C.E. Contracting LTD. of Iowa, (Denny K. Edwards, Hampton, IA), \$905,084.55. **Moved by Vlassis to adopt. Motion Carried 7-0.**

00-247 91-I On Continuation of Design for a previously approved Public Improvement Project to construct the Martin Luther King Jr. Parkway Project and authorizing the City Manager to continue acquiring properties and property interests. **Moved by Flagg to adopt and refer comments received to staff for consideration. Motion Carried 7-0.**

* * END HEARINGS at 5:55 P.M. * *

****Council considered Items 75 through 81 next****

APPROVING

92. Receipt of communications regarding land uses for Gateway West Area:

00-248 (A) Urban Renewal Board. **Moved by Hensley to receive and file. Motion Carried 6-1. Absent: Flagg.**

00-249 (B) Architectural Advisory Committee. **Moved by Hensley to receive and file. Motion Carried 6-1. Absent: Flagg.**

93. Recommendation from the City Council Employee Evaluation Sub-Committee regarding the following:

00-250 (A) City Manager. **Moved by Coleman to approve the Sub-Committee's recommendation, effective January 1, 2000. Motion Carried 7-0.**

00-251 (B) Corporation Counsel. **Moved by Coleman to approve the Sub-Committee's recommendation, effective January 1, 2000; and to approve the job description/job classification. Motion Carried 7-0.**

00-252 (C) City Clerk. **Moved by Coleman to approve the Sub-Committee's recommendation, effective January 1, 2000; and to approve the job description/job classification. Motion Carried 7-0.**

00-253 94. Intergovernmental 28E Agreement with Polk County for redevelopment of intersection of Martin Luther King Parkway and Forest Avenue in conjunction with Neighborhood Redevelopment Program Project. - \$250,000 of CDBG Funding. ([Council Communication No. 00-022](#)). **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

95. Selection of Preferred Developer for Purchase and Development of the Seventh and Grand Parking Garage Property:

00-254 (A) City Center Corporation. **Moved by Hensley to adopt. Motion Carried 6-0. Council Member Brooks declares a conflict of interest and abstains from voting.**

WITHDRAWN00-255 (B) Robert J. Conley Investment Group. ([Council Communication No. 00-025](#)). [Attachment to Council Communication No. 00-025](#)

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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 placed on file with the City Clerk.

00-256 1. Approving grant of Underground Electric Line Easement to allow for placement of underground electric line from Saylor Road to the Carousel located in Union Park. SPONSOR: McPherson. **Moved by McPherson to adopt. Motion Carried 7-0.**

A G E N D A

**BOARD OF HEALTH
January 24, 2000**

00-257 MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene as a Board of Health. Motion Carried 6-1. Absent: Flagg.**

COMMUNICATION

00-258 1. Communication regarding demolition cost reserve escrowed for 1433 Dean Avenue. **Moved by Vlassis to receive and file and to direct that Corporation Council bring legal action within one hundred eighty days of receipt of notice if owners have not demolished or renovated the structure. Motion Carried 6-1. Absent: Flagg.**

AUTHORIZING

2. Court authority to abate the public nuisance at the following locations:

00-259 (A) 1965 Lincoln, vacant, Titleholder: First National Acceptance Company; Contract Buyers: Victor M. Chavez, Sandra L. Chavez; Legal Interest Holders: Janice M. White, W. Edward White. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

00-260 (B) 2801 Lyon, vacant, Titleholder: Alberta J. Clark; Contract Buyer: Mary Lillian R. Pinegar; Legal Interest Holder: NationsBank n/k/a Bank of America. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

00-261 (C) 1343 McCormick, vacant, Titleholder: Olivette Davis. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

00-262 (D) 1827 - 13th St., vacant, Titleholder: Norman G. Jesse. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

00-263 MOTION TO ADJOURN. **Moved by McPherson to adjourn at 6:14 P.M. Motion Carried 6-1. Absent: Flagg.**

DES MOINES-CITY OF SKYWALKS