



\*\*\* 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 '09-' 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**

January 26, 2009 4:30 PM

**PROCLAMATIONS- 4:15 PM**

I'll Make Me a World in Iowa

**INVOCATION:** Pastor Carol Archer  
College Avenue Christian Church  
4440 College Avenue

09-055 1. ROLL CALL: **Present: Cownie, Coleman, Hensley, Kiernan, Mahaffey, Meyer and Vlassis. Council Members Coleman and Hensley participated in the meeting via telephone.**

09-056 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Mahaffey 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.**

09-057 3. APPROVING CONSENT AGENDA – items 3 through 50: **Moved by Vlassis to adopt the balance of the consent agenda. Motion Carried 7-0.**

**LICENSES AND PERMITS**

09-058

4. Approving Alcoholic Beverage License applications for the following: **Moved by Vlassis to adopt. Motion Carried 7-0.**

**NEW APPLICATIONS**

- |     |                     |                   |          |
|-----|---------------------|-------------------|----------|
| (A) | ALBA RESTAURANT     | 519 DES MOINES ST | C Liquor |
| (B) | TARASCOS            | 2811 SE 14TH ST   | C Liquor |
| (C) | TIMOTHYS STEAKHOUSE | 5418 DOUGLAS AVE  | C Liquor |

**RENEWAL APPLICATIONS**

- |     |                           |                    |             |
|-----|---------------------------|--------------------|-------------|
| (D) | BENNIGANS GRILL & TAVERN  | 1810 ARMY POST RD  | B Liquor    |
| (E) | CAFE DI SCALA             | 644 18TH ST        | C Liquor    |
| (F) | CHADS CLUB 2000           | 422 INDIANOLA AVE  | C Liquor    |
| (G) | DES MOINES ASIAN FOOD     | 1623 6TH AVE       | C Beer      |
| (H) | DIAMOND JACKS             | 3000 E GRAND AVE   | C Liquor    |
| (I) | FLYING MANGO              | 4345 HICKMAN RD    | C Liquor    |
| (J) | GIT N GO STORE #27        | 1240 KEOSAUQUA     | C Beer      |
| (K) | KWONG TUNG RESTAURANT     | 2721 INGERSOLL AVE | C Beer/Wine |
| (L) | LA CRUZ #3                | 3900 E 14TH ST     | C Beer      |
| (M) | LIFT                      | 222 4TH STREET     | C Liquor    |
| (N) | MACCABEES DELI & JUDAICA  | 1150 POLK BLVD     | B Wine      |
| (O) | MARIANAS                  | 1305 UNIVERSITY    | B Beer      |
| (P) | NAT FOOD MART             | 1443 2ND AVENUE    | C Beer      |
| (Q) | PALMERS DELI & MARKET     | 2843 INGERSOLL AVE | C Liquor    |
| (R) | PUEBLO VIEJO              | 3841 E 14TH ST     | C Liquor    |
| (S) | SAMBETTIS                 | 1430 2ND AVE       | C Liquor    |
| (T) | SCOOTER & BABS SPORTS BAR | 918 E EUCLID AVE   | C Liquor    |
| (U) | SHOTZ & GRILL CORDOBA     | 2500 M L KING PKWY | C Liquor    |
| (V) | TOBACCO OUTLET PLUS #503  | 400 EUCLID AVENUE  | C Beer      |

**TRANSFER TO NEW LOCATION**

- |     |       |                  |        |
|-----|-------|------------------|--------|
| (W) | DEPOT | 3000 E GRAND AVE | B Beer |
|-----|-------|------------------|--------|
- Temporary transfer to Cattle Barn from February 9-15, 2009 for the Beef Expo.

**SPECIAL EVENT APPLICATION**

- |     |                        |               |                      |
|-----|------------------------|---------------|----------------------|
| (X) | SKYWALK GOLF 19TH HOLE | 555 WALNUT ST | Five (5) Day License |
|-----|------------------------|---------------|----------------------|
- Class B Beer License for Skywalk Golf Open, February 7, 2009 at the Kaleidoscope at the Hub. Pending approval of the Fire Department.

09-059

5. City Clerk to issue Coin Operated Machine Licenses. **Moved by Vlassis to adopt. Motion Carried 7-0.**

## PUBLIC IMPROVEMENTS

- [09-060](#) 6. [Ordering](#) construction of Ashworth Pool Filter Replacement – Receiving of bids, (2-24-09), and Setting date of hearing, (3-9-09). (Construction Estimate - \$285,000). ([Council Communication No. 09-039](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
7. Authorizing execution of Iowa Department of Transportation Agreements for the following:
- [09-061](#) (A) [Traffic](#) signals on Tuttle Street at SW 8<sup>th</sup> Street and SW 9<sup>th</sup> Street. ([Council Communication No. 09-027](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-062](#) (B) [Traffic](#) improvements on Grand Avenue from 19<sup>th</sup> Street to Polk Boulevard – “Older Driver/Pedestrian Traffic Control Demonstration Study.” ([Council Communication No. 09-029](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-063](#) (C) [E. 33<sup>rd</sup>](#) Street and Easton Boulevard intersection improvements. ([Council Communication No. 09-030](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
8. Various items regarding special assessments associated with the 2008-09 Sidewalk Program:
- (A) SE 14th Street from McKinley Avenue to Cummins Road (west side):
- [09-064](#) (1) [Accepting](#) work and ordering preparation of plat and schedule of assessments. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-065](#) (2) [Adopting](#) and levying final schedule of assessments, and providing for payment. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- (B) State Avenue from E. 32nd Street to E. 33rd Street (both sides):
- [09-066](#) (1) [Accepting](#) work and ordering preparation of plat and schedule of assessments. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-067](#) (2) [Adopting](#) and levying final schedule of assessments, and providing for payment. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-068](#) 9. [Approving](#) Professional Services Agreement with Calhoun-Burns and Associates for design and construction phase services for the Easton Boulevard Bridge Replacement over Four Mile Creek, not to exceed \$155,600. ([Council Communication No. 09-033](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-069](#) 10. [Authorization](#) to proceed on Bell Avenue paving from Druid Hill Drive east to Dead End. ([Council Communication No. 09-032](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

- [09-070](#) 11. [Approving](#) Amendment No. 1 to the Design Agreement with The Department of the Army for design of the Des Moines and Raccoon Rivers Project. (Birdland and Central Place Levees) ([Council Communication No. 09-048](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-071](#) 12. [Approving](#) completion and recommending acceptance of Private Construction Contract for Paving Improvements Airport Industrial Park Plat 2, between Manatts, Inc. and Cornerstone Family Church. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-072](#) 13. [Approving](#) completion and recommending acceptance of Private Construction Contract for Traffic Signal Improvements Merle Hay Road, north of Douglas Avenue and south of Madison Avenue between Baker Electric, Inc. and Merle Hay Mall. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-073](#) 14. [Accepting](#) completed construction and approving final payment for M.L. King Jr. Park Shelter & Congregate Meal Site, Rochon Corporation of Iowa, Inc. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-074](#) 15. [Accepting](#) completed construction and approving final payment for Blank Park Zoo Snow Monkey Holding and Safari Grill Building, Johnson Concrete & Petroleum Construction, Inc. **Moved by Vlassis to adopt. Motion Carried 7-0.**

#### **SPECIAL ASSESSMENTS**

16. Levying assessments for cost of Nuisance Abatement – NAC Emergency Orders for the following:
- [09-075](#) (A) [Community](#) Development Schedule No. 2009-01. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-076](#) (B) [Public](#) Works Schedule No. 2009-02. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-077](#) 17. [Approving](#) deletion of NAC-Emergency Assessment at 3145 Scott Avenue. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-078](#) 18. [Approving](#) Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility Fees for December 2008. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-079](#) 19. [Approving](#) Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility Credits for December 2008. **Moved by Vlassis to adopt. Motion Carried 7-0.**

## LAND/PROPERTY TRANSACTIONS

- [09-080](#) 20. [Establishing](#) fair market value for multiple properties for the East Indianola Avenue Widening Project – Phase 1. ([Council Communication No. 09-042](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-081](#) 21. [Establishing](#) fair market value of property located at 501 Allen Street for the Southeast Connector Project – SW 2<sup>nd</sup> Street to SE 6<sup>th</sup> Street phase. ([Council Communication No. 09-041](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

## BOARDS/COMMISSIONS/NEIGHBORHOODS

- [09-082](#) 22. [Attendance](#) Reports for the various City Boards and Commissions for January 1 through December 31, 2008. **Moved by Vlassis to receive and file, and express our appreciation to all, especially those with perfect attendance. Motion Carried 7-0.**
- [09-083](#) 23. [Recommendation](#) from Mayor Frank Cownie to appoint David Drake, D.O. to the Human Rights Commission, Seat 1 for a three-year term to expire April 1, 2009 and to an additional three-year term to expire April 1, 2012. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-084](#) 24. [Recommendation](#) from Council Member Christine Hensley to appoint John Hearn to the Urban Design Review Board, Seat 10 for a three-year term commencing June 30, 2008 to expire June 30, 2011. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-085](#) 25. [Communication](#) from Shirley Burgess advising of her resignation from the Sister Cities Commission, Seat 6 effective immediately. **Moved by Vlassis to receive, file and accept resignation with appreciation for her service. Motion Carried 7-0.**
- [09-086](#) 26. [Approving](#) regular and alternate appointments to the Metropolitan Planning Organization (MPO) and the Transportation Technical Committee (TTC). **Moved by Vlassis to adopt. Motion Carried 7-0.**

## SETTING DATE OF HEARINGS

- [09-087](#) 27. [On](#) vacation and conveyance of 13<sup>th</sup> Street from Keosauqua Way to School Street, (except the north 26 feet) and the north/south alley, west of 13<sup>th</sup> Street from School Street to Keosauqua Way (except the north 26 feet) to Central Iowa Shelter and Services, (2-9-09). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-088](#) (A) [Recommendation](#) from Plan and Zoning Commission. **Moved by Vlassis to receive and file and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**

- [09-089](#) 28. [On](#) conveyance of 1439-1445 E. Grand Avenue to State of Iowa – Iowa Prison Industries for \$75,000, (2-9-09). ([Council Communication No. 09-046](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-090](#) 29. [On](#) Request from Ronald Brenizer Jr. to rezone 4506 SW 9<sup>th</sup> Street from “C1-A” (Neighborhood Commercial Reuse) to Ltd. “C-2” (General Retail and Highway Oriented Commercial) to allow a construction contractors business, (2-9-09). Plan and Zoning Commission recommends DENIAL. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-091](#) 30. [On](#) request from Hubbell Realty Company to rezone 921 Murphy Street from “C-3B” (Central Business District Mixed Residential) to “PUD” (Planned Unit Development) to allow development of single-story flex office park, (2-9-09). **Moved by Vlassis to adopt. Motion Carried 7-0.**
31. On sale of Refunding Bonds for the following, (2-9-09) (bonds for Items A, B and C only will be sold on 2-11-09 and a special Council meeting will be held at 4:30 PM): ([Council Communication No. 09-047](#))
- [09-092](#) (A) [\\$35,000,000](#) General Obligation Refunding Bonds, (refunding of Series 2001A, 2001D and 2004A). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-093](#) (B) [\\$1,300,000](#) General Obligation Refunding Bonds (refunding of Taxable Series 2000E). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-094](#) (C) [\\$3,300,000](#) General Obligation Refunding Bonds, (refunding of Series 2001B). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-095](#) (D) [\\$3,900,000](#) Public Parking System Revenue Refunding Capital Loan Notes, (refunding of Taxable Series 2000B). **Moved by Vlassis to adopt. Motion Carried 7-0.**

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

32. Approving payment to Ahlers & Cooney, P.C. Law Firm for legal services for the following:
- [09-096](#) (A) [General](#) Matters - \$1,309.35 **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-097](#) (B) [Legal](#) Services regarding the Des Moines International Airport - \$2,027. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-098](#) (C) [Master](#) Lease Program - \$1,417.50. **Moved by Vlassis to adopt. Motion Carried 7-0.**

- [09-099](#) 33. [Approving](#) payment of \$3,800 to Hansen, McClintock & Riley Law Firm for retention of Chester C. Woodburn III for purpose of enforcing a contract for insurance. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-100](#) 34. [Approving](#) payment of \$3,870.02 to Hopkins Law Office, P.L.C. for representation of Officer John LePorte in case of Carter v. LePorte, et al. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-101](#) 35. [Approving](#) payment of \$10,498.89 to Hall & Associates for services related to the Combined Sewer System and Combined Sewer Overflows for the NPDES Permit and additional work on proposed rules by IDNR. **Moved by Vlassis to adopt. Motion Carried 7-0.**
36. Approving payment of workers' compensation claims for the following:
- [09-102](#) (A) [Bonita](#) Harper and her attorney, Ryan Beattie - \$90,415.41. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-103](#) (B) [John](#) Iwanicki - \$27,880.20. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-104](#) (C) [Ron](#) O'Neal - \$10,521.60. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-105](#) (D) [Henry](#) Schoenthal - \$10,202.92. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-106](#) (E) [Susan](#) Stropes - \$86,002.03. **Moved by Vlassis to adopt. Motion Carried 7-0.**

#### CITY MANAGER COMMUNICATIONS

- [09-107](#) 37. [Submitting](#) training requests for Tom Turner, Tom Vlassis, and Stephen Waymire. ([Council Communication No. 09-044](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

#### APPROVING

- [09-108](#) 38. [Request](#) for tax sale certificates from Polk County Treasurer's Office for 1702 Forest Avenue and 1649 E. Grand Avenue and approving agreement for assignment of tax sale certificates to NFC Properties, LLC. ([Council Communication No. 09-024](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-109](#) 39. [Issuance](#) of Certificate of Completion for Phase 2 Improvements in the Fleur Drive Urban Renewal Area and authorizing payment of economic assistance. ([Council Communication No. 09-023](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**



- [09-110](#) 40. [Grant](#) Agreement with the Des Moines Community Foundation of Greater Des Moines for purchase of a graffiti camera to be used by the Police Department, \$2,500. ([Council Communication No. 09-025](#)) **Moved by Vlassis to approve. Motion Carried 7-0.**
- [09-111](#) 41. [Amendment](#) No. 2 to the United States Postal Service Building Lease Agreement at the Des Moines International Airport. ([Council Communication No. 09-019](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-112](#) 42. [License](#) Agreement for use of real property by the United States Department of Commerce National Oceanic and Atmospheric Administration (NOAA) and the Des Moines International Airport on which Automated Surface Observing System (ASOS) equipment has been erected. ([Council Communication No. 09-017](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-113](#) 43. [Iowa](#) Code Chapter 28D Agreement for employee interchange between the Des Moines Police Department and the Polk County Sheriff's Office. ([Council Communication No. 09-021](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [09-114](#) 44. [Second](#) Amendment to Chapter 28E Agreement with Polk County for Boundary Streets and Roads Maintenance. ([Council Communication No. 09-015](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-115](#) 45. [Receive](#) and file Quarterly Treasurer's Report as of December 31, 2008. **Moved by Vlassis to receive and file. Motion Carried 7-0.**
- [09-116](#) 46. [Receipt](#) of Airport Board Regulation No. 09-59 regarding Commercial Use Fee at the Des Moines International Airport. **Moved by Vlassis to adopt. Motion Carried 7-0.**
47. Bids from the following:
- [09-117](#) (A) [Motorola](#) for replacement mobile radio equipment per State of Iowa Contract for use by Police, Fire and Public Works Departments, \$110,928.77. ([Council Communication No. 09-022](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-118](#) (B) [Sprint](#) Solutions for a two-year citywide contract for cell phone services, \$573,247.68. (Five bids mailed, five bids received) ([Council Communication No. 09-028](#)) **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Coleman.**
- [09-119](#) (C) [AVI](#) Systems for an upgrade to Channel 7 Automation System existing software computer systems and video servers used for broadcasting DMTV City Cable 7, \$27,692. (Five bids mailed, one bid received) ([Council Communication No. 09-045](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**



[09-120](#) (D) [Quality](#) Painting and Wes Jarnigan, Inc. for an annual contract with two one-year renewal options to furnish graffiti removal services to be used by the Park and Recreation Department. (Four bids mailed, four received) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[09-121](#) 48. [Civil](#) Service Promotional List for Police Sergeant. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

[09-122](#) 49. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of January 26 and February 2, 2009; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of January 26 and February 2, 2009; and to draw checks for biweekly payroll due January 30, 2009. **Moved by Vlassis to adopt. Motion Carried 7-0.**

#### ORDINANCES - SECOND CONSIDERATION

[09-123](#) 50. [Amending](#) Chapter 114 of the Municipal Code regarding Corner Clearance on the north side of Pleasant Drive, east of Ronwood Drive. **Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

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

#### ORDINANCES - FIRST CONSIDERATION

[09-124](#) 51. [To](#) Continue the Downtown Des Moines Self-Supported Municipal Improvement District, (SSMID). ([Council Communication No. 09-049](#)) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[09-125](#) 52. [Amending](#) Chapter 114 of the Municipal Code submitting traffic regulation changes as follows: ([Council Communication No. 09-026](#)) **Moved by Vlassis that this ordinance be considered and given first vote for passage. City Manager will review the “30-minute limit” parking meters in the East Village. Motion Carried 7-0.**

(A) Parking Restriction – North Side of University Avenue and South Side of Forest Avenue in the vicinity of vacated 28<sup>th</sup> Street.

(B) Relocation of existing loading zone, north side of Mulberry Street, west of 12<sup>th</sup> Street.

[09-126](#) (C) Final consideration of ordinance above, 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, [#14,830](#). Motion Carried 7-0.**

## COMMUNICATIONS/REPORTS

- [09-127](#) 53. [Receive](#) and file Financial Statements of Des Moines International Airport for year ending June 30, 2008 and Independent Auditor's Report from McGladrey and Pullen, LLP. ([Council Communication No. 09-020](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-128](#) 54. [Receive](#) and file City of Des Moines Comprehensive Annual Financial Report for fiscal year ended June 30, 2008. ([Council Communication No. 09-016](#)) **Moved by Mahaffey to receive and file report. Motion Carried 7-0.**
- [09-129](#) 55. [Receive](#) and file the 2008 Polk County Assessor Report. **Moved by Coleman to receive and file attached report. Motion Carried 7-0.**

## HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 56 THRU 60)

- [09-130](#) 56. [On](#) request from Hubbell Realty Company, to rezone property at 5525 SE 14<sup>th</sup> Street from Ltd. "R-3" (Multiple-Family Residential) to "R-3", removing limitation of senior residential housing on multiple-family dwellings and allowing for up to 240 multiple-family residential dwellings. (A Plan and Zoning Commission motion to approve the request failed by a vote of 5-5. 6 Council votes are required to approve the request due to the % of opposition by adjoining property owners) There has been a request from Hubbell Realty to continue this item to the February 9<sup>th</sup> Council meeting. **Moved by Meyer to continue to the February 9, 2009 Council meeting at 5:00 PM. City Manager to report back on watershed and traffic issues and assign someone to work with both parties involved. Also explore possibility of the area being a TIF district. Motion Carried 7-0.**
- [09-131](#) 57. [On](#) amendment to the Silver Leaf PUD Conceptual Plan for property at 5100 NE 38<sup>th</sup> Avenue, (continued from January 5, 2009). ([Council Communication No. 09-043](#)) **Moved by Mahaffey to continue to the February 9, 2009 Council meeting at 5:00 PM. City Manager will arrange a meeting between Council Member Mahaffey, the Neighborhood Association and the Developer. Motion Carried 7-0.**
- [09-132](#) 58. [On](#) Signatory Airline Operating Agreement with American Eagle Airlines, Inc, regarding airline operations at the Des Moines International Airport, through June 30, 2013. ([Council Communication No. 09-018](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [09-133](#) 59. [On](#) proposed Zoning Ordinance text amendment, to automatically adjust the required setback and minimum lot area, to compensate for a reduction in a yard or lot area resulting from the involuntary acquisition of land for a public purpose. **Moved by Coleman to adopt and approve, subject to final passage of the enacting ordinance. Motion Carried 7-0.**
- [09-134](#) (A) [First](#) consideration of ordinance above. **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[09-135](#) (B) [Final](#) consideration of ordinance above, (waiver requested by the City’s Real Estate Administrator) 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, [#14,831](#). Motion Carried 7-0.**

[09-136](#) 60. [On](#) intent to acquire property for recreational trail purposes and authorize acquisition of the necessary property for the Waveland Trail, Phase 1 Project. ([Council Communication No. 09-040](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

**\*\*\*END HEARINGS AT 5:39 PM\*\*\***

**APPROVING**

[09-137](#) 61. [Authorizing](#) notification of the City’s preferred alternative for the Southeast Connector. ([Council Communication No. 09-031](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**

**EXTRA ITEMS**

[09-138](#) 1. [Request](#) from Council Member Brian Meyer to discuss creation of a process to name City Buildings. **Moved by Meyer to refer to the City Manager and Legal for review and recommendation. Motion Carried 7-0.**

**BOARD OF HEALTH**

[09-139](#) MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene as a Board of Health. Motion Carried 6-1. Absent: Coleman.**

**AUTHORIZING:**

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

[09-140](#) (A) [2737](#) Hickman Road, main structure, garage structure, and accessory structure, Titleholder: Clarence v. Gilkeson a/k/a C.V. Gilkeson d/b/a ninety one CVJC, LLC, Mortgage Holder: West Bank a/k/a West Bancorporation, Inc. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Coleman.**

[09-141](#) (B) [1515](#) 11<sup>th</sup> Street, main structure and garage structure, Titleholder: Kim Reimers, Mortgage Holder: UM Capital, LLC. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Coleman.**

[09-142](#) (C) [6165](#) SE 16<sup>th</sup> Court, main structure, Titleholders: Heirs to the Estates of Donald E. Deal and Bernadine L. Deal, Mortgage Holder: Bank of America, NA. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Coleman.**

[09-143](#) (D) [901](#) E. 25<sup>th</sup> Court, fire-damaged structure, Titleholder: HSBC Mortgage Service, Inc. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Coleman.**

[09-144](#) MOTION TO ADJOURN **Moved by Vlassis to adjourn at 5:45 P.M. Motion Carried 6-1. Absent: Coleman.**

View City Council agendas online at [www.dmgov.org](http://www.dmgov.org)



All-America City  
1949 1976 1981 2003