



\*\*\* 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 '07-' 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**

April 9, 2007 4:30 P.M.

**PROCLAMATIONS – 4:00 P.M.**

- [Administrative](#) Professionals Week
- [Architecture](#) Month
- [Fair Housing](#) Month

**INVOCATION:** Pastor Loren Strait  
Glen Echo Christian Church  
4323 Douglas Avenue

- [07-617](#) 1. ROLL CALL: **Present: Cownie, Coleman, Hensley, Kiernan, Mahaffey, Meyer, and Vlassis.**
  
- [07-618](#) 1. [Presentation](#) regarding the 2007 Hy-Vee ITU World Cup Triathlon. **Moved by Vlassis to receive and file comments. Motion Carried 7-0.**  
  
\*\*Council considered Hearing Item 48 next\*\*
  
- [07-619](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Vlassis 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.**

[07-620](#)

3. APPROVING CONSENT AGENDA – items 3 through 40: **Moved by Vlassis to adopt the balance of the consent agenda. Motion Carried 7-0.**

**LICENSES AND PERMITS**

[07-621](#)

4. [Approving](#) Alcoholic Beverage License Applications for the following: **Moved by Vlassis to adopt. Motion Carried 7-0.**

**NEW APPLICATIONS**

(A)	CAPITAL CITY BREW PUB	5800 FLEUR DR	C Liquor
(B)	DAVIS CONCESSIONS	2601 HUBBELL AVE	B Beer
(C)	GATEWAY MARKET	2002 WOODLAND AVE	C Beer/Wine
(D)	MANNINGS	2102 INDIANOLA AVE	C Liquor
(E)	<del>NEW SIAGON CAFE</del>	<del>1541 6TH AVE</del>	<del>B Beer</del>
(F)	SELECT SERVICE PARTNER	5800 FLEUR DR	C Liquor
(G)	STRANDED BY THE TRACKS	1922 HUBBELL AVE	C Liquor
(H)	VILLAGE MARKET	325 E 5TH ST	C Beer

**RENEWAL APPLICATIONS**

(I)	ALPINE TAP ROOM	2720 INGERSOLL AVE	C Liquor
(J)	GERRIS	232 E 30TH ST	C Liquor
(K)	GREENWOOD LOUNGE	3707 INGERSOLL AVE	C Liquor
(L)	JAVA JOES COFFEEHOUSE	214 4TH ST	C Beer/Wine
(M)	MANDARIN RESTAURANT	3520 BEAVER AVE	C Liquor
(N)	RITUAL CAFE	1301 LOCUST ST	C Beer/Wine
(O)	SCORNOVACCAS PIZZA	1930 SE 14TH ST	C Liquor

**OUTDOOR SERVICE APPLICATIONS**

- (P) COURT AVENUE BREWING CO 309 COURT AVE C Liquor  
Temporary outdoor service area in conjunction with Drake Relays Celebration on April 27, 2007. Pending approval of Fire Department.
- (Q) UNIVERSITY LIBRARY CAFE 3506 UNIVERSITY AVE C Liquor  
Temporary in conjunction with Drake Relays, effective April 25, 2007 to April 29, 2007. Pending approval of the Building and Fire Departments.

- (R) UNIVERSITY LIBRARY CAFE 3506 UNIVERSITY AVE C Liquor  
Temporary in conjunction with Drake Relays Parade, effective April 21, 2007.  
Pending approval of the Building and Fire Departments.

### SPECIAL EVENTS APPLICATIONS

- (S) OVERTIME SPORTS 121 SW 2ND ST C Liquor  
Five-day license for Dodge Ball Tournament. Pending approval of Building,  
Electrical, Fire and Zoning Departments.
- (T) WINSTONS PUB & GRILLE 800 WALNUT ST C Beer/Wine  
Five-day license in conjunction with Des Moines Art Center Event on April 26, 2007.  
Pending approval of the Fire Department.

[07-622](#)

5. [City](#) Clerk to issue Cigarette Licenses. **Moved by Vlassis to adopt. Motion Carried 6-1.**  
**Nays: Cownie.**

[07-623](#)

6. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Vlassis to adopt.**  
**Motion Carried 7-0.**

### PUBLIC IMPROVEMENTS

7. Ordering construction of the following:

[07-624](#)

- (A) [Crivaro](#) Park & Bates Playground Improvements – Receiving of bids, (4-24-07), and  
Setting date of hearing, (5-7-07). (Construction Estimate - \$236,520). ([Council  
Communication No. 07-189](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-625](#)

- (B) [Hickman](#) Road Resurfacing-30<sup>th</sup> Street to Merle Hay Road – Receiving of bids, (4-17-  
07), and Setting date of hearing, (5-7-07). (Construction Estimate - \$1,463,280.99).  
([Council Communication No. 07-191](#)) **Moved by Coleman to adopt. Motion  
Carried 7-0.**

[07-626](#)

- (C) [2007](#) Expanded Street Resurfacing Program – Contract 1 – Receiving of bids, (4-24-  
07), and Setting date of hearing, (5-7-07). (Construction Estimate - \$1,051,560).  
([Council Communication No. 07-190](#)) **Moved by Vlassis to adopt. Motion  
Carried 7-0.**

[07-627](#)

8. [Approving](#) execution of Iowa Department of Transportation (IDOT) Change Order No. 9 to  
Keo Way Phase 2 Storm Sewer Outlet, not to exceed \$138,275.75. ([Council  
Communication No. 07-186](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

9. Approving completion and recommending acceptance of the following Private Construction Contracts:

[07-628](#) (A) [Henning](#) Construction Co., Inc. and Tasty Tacos, Inc. – Paving Improvements, 5847 SE 14<sup>th</sup> Street. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-629](#) (B) [Nelson](#) Construction Services and Benard J. Baker III – Paving Improvements, 3400 E. Euclid Avenue. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-630](#) (C) [Grimes](#) Asphalt & Paving Corp. and The Salvation Army – Alley Improvement, Salvation Army Facility, 1330 6<sup>th</sup> Avenue. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-631](#) (D) [Nuckolls](#) Concrete Services, Inc. and J.D. Carpenter Companies, Inc. – Street Improvements, E. 14<sup>th</sup> Street at Intersection of E. Ovid Avenue. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-632](#) 10. [Approving](#) emergency proceedings for the 7300 block of SW 12<sup>th</sup> Street Emergency Sewer Repair: Receive and file City Manager’s Emergency Declaration and approve emergency contract with lowest responsible bidder, The Underground Co., (Duane Burkhardt, President), \$64,500. ([Council Communication No. 07-188](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

#### **SPECIAL ASSESSMENTS**

[07-633](#) 11. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development) Schedule No. 2007-07. **Moved by Vlassis to adopt. Motion Carried 7-0.**

12. Approving the following deletions of NAC-Emergency Assessments:

[07-634](#) (A) [1612](#) E. 24<sup>th</sup> Street. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-635](#) (B) [1802](#) 10<sup>th</sup> Street. **Moved by Vlassis to adopt. Motion Carried 7-0.**

#### **LAND/PROPERTY TRANSACTIONS**

[07-636](#) 13. [Establishing](#) fair market value and authorizing voluntary acquisition of property at 1307 Clark Street for the Forest Avenue Urban Renewal Project, \$37,000. ([Council Communication No. 07-187](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-637](#) 14. [Acceptance](#) of permanent easement for existing sanitary sewer at 1 Lincoln Place Drive, \$1 plus closing costs. **Moved by Vlassis to adopt. Motion Carried 7-0.**

## SETTING DATE OF HEARINGS

- [07-638](#) 15. On request from City Engineer, to vacate various street rights-of-way in the vicinity of SE 34<sup>th</sup> to SE 37<sup>th</sup> and Granger Avenue, (4-23-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-639](#) 16. On vacation and conveyance of encroachment easement adjoining 301 East Court Avenue to East Village Court, LLC, \$395, (4-23-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-640](#) 17. On vacation and conveyance of north 25 feet of Army Post Road right-of-way adjoining 6304 SW 7<sup>th</sup> Street to Touch and Go, LLC, \$3,500, (4-23-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-641](#) 18. On conveyance of overhead electric line easement across city-owned property adjoining 5701 Park Avenue to MidAmerican Energy Company, \$1, (4-23-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-642](#) 19. On Amendment to current Operating Agreement with American Eagle Airlines Inc., extending their scheduled Airline Operating Agreement and Terminal Building lease at the Des Moines International Airport until June 30, 2008, (4-23-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-643](#) 20. On Proposed Eighth Amendment to the Metro Center Urban Renewal Plan, (5-21-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-644](#) 21. Resolution electing classifications and procedures for proposed bond projects. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-645](#) (A) Setting date of hearing on issuance of not to exceed \$13,600,000 General Obligation Bonds, for Essential Corporate Purposes, (4-23-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-646](#) (B) Setting date of hearing on issuance of not to exceed \$15,355,000 General Obligation Bonds, for Urban Renewal Purposes, (4-23-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-647](#) (C) Setting date of hearing on issuance of not to exceed \$610,000 General Obligation Bonds, for General Corporate Purposes, (4-23-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-648](#) (D) Setting date of hearing on issuance of not to exceed \$770,000 General Obligation Bonds, for General Corporate Purposes, (4-23-07). **Moved by Vlassis to adopt.**

**Motion Carried 7-0.**

- [07-649](#) (E) [Setting](#) date of hearing on issuance of not to exceed \$820,000 General Obligation Bonds, for General Corporate Purposes, (4-23-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-650](#) (F) [Setting](#) date of hearing on issuance of not to exceed \$950,000 General Obligation Bonds, for General Corporate Purposes, (4-23-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-651](#) (G) [Setting](#) date of hearing on issuance of not to exceed \$765,000 General Obligation Bonds, for General Corporate Purposes, (4-23-07). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-652](#) (H) [Setting](#) date of hearing on issuance of not to exceed \$760,000 General Obligation Bonds, for General Corporate Purposes, (4-23-07). ([Council Communication No. 07-182](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

**LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS**

- [07-653](#) 22. [Approving](#) payment of \$4,827 to Myers & Jenkins for representation in UAL Corporation, ATA Holdings Corp., Delta Air Lines, Inc., et al. (Comair, Inc.) and Northwest Airlines Corporation, et.al. Bankruptcies. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-654](#) 23. [Approving](#) payment of \$9,004.39 for services related to the combined sewer system and combined sewer overflows related to the NPDES Permit. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-655](#) 24. [Additional](#) payment of \$ 1,199.66 to Enterprise Rent-A-Car for damage claim as a result of an auto accident. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-656](#) 25. [Approving](#) payment of \$6,069.80 to Danny Rivas for a workers' compensation claim. **Moved by Vlassis to adopt. Motion Carried 7-0.**

**CITY MANAGER COMMUNICATIONS**

- [07-657](#) 26. [Submitting](#) travel requests for Andrea Hauer, Susan Low, August Stangl, and Carl Wycoff. ([Council Communication No. 07-197](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

## APPROVING

- [07-658](#) 27. [Form](#) of Agreement with West Bank for dispersal of Federal Home Loan Bank Affordable Housing Program Grants. ([Council Communication No. 07-185](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-659](#) 28. [Estoppel](#) Certificate and Subordination Agreement for the Court Avenue Lofts at 308 Court Avenue. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-660](#) 29. [Applications](#) to obtain \$640,280 in Federal Grants from the FY 2005 and FY 2006 HUD Economic Development Initiatives for redevelopment of the Des Moines Agrimergent Technology Park. ([Council Communication No. 07-181](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-661](#) 30. [Resolution](#) to permit the entire width of the North/South alley in the block bounded by 9<sup>th</sup>, 10<sup>th</sup>, Walnut and Mulberry Streets to be used to satisfy building code separation requirements for the Davis Brown Tower. ([Council Communication No. 07-202](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-662](#) 31. [Designation](#) of Kurt Rueckel as authorized representative for Federal Disaster – FEMA. ([Council Communication No. 07-183](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-663](#) 32. [Annual](#) renewal of Agreement with Employee and Family Resources, Inc. for provision of Employee Assistance Program services, \$24,000. ([Council Communication No. 07-201](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-664](#) 33. [Donation](#) Agreement with Ball Construction Services, L.L.C. for Nicole Morrissey Memorial Fountain at James W. Cownie Soccer Park. ([Council Communication No. 07-200](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [07-665](#) 34. [Contract](#) with i2Inc/Choice Point for Law Enforcement Intelligence Database. **Moved by Hensley to receive, file and refer to the City Manager for review and recommendation at the 4-23-07 council meeting. Motion Carried 7-0.**
- [07-666](#) 35. [Iowa](#) State Fair request for temporary head-in parking along north side of Dean Avenue from E. 31<sup>st</sup> Street to E. 24<sup>th</sup> Street; temporary fencing to curb along Dean Avenue from E. 31<sup>st</sup> Street to E. 30<sup>th</sup> Street; and “No Parking” signs in the area east of E. 34<sup>th</sup> Street (Gate 7) and Grand Avenue both north to University Avenue and south to Walnut Street during the fair (August 9-19, 2007). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-667](#) 36. [Communication](#) from Downtown Community Alliance requesting approval of banner designs for the Downtown Farmers Market to be displayed throughout the year in downtown Des Moines. **Moved by Vlassis to receive, file and approve banner design. Motion Carried 7-0.**
37. Bids from the following:

- [07-668](#) (A) [Clarke](#) Mosquito Control for mosquito control larvicide aerial application and adulticide products to be used by Neighborhood Inspections Division of the Community Development Department, \$54,106. (Nine bids mailed, five received.) ([Council Communication No. 07-206](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-669](#) (B) [Traffic](#) Control Corporation, \$14,259.92, Leotek Electronics, \$9,287.20, and Brown Traffic Products, \$42,470 for various signal equipment items to be used by the Signal Shop of the Traffic and Transportation Division of the Engineering Department. (Eight bids mailed, four received.) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-670](#) (C) [Construction](#) Materials Inc. and Logan Contractors Supply for an annual contract with two (2) renewable one year renewal options to furnish re-bar materials to be used by the Public Works Department, estimated annual cost \$50,000. (Four bids mailed, two received.) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-671](#) 38. [Civil](#) Service Entrance Lists for Parking Meter Checker, Animal Control Officer, Traffic Signal Technician, Traffic Facilities Manager and Promotional Lists for Senior Police Officer and Traffic Device Maintenance Worker. **Moved by Vlassis to receive and file. Motion Carried 7-0.**
- [07-672](#) 39. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of April 9 and April 16, 2007; to draw checks for the bills of the [Des Moines Municipal Housing Agency](#) for the weeks of April 9 and April 16, 2007; and to draw checks for bi-weekly payroll due April 13, 2007. **Moved by Vlassis to adopt. Motion Carried 7-0.**

**ORDINANCES - FINAL CONSIDERATION**

- [07-673](#) 40. [Amending](#) Chapter 74 of the Municipal Code regarding rental fees at the park between 10<sup>th</sup> and 15<sup>th</sup> Streets and Grand and Locust. **Moved by Hensley that this ordinance do now pass, #14,641. Motion Carried 7-0.**

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



**\*\*Council considered Items 41 thru 46 next\*\***

### **COUNCIL REQUESTS**

- [07-674](#) 41. **From** Council Member Christine Hensley to speak regarding use of property at the Des Moines Police Station for display of public art. **Moved by Hensley to receive, file and refer to the City Manager for review and recommendation in 60 days regarding the Iowa National Bar Association Public Art Project. Motion Carried 7-0.**

### **COMMUNICATIONS/REPORTS**

- [07-675](#) 42. **From** Bob Wessel, 2719 E. Leach, to speak regarding taxation. **Moved by Kiernan to receive and file comments. Motion Carried 7-0.**
- [07-676](#) 43. **From** Johnny Hall, 3808 E. 32<sup>nd</sup> Street, to speak regarding the building at 1820 E. Army Post Road. **Moved by Vlassis to receive and file comments. Motion Carried 7-0.**
- [07-677](#) 44. **Receive** and file Financial Statements of Des Moines International Airport for year ended June 30, 2006 and Independent Auditor's Report from McGladrey and Pullen, LLP. (**Council Communication No. 07-199**) **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [07-678](#) 45. **Receive** and file Annual Report of Des Moines International Airport for year ended June 30, 2006. (**Council Communication No. 07-198**) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [07-679](#) 46. **Submitting** quarterly reports from 29 designated Neighborhood Based Service Delivery Neighborhoods. **Moved by Vlassis to receive and file the reports. Motion Carried 7-0.**

**\*\*Council considered Item 56 thru balance of agenda next\*\***

### **INFORMAL HEARINGS (5:00 P.M.)**

- [07-680](#) 47. **On** Proposed Additional Property Tax Relief Plan for use of Project Destiny local option sales tax proceeds, **and to continue the informal hearing to April 23, 2007 at 5:00 P.M.** (~~Council Communication No. 07-206~~) **Moved by Vlassis to receive and file comments and continue the informal hearing to April 23, 2007 at 5:00 P.M. Motion Carried 7-0.**

**\*\*Council considered Hearing Items 49 thru 55 next\*\***

**HEARINGS (OPEN AT 5:03 P.M.) (ITEMS 48 THRU 55)**

[07-681](#)

48. **On** appeal from Jamie Larson, 3825 1<sup>st</sup> Street, of the Administrative Hearing Officer's decision regarding her dog. **Moved by Hensley to uphold the dangerous animal declaration and order that the animal be permanently removed from the City of Des Moines and taken to California, as offered by Tim Larson. The Des Moines Police Department will verify that the animal was taken there. Motion Carried 5-2. Nays: Coleman and Vlassis.**

**\*\*Council considered Informal Hearing Item 47 next\*\***

49. On items regarding property at the 2200 block of E. Pine Avenue, Jerry's Homes:

[07-682](#)

- (A) **To** amend the Des Moines 2020 Community Character Land Use Plan future land use designation.
- (1) From Public/Semi-Public, Park/Open Space – Public and Low/Medium Density Residential to Medium Density Residential.
  - (2) From Low Density Residential to Low/Medium Density Residential.
  - (3) Removal of the Neighborhood Activity Node at the southeast corner of the property. **Moved by Meyer to approve the proposed amendment and include all elements as outlined in Council Communication No. 07-205. Motion Carried 7-0.**

[07-683](#)

- (B) **Hearing** on rezoning of the property from "R1-80" (One-Family Residential) to Ltd. "R-3" (Multiple Family Residential), Ltd. "R1-60" (One-Family Low Density Residential), and Ltd. "R1-80" (One-Family Residential) (requires 6 votes). **Moved by Meyer to adopt and to close the public hearing and include all elements as outlined in Council Communication No. 07-205. Motion Carried 7-0.**

[07-684](#)

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

[07-685](#)

- (D) **Final** consideration of ordinance above, (waiver requested by applicant), requires 6 votes. ([Council Communication No. 07-205](#)) **Moved by Meyer 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, #14,642. Motion Carried 7-0.**

50. Items regarding property at 1020 E. 12<sup>th</sup> Street: **(Plan and Zoning recommends denial)**

[07-686](#)

- (A) **Amendment** to the Des Moines 2020 Community Character Land Use Plan to change designation from Low Density Residential to Pedestrian-Oriented Neighborhood Node. **Moved by Mahaffey to adopt and deny the amendment to the Des Moines 2020 Community Character Land Use Plan. Motion Carried 7-0.**

- [07-687](#) (B) On request from Phui Lovan to rezone property from “R1-60” (One-Family Low-Density Residential) to “NPC” (Neighborhood Pedestrian Commercial) to allow existing commercial building to be used for catering business and second floor apartments. **Moved by Mahaffey to adopt and deny the proposed rezoning. Motion Carried 7-0.**
- [07-688](#) 51. On request from Mercy Hospital Medical Center to approve the Third Amendment to Mercy Medical Center PUD Conceptual Plan to expand Emergency wing with 20,000 square foot two-story addition, to include additional ambulance garage and two new elevated helipads for air ambulance traffic. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [07-689](#) 52. On lease agreement with South Des Moines Little League for James W. Cownie Baseball Park from March 15, 2007 to December 31, 2025. ([Council Communication No. 07-184](#)) **Moved by Coleman to adopt. Motion Carried 6-1. Pass: Vlassis.**
- [07-690](#) 53. On 2007 PCC Overlay Program: Resolution approving plans, specifications, form of contract documents, Engineer’s Estimate and designating lowest responsible bidder as Sternquist Construction Inc., (Britt Sternquist, President), \$242,465.60. ([Council Communication No. 07-193](#)) **Moved by Kiernan to adopt. Motion Carried 6-0. Council Member Mahaffey declares a conflict of interest and abstains from voting.**
- [07-691](#) (A) Approving contract and bond and permission to sublet. **Moved by Kiernan to adopt. Motion Carried 6-0. Council Member Mahaffey declares a conflict of interest and abstains from voting.**
- [07-692](#) 54. On 5<sup>th</sup> & Keo Parking Garage Rehabilitation – Phase 2: Resolution approving plans, specifications, form of contract documents, Engineer’s Estimate and designating lowest responsible bidder as Western Waterproofing Co., Inc., (William Bishop, President), \$749,379.60. ([Council Communication No. 07-194](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [07-693](#) (A) Approving contract and bond and permission to sublet. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [07-694](#) 55. On Blank Park Zoo Snow Monkey Holding and Safari Grill Building: Resolution approving plans, specifications, form of contract documents, Engineer’s Estimate and designating lowest responsible bidder as Johnson Concrete & Petroleum Const. Inc., (Robert L. Johnson, President), \$955,567. ([Council Communication No. 07-192](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [07-695](#) (A) Approving contract and bond and permission to sublet. **Moved by Coleman to adopt. Motion Carried 7-0.**

\*\*END HEARINGS AT 6:25 P.M.\*\*

**\*\*Council considered Consent Agenda next\*\***

## **APPROVING**

- [07-696](#) 56. [Report](#) on Electronic Billboards and extending the temporary moratorium until June 5, 2007. ([Council Communication No. 07-204](#)) **Moved by Vlassis to adopt. Motion Carried 5-2. Nays: Hensley and Kiernan.**
57. Items for the proposed Park/School/Library site in southeast Des Moines, (in vicinity of Army Post Road and Indianola Road):
- [07-697](#) (A) [Requests](#) for proposals for master planning consulting services. ([Council Communication No. 07-196](#)) **Moved by Meyer to approve. Motion Carried 6-1. Nays: Mahaffey.**
- [07-698](#) (B) [Amendment](#) to 28E Agreement with Des Moines Independent Community School District for Park/School/Library Site. ([Council Communication No. 07-195](#)) **Moved by Meyer to approve. Motion Carried 6-1. Nays: Mahaffey.**
- [07-699](#) 58. [Appointment](#) of Glenna Frank as Assistant City Attorney effective April 23, 2007. **Moved by Vlassis 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.

- [07-700](#) 1. [Recommendation](#) from Council Member Robert Mahaffey to appoint Alejandro H. Piedras to Seat 11 on the Sister Cities Commission to fill an unexpired term commencing April 28, 2006 to expire on April 29, 2011. SPONSOR: Mahaffey. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

## BOARD OF HEALTH

[07-701](#) 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 structures at the following addresses:

[07-702](#) (A) [915](#) Buchanan Street, Titleholders: Phimmachan Baccam and Siang Bacht; Contract Buyers: Maria E. Lopez and Michael James Scopa. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

[07-703](#) (B) [2003](#) Des Moines Street, Titleholder: Deutsche Bank National Trust Company, as Trustee of Argent Securitas, Inc. Asset Backed Pass-Through Certificates, Series 2003-W2 Under the Pooling & Servicing Agreement Dated as of August 1, 2003, Without Recourse. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

[07-704](#) (C) [1406](#) Washington Avenue (garage), Titleholders: Janice Walls and Tony Walls; Mortgage Holders: Mortgage Electronic Registration Systems and Oak Street Mortgage, LLC. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

[07-705](#) (D) [1340](#) 8<sup>th</sup> Street, Titleholder: JP Morgan Chase Bank. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

### WITHDRAWN

[07-706](#) (E) ~~[1224](#) 9<sup>th</sup> Street, Titleholder: River Bend Association.~~

[07-707](#) (F) [5911](#) SW 9<sup>th</sup> Street, Titleholder: The Subscription Shop, Inc. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

[07-708](#) MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 7:34 P.M.**

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