

**\*\*\* 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 23, 2007 4:30 P.M.**

**PROCLAMATIONS - 4:15 P.M.**

Arbor Day  
Strong and Healthy Families Month

**INVOCATION:** Council Member Tom Vlassis

[07-717](#) 1. **ROLL CALL: Present: Cownie, Coleman, Hensley, Kiernan, Mahaffey, Meyer and Vlassis.**

[07-718](#) 2. **APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: Moved by Kiernan 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.**

[07-719](#) 3. **APPROVING CONSENT AGENDA – items 3 through 48: Moved by Hensley to adopt the balance of the consent agenda. Motion Carried 7-0.**

## LICENSES AND PERMITS

[07-720](#)

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

### NEW APPLICATIONS

(A)	DUBAYS	1229 25TH ST	C Liquor
(B)	KELLEYS ON BEAVER	3606 BEAVER AVE	C Liquor
<del>(C)</del>	<del>NEW SIAGON CAFE</del>	<del>1541 6TH AVE</del>	<del>B Beer</del>
<del>(D)</del>	<del>RIVERBEND TRADING COMPANY</del>	<del>208 COURT AVE</del>	<del>C Beer</del>
(E)	SANDS VOLLEYBALL CLUB	6214 GRAND AVE	C Liquor
(F)	SHORTSTOP #38	3501 E 14TH ST	B Wine
(G)	SHORTSTOP #42	3725 BEAVER AVE	B Wine
<del>(H)</del>	<del>SHORTYS</del>	<del>208 COURT AVE</del>	<del>C Liquor</del>
(I)	SOUTHSIDE PIZZA & PUB	4249 FLEUR DR	C Liquor
(J)	VILLAGE MARKET	325 E 5TH ST	C Beer/Wine

### RENEWAL APPLICATIONS

(K)	14TH STREET TAVERN	3418 E 14TH ST	C Liquor
(L)	ALL IN THE FAMILY LOUNGE	4413 FLEUR DR	C Liquor
(M)	BOURBON ST	500 ARMY POST RD	C Liquor
(N)	CENTRAL GRILL	2734 DOUGLAS AVE	B Beer
(O)	DES MOINES ART CENTER REST	4700 GRAND AVENUE	C Liquor
(P)	DES MOINES YACHT CLUB	2617 INGERSOLL AVE	C Liquor
(Q)	FAMOUS DAVES	4351 MERLE HAY RD	C Liquor
(R)	GENES PLACE	2117 E UNIVERSITY AVE	C Liquor
(S)	H & A MINI MART	5901 FLEUR DR	C Beer
(T)	KRUEGERS AMOCO #2	630 SW 9TH ST	C Beer
(U)	KUM & GO #114	2919 E 14TH ST	C Beer
(V)	KUM & GO #120	101 ARMY POST RD	C Beer
(W)	KUM & GO #142	4140 PARK AVE	C Beer
(X)	KUM & GO #743	3733 EASTON BLVD	C Beer
(Y)	LA TAPATIA	1440 DES MOINES ST	E Liquor
(Z)	LAST STOP BEVERAGE SHOP	2839 E UNIVERSITY AVE	E Liquor
(AA)	NEW ORIENTAL FOOD STORE	515 E GRAND AVE	C Beer
(BB)	PHO HA DAO	1521 2ND AVE	C Beer/Wine
(CC)	QUIKTRIP #515	1421 INGERSOLL AVE	C Beer
(DD)	SHOP N SAVE #3	1829 6TH AVE	C Beer
(EE)	SNACO	3000 SW 9TH ST	C Beer
(FF)	VIC & ANDYS PUB	5114 SW 9TH STREET	C Liquor

### OUTDOOR SERVICE AREA APPLICATIONS

(GG)	DOUBLE DEUCE	2222 FOREST AVE	C Liquor
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Temporary outdoor service area for Drake Relays effective April 25, 2007 through

April 30, 2007. Pending approval of Building, Electrical and Fire Departments.

### SPECIAL EVENT APPLICATIONS

- (HH) DRAKE UNIVERSITY 1319 30TH ST C Beer/Wine  
Five-day License for Drake Relays at Hubbell Hall, Kool Beans effective April 24, 2007 to April 28, 2007. Pending approval of Building and Fire Departments.
- (II) DRAKE UNIVERSITY-ALUMNI TENT 2830 FOREST AVE B Beer  
Five-day License for Drake Relays effective April 24, 2007 to April 28, 2007. Pending approval of Building and Fire Departments.
- (JJ) DRAKE UNIVERSITY-OLD MAIN 2507 UNIVERSITY Ave C Beer/Wine  
Five-day License for Drake Relays effective April 24, 2007 to April 28, 2007. Pending approval of Building and Fire Departments.

[07-721](#)

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

### PUBLIC IMPROVEMENTS

6. Ordering construction of the following:

[07-722](#)

- (A) [2007](#) Expanded Street Resurfacing Program – Contract 2 – Receiving of bids, (5-8-07), and Setting date of hearing, (5-21-07). (Construction Estimate - \$1,108,500). ([Council Communication No. 07-231](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-723](#)

- (B) [3400/3500](#) E. 14<sup>th</sup> Street Storm Sewer Repairs – Receiving of bids, (5-8-07), Setting date of hearing, (5-21-07). (Construction Estimate - \$109,425). ([Council Communication No. 07-230](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-724](#)

- (C) [Pennsylvania](#) Avenue and Filmore Street Traffic Signal Installation – Receiving of bids, (5-8-07), and Setting date of hearing, (5-21-07). (Construction Estimate - \$80,000). ([Council Communication No. 07-229](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-725](#)

7. [Approving](#) Professional Services Agreement with Calhoun-Burns & Associates, Inc. for the City-Wide Bridge Evaluation-2007, \$89,800. ([Council Communication No. 07-228](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-726](#)

8. [Communication](#) from contractors requesting permission to sublet certain items on 14<sup>th</sup> Street Storm Sewer-Cherry to High Streets, and Blank Park Zoo Snow Monkey Holdings and Safari Grill Building public improvement projects. **Moved by Hensley to adopt. Motion Carried 7-0.**

**Motion Carried 7-0.**

9. Approving completion and recommending acceptance of private construction contracts the following:

[07-727](#) (A) [Paving](#) Improvements, Three Lakes Estates Plat 6, between Sternquist Construction Inc. and Erickson Development, Inc. **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-728](#) (B) [Sanitary](#) Sewer Improvements, Three Lakes Estates Plat 6, between Van Hauen Associates, Inc. and Erickson Development, Inc. **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-729](#) (C) [Storm](#) Sewer Improvements, Three Lakes Estates Plat 6, between Van Hauen Associates, Inc. and Erickson Development, Inc. **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-730](#) (D) [Sanitary](#) Sewer Improvements, Three Lakes Estates, between Van Hauen Associates, Inc. and Erickson Development, Inc. **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-731](#) (E) [Sanitary](#) Sewer Improvements, NE 46<sup>th</sup> Street, south of Hubbell Avenue, between Schroeder/Leverington, Inc. and Southeast Polk Community School District. **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-732](#) (F) [Street](#) Improvements, Walker Street School, 1421 Walker Street, between Hensley Construction Inc. and Des Moines Independent Community School District. **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-733](#) 10. [Accepting](#) completed construction and approving final payment for Iowa Signal, Inc. - Avenue Traffic Signal Improvements at Douglas & Madison Avenues. **Moved by Hensley to adopt. Motion Carried 7-0.**

**SPECIAL ASSESSMENTS**

[07-734](#) 11. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Ordinance (Community Development) Schedule No. 2007-08. **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-735](#) 12. [Levying](#) Deficiency Assessments Schedule No. 2007-37. **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-736](#) 13. [Approving](#) Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility Fees March 2007. **Moved by Hensley to adopt. Motion Carried 7-0.**

- [07-737](#) (A) [Approving](#) Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility Credits for March 2007. **Moved by Hensley to adopt. Motion Carried 7-0.**

#### LAND/PROPERTY TRANSACTIONS

- [07-738](#) 14. [Establishing](#) fair market value and authorizing acquisition of various properties for the Forest Avenue Urban Renewal Project by gift, negotiation or condemnation. ([Council Communication No. 07-226](#)) **Moved by Hensley to adopt. Motion Carried 7-0. Council Member Kiernan declares a conflict of interest and abstains from voting.**
- [07-739](#) 15. [Approving](#) Tax Abatement application for the additional value added by improvements at 4411 SE 14<sup>th</sup> Street. ([Council Communication No. 07-241](#)) **Moved by Hensley to adopt, with the tax abatement to be applied prospectively. Motion Carried 7-0.**
- [07-740](#) 16. [Approving](#) Tax Abatement applications for additional value added by improvements made during 2005 at 3201 E. 52<sup>nd</sup> Street. ([Council Communication No. 07-219](#)) **Moved by Hensley to adopt, with the tax abatement to be applied prospectively. Motion Carried 7-0.**
- [07-741](#) 17. [Approving](#) Tax Abatement applications for additional value added by improvements completed in 2005 and 2006 at 3400 3<sup>rd</sup> Street and 2809 Brockway Drive. ([Council Communication No. 07-242](#)) **Moved by Hensley to adopt, and to request that the Polk County Assessor apply the tax abatement retroactively commencing with the tax abatement payable in FY 2008/09 upon the value existing on January 1, 2007. Motion Carried 7-0.**

#### BOARDS/COMMISSIONS/NEIGHBORHOODS

- [07-742](#) 18. [Recommendation](#) from Mayor Frank Cownie to appoint Peter Rounds to the Civil Service Commission, Seat 6, for a four-year term commencing April 1, 2007 to expire April 1, 2011. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [07-743](#) 19. [Recommendation](#) from Council Member Christine Hensley to appoint Robert Gainer to the Housing Appeals Board, Seat 6, to fill an unexpired term commencing March 16, 2007 to expire March 16, 2008. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [07-744](#) 20. [Communication](#) from Rudy Simms, Human Rights Director advising of the resignation of Lisa Dlouhy from the Human Rights Commission, Seat 2, effective immediately. **Moved by Hensley to receive, file, and accept Ms. Dlouhy's resignation with appreciation for her years of service. Motion Carried 7-0.**
- [07-745](#) (A) [Communication](#) from Council Member Michael Kiernan to appoint Som Baccanelli to the Human Rights Commission, Seat 2, for a three-year term commencing April 1, 2006 to expire April 1, 2009. **Moved by Hensley to adopt. Motion Carried 7-0.**

- [07-746](#) 21. [Recommendation](#) from Mayor Frank Cownie to reappoint Sachiko Murphy to the Si Cities Commission, Seat 3, for a five-year term commencing April 28, 2007 to expire A 28, 2012. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [07-747](#) 22. [Recommendation](#) from Council Member Robert Mahaffey to reappoint Richard Basor the Housing Appeals Board, Seat 5, for a three-year term commencing March 16, 2007 to expire March 16, 2010. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [07-748](#) 23. [Communication](#) from Barry Morton advising of his resignation from the Housing App Board, Seat 6, effective April 15, 2007. **Moved by Hensley to receive, file, and acc Mr. Morton's resignation with appreciation for his many years of service. Mot Carried 7-0.**

#### COMMUNICATIONS FROM PLANNING AND ZONING

- [07-749](#) 24. [Regarding](#) request from Silver Oak Enterprises, LLC for review and approval o preliminary subdivision plat for "Carman Estates Plat 6", 5800 SE 24<sup>th</sup> Street, to allow division of 12.6 acres of property into 76 lots, for ranch row townhome units an common lot for surrounding land serving the development. **Moved by Hensley to rec and file. Motion Carried 7-0.**

#### SETTING DATE OF HEARINGS

- [07-750](#) 25. [On](#) vacation and conveyance of north/south alley between 8<sup>th</sup> Street and 9<sup>th</sup> Street f Crocker to Center Street and a portion of 9<sup>th</sup> Street right-of-way between Crocker Center Street to Principal Life Insurance Company, \$58,750, (5-7-07). **Moved by Hens to adopt. Motion Carried 7-0.**
- [07-751](#) 26. [On](#) vacation and conveyance of 8<sup>th</sup> Street right-of-way between Center Street and F Street to Principal Life Insurance Company, \$108,895, (5-7-07). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [07-752](#) 27. [On](#) vacation and conveyance of Market Street right-of-way between SW 7<sup>th</sup> Street and 8<sup>th</sup> Street to Employers Mutual Casualty Company, \$85,608, (5-7-07). **Moved by Hens to adopt. Motion Carried 7-0.**
- [07-753](#) 28. [On](#) rezoning of 2025 E. Grand Avenue, (Eastside Boxing Club), from "C (Neighborhood Retail Commercial) and "R1-60" (One-Family Low-Density Residential Ltd. "C-2" (General Retail and Highway Oriented Commercial), (5-7-07). **Moved Hensley to adopt. Motion Carried 7-0.**
- [07-754](#) 29. [On](#) request from Vision Fuels Des Moines, LLC, to rezone approx. 165 acres of C owned property generally located south of 3801 block of Vandalia Road, from "M

(Light Industrial) to “PUD” (Planned Unit Development) and approval of proposed Visa Fuels PUD Conceptual Plan for the redevelopment with Light Industrial and Limited Heavy Industrial uses, including the development and production of renewal fuels such as dry mill ethanol plant, (5-7-07). **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-755](#)

30. [On](#) request from Tai Village, to rezone approx. 0.35 acres of City property in the vicinity of 4200 ML King Jr. Parkway, to “PUD” and for approval of an amended PUD Conceptual Plan entitled Tai Village at Sawyer’s Landing, for approx 84 acres to develop a village for the Tai Dam cultural community to include 12 units of single-family housing, a Tai cultural palace, a Tai museum, sustainable agricultural gardens, an ancestral shrine, Native American meditation area and an internal network of trails with shelters at various activity nodes, (5-7-07). **Moved by Hensley to adopt. Motion Carried 7-0.**

#### LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

[07-756](#)

31. [Approving](#) payment of \$576.98 to Enterprise Rent-A-Car Company for claim of Ama Sammon as the result of auto damage by a City garbage truck. **Moved by Hensley to adopt. Motion Carried 7-0.**

#### CITY MANAGER COMMUNICATIONS

[07-757](#)

32. [Submitting](#) travel requests for Robert Clock and Brian Mathis. ([Council Communication No. 07-220](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

#### APPROVING

[07-758](#)

33. [Request](#) For Proposals (RFP) for Underwriting Services on issuance of General Airport Revenue Bonds. ([Council Communication No. 07-215](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-759](#)

34. [Amendment](#) to Community Attraction and Tourism (CAT) Grant Agreement for Prince Park Stadium Improvements for extension of time to make grant disbursements to August 31, 2007. ([Council Communication No. 07-222](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-760](#)

35. [Professional](#) Services Contract with ETC Institute for the development and implementation of the 2007 Resident Satisfaction Survey, \$21,105. ([Council Communication No. 07-223](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-761](#)

36. [Parking](#) License Agreement with Principal Insurance Company for 11<sup>th</sup> Street and M

King Jr. Parkway Park and Ride Lot and authorizing City Manager to negotiate Memorandum of Understanding with Des Moines Area Regional Transit (DART) shuttle bus service. ([Council Communication No. 07-221](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-762](#) 37. [Execution](#) of a Metropolitan Medical Response System (“MMRS”) Grant and designating the Chief of the Fire Department as authorized representative for purposes of administering the “MMRS” Grant. ([Council Communication No. 07-207](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-763](#) 38. [Application](#) for United States Department of Homeland Security Assistance To Firefighting Grant, \$29,540. ([Council Communication No. 07-243](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-764](#) 39. [Termination](#) of Lease Agreement with South Des Moines Little League for use of Irving Stone Park Baseball Field. ([Council Communication No. 07-237](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-765](#) 40. [Termination](#) of Lease Agreement with South Des Moines Girls Amateur Softball Association (SDMGASA) for use of Carney Park Softball Fields. ([Council Communication No. 07-236](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-766](#) 41. [Lease](#) of farmland, in vicinity of SE 22<sup>nd</sup> Street and Hartford Avenue, to Dennis Steyffels and Vince Overton for the 2007 and 2008 growing seasons, \$12,384.50 annually. ([Council Communication No. 07-228](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-767](#) 42. [Receive](#) and file Quarterly Treasurer’s Report as of March 31, 2007. **Moved by Hensley to receive and file. Motion Carried 7-0.**

[07-768](#) 43. [Receipt](#) of Airport Board Regulation No. 07-54 regarding rates and charges at the Des Moines International Airport. **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-769](#) 44. [Exception](#) to procurement ordinance competitive bidding requirements for good cause in approving a contract with Carpenter Uniform & Promotional Products for uniform services for the Fire Department, \$65,000. ([Council Communication No. 07-234](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-770](#) 45. [Exception](#) to procurement ordinance competitive bidding requirements for State of Iowa contract purchase of Microsoft Software Products and Services from Software Spectra, \$1,036,276. ([Council Communication No. 07-240](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

46. Bids from the following:



- [07-771](#) (A) [General](#) Traffic Controls Inc. for various traffic signal poles for use at intersections of Penn & Filmore and at University near 29<sup>th</sup> Street, \$31,203. (E bids mailed, two received). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [07-772](#) 46. (B) [Keck](#) Inc. for annual agreement renewable for two (2) additional twelve (12) months periods to furnish fuel products for use by the Equipment Maintenance Center and other departments. (Six bids mailed, three received). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [07-773](#) (C) [Bituminous](#) Materials & Supply for annual agreement renewable for two additional twelve (12) month periods to furnish emulsified asphalt materials to be used by Street Maintenance Division, \$300,000. (Two bids mailed, one received). ([Council Communication No. 07-216](#)) **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Hensley.**
- [07-774](#) (D) [Norwalk](#) Ready Mixed Concrete, Liberty Ready Mix, CTI Ready Mix and American Concrete Products as primary and secondary suppliers for annual agreements with two (2) additional one year renewal options to furnish Portland cement concrete products for \$1,200,000 annually. (Six bids mailed, four received). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [07-775](#) (E) [Durham](#) Communications for non-competitive procurement of mobile data radio equipment to use with the City's existing mobile data system, \$29,705. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [07-776](#) (F) [Tough](#) Solutions for Panasonic laptop computers per State of Iowa Contract for purchase by Neighborhood Based Service Delivery Officers, \$25,638.24. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [07-777](#) 47. [Civil](#) Service Promotional List for Police Lieutenant and Entrance List for Laboratorian Analyst II. **Moved by Hensley to receive and file. Motion Carried 7-0.**
- [07-778](#) 48. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of April 23, April 30; to draw checks for the bills of the [Des Moines Municipal Housing Agency](#) for the weeks of April 23 and April 30, 2007; and to draw checks for biweekly payroll due April 27, 2007. **Moved by Hensley to adopt. Motion Carried 7-0.**

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

#### ORDINANCES - FIRST CONSIDERATION

- [07-779](#) 49. [Amending](#) Chapter 60 of the Municipal Code regarding Housing Code. **Moved by Vlassis to adopt. Motion Carried 7-0. that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [07-780](#) (A) [Amending](#) the Schedule of Fees and the Schedule of Administrative Penalties, subject to the following:

to final approval of the ordinance. ([Council Communication No. 07-245](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

**\*\*Council considered Items 49 and 50 next\*\***

## COMMUNICATIONS/REPORTS

[07-781](#) 50. **From** David Harkin, 535 E. Army Post Road, requesting relief from the temporary moratorium on off-premises advertising signs and electronic displays. **Moved by Vlassis to receive and file comments. Motion Carried 7-0.**

WITHDRAWN

(A) **Resolution** to grant requested relief.

[07-782](#) (B) **Alternate Motion:** To grant requested relief to this and to all similar signs. **Moved by Vlassis to adopt and approve the waiver, and to amend the temporary moratorium initially imposed on February 12, 2007, by Roll Call No. 07-275 to exempt all electronic signs no larger than 12 square feet in size. Motion Carried 7-0.**

**\*\*Council considered Items 63 next\*\***

## INFORMAL HEARINGS (OPEN AT 5:21 P.M.) (ITEMS 51 THRU 52)

[07-783](#) 51. **On** proposed additional property tax relief plan for use of Project Destiny local option sales tax proceeds. **Moved by Coleman to adopt. Motion Carried 7-0.**

[07-784](#) (A) **Approving** form of ballot proposition. ([Council Communication No. 07-235](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

[07-785](#) 52. **On** mobile vending (ice cream trucks) on City streets. ([Council Communication No. 07-235](#)) **Moved by Vlassis to receive and file comments and refer to City Manager report back to Council at a later date with additional information regarding ice cream vendors and laws regulating all mobile vendors. Motion Carried 7-0.**

## HEARINGS (OPEN AT 6:33 P.M.) (ITEMS 53 THRU 62)

[07-786](#) 53. **On** appeal from Shawntell Rogers, 1602 Wilson Avenue, regarding recommended denial of a Limousine License. **Moved by Hensley to refer to Legal Department and Traffic and Transportation Division to provide additional background information; applicant to provide a letter of employment for review at the May 7, 2007 Council Meeting. Motion Carried 5-2. Nays: Meyer and Vlassis.**

54. Items regarding 3930 SE 72<sup>nd</sup> Avenue, Mid-America Real Estate Co. (**continued from March 26, 2007 meeting**):

[07-787](#)

(A) [Hearing](#) on voluntary annexation of property. **Moved by Meyer to adopt. Motion Carried 7-0.**

[07-788](#)

54. (B) [Second](#) consideration of ordinance rezoning the property from “A-1” (Agricultural) to “PUD” (Planned Unit Development). **Moved by Meyer that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

[07-789](#)

(C) [Final](#) consideration of ordinance above, (waiver requested by applicant), requiring a majority of votes. ([Council Communication No. 07-239](#)) **Moved by Meyer that the ordinance requiring that an ordinance must be considered and voted on for passage at all 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, #14,643. Motion Carried 7-0.**

55. On the following General Obligation Bonds: ([Council Communication No. 07-218](#))

[07-790](#)

(A) [On](#) issuance of not to exceed \$13,600,000 for Essential Corporate Purposes. **Moved by Coleman to adopt. Motion Carried 7-0.**

[07-791](#)

(1) [Authorization](#) for additional action. **Moved by Coleman to adopt. Motion Carried 7-0.**

[07-792](#)

(B) [On](#) issuance of not to exceed \$15,355,000 for Urban Renewal Purposes. **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-793](#)

(1) [Authorization](#) for additional action. **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-794](#)

(C) [On](#) issuance of not to exceed \$610,000 for General Corporate Purposes. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-795](#)

(1) [Authorization](#) for additional action. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[07-796](#)

(D) [On](#) issuance of not to exceed \$770,000 for General Corporate Purposes. **Moved by Hensley to adopt. Motion Carried 7-0.**

[07-797](#)

(1) [Authorization](#) for additional action. **Moved by Hensley to adopt. Motion Carried 7-0.**

- [07-798](#) (E) [On](#) issuance of not to exceed \$820,000 for General Corporate Purposes. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-799](#) (1) [Authorization](#) for additional action. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-800](#) (F) [On](#) issuance of not to exceed \$950,000 for General Corporate Purposes. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-801](#) (1) [Authorization](#) for additional action. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [07-802](#) (G) [On](#) issuance of not to exceed \$765,000 for General Corporate Purposes. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [07-803](#) (1) [Authorization](#) for additional action. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [07-804](#) (H) [On](#) issuance of not to exceed \$760,000 for General Corporate Purposes. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [07-805](#) (1) [Authorization](#) for additional action. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [07-806](#) 56. [On](#) request from City Engineer, to vacate various street rights-of-way in the vicinity of 34<sup>th</sup> to SE 37<sup>th</sup> and Granger Avenue. **Moved by Meyer to adopt. Motion Carried 7-0.**
- [07-807](#) (A) [First](#) consideration of ordinance above. **Moved by Meyer that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [07-808](#) (B) [Final](#) consideration of ordinance above, (waiver requested by City Engineer), requiring 6 votes. **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, #14,600. Motion Carried 7-0.**
- [07-809](#) 57. [On](#) vacation and conveyance of encroachment easement adjoining 301 East Court Avenue to East Village Court, LLC, \$395. ([Council Communication No. 07-225](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [07-810](#) (A) [First](#) consideration of ordinance above. **Moved by Meyer that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [07-811](#) (B) [Final](#) consideration of ordinance above, (waiver requested by applicant), requiring

votes. **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, #14,662. Motion Carried 7-0.**

- [07-812](#) 58. **On vacation of 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. ([Council Communication No. 07-224](#)) **Moved by Meyer to adopt. Motion Carried 7-0.****
- [07-813](#) (A) **First consideration of ordinance above. **Moved by Meyer that this ordinance be considered and given first vote for passage. Motion Carried 7-0.****
- [07-814](#) 58. (B) **Final consideration of ordinance above, (waiver requested by applicant), requires 7 votes. **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, #14,662. Motion Carried 7-0.****
- [07-815](#) 59. **On conveyance of overhead electric line easement across city-owned property adjoining 5701 Park Avenue to MidAmerican Energy Company, \$1. **Moved by Hensley to adopt. Motion Carried 7-0.****
- [07-816](#) 60. **On Amendment to current Operating Agreement with American Eagle Airlines Inc. extending their scheduled Airline Operating Agreement and Terminal Building lease at Des Moines International Airport until June 30, 2008. ([Council Communication No. 07-238](#)) **Moved by Hensley to adopt. Motion Carried 7-0.****
- [07-817](#) 61. **On 2007 Box Sewer Rehabilitation Program: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designating lowest responsible bidder as Proshot Concrete, Inc., (Timothy McDougle, President), \$351,431. ([Council Communication No. 07-232](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.****
- [07-818](#) 62. **On SW 9<sup>th</sup> Street at Bell and Park Avenues Traffic Signal Modifications: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designating lowest responsible bidder as Iowa Signal Inc., (Wayne Lesley, President), \$146,562.62. ([Council Communication No. 07-233](#)) **Moved by Hensley to adopt. Motion Carried 7-0.****
- [07-819](#) (A) **Approving contract and bond and permission to sublet. **Moved by Hensley to adopt. Motion Carried 7-0.****

\*\*END HEARINGS AT 7:30 P.M.\*\*

## APPROVING

- [07-820](#) 63. [Contract](#) with i2Inc/Choice Pointe for Law Enforcement Intelligence Database, (continued from April 9, 2007 meeting). ([Council Communication No. 07-244](#)) Moved by Coleman to adopt. Motion Carried 6-1. Pass: Kiernan.

\*\*Council considered Hearing Items 51 thru 62 and balance of the agenda next\*\*

- [07-821](#) 64. [Sponsorship](#) Agreement with Toyota of Des Moines to support Park and Recreation Programs. ([Council Communication No. 07-227](#)) Moved by Coleman to adopt. Motion Carried 7-0.

- [07-822](#) 65. [Zoo](#) expansion and new County Park Land Transfer Agreement between the City of Des Moines, Polk County Conservation Board, Polk County, and Blank Park Zoo Foundation, Inc. ([Council Communication No. 07-246](#)) Moved by Meyer to adopt. Motion Carried 7-0.

## BOARD OF HEALTH

- [07-823](#) MOTION TO CONVENE. Moved by Vlassis that the City Council adjourn and convene at the 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:

- [07-824](#) (A) [1528](#) E. 13<sup>th</sup> Street, Titleholder: Centex Home Equity Corporation. Moved by Vlassis to adopt. Motion Carried 7-0.

- [07-825](#) (B) [1400](#) 60<sup>th</sup> Street, Titleholder: Stephen Parker. Moved by Vlassis to adopt. Motion Carried 7-0.

- [07-826](#) MOTION TO ADJOURN. Moved by Vlassis to adjourn at 7:32 P.M. Motion Carried 7-0.

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