

***** DES MOINES CITY COUNCIL MEETING REPORT *****

The City Council took the following action on items listed in the attached meeting agenda summary. Copies of ordinances, resolutions and other Council action may be obtained from the City Clerk's Office (515) 283-4209. The six-digit number beginning with '05-' preceding each item on the agenda is a roll call number assigned by the City Clerk. Please refer to this number when requesting information or copies.

SUMMARY OF DES MOINES CITY COUNCIL MEETING

June 20, 2005

Municipal Housing Governing Board Meeting – 4:30 P.M.

Regular Meeting – 4:40 P.M.

INVOCATION: Pastor Tony Thurston
College Avenue Christian Church

05-1476 1. **ROLL CALL: Present: Cownie, Brooks, Coleman, Hensley, Kiernan and Vlassis. Absent: Mahaffey.**

I. Allstate America's Best Drivers Award.

05-1477 2. **APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: Moved by Hensley to adopt. Motion Carried 6-1.**

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

05-1478 3. **APPROVING CONSENT AGENDA – items 3 through 47: Moved by Kiernan to adopt the balance of the Consent Agenda. Motion Carried 6-1.**

LICENSES AND PERMITS

05-1479 4. **Approving Alcoholic Beverage License applications for the following: Moved by Kiernan to adopt. Motion Carried 6-1.**

NEW APPLICATIONS

(A)	BEST TRIP	1516 SE 1ST ST	C Beer
(B)	HUGH'S JUNGLE ROOM	5715 DOUGLAS AVE	C Liquor
(C)	LOS LAURELES	1518 E GRAND AVE	C Liquor

RENEWAL APPLICATIONS

(D)	AIR LANES	4200 FLEUR DR	C Liquor
(E)	BEGGARS BANQUET	2306 UNIVERSITY AVE	B Beer
(F)	BLANK PARK ZOO	7401 SW 9TH STREET	C Liquor
(G)	CREATIVE CROISSANTS	5800 FLEUR	C Liquor
(H)	DES MOINES COMMUNITY PLYHSE	831 42ND ST	C Liquor
(I)	H & A MINI MART	145 UNIVERSITY AVE	C Beer
(J)	HILLTOP LOUNGE & RESTAURANT	2820 HUBBELL AVE	C Liquor
(K)	HOTEL FORT DES MOINES	1000 WALNUT ST	B Liquor
(L)	HOUSE OF BRICKS	525 E GRAND AVE	C Liquor
(M)	JOHNNYS HALL OF FAME LOUNGE	302 COURT AVE	C Liquor
(N)	KELLEYS	3606 BEAVER AVE	C Liquor
(O)	LA MIE BAKERY AND REST.	841 42ND ST	C Beer/Wi
(P)	LOCUST TAP	434 E LOCUST ST	C Liquor
(Q)	PALMERS PUB	1030 E 9TH STREET	C Liquor
(R)	POLK COUNTY CONVENTION	501 GRAND AVE	C Liquor
(S)	QUIKTRIP #530	2300 E 14TH ST	C Beer
(T)	QUIKTRIP #534	2945 E UNIVERSITY AVE	C Beer
(U)	QUIKTRIP #554	901 SW 63RD	C Beer
(V)	SOUTHSIDE TOBACCO & LIQUOR	2424 SW 9TH ST	E Liquor
(W)	SPLASH SEAFOOD BAR & GRILL	303 LOCUST ST	C Liquor
(X)	VETERANS MEMORIAL AUD.	833 5TH AVENUE	C Liquor

TRANSFER TO NEW LOCATION

(Y)	EMBASSY CLUB	400 LOCUST STREET	C Liquor
	Temporary transfer of license from 1011 Locust St. for June 25 and 26, 2005. Pending approval of Building, Electrical and Zoning Departments.		
(Z)	SCHAFFERS	504 E LOCUST ST	B Wine
	Permanent transfer of license from 601 E Locust. Pending approval of Building Electrical Departments.		

OUTDOOR SERVICE APPLICATIONS

(AA)	CHUCKS RESTAURANT	3608 6TH AVE	C Liquor
	Temporary outdoor service in conjunction with Highland Park Sweet Corn Feed July 16, 2005.		
(BB)	OVATIONS FOOD SERVICES	233 CENTER ST	C Liquor

- 05-1487 (B) The Underground Company, Ltd. and Clarke Company, Ltd. for Sanitary Sewer Improvements in Woods on the River Plat #8 near SE 22nd Street and King Avenue. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1488 (C) The Underground Company, Ltd. and Clarke Company, Ltd. for Storm Sewer Improvements in Woods on the River Plat #8 near SE 22nd Street and King Avenue. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1489 (D) Grimes Asphalt and Paving Corp. and Des Moines Independent Community School District for Street Improvements, east side of 31st Street between Center Avenue and Woodland Avenue. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1490 (E) Elder Corporation and Des Moines Independent Community School District for Street Improvements, south side of Capitol Avenue easterly of East 15th Street. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1491 (F) M. Peterson Construction Co. and Sheldahl & Associates, Inc. for Street Paving Improvements in Lakewood Cove, west of SE 34th Street and north of Evergreen Drive. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1492 (G) Corell Contractor, Inc. and Sheldahl & Associates, Inc. for Sanitary Sewer Improvements in Lakewood Cove, west of SE 34th Street and north of Evergreen Drive. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1493 (H) Corell Contractor, Inc. and Sheldahl & Associates, Inc. for Storm Sewer Improvements in Lakewood Cove, west of SE 34th Street and north of Evergreen Drive. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1494 (I) Echo-Tech Construction, L.L.C. and Vacco Properties, Inc. for Paving Improvements in Lakewood Cove Phase 2, SE 34th Street and Evergreen Drive. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1495 (J) Rhiner's Plumbing Company, Inc. and Vacco Properties, Inc. for Sanitary Sewer Improvements in Lake Cove Phase 2, north of Evergreen Drive and west of SE 34th Street. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1496 (K) Rhiner's Plumbing Company, Inc. and Vacco Properties, Inc. for Storm Sewer Improvements in Lake Cove Phase 2, north of Evergreen Drive and west of SE 34th Street. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1497 10. Approving Private Construction Contract between Corell Contractor, Inc. and Des Moines University for Sanitary Sewer Improvements in vacated Clark Street from 27th to 28th Street. **Moved by Kiernan to adopt. Motion Carried 6-1.**

11. Approving completion and recommending acceptance for the following:

- 05-1498 (A) Glendale Cemetery Water Service - Advanced Underground Construction. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1499 (B) Indianola Avenue Connector – EcoTech Construction, L.L.C. **Moved by Kiernan to adopt. Motion Carried 6-1.**

SPECIAL ASSESSMENTS

- 12. Approving levying assessments for costs of Nuisance Abatement – NAC Emergency Orders (Community Development and Public Works) for the following:
 - 05-1500 (A) Schedule No. 2005-07. **Moved by Kiernan to adopt. Motion Carried 6-1.**
 - 05-1501 (B) Schedule No. 2005-06. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1502 13. Approving deletion of NAC-Emergency Assessments at 912 Arthur Avenue. **Moved by Kiernan to adopt. Motion Carried 6-1.**

LAND/PROPERTY TRANSACTIONS

- 05-1503 14. Real estate documents for the Gay Lea Wilson Trail Project in vicinity of E. 35th Street and Arthur Avenue, closing costs only. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1504 15. Real estate documents for the Closes Creek Storm Water Improvements-26th Street Detention Basin Project, \$8,300 plus closing costs. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1505 16. Real estate documents for property at 1414 Grand Avenue for the Western Gateway Project, \$117,000 plus closing costs. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1506 17. Establishing fair market value and authorizing acquisition of property at 6226 Grand Avenue for the American Discovery Trail, Walnut Creek Trail-south of Grand Segment Project, \$11,400 plus closing costs. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1507 18. Approving final subdivision plat entitled NORAH GRACE PARK, located between SW 5th and SW 5th Streets, south of Wall Avenue. ([Council Communication No. 05-357](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1508 (A) Communication from City Plan and Zoning Commission giving Conditional Approval of request from LAB Investments Company, Inc. (Owner) represented by Steve Lipovac to allow provision of four (4) lots for single-family residential development. **Moved by Kiernan to receive and file. Motion Carried 6-1.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- 05-1509 19. Recommendation from Council Member Michael Kiernan to appoint Lynn Wright to Seat 12 on the Neighborhood Revitalization Board for a three-year term commencing June 30, 2005 to expire June 30, 2008. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1510 20. Recommendation from Council Member Christine Hensley to reappoint following:
- 05-1511 (A) Kimberly Hansen to the Neighborhood Revitalization Board, Seat 9 for a three-year term commencing June 30, 2005 to expire June 30, 2008. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1511 (B) T. Anthony Welch to the Access Advisory Board, Seat 6 for a four-year term commencing June 15, 2005 to expire June 15, 2009. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1512 (C) Jacob Christensen to the Urban Design Review Board, Seat 10 for a three-year term commencing June 30, 2005 to expire on June 30, 2008. **Moved by Kiernan to adopt. Motion Carried 6-1.**

COMMUNICATIONS FROM PLANNING AND ZONING

- 05-1513 21. Regarding request from City Engineer to vacate a segment of 14th Street between Grand Avenue and Locust Street for implementation of the adopted Western Gateway Plan. **Moved by Kiernan to adopt and refer to the City Manager to implement. Motion Carried 6-1.**

SETTING DATE OF HEARINGS

- 05-1514 22. On vacation and conveyance of portions of north/south alleys in two blocks between SE 6th and SE 7th Street bisected by Shaw Street, previously vacated portion of Shaw Street between SE 6th and SE 7th Streets and the south ½ of Lot 5, north of and adjoining vacated Shaw Street, to James C. and Juliet Cunningham, (7-18-05). ([Council Communication No. 05-353](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1515 23. On vacation and conveyance of air rights over east/west alley adjoining 112-11th Street Heritage Affordable Housing, (7-18-05). ([Council Communication No. 05-341](#)) **Moved by Kiernan to adopt. Motion Carried 5-1. Council Member Hensley declares conflict of interest and abstains from voting.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- 05-1516 24. Approving payment of \$17,098.42 to Ahlers & Cooney, P.C. for bond counsel services. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1517 25. Approving payment of \$22,038.60 to James Moran for workers compensation claim for permanent injury. **Moved by Kiernan to adopt. Motion Carried 6-1.**

CITY MANAGER COMMUNICATIONS

- 05-1518 26. Submitting traffic regulation changes as follows: ([Council Communication No. 05-338](#)) **Moved by Kiernan to receive, file and refer to Legal Department for preparation of proper legislation. Motion Carried 6-1.**
- (A) Corner Clearance–west side of SW 13th Place, north of Elder Lane.
 - (B) Corner Clearance-west side of 15th Street, north and south of Bridal Row.
 - (C) Corner Clearance-south side of Caulder Avenue, east of SW 12th Place.
 - (D) Corner Clearance-east side of E. 8th Street, north of east Douglas Avenue.
 - (E) Corner Clearance-west side of E. 9th Street, south of East Seneca Avenue.
 - (F) Corner Clearance-north side of Hillcrest Drive, east of Lower Beaver Road.
 - (G) Parking restriction to facilitate movement of solid waste vehicles-north side of Randolph Street from SW 12th Street to the dead end.
 - (H) Installation of parking metered spaces-south side of Park Street between 6th Avenue and 7th Street.
- 05-1519 27. Submitting out-of-state travel requests for Raymond Carrington, Christopher Scott, Matt Towers, John Leporte, and David Lockard. ([Council Communication No. 05-337](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**

APPROVING

- 05-1520 28. Emergency Shelter Grant (ESG) Contract with the Iowa Department of Economic Development for funding from July 1, 2005 to June 30, 2006. ([Council Communication No. 05-339](#)) **Moved by Hensley to adopt. Motion Carried 6-1.**
- 05-1521 29. Des Moines Area Community College and HOME, Inc. Certificate of Consistency with City's current Consolidated Plan. ([Council Communication No. 05-356](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**

- 05-1522 (A) Central Iowa Employment & Training Consortium Certificate of Consistency with Current Consolidated Plan. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1523 30. Professional Services Agreement with Gould Evans Goodman Associates, L.C. (Robert Gould, Owner/Principal, Kansas City, MO) for Highway 5 and North River Master Plan consisting of Development Plan, Economic and Market Analysis, FEMA Flood Insurance Study Map Revision and Storm Water Planning, not to exceed \$550,000. ([Council Communication No. 05-351](#)) **Moved by Hensley to adopt. Motion Carried 6-1.**
- 05-1524 31. Issuance of Certificate of Completion to Nelson Development, L.L.C. for Parking Structure Development-Metro Center Urban Renewal Project. ([Council Communication No. 364](#)) **Moved by Kiernan to adopt. Motion Carried 5-1-1. Nays: Brooks. Absent: Mahaffey.**
- 05-1525 32. Urban Renewal Development Agreement with WKKS Properties, L.C. for rehabilitation and renovation of former Des Moines Tire Building, Whiteline Lofts, 120 SW 5th Street residential condominium units and parking improvements. **Moved by Kiernan to approve. Motion Carried 6-1.**
- 05-1526 (A) Communication from Urban Design Review Board. **Moved by Kiernan to receive and file. Motion Carried 6-1.**
- 05-1527 33. First Amendment to Development Agreement for The Metro Lofts, between 2nd Avenue and 3rd Street, north of Vine and approving Revised Conceptual Development Plan. ([Council Communication No. 05-354](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1528 (A) Communication from Urban Design Review Board. **Moved by Kiernan to receive and file. Motion Carried 6-1.**
- 05-1529 34. Request for 2005 Tax Sale Certificate on vacant lot at 1339 Forest and authorizing City Manager to solicit proposals for development of housing on the lot. ([Council Communication No. 05-363](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1530 35. Application for Enterprise Zone Benefits to K.C. Holdings VI, L.L.C. regarding a project in Des Moines Gateway Enterprise Zone for construction of 30 condominium units at 6th Avenue (Liberty Building). ([Council Communication No. 05-342](#)) **Moved by Kiernan to approve. Motion Carried 5-1-1. Pass: Hensley Absent: Mahaffey.**
- 05-1531 36. AmeriCorps Service Grant Agreement authorizing City participation in the AmeriCorps Program from May 1, 2005 until April 30, 2006. ([Council Communication No. 05-341](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**

- 05-1532 37. Communication from Downtown Community Alliance requesting approval on behalf of Meredith Corporation to approve banner design for seven banners in downtown on Lo during summer of 2005. **Moved by Kiernan to receive, file and approve banner design. Motion Carried 6-1.**
- 05-1533 38. 2005/2006 Intergovernmental 28E Shared Use Agreement with Des Moines Independent School District. ([Council Communication No. 05-347](#)) **Moved by Coleman to adopt. Motion Carried 6-1.**
- 05-1534 39. Annual Insurance Renewal for July 1, 2005 Property and Casualty Insurance with Je Insurance Services, Inc. ([Council Communication No. 05-365](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1535 40. Proposal from Iowa Plains Signing, Inc. (Jeff Koudelka, General Manager, Slater, IA) to provide hauling and placement of concrete barriers and traffic control device placement not to exceed \$40,000. ([Council Communication No. 05-340](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1536 41. Equipment Loan Agreement with John Deere Des Moines Works for the use of four utility vehicles by the Des Moines Fire Department. ([Council Communication No. 05-342](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1537 42. Amendment to Microsoft Enterprise Software Assurance Agreement from ASAP Software Express (Buffalo Grove, IL) for use by the WRA. **Moved by Kiernan to adopt. Motion Carried 6-1.**
43. Bids from the following:
- 05-1538 (A) Dewey Ford for one 15,000 GVW truck to be used by the Street Maintenance Division, \$49,635. (Eleven bids mailed, five received). ([Council Communication No. 05-343](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1539 (B) Charles Gabus Ford for one four wheel drive utility vehicle to be used by the Hazardous Materials Response Team, \$25,921. (Eleven bids mailed, two received). **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1540 (C) Chas. W. Goering for water service stop box relocation services to be used by the Street Maintenance Division, \$28,008. (Twelve bids mailed, four received). **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1541 (D) Hawkeye Truck Equipment (sole area wide distributor) for Heil dump body and Monroe and Boss snowplow equipment repair parts during fiscal year 2006 to be used by the Fleet Maintenance Center. **Moved by Kiernan to adopt. Motion Carried 6-1.**

- 05-1542 (E) Mid-Iowa Solid Waste Equipment (sole area wide distributor) for Heil refuse truck equipment repair parts during fiscal year 2006 to be used by the Fleet Maintenance Center. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1543 (F) Eddy-Walker Equipment Company (sole area wide distributor) for Wayne refuse truck and Henderson dump body equipment repair parts during fiscal year 2006 to be used by the Fleet Maintenance Center. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1544 (G) Midland Equipment (sole area wide distributor) for Case equipment repair parts during fiscal year 2006 to be used by the Fleet Maintenance Center. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1545 (H) Murphy Tractor & Equipment (sole area wide distributor) for John Deere equipment repair parts during fiscal year 2006 to be used by the Fleet Maintenance Center. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1546 (I) Road Machinery & Supplies (sole area wide distributor) for Komatsu loader and Roadscan truck body equipment repair parts during fiscal year 2006 to be used by the Fleet Maintenance Center. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1547 (J) O'Halloran International (sole area wide distributor) for International Truck repair parts during fiscal year 2006 to be used by the Fleet Maintenance Center. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1548 (K) EDM Equipment (sole area wide distributor) for Elgin sweeper equipment repair parts during fiscal year 2006 to be used by the Fleet Maintenance Center. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1549 (L) Elliott Equipment Company (sole area wide distributor) for Kann recycler bodies and Vac-con sewer cleaner equipment repair parts during fiscal year 2006 to be used by the Fleet Maintenance Center. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1550 (M) Ziegler (sole area wide distributor) for Caterpillar equipment repair parts during fiscal year 2006 to be used by the Fleet Maintenance Center. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1551 44. Civil Service Entrance Lists for Police Officer, Housing Services Building Maintenance Supervisor, Housing Conservation Inspector, Fleet Services Welder, Laboratory Analyst, and Promotional Lists for Sewer Maintenance Worker, Fire Lieutenant, and Fire Captain. **Moved by Kiernan to receive and file. Motion Carried 6-1.**
- 05-1552 45. Authorizing Finance Director to draw checks on registers of June 23, 2005 and June 27, 2005; and to draw checks for bills of the Des Moines Municipal Housing Agency for the weeks of June 20, 2005 and June 27, 2005; and to draw checks for biweekly payroll for the weeks of June 24, 2005. **Moved by Kiernan to adopt. Motion Carried 6-1.**

ORDINANCES - FINAL CONSIDERATION

- 05-1553 46. Amending Chapter 102 of the Municipal Code regarding permits, administrative penalties, permit fees, right-of-way restoration and permittee obligations and adding and enacting new Section 102-95 regarding construction of a heated sidewalk. **Moved by Kiernan that this ordinance do now pass, [#14,463](#). Motion Carried 6-1.**

ORDINANCES - SECOND CONSIDERATION

- 05-1554 47. Amending Chapter 2 of the Municipal Code establishing a Des Moines Municipal Commission. **Moved by Kiernan that this ordinance be considered and given second vote for passage. Motion Carried 6-1.**

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

COUNCIL REQUESTS

- 05-1555 48. From Council Member Vlassis to discuss stop lights at 38th and 48th on Hickman. **Moved by Vlassis to receive, file and refer to the City Manager to review the intersection 38th & Hickman and at 48th & Hickman; also review the intersection at M. L. K and Prospect Road (Bus Barn). Motion Carried 6-1.**

COMMUNICATIONS/REPORTS

- 05-1556 49. From James S. Cownie regarding donation to James W. Cownie Soccer Park. **Moved by Coleman to receive and file. The Mayor will send a letter thanking him for leadership. Motion Carried 6-1.**
- ~~50. From Bob Wessel, 2719 Leach, requesting to speak regarding the Des Moines Works.~~
- 05-1557 51. Petitions from area residents requesting paving on E. 21st Street from Milton Avenue to dead end north. **Moved by Brooks to receive, file and refer to City Manager and City Engineer for review and recommendation. Motion Carried 6-1.**
- 05-1558 52. Petition from area residents requesting paving on SW 5th Street from Broad Street to Virginia Avenue. **Moved by Brooks to receive, file and refer to City Manager and City Engineer for review and recommendation. Motion Carried 6-1.**
- 05-1559 52I. From Cynthia J. Gatch, requesting to speak regarding the Police Department. **Moved by Vlassis to receive and file comments. Motion Carried 6-1.**

HEARINGS (OPEN AT 5:13 P.M.) (ITEMS 53 THRU 58)

- 05-1560 53. On request from Aaron W. Putnam, to rezone property at 2220 44th Street from “C (Neighborhood Retail Commercial) to “R1-60” (One Family Low-Density Residential). **Moved by Vlassis to adopt and approve the rezoning, subject to final passage of rezoning ordinance. Motion Carried 6-1.**
- 05-1561 (A) First consideration of ordinance above. **Moved by Vlassis that the ordinance be considered and given first vote for passage. Motion Carried 6-1.**
- 05-1562 (B) Final consideration of ordinance above, (waiver requested by applicant and Council Member Vlassis), 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 so that the ordinance be placed upon its final passage and that the ordinance be allowed to now pass, [#14,464](#). Motion Carried 6-1.**
54. On items regarding City-initiated down zoning of property along the south side of the 1st block of Euclid Avenue:
- 05-1563 (A) Approval of amendment to the Des Moines 2020 Community Character Land Use Plan, to change the future land use designation from Park Open Space to Avenue Oriented Small-Scale Strip Development. **Moved by Brooks to adopt and approve the proposed amendment. Motion Carried 6-1.**
- 05-1564 (B) Resolution closing the hearing and approving proposed rezoning of 1810 Euclid Avenue from “M-1” (Light Industrial) to Ltd. “C-2” (General Retail and Highway Oriented Commercial). **Moved by Brooks to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 6-1.**
- 05-1565 (C) First consideration of ordinance above. **Moved by Brooks that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**
- 05-1566 (D) Resolution closing the hearing and approving proposed rezoning of the balance of property from “M-1” (Light Industrial) to “C-1” (Neighborhood Oriented Commercial). (Requires six votes). **Moved by Brooks to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 6-1.**
- 05-1567 (E) First consideration of ordinance above. (Requires six votes.) **Moved by Brooks that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**
- 05-1568 55. On 2005 City-wide PCC Pavement Restoration Program: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating low responsible bidder as Castle Concrete Services Inc. (Anthony Castellano, President)

\$152,290. **Moved by Kiernan to adopt. Motion Carried 6-1.**

- 05-1569 (A) Approving contract and bond. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1570 56. On 2005 Expanded Street Resurfacing Program – Arterial: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Des Moines Asphalt & Paving Co. (Jim Gauger, President) \$1,525,085.50. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1571 (A) Approving contract and bond and permission to sublet. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1572 57. On 2005 Expanded Street Resurfacing Program – Residential: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Des Moines Asphalt & Paving Co. (Jim Gauger, President) \$975,402. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1573 (A) Approving contract and bond and permission to sublet. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1574 58. On 2005 Sidewalk Replacement Program – Designated Neighborhoods: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as T K Concrete Inc. (Tony J. Vermeer, President) \$153,025. **Moved by Kiernan to adopt. Motion Carried 6-1.**
- 05-1575 (A) Approving contract and bond. **Moved by Kiernan to adopt. Motion Carried 6-1.**

****END HEARINGS AT 5:25 P.M.****

APPROVING

WITHDRAWN

- 05-1576 59. Request For Proposal (RFP) for reuse of former Science Center of Iowa Building at Greenwood Park. ([Council Communication No. 05-346](#))
- 05-1577 60. Iowa Department of Transportation Agreement for Fleur Trail Connector/Underpass Intergovernmental 28E Agreement with Des Moines Water Works. ([Council Communication No. 05-349](#)) **Moved by Hensley to adopt. Motion Carried 6-1.**
- 05-1578 61. Receive and file Board of Adjustment decision regarding conditional use variance for J. Sale (Lessee) dba Lower Beaver Conoco, 4540 Lower Beaver Road. ([Council Communication No. 05-355](#)) **Moved by Vlassis to receive and file. Motion Carried 6-1.**
- 05-1579 62. Authorization and allocation of \$50,000 Grant to Polk County Board of Supervisors. ([Council Communication No. 05-358](#)) **Moved by Brooks to adopt. Motion Carried 6-1.**

- 05-1580 63. Discussion regarding Polk County's participation in the Meredith Trail Project. **Moved by Brooks to receive, file and direct the City Manager to begin negotiations. Motion Carried 6-1.**

EXTRA ITEMS

- 05-1581 1. Request from Council Member Chris Hensley to discuss term limits of certain Boards and Commissions. SPONSOR: Hensley. **Moved by Hensley to discuss and refer to the City Clerk to review the term limits and bring a recommendation to a Council Workshop. Motion Carried 6-1.**

BOARD OF HEALTH

- 05-1582 MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene at the Board of Health. Motion Carried 6-1.**

AUTHORIZING

1. The Legal Department to proceed with court action for authority to abate the public nuisance at the following locations:
 - 05-1583 (A) 2932 Dubuque Avenue, Titleholders: Dina Ross and Mary Ross. **Moved by Vlassis to adopt. Motion Carried 6-1.**
 - 05-1584 (B) 1210 York Street, Titleholder: Adam Broderick; Mortgage Holder: Polk County Bank. **Moved by Vlassis to adopt. Motion Carried 6-1.**
 - 05-1585 (C) 3106 6th Avenue, Titleholder: Rebekah Eggers; Mortgage Holder: Citifinancial Mortgage Company, Inc. **Moved by Vlassis to adopt. Motion Carried 6-1.**
 - 05-1586 (D) 1919 11th Street, Titleholder: Vern Bennett Enterprises, LC. **Moved by Vlassis to adopt. Motion Carried 6-1.**
2. The Engineering Department to cause the removal of the following structures:
 - 05-1587 (A) 2050 E. Army Post Road, Titleholders: Kenneth Hunt and Francis Hunt. **Moved by Vlassis to adopt. Motion Carried 6-1.**
 - 05-1588 (B) 2080 E. Army Post Road, Titleholder: Kenneth Hunt and Francis Hunt. **Moved by Vlassis to adopt. Motion Carried 6-1.**
 - 05-1589 (C) 1002 E. 9th Street, Titleholder: Jose Gonsales. **Moved by Vlassis to adopt. Motion Carried 6-1.**

COMMUNICATION

- 05-1590 3. Communication regarding demolition cost reserve being held by Allied Insurance for fire-damaged house located at 1238 Creston. **Moved by Vlassis to receive and file a receipt of notice if owners have not demolished or renovated the structure. Motion Carried 6-1.**
- 05-1591 MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 5:35 PM. Motion Carried 6-1.**

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All-America City
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