



***** 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 '10-' 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 28, 2010 4:30 P.M.

SPECIAL PRESENTATIONS – 4:00 P.M.



All-America City

PROCLAMATIONS

National Garden Month
Care Enough to Wear Pink - (Des Moines Firefighters)

INVOCATION: Council Member Christine Hensley

- [10-1010](#) 1. ROLL CALL: **Present: Cownie, Griess, Hensley, Mahaffey and Moore. Absent: Coleman and Meyer. Council Members Coleman and Meyer entered the meeting during item 3.**
- [10-1011](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 5-2.**
- [10-1012](#) 3. APPROVING CONSENT AGENDA * – items 3 through 35: **Moved by Hensley to adopt the balance of the consent agenda. 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.

LICENSES AND PERMITS

- [10-1013](#) 4. [Approving](#) Alcoholic Beverage License Applications for the following: **Moved by Hensley to adopt. Motion Carried 7-0.**

RENEWAL APPLICATIONS

(A)	BEAVERDALE VFW CLUB	4029 URBANDALE	A Liquor
(B)	BLANK PARK ZOO	7401 SW 9TH ST	C Liquor
(C)	CHEFS KITCHEN	1903 BEAVER AVE	C Liquor
(D)	DRUGTOWN WINE	4100 UNIVERSITY	E Liquor
(E)	EL PALOMINO	3116 E 14TH ST	C Beer
(F)	H & A MINI MART	145 UNIVERSITY	C Beer
(G)	HY VEE FOOD STORE #4	4605 FLEUR DR	E Liquor
(H)	HY VEE FOOD STORE #5	1107 E ARMY POST	E Liquor
(I)	MAIN GATE	2956 E GRAND AVE	C Liquor
(J)	PEGGYS INC	3020 FOREST AVE	C Liquor
(K)	PIRAMIDAS	2718 DOUGLAS AVE	C Liquor
(L)	PRINCIPAL FINANCIAL	600 7TH ST	C Liquor
(M)	QUIKTRIP #530	2300 E 14TH ST	C Beer
(N)	QUIKTRIP #534	2945 E UNIVERSITY	C Beer
(O)	QUIKTRIP #554	901 SW 63RD	C Beer
(P)	SAVE A LOT	3200 SW 9TH ST	C Beer
(Q)	SCIENCE CENTER OF IOWA	401 W MLK JR PKWY	C Liquor
(R)	SOUTH SIDE LIQUOR	1101 ARMY POST	E Liquor
(S)	SPLASH SEAFOOD	303 LOCUST ST	C Liquor
(T)	TAQUERIA JALISCO	1704 E GRAND AVE	B Beer
(U)	US GAS	3000 SW 9TH ST	C Beer
(V)	WAKONDA CLUB	3915 FLEUR DR	C Liquor

OUTDOOR SERVICE APPLICATIONS

- (W) HOUSE OF BRICKS 525 E GRAND AVE C Liquor
Temporary for Bucks for Bradley Benefit on July 10, 2010. Pending approval of Building, Electrical, Fire and Zoning Departments.

- [10-1014](#) 5. [Consideration](#) of a new Class C Liquor License for Black Angus Beef N Brew, 6401 SE 14th Street. Pending approval of Building and Fire Departments. **Moved by Hensley to adopt. Motion Carried 7-0.**

- [10-1015](#) 6. [City](#) Clerk to issue Cigarette Licenses. **Moved by Hensley to adopt. Motion Carried 5-2.**

PUBLIC IMPROVEMENTS

7. Ordering construction of the following:

- [10-1016](#) (A) [2010](#) Expanded Street Resurfacing Program – Contract 1: Receiving of bids, (7-13-10), Setting date of hearing, (7-26-10). (Construction Estimate - \$900,000). ([Council Communication No. 10-403](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1017](#) (B) [Riverpoint](#) Trunk Sewer Separation and Pump Stations: Receiving of bids, (7-13-10), Setting date of hearing, (7-26-10). (Construction Estimate - \$3,330,000). ([Council Communication No. 10-402](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1018](#) 8. [Approving](#) Supplemental Agreements to the Southeast Connector Professional Services Agreement with Kirkham Michael & Associates to provide additional construction phase services for the Southeast Connector projects. ([Council Communication No. 10-387](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1019](#) 9. [Approving](#) Professional Services Agreement with AECOM, Inc. for design and construction phase services for the Mulberry Street Paving – 13th Street to 15th Street, not to exceed \$195,000. ([Council Communication No. 10-386](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1020](#) 10. [Approving](#) Project Partnership Agreement with the Department of the Army for construction of the Des Moines and Raccoon Rivers Project. ([Council Communication No. 10-411](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1021](#) 11. [Approving](#) and authorizing the execution of Iowa Department of Transportation Agreement for E. Indianola Avenue Widening – SE 16th Court to E. McKinley Avenue. ([Council Communication No. 10-384](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1022](#) 12. [Authorization](#) to submit a grant application to I-JOBS, for disaster mitigation and approval of City of Des Moines matching fund commitment requirements. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1023](#) (A) [Authorization](#) to develop a study to review current City policy and practices regarding the Smart Planning Principles requirement within the I-JOBS II Competitive Grant Program. ([Council Communication No. 10-414](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1024](#) 13. [Approving](#) and authorizing the execution of Iowa Department of Transportation (IDOT) Change Order No. 26 to Ingersoll Run Phase 2 Storm Sewer Outlet, not to exceed \$29,767.50. ([Council Communication No. 10-383](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [10-1025](#) 14. [Approving](#) final subdivision plat entitled Habitat 20/10, 1005 Maury Street. ([Council Communication No. 10-370](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [10-1026](#) 15. [Recommending](#) DENIAL of a request from Wade and Mary Krieg, (owners) 691 Harwood Drive, for vacation of a portion of Interstate 235 right-of-way approximately 15 feet north of and adjoining both 691 Harwood Drive and 680 42nd Street. **Moved by Moore to receive and file and refer to the Traffic and Transportation Division and the Real Estate Division of the Engineering Department. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [10-1027](#) 16. [Approving](#) payment to Craig Campbell for a workers' compensation claim, \$6,414.29. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1028](#) 17. [Approving](#) payment to Joey Allen Smith for a traffic stop and arrest, \$30,000. **Moved by Hensley to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- [10-1029](#) 18. [Submitting](#) travel and training requests for Judy Bradshaw. ([Council Communication No. 10-404](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

APPROVING

- [10-1030](#) 19. [First](#) Amendment to the Development Agreement with Indigo Dawn, L.L.C., for the renovation of 800 19th Street, as a Platinum LEED adaptive building reuse. ([Council Communication No. 10-385](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1031](#) 20. [Communication](#) from Office of Economic Development regarding preliminary terms of agreement with Hubbell Realty Company to amend the Urban Development Action Grant: City/Developer Loan Agreement for the Kaleidoscope. ([Council Communication No. 10-417](#)) **Moved by Hensley to receive, file and approve preliminary terms of agreement set forth in the Council Communication and to direct the City Manager to proceed with negotiations of formal amendment to Loan Agreement with Hubbell Realty Company consistent with the terms set forth in the Council Communication. Motion Carried 7-0.**
- [10-1032](#) 21. [Grant](#) Application through (COPS) Secure Our Schools Program for funding to bring state-of-the-art security systems to Des Moines Schools with an estimated cost of \$200,000 with grant funding of 50% and the balance to be paid by the Des Moines School District. ([Council Communication No. 10-371](#)) **Moved by Moore to adopt. Motion Carried 7-0.**

- [10-1033](#) 22. [Justice](#) Assistance Grant (JAG) application by the Department of Justice, Office of Justice Programs, and Memorandum of Understanding with Polk County, for joint grant to be used for various law enforcement purposes, for October 1, 2009 through Sept 30, 2013, (City's share is \$278,844 and County's share is \$20,013). ([Council Communication No. 10-373](#)) **Moved by Hensley to approve. Motion Carried 7-0.**
- [10-1034](#) 23. [Tower](#) License Amendment with SAGA Communications for Metro Interoperability Communications System. ([Council Communication No. 10-394](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1035](#) 24. [Agreement](#) for \$20,000 grant assistance to the Des Moines Bicycle Collective, to help establish a B-Cycle Program. ([Council Communication No. 10-396](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1036](#) 25. [Funding](#) request from Polk County for repair of Trestle To Trestle Multi-Use Recreational Trail, \$50,000. ([Council Communication No. 10-398](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1037](#) 26. [Lease](#) Agreements with Polk County for use of Pioneer Columbus, Chesterfield and Scott Four Mile Community Centers for congregate meal sites and Logan Community Center for office space from July 1, 2010 through June 30, 2013, annual rent cost \$109,647. ([Council Communication No. 10-393](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1038](#) 27. [City's](#) principal payment of \$357,500 on the 2008 loan from Metro Waste Authority (MWA) for a salt storage building, and accepting the early repayment of a 2002 mortgage loan from Metro Waste Authority. ([Council Communication No. 10-369](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1039](#) 28. [Annual](#) Insurance Renewal for July 1, 2010 – Property and Casualty Insurance. ([Council Communication No. 10-399](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1040](#) 29. [Communication](#) from Downtown Community Alliance, on behalf of the Civic Center, to approve banner designs to be displayed in downtown Des Moines on Walnut Street in July 2010 to promote The Jersey Boys. **Moved by Hensley to receive, file and approve banner designs. Motion Carried 7-0.**
- [10-1041](#) 30. [Declaring](#) an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in conjunction with specified storm water projects. ([Council Communication No. 10-374](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

31. Bids from the following:

- [10-1042](#) (A) [Coban](#) Technologies Inc. (Allen Chen, President) for thirteen (13) In Car Video/Audio Systems to be used by the Police Department, \$95,369.95. (Ten bids mailed, four received). ([Council Communication No. 10-412](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1043](#) (B) [Dell](#) Marketing LP (Michael Dell, CEO) for replacement employee desktop personal computers per Western States Contracting Alliance (WSCA) price agreement #B27160 to be used by the IT Department, \$300,000. ([Council Communication No. 10-380](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1044](#) (C) [Home](#) Depot (Frank Blake, CEO) for miscellaneous building materials and supplies per State of Iowa Contract #3237-08 to be used by the Park and Recreation Department, estimated annual cost \$65,000. ([Council Communication No. 10-392](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1045](#) (D) [MTI](#) Distributing (Tom Swain, President) for non-competitive procurement of Toro heavy duty commercial equipment repair parts to be used by the Park and Recreation Department, estimated annual cost \$80,000. ([Council Communication No. 10-389](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [10-1046](#) (E) [Great](#) American Outdoor (Don Van Houweling, Owner) for non-competitive procurement of John Deere equipment repair parts to be used by the Park and Recreation Department, estimated annual cost \$50,000. ([Council Communication No. 10-390](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [10-1047](#) (F) [Intergraph](#) Corporation (Halsey Wise, President) for non-competitive procurement of annual software maintenance and support for the city's Computer Aided Dispatch (CAD) and Records Management System (RMS) to be used by the Police Department, \$183,212. ([Council Communication No. 10-372](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1048](#) (G) [Logan](#) Contractors Supply (Bruce Logan, President) for non-competitive procurement of Crafcoc crack sealant (Roadsaver 221) and detackifier (Detack) pavement maintenance products for use with existing Crafcoc pavement preservation equipment to be used by the Public Works Department, estimated annual cost \$55,000. ([Council Communication No. 10-376](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1049](#) (H) [The](#) Paper Company (Dean Nims, Owner/President) for annual supply of copy paper to be used by various City Departments, \$30,540. (Six bids mailed, three received.) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1050](#) 32. [Civil](#) Service Entrance Lists for Survey Helper and Assistant Surveyor and Promotional List for Senior Mechanical Inspector. **Moved by Hensley to receive and file. Motion Carried 7-0.**

- [10-1051](#) 33. Authorizing Finance Director to draw checks on registers for weeks of June 28 and July 5, 2010; to draw checks for bills of the Des Moines Municipal Housing Agency for weeks June 28 and July 5, 2010; and to draw checks for biweekly payroll due July 2, 2010. **Moved by Hensley to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

- [10-1052](#) 34. Amending Chapter 118 of the Municipal Code regarding regulation of fat, oil and grease discharge by food service establishments. **Moved by Hensley that this ordinance do now pass, #14,946. Motion Carried 6-1. Nays: Griess.**

ORDINANCES - SECOND CONSIDERATION

- [10-1053](#) 35. Amending Chapter 118 of the Municipal Code establishing a Stormwater Innovative Practices Rebate Program. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

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

ORDINANCES - FIRST CONSIDERATION

- [10-1054](#) 36. Amending Chapter 114 of the Municipal Code regarding safety belts and child restraint devices. **Moved by Meyer that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- [10-1055](#) (A) Final consideration of ordinance above, (waiver requested by Police Department) requires 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, #14,947. Motion Carried 7-0.**

- [10-1056](#) 37. Amending Chapter 114 of the Municipal Code regarding traffic regulation changes as follows: (Council Communication No. 10-381) **Moved by Meyer that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- (A) Two-sided parking restriction – 200-400 block of E. Kenyon.
- (B) Reverse Parking Restriction – 50th Street between Madison and Aurora.
- (C) Request for traffic signals – 7th Street and Laurel Street.

COMMUNICATIONS/REPORTS

- [10-1057](#) 38. **From** Corey Grief, 5620 Harwood Drive, to speak regarding Oak Savannah restoration and tree planting at the trail at I-235 and 56th Street. **Moved by Hensley to receive and file comments. Motion Carried 7-0.**
- [10-1058](#) 39. **From** The Rotary Club of Des Moines requesting an honorary street name change of 12th Street between Grand and Locust Street, to “ROTARY WAY” in recognition of their Centennial Celebration. **Moved by Hensley to refer to the City Manager for review and recommendation in accordance with the Street Naming Policy. Motion Carried 7-0.**

HEARINGS (OPEN AT 5:00P.M.) (ITEMS 40 THRU 57)

- [10-1059](#) 40. **On** lease of storage space at Parks Development Center, 405 SE 20th Street, by Des Moines Municipal Housing Agency, \$7,500 annually for a five-year term beginning July 1, 2010, with up to three five-year renewals with rate adjustments. ([Council Communication No. 10-395](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [10-1060](#) 41. **On** corrected lease agreement with R. K. Corporation (Mr. Filet Steakhouse) for property in lower level of 7th and Grand Avenue Parking Garage, 510 7th Street. **Moved by Hensley to adopt. Motion Carried 7-0.**
42. NUMBER NOT USED.
- [10-1061](#) 43. **On** conveyance of portion of vacated alley, west of 4136 Amherst Avenue, to Donna J. McConkey, Trustee for Maurine T. Lee Revocable Trust, \$50 to incorporate into residential lot. ([Council Communication No. 10-401](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [10-1062](#) 44. **On** conveyance of 405 SE 8th Street to Jesse and Marjorie L. Cortez by land exchange. ([Council Communication No. 10-400](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [10-1063](#) 45. **On** conveyance of permanent subsurface water main easement on City-owned airport property on southwest corner of SW 34th Street and relocated Army Post Road to Des Moines Water Works, \$1. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1064](#) 46. **On** request from 400 SE 6th Inc. to rezone 400 SE 6th Street from “M-1” (Light Industrial) to Ltd. “C-3B” (Central Business Mixed Use), subject to conditions. **Moved by Meyer to adopt and approve the rezoning, subject to final passage of the rezoning ordinance; refer to the City Manager to provide information regarding appropriateness of the rezoning. Motion Carried 7-0.**
- [10-1065](#) (A) **First** consideration of ordinance above. **Moved by Meyer that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

WITHDRAWN

[10-1066](#)

(B) ~~[Final](#) consideration of ordinance above, (waiver requested by applicant) requires 6 votes.~~

[10-1067](#)

47. [On](#) Automobile Rental Concession and Lease Agreement at the Des Moines International Airport for DTG Operations, Inc. (d/b/a Dollar Rent A Car and Thrifty Car Rental). ([Council Communication No. 10-375](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

48. NUMBER NOT USED.

[10-1068](#)

49. [On](#) Zoning Ordinance text amendment, Chapter 134, to allow consideration of Wind Energy Conversion Systems (WECS) as a conditional use by Zoning Board of Adjustment. ([Council Communication No. 10-388](#)) **Moved by Hensley to adopt and approve, subject to final passage of the enacting ordinance. Motion Carried 7-0.**

[10-1069](#)

(A) [First](#) consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[10-1070](#)

(B) [Final](#) consideration of ordinance above, (waiver requested by Community Development Director) requires 6 votes. **Moved by Hensley 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, #14,948. Motion Carried 7-0.**

50. Items regarding reprogramming of prior year CDBG funding and additional funds received and Public Hearing on proposed Substantial Amendments to First (2010) Year Action Plan and 2010-2014 US Department of Housing and Urban Development (HUD) Consolidated Plan:

[10-1071](#)

(A) [Communication](#) from Neighborhood Revitalization Board regarding reprogramming for prior years' CDBG funds and additional funds received for 2010. **Moved by Coleman to adopt. Motion Carried 7-0.**

[10-1072](#)

(B) [Reprogramming](#) of prior year CDBG funding and additional funds received for 2010 HUD Consolidated Plan Program. ([Council Communication No. 10-368](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

[10-1073](#)

(C) [Hearing](#) on proposed substantial amendments to First (2010) Year Action Plan and 2010-2014 US Department of Housing and Urban Development (HUD) Consolidated Plan. ([Council Communication No. 10-367](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

[10-1074](#) (D) [Approving](#) a CDBG loan with the Des Moines Independent Community School District for up to \$94,908 for rehabilitation of two houses through the Des Moines Public Schools Home Remodeling Program. ([Council Communication No. 10-379](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

[10-1075](#) (E) [Approving](#) a CDBG loan with St. Paul A.M.E. Transformation Center for up to \$415,000 for rehabilitation of twenty units of rental housing located at 812 Forest, 1354 8th Street and 1353 9th Street. ([Council Communication No. 10-378](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

[10-1076](#) 50I [On](#) proposed lease with Youth and Shelter Services, Inc. for property in lower level of 7th and Grand Avenue Parking Garage, 701 Grand Avenue, \$1,389 per month. ([Council Communication No. 10-397](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[10-1077](#) 51. [On](#) request from Sutton Hill Residential Cooperative, to rezone property at 2080 King Avenue from “R-6” (Planned Residential Development) and “R1-80” (One-Family Residential) to “PUD” (Planned Unit Development) and approval of the PUD Conceptual Development Plan. ([Council Communication No. 10-413](#)) **Moved by Hensley to continue to September 13 Council Meeting at 5:00 PM. Motion Carried 6-1. Nays: Meyer. *Previous motion by Meyer to deny, failed 3-4. Yeas – Meyer, Cownie and Moore. Nays – Coleman, Griess, Hensley and Mahaffey.**

WITHDRAWN
[10-1078](#)

(A) [First](#) consideration of ordinance above.

[10-1079](#) 52. [On](#) continuing of public hearing on application from Pawn America Iowa, LLC for relief from the moratorium to allow pawn businesses at 4620 SE 14th Street and 5730 Douglas/3709 Merle Hay Rd. ([Council Communication No. 10-415](#)) **Moved by Griess to adopt. Motion Carried 7-0.**

WITHDRAWN
[10-1080](#)

(A) [Resolution](#) Denying Relief; or

WITHDRAWN
[10-1081](#)

(B) [Alternate](#) Resolution: Granting Relief

[10-1082](#)

(C) [Communication](#) from attorneys for Bankers Trust, 3905 Merle Hay Rd. in objection to request for Hardship Waiver. **Moved by Griess to receive and file. Motion Carried 7-0.**

- [10-1083](#) 53. On 2010 HMA Pavement Scarification & Resurfacing: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Grimes Asphalt & Paving Corporation, (J. M. Yonker, President), \$606,958.50. ([Council Communication No. 10-408](#)) **Moved by Mahaffey to adopt. Motion Carried 6-1. Absent: Coleman.**
- [10-1084](#) (A) Approving contract and bond, and permission to sublet. **Moved by Mahaffey to adopt. Motion Carried 6-1. Absent: Coleman.**
- [10-1085](#) 54. On 2010 Designated Neighborhood Sidewalk Replacement Program: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as MPS Engineers, P.C., (Umesh G. Shetye, President), \$176,130. ([Council Communication No. 10-407](#)) **Moved by Meyer to adopt. Motion Carried 5-1-1. Nays: Moore. Absent: Coleman.**
- [10-1086](#) (A) Approving contract and bond, and permission to sublet. **Moved by Meyer to adopt. Motion Carried 5-1-1. Nays: Moore. Absent: Coleman.**
- [10-1087](#) 55. On 2009-10 Paving Program: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Jasper Construction Services, Inc., (Steven J. Rhoads, President), \$733,522.18. ([Council Communication No. 10-406](#)) **Moved by Hensley to adopt. Motion Carried 5-2. Absent: Coleman and Meyer.**
- [10-1088](#) (A) Approving contract and bond, and permission to sublet. **Moved by Hensley to adopt. Motion Carried 5-2. Absent: Coleman and Meyer.**
- [10-1089](#) 56. On Pump Station Emergency Power Generation – Phase 2: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and status of funded activities under IDED Contract No. 08-DRI-205: Resolution to receive and file bids designating lowest responsible bidder as C. L. Carroll Co., Inc., (Jon P. Rissman, President, (\$1,380,187.48), and to approve Amendment No. 3 to IDED Contract. ([Council Communication No. 10-405](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [10-1090](#) (A) Approving contract and bond, and permission to sublet. **Moved by Moore to adopt. Motion Carried 7-0.**
- [10-1091](#) 57. To close the hearing on the plans, specifications, form of contract and Engineer's estimate and cancel the bids on the Jackson Avenue Detention Basin Pump Station. ([Council Communication No. 10-409](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**

****END HEARINGS AT 6:08 P.M.****

CITY MANAGER RECOMMENDATIONS

- [10-1092](#) 58. [Regarding](#) Housing Cooperatives and Property Tax Policy. ([Council Communication No. 10-418](#)) **Moved by Hensley to receive and file recommendations and add the following: 1) Make this one of the top legislative priorities. 2) Meet with the Assessor's Office regarding assessments for co-ops. Motion Carried 7-0.**
- [10-1093](#) 59. [Regarding](#) the closing on the purchase of the YWCA property. **Moved by Hensley to accept the offer from the YWCA to extend the due diligence period and closing date to July 14, 2010. Motion Carried 7-0.**

APPROVING

- [10-1094](#) 60. [Approving](#) Beaver Avenue Streetscape Concept Plan. ([Council Communication No. 10-382](#)) **Moved by Griess to adopt. Motion Carried 7-0.**
61. Submittal of Multi-Family New Construction Applications for Community Development Block Grant Disaster Recovery (CDBG-DR) funds to the Iowa Department of Economic Development (IDED) for the following: ([Council Communication No. 10-391](#))
- [10-1095](#) (A) [Construction](#) of 16 rental units in the 2200 block of Forest Avenue, \$979,200. **Moved by Griess to approve. Motion Carried 7-0.**
- [10-1096](#) (B) [Redevelopment](#) of 140 rental units at 713 Walnut (Former Youngers Building), \$3,060,000. **Moved by Griess to approve. Motion Carried 7-0.**
- [10-1097](#) 62. [Amendment](#) to the scope of the Department of Energy (DOE) Energy Efficiency and Conservation Block Grant (EECBG), and approving staff recommendation to utilize aluminum replacement windows in City Hall and the Police Station. ([Council Communication No. 10-410](#)) **Moved by Hensley to defer consideration to the July 12, 2010 Council Meeting. Motion Carried 7-0.**
- [10-1098](#) (A) [Recommendation](#) from Urban Design Review Board. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [10-1099](#) 63. [Federal](#) Aviation Administration Certification of Title for AIP Grant Agreements for the Airport Runway 13R/31L Project. **Moved by Hensley to adopt. Motion Carried 7-0.**

EXTRA ITEMS

- [10-1100](#) 1. Request from Mayor Cownie and Council Member Brian Meyer to speak regarding flooding on Hartford Avenue. **Moved by Meyer to refer to the City Manager to arrange a Neighborhood meeting to discuss the issues. Motion Carried 7-0.**
- [10-1101](#) 2. Request from Mayor Cownie to speak regarding mosquitoes. **Moved by Moore to reinstate the mosquito spraying program. Motion Carried 7-0.**

BOARD OF HEALTH

[10-1102](#) MOTION TO CONVENE. **Moved by Moore that the City Council adjourn and convene as a Board of Health. Motion Carried 7-0.**

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

[10-1103](#) (A) [1606](#) 21st Street, garage structure, Titleholder: Gloria D. Easley; Mortgage Holder: EdCo Community Credit Union. **Moved by Griess to adopt. Motion Carried 7-0.**

[10-1104](#) (B) [1161](#) 22nd Street, fire-damaged structure, Titleholder: Critelli Properties, LLC; Mortgage Holder: Community Business Lenders, LLC. **Moved by Griess to adopt. Motion Carried 7-0.**

[10-1105](#) (C) [109](#) E. 28th Court, main structure, garage structure, accessory structure, Titleholders: Charles L. Parcel and Dorothy L. Parcel; Mortgage Holder: Deutsche Bank National Trust Company. **Moved by Griess to adopt. Motion Carried 7-0.**

[10-1106](#) MOTION TO ADJOURN. **Moved by Hensley to adjourn at 7:19 PM. Motion Carried 7-0.**

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