

Roll Calls

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July 22, 2002

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SUMMARY OF DES MOINES CITY COUNCIL MEETING **July 22, 2002 4:30 P.M.**

PROCLAMATIONS - 4:15 P.M.:

National Night Out

SPECIAL PRESENTATIONS - 4:15 P.M.:

Recognition of Community Development and Public Works Employees

INVOCATION: Mike McPherson, Ward 2 Council Member

02-1799 1. ROLL CALL: **Present: Daniels, Coleman, Cownie, Hensley, McPherson, and Vlassis. Absent: Brooks.**

02-1800 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1801 3. APPROVING CONSENT AGENDA - items 3 through 47: **Moved by Hensley to adopt the balance of the consent agenda. Motion Carried 6-1.**

LICENSES AND PERMITS:

Approving

02-1802 4. The following Beer/Liquor Applications:

NEW APPLICATIONS

(1) Shie Concession, 3000 E Grand Avenue, B Beer.

(2) La Cruz, 3900 E 14th Street, C Beer.

(3) La Favorita, 1700 E Grand Avenue, C Beer.

~~(4) Jazzy Willys, 5715 Douglas Avenue, C Liquor.~~

(5) Orlondos, 4337 Park Avenue, C Liquor.

(6) La Cruz, 3900 E 14th Street, E Liquor.

RENEWAL APPLICATIONS

(7) Los Laureles, 1518 E Grand Avenue, B Beer.

(8) Master Jacks, 3000 E Grand Avenue, B Beer.

(9) Old West Barbeque, 3000 E Grand Avenue, B Beer.

(10) NE 14th Handimart, 5150 NE 14th Street, C Beer.

(11) Blank Park Zoo, 7401 SW 9th Street, C Liquor.

(12) Coral Reef Cafe and Cantina, 2615 Ingersoll Avenue, C Liquor.

(13) Crimmins Cattle Co., 4901 Fleur Dr., C Liquor.

(14) Dragon House East, 2470 E Euclid Avenue, C Liquor.

(15) Drake University Rathskellar, 2875 University Avenue, C Liquor.

(16) Hull Avenue Tavern, 834 E Hull Avenue, C Liquor.

(17) La Pizza House, 1013 SE 14th Street, C Liquor.

(18) Latin King Restaurant, 2200 Hubbell Avenue, C Liquor.

(19) Michaels Restaurant, 4041 Urbandale Avenue, C Liquor.

(20) Rauls Taco House, 1541 E Grand Avenue, C Liquor.

(21) NE 14th Handimart, 5150 NE 14th Street, B Wine.

SPECIAL EVENTS APPLICATIONS

(22) Society of Italian Americans, 1801 McKinley Avenue, Five Day B Beer application for the Society of Italian Americans Festival on August 1, 2002 through August 4, 2002. Pending Building and Fire inspections.

02-1803 5. City Clerk to issue Coin Operated Machine Licenses. **Moved by Hensley to adopt. Motion Carried 5-1-1. Nays: McPherson. Absent: Brooks.**

02-1804 6. City Clerk to issue Cigarette Licenses. **Moved by Hensley to adopt. Motion**

Carried 5-1-1. Nays: McPherson. Absent: Brooks.

PUBLIC IMPROVEMENTS

02-1805 7. Approving Change Order No. 5 with Associated Electrical Services, for additional work in conjunction with the 4th & Grand Garage Relighting Contract, \$27,700. ([Council Communication No. 02-396](#)). **Moved by Hensley to adopt. Motion Carried 6-1.**

8. Resolution Ordering Construction of the following:

02-1806 (A) Des Moines Metropolitan Wastewater Reclamation Facility Hauled Waste Receiving Station Improvements, Receiving of Bids, (8-13-02), and Setting Date of Hearing, (8-19-02). (Construction Estimate - \$1,454,805). **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1807 (B) Sec Taylor Stadium Field Replacement, Receiving of Bids, (8-13-02), and Setting Date of Hearing, (8-19-02). (Construction Estimate - \$666,459). ([Council Communication No. 02-386](#)). **Moved by Coleman to adopt. Motion Carried 6-1.**

02-1808 9. Approving Professional Services Agreement with Sinclair Architects, L.C. (Lon Sinclair, President, West Des Moines) for professional services in conjunction with Laurel Hill Cemetery Maintenance Building, \$32,500. ([Council Communication No. 02-387](#)). **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1809 10. Approving Preliminary Design Concept and authorization to proceed with final design and right-of-way acquisition for S.W. 9th Street at Porter Avenue Intersection improvements, \$1,925. ([Council Communication No. 02-398](#)). **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1810 11. Approving and authorizing execution of Iowa Department of Transportation Agreement for traffic signal replacement at the intersection of Merle Hay Road and Douglas Avenue, \$160,000. ([Council Communication No. 02-399](#)). **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1811 12. Approving WRF Digester Fall Protection Project: Designation of lowest responsible bidder as Flexible Lifeline Systems, (Andrew Townend, President, Houston TX) \$58,061, and approving contract and bond. **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1812 13. Approving Durable Pavement Markings - 2002 Project: Designation of lowest responsible bidder, as Dennis Parking Lot Maintenance, Inc., (Lynn R. Dennis, President, DM) \$159,758, and approving contract and bond. ([Council Communication No. 02-397](#)). **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1813 (A) Approving Change Order No. 1, to reduce contract quantities in the amount of \$54,586. **Moved by Hensley to adopt. Motion Carried 6-1.**

14. Accepting completed construction and approving final payment of the following:

02-1814 (A) 424 10th Street Demolition (Former AIB Building), \$10,841.40 is now due and \$6,408.60 remaining balance payable at the end of 30 days. **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1815 (B) Botanical Center Cafe Remodel, \$4,791.10 remaining balance payable at the end of 30 days. **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1816 (C) Crime Prevention Building Remodel, \$1,672.45 remaining balance payable at the end of 30 days. **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1817 (D) Solid Waste Building Reroofing, \$5,152.40 remaining balance payable at the end of 30 days. **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1818 15. Approving partial payments on twenty-two public improvement projects. (Call City Clerk's Office for listing). **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1819 16. Receive and file petition and waiver forms for sidewalk program/request to repair sidewalk executed by owners of three properties and curb replacement program/request to repair driveway executed by one property owner authorizing City Manager to proceed with said construction. **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1820 17. Approving request from Jensen Construction Company to sublet designated items for the Hubbell Avenue Bridge over Four Mile Creek. **Moved by Hensley to adopt. Motion Carried 6-1.**

18. Approving completion and recommending acceptance of Private Construction Contracts as follows:

02-1821 (A) Street Improvements in Airport Business Park Plat 2 located in area of Gannett Avenue between Nuckolls Concrete Services, Inc., (Scott Temple, President, Johnston), Contractor and ABC Partners, L.P., (Richard Margulies, Treasurer Manager, WDM) Owner. **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1822 (B) Storm Sewer Improvements for Airport Business Park Plat 2 located in vicinity of SW 34th Street and Gannett Avenue between McAninch Corporation, (Douglas D. McAninch, President, WDM) Contractor and ABC Partners, L.P., (Richard Margulies, Treasurer of General Partner, WDM) Owner. **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1823 (C) Sanitary Sewer Improvements in Airport Business Park Plat 2 located in vicinity of SW 34th Street and Gannett Avenue between McAninch Corporation, (Douglas D. McAninch, President, WDM) Contractor and ABC Partners, L.P., (Richard Margulies, Treasurer of General Partner, WDM) Owner. **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1824 (D) Paving Improvements for Three Lakes Estates Parkway Extension in vicinity of

Moonlight Drive and Three Lakes Parkway between Sternquist Construction, Inc., (Britt Sternquist, President, Indianola) Contractor and Erickson Development, (Tim Erickson, President, Bondurant) Owner. **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1825 (E) Street and Sanitary Improvements related to construction for property to be known as Grandview Terrace on E. 30th Street between Sheridan and Grandview Avenues between Baker Mechanical, Incorporated, (B.J. Baker III, President, Des Moines) Contractor and various individual owners. **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1826 (F) Sanitary Sewer Improvements for relocation of a sanitary sewer main at Grand Avenue and east of 62nd Street for McDonalds Restaurant development between Rhiner's Plumbing Co., Inc. (William Rhiner, President, Clive) Contractor and Koester Construction Company, Inc., Des Moines (Paul Koester, President) Owner. **Moved by Hensley to adopt. Motion Carried 6-1.**

SPECIAL ASSESSMENTS

02-1827 19. Approving deletion of NAC-Emergency Orders Assessment Schedule No. 2002-27 in the amount of \$145 against property at 3206 Cambridge, an Administrative Hearing was held and charges were waived. **Moved by Hensley to adopt. Motion Carried 6-1.**

LAND/PROPERTY TRANSACTIONS

02-1828 20. Establishing fair market value for a portion of the property located at 2nd Avenue and Park Street, (Mid American Energy) in conjunction with the I-235 Sanitary Sewer Relocation Project-Phase 1 - Birds Run Outlet Storm Sewer (Keo Outlet), \$18,890 plus closing costs. **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1829 21. Establishing fair market value for a portion of 1315 Lyon Street, (Metro Medical Center, LLC) in conjunction with the I-235 Sanitary Sewer Relocation Project, \$34,380. **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1830 22. Approve and accept Right-of-way documents for properties located at 7401 Fleur Drive, (D.W. Newcomer's Sons, Inc.) and 7301 Fleur Drive, (Catherine J. Carson Labuschagne & Jerry R. and Mary L. Saylor) for the Fleur Drive/Army Post Road/County Line Road Project, \$700 plus closing costs. **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1831 23. Approve and accept real estate documents for 1900 Delaware Avenue, (Mark W. and Lorraine Beard) for the I-235 Sanitary Sewer Relocation Project - Group 1, \$16,000 plus closing costs. **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1832 24. Approve and accept real estate documents for 1230 Merle Hay Road, (St. Theresa Church of the Child Jesus) for the Merle Hay Road widening at University Avenue Project, \$6,735 plus closing costs. **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1833 25. Approve and accept real estate documents for the property located at 3120 & 3202 E. 35th Street, (William and Jennie Armstrong) for the Gay Lea Wilson Recreational Project, \$2,100 plus closing costs. **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1834 26. Approve and accept real estate documents for the property located at 3301 Euclid Avenue, (Hurd Real Estate Services, Inc.) for the Gay Lea Wilson Recreational Trail Project, \$400 plus closing costs. **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1835 27. Approval of final plat for Hamilton Industrial Park, located North of NE 46th Avenue and West of NE 22nd Street, within the two mile area outside the City of Des Moines. [\(Council Communication No. 02-382\)](#). **Moved by McPherson to adopt. Motion Carried 6-1.**

02-1836 27-I Approval of amended final subdivision plat entitled Easter Lake Cove Plat 1 in vicinity of Evergreen Avenue and Lakewood Lane. **Moved by Hensley to adopt. Motion Carried 6-1.**

STREET CLOSURES

02-1837 28. Approving recommendation of Street Use Team (SUT) to close the following streets. **Moved by Hensley to adopt. Motion Carried 6-1.**

(1) Randy Catron, representing Des Moines Cycle Club, requesting permission to close E. 6th from E. Court to E. Locust; E. Locust from E. 6th to E. 5th; E. 5th from E. Locust to E. Walnut; E. Walnut from E. 5th to E. 3rd; E. 3rd from E. Walnut to E. Court and E. Court from E. 3rd to E. 6th on Sunday, August 25, 2002 from 8:00 AM to 5:00 PM for the Iowa Cycling Championship.

(2) Stacy Reynolds, representing E. 24th Street Block Party, requesting permission to close E. 24th Street from Madison to Aurora on Saturday, August 3, 2002 from 3:00 to 11:00 PM for a neighborhood block party.

(3) Misty Rand, representing Wilmers Block Party, requesting permission to close Wilmers Avenue from SE 4th Street to SE 5th Street on Saturday, August 10, 2002 from 5:00 to 11:00 PM for a neighborhood block party.

SETTING DATE OF HEARINGS

02-1838 29. On request from Grandview College, to rezone property at 1503 E. Hull Avenue, from "R1-60" (One Family Low Density Residential) and "R-3" (Multiple Family Residential) to "PUD" (Planned Unit Development), and approving PUD Concept Plan for the East Campus of Grandview College, (8-5-02). **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1839 30. On assessment of \$300 penalties to eleven cigarette permittees for violation of Iowa Cigarette Laws, selling to minors, (8-5-02). **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1840 31. On 30 day suspensions of Cigarette Permits for Central City Liquors, 1451 2nd

Avenue; Kwik Shop, 2930 Hickman; Oasis Liquors, 1401 Buchanan; Hy Vee, 3221 SE 14th; and Regal Liquors, 3424 Martin Luther King Jr. Pkwy. for selling cigarettes to minors, (8-5-02).

Moved by Hensley to adopt. Motion Carried 6-1.

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

02-1841 32. Approving settlements made by Corporation Counsel, not exceeding \$5,000. **Moved by Hensley to receive, file and affirm settlements made by City Attorney. Motion Carried 6-1.**

02-1842 33. Approving payment of \$12,629.25 to Kim and Teri Gabriel for a property damage claim as a result of a sewer back up on June 7, 2002. **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1843 34. Approving payment of \$34.29 to William Jenkins and law firm of Myers & Jenkins for outside counsel to represent the City in the Trans World Airlines, Inc. bankruptcy. **Moved by Hensley to adopt. Motion Carried 6-1.**

CITY MANAGER COMMUNICATIONS

02-1844 35. Submitting various traffic regulations as follows. **Moved by Hensley to receive, file and refer to Legal Department for preparation of proper legislation. Motion Carried 6-1.**

(1) Corner Clearance--East Side of 13th Street, South of Forest Avenue.

(2) Corner Clearance--West Side of North Union Street, North and South of Hull Avenue.

(3) Corner Clearance--East Side of 57th Street, North of Urbandale Avenue.

(4) Four-Way Stop--Pleasant Street and 10th Street.

(5) Four-Way Stop--Woodland Avenue and 24th Street.

(6) Four-Way Stop--Woodland Avenue and 39th Street.

(7) One-Way Street Operation--Geil Avenue, Westbound from SW 14th Street to SW 15th Street, and SW 15th Street, Southbound from Geil Avenue to Burnham Avenue, between the hours of 8:00 and 9:00 AM. and 3:00 and 4:00 PM, on School Days.

(8) Corner Clearance--East Side of SW 7th Street North of Rose Avenue.

(9) Parking Restriction--East Side of 9th Street South of University Avenue.

(10) Speed Limit Change--SW 42nd Street between SW Park Avenue and Watrous Avenue.

[\(Council Communication No. 02-384\)](#)

02-1845 36. Submitting the following out-of-state travel requests for David Allen, Bruce Bergman, Susan Low, Eric Moorman, Sandra Morris, John Jones, Richard Towers, Mary Neiderbach, Robin Paul, Mike Matthes, Donald Hall, Eric Anderson (2). [\(Council Communication No. 02-380\)](#). **Moved by Hensley to adopt. Motion Carried 6-1.**

APPROVING

02-1846 37. Temporary head-in parking along north side of Dean Avenue, from E. 31st Street to E. 34th Street; temporary fencing to curb along Dean Avenue from E. 31st Street to E. 30th Street; and "No Parking" signs in the area east of E. 34th Street (Gate 7) and Grand Avenue, both north to University and south to Walnut, during the Iowa State Fair. **Moved by Hensley to receive, file and grant the request. Motion Carried 6-1.**

WITHDRAWN02-1847 38. Authorizing execution of Agreement with Pleasant Hill to mow and aesthetically maintain drainage ditch on Scott Avenue from the Four Mile Creek Bridge east to the common corporate boundary.

02-1848 39. Proposed agreement with Sherman Hill Neighborhood Association to salvage paving bricks being removed from 15th Street between Walnut and Falcon Drive in conjunction with the 15th/16th Streets Connector Project for use within their neighborhood and other neighborhoods. [\(Council Communication No. 02-392\)](#) **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1849 40. Receipt of proposed regulation regarding security charges at Des Moines International Airport effective October 1, 2002 from Airport Board Chair. **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1850 41. Categorical Assistance Progress Report for January 1, 2002 to June 30, 2002 to be submitted to U.S. Department of Justice/Executive Office for Weed & Seed. [\(Council Communication No. 02-383\)](#). **Moved by Hensley to adopt. Motion Carried 6-1.**

42. Bids for the following:

02-1851 (A) Big Bear Equipment, (Dave Wilson, President, Waukee) for a rotary mower to be used by the Parks Department Horticultural Division, \$34,520. (Seven bids mailed, three received). [\(Council Communication No. 02-389\)](#). **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1852 (B) Municipal Pipe Tool, (Steve Gearhart, President, Hudson, IA) sole area wide distributor for RS Technical Services sewer televising equipment to be used by the Sewer Enterprise Division of the Engineering Department, \$25,850. [\(Council Communication No. 02-400\)](#). **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1853 43. Civil Service Entrance Lists for Word Processor Operator, Public Works Assistant,

Management Analyst, Housing Services Systems Administrator, and Laboratory Analyst I and Promotional lists for Senior Police Officer and Fleet Services Master Mechanic. **Moved by Hensley to receive and file. Motion Carried 6-1.**

02-1854 44. Authorizing Finance Director to draw checks on registers of July 26 and August 2, 2002; and for the bills of the Municipal Housing Agency for weeks of July 22 and July 29, 2002; and draw checks for biweekly payroll due employees on July 26, 2002. **Moved by Hensley to adopt. Motion Carried 6-1.**

ORDINANCES - FINAL CONSIDERATION

02-1855 45. On amendment to the Zoning Ordinance, to clarify language regarding the vision clearance requirements for private driveways. **Moved by Hensley that this ordinance do now pass, [#14,124](#). Motion Carried 6-1.**

02-1856 46. On Zoning Ordinance amendment to revise the Entertainment Sign Overlay regulations to increase allowances for building signs that project over the public rights-of-way. **Moved by Hensley that this ordinance do now pass, [#14,125](#). Motion Carried 6-1.**

ORDINANCES - SECOND CONSIDERATION

02-1857 47. Amending Chapter 2 of the Municipal Code establishing position of Deputy City Clerk. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 6-1.**

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

****Council considered Item 53 next****

ORDINANCES - FIRST CONSIDERATION

02-1858 48. Amending Chapter 114 of the Municipal Code regarding traffic regulation changes as follows. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**

- (1) Corner Clearance--East Side of SW 13th Street, North of Park Avenue.
- (2) Reversal of Loading Zone and Handicapped Loading Zone--3rd Street, North of Vine Street.
- (3) Corner Clearance--South Side of Lynner Drive, East and West of Oakshire Road.
- (4) Parking Restriction--West Side of E. 27th Court, South of Easton Boulevard.

02-1859 (A) Final consideration of ordinance above. **Moved by Vlassis that the rule requiring that ordinances 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, [#14,126](#). Motion Carried 6-1.

02-1860 49. Amending Chapter 2 of the Municipal Code allowing contracts for goods and services in amounts less than \$500 to be exempt from bidding. ([Council Communication No. 02-390](#)). **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**

02-1861 (A) Final consideration of ordinance above, (waiver requested Finance Director), requires 6 votes. **Moved by Coleman that the rule requiring that ordinances 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, [#14,127](#). Motion Carried 6-1.**

****Council considered Hearing Item 55 through 60 next****

COUNCIL REQUESTS

02-1862 50. From Mayor Preston Daniels regarding color coding of parking meters. **Moved by Vlassis to receive, file and refer to the City Manager for a report in one month. Motion Carried 6-1.**

COMMUNICATIONS/REPORTS

02-1863 51. From Patty Daniels to speak regarding placement of off premise signs to advertise the Drake Farmers Market. **Moved by Vlassis to receive, file and grant the request to speak; refer to City Manager and Legal for review and recommendation. Motion Carried 5-2. Absent: Coleman and Brooks.**

02-1864 52. Approving recommendation of City Manager regarding employee health insurance benefits, including reducing retired employees reserve assessments and implementation of related actions. ([Council Communication No. 02-381](#)) **Moved by Coleman to adopt. Motion Carried 5-1-1. Nays: McPherson. Absent: Brooks.**

02-1865 (A) Communication from Council Member Archie Brooks, regarding health insurance plan, reserve fund assessments, audit of the plan, other health care options and fees for document copies. **Moved by Coleman to receive file and adopt the following. Motion Carried 5-1-1. Nays: McPherson. Absent: Brooks.**

1. Direct the City Manager to provide a Blue letter summary of all Quarterly Financial Reports in the future.

2. Open enrollment to be extended to one month.

3. Provide a report to Council to include data on administration services.

4. Conduct an audit and review of health insurance performance and funding, using an objective third party, (Mayor to appoint a committee of various representatives to select the auditor).

5. City Manager and City Clerk to recommend a policy change regarding providing copies of city documents to official union groups; and

6. Start the process to develop a long-term strategic plan regarding health insurance at the conclusion of the audit.

02-1866 53. Request from Felipe Gallardo, 2005 Forest, to speak regarding bio-solids storage facility in the Chesterfield Neighborhood. **Moved by Cownie to receive, file and grant the request to speak; refer to City Manager and Legal for a report in thirty days - second meeting in August at 5:30 PM, (8-19-02). Motion Carried 6-1.**

02-1867 54. From Gerald LaBlanc, 8912 46th Avenue NE, Altoona, to speak regarding police patrol of Woodland Cemetery. **Moved by Hensley to receive, file and grant the request to speak. Motion Carried 5-2. Absent: Coleman and Brooks.**

HEARINGS (Opened at _____ P.M.) (Items 55 thru 60)

02-1868 55. On Application from Thomas A. Baldwin, for Certificate of Public Convenience and Necessity to operate a Limousine Service. **Moved by McPherson to grant application. Traffic Division to report on enforcement. Motion Carried 6-1.**

02-1869 56. On request from Family Video Movie Club, to rezone property at 2301 E. 42nd from "R1-60" (One-Family Low Density Residential) to "C-1" (Neighborhood Retail Commercial) to allow for redevelopment for a new video rental and sales store, subject to conditions. **Moved by McPherson to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 6-1.**

02-1870 (A) First consideration of ordinance above. **Moved by McPherson that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**

02-1871 (B) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by McPherson that the rule requiring that ordinances 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, [#14,128](#). Motion Carried 6-1.**

02-1872 57. On request from Noble Homes, Inc., to rezone property at 2750 Cottage Grove, from "R1-60" (One Family Low Density Residential) to "R-3" (Multiple Family Residential), to allow renovation of a 5-Plex conversion dwelling that has lost legal non-conforming status, subject to conditions. **Moved by Hensley to adopt and approve the rezoning subject to final passage of the rezoning ordinance. Motion Carried 6-1.**

02-1873 (A) First consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**

02-1874 (B) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by Hensley that the rule requiring that ordinances 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, [#14,129](#). Motion Carried 6-1.**

02-1875 58. On proposal to sell and convey property at 11th and Cherry to Wells Fargo Financial, Inc., in consideration of the exchange of land owned by Wells Fargo. **Moved by Hensley to adopt. Motion Carried 6-1.**

02-1876 59. On Greater Des Moines Softball Park, Contract 2: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Rochon Corporation of Iowa, Inc., (Ron Rochon, CEO, Urbandale), \$1,611,000. **Moved by McPherson to adopt. Motion Carried 6-1.**

02-1877 (A) Approving contract and bond and permission to sublet. **Moved by McPherson to adopt. Motion Carried 6-1.**

60. On resolution approving plans, specifications, form of contract documents, and Engineer's estimate of costs for the following Traffic Signal Interconnect Projects, (IDOT Projects):

02-1878 (A) Grand, Ingersoll and University Avenues. **Moved by Vlassis to adopt. Motion Carried 6-1.**

02-1879 (B) (Northeast Area) on E. Grand, Hubbell, Easton and E. Euclid. **Moved by Vlassis to adopt. Motion Carried 6-1.**

02-1880 (C) (Northwest Area) on Beaver Avenue, Douglas Avenue, Martin Luther King Jr. Parkway, Lower Beaver and Hickman Road. **Moved by Vlassis to adopt. Motion Carried 6-1.**

02-1881 (D) Second and Sixth Avenue Corridors. **Moved by Vlassis to adopt. Motion Carried 6-1.**

* * END HEARINGS at _____ P.M. * *

****Council considered Items 50 through 54 next****

APPROVING

02-1882 61. Contract with Siemens ILG for public safety communications improvements, \$5,199,878. ([Council Communication No. 02-391](#)). **Moved by Hensley to adopt. Motion**

Carried 5-2. Absent: Coleman and Brooks.

02-1883 62. Supplemental Agreement to modify the current contract with RCC Consultants (Woodbridge, New Jersey) for the Implementation Management of the Public Safety Data Communications System, \$174,270.99. ([Council Communication No. 02-393](#)). **Moved by Hensley to adopt. Motion Carried 5-2. Absent: Coleman and Brooks.**

02-1884 63. Accepting Supplemental Documentation for FY 2002-2003 Right-Of-Way Management Program Budget and approving Annual Management Fee for the Right-Of-Way Management Program. ([Council Communication No. 02-401](#)). **Moved by Vlassis to adopt. Motion Carried 5-2. Absent: Coleman and Brooks.**

WITHDRAWN02-1885 64. Request for Proposal (RFP) for professional services to conduct a Work Space Study for all City Departments and functions. ([Council Communication No. 02-385](#))

02-1886 65. Exemption from residency requirements for various part-time Guest Services employees at Blank Park Zoo until June 30, 2003. ([Council Communication No. 02-388](#)). **Moved by Hensley to adopt. Motion Carried 5-2. Absent: Coleman and Brooks.**

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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.

02-1887 1. Approving City Economic Development Loan to A-Dong Restaurant to renovate 1511 High Street - \$112,000. SPONSOR: Hensley. ([Council Communication No. 02-402](#)). **Moved by Hensley to approve. Motion Carried 5-2. Absent: Coleman and Brooks.**

02-1888 2. Setting Date of Hearing on request from DM/Hickory Grove L.L.P. to amend the PUD Concept Plan for Hickory Grove Elderly Housing, 4010 E. 42nd Street to permit a forty unit multi-family residential complex for elderly residents, (8-5-02). SPONSOR: McPherson. **Moved by McPherson to adopt. Motion Carried 5-2. Absent: Coleman and Brooks.**

A G E N D A

BOARD OF HEALTH July 22, 2002

02-1889 MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene as a Board of Health. Motion Carried 5-2. Absent: Coleman and Brooks.**

AUTHORIZING

02-1890 1. Court authority to abate the public nuisance at 1324 E. 12th Street (vacant)
Titleholder: Bill Quaintance and Legal Interest Holder: Destiny 98C, Attn: George Noga,
President. **Moved by Vlassis to adopt. Motion Carried 5-2. Absent: Coleman and Brooks.**

2. Engineering Department to remove the following structures:

02-1891 (A) 1016 Forest, Titleholder: Faisal Alsafar. **Moved by Vlassis to defer action to August 5, 2002. Contract buyer to provide a business plan, including time frame and financing to complete renovation, the southeast corner of building is to be treated as an emergency repair and be completed as soon as possible. Motion Carried 5-2. Absent: Coleman and Brooks.**

02-1892 (B) 915 Fremont, Titleholder: Sharon Otte. **Moved by Vlassis to adopt. Motion Carried 5-2. Absent: Coleman and Brooks.**

02-1893 (C) 917 Fremont, Titleholder: William Lancial. **Moved by Vlassis to adopt. Motion Carried 5-2. Absent: Coleman and Brooks.**

02-1894 (D) 439 E. Gray, Titleholder: Ronald Buchanan. **Moved by Vlassis to adopt. Motion Carried 5-2. Absent: Coleman and Brooks.**

02-1895 (E) 1367 E. 15th Street, Titleholder: 5914 Tonka, LLC. **Moved by Vlassis to adopt. Motion Carried 5-2. Absent: Coleman and Brooks.**

02-1896 MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 7:43 P.M. Motion Carried 5-2. Absent: Coleman and Brooks.**

Des Moines - City of Skywalks