



*** 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 '08-' 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

October 13, 2008 4:30 PM

I. CLOSED SESSION – 3:45 PM

- [08-1713](#) (A) Roll Call. **Present: Cownie, Coleman, Kiernan, Hensley, Mahaffey, Meyer and Vlassis.**
- [08-1714](#) (B) Recess, and reconvene in closed session pursuant to Section 21.5, subsection 1, paragraph C of the Iowa Code, to discuss as necessary strategy with counsel in matters that are presently in litigation or where litigation is imminent, where its disclosure would be likely to prejudice or disadvantage the position of the City. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-1715](#) (C) Closed Session.
- [08-1716](#) (D) Terminate closed session and reconvene in open session at 4:30 PM. **Moved by Hensley to adopt. Motion Carried 7-0.**

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PROCLAMATIONS – 4:15 PM

[Des Moines'](#) Jazz History Day

[Ability One](#) Week – National Disability Employment Awareness Month

INVOCATION: Pastor Bob Spears
St. John's Lutheran Church
600 6th Avenue

[08-1723](#)

1. ROLL CALL: **Present: Cownie, Coleman, Kiernan, Hensley, Mahaffey, Meyer and Vlassis.**

[08-1724](#)

2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley 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.**

[08-1725](#)

3. APPROVING CONSENT AGENDA – items 3 through 48: **Moved by Coleman to adopt the balance of the Consent Agenda. Motion Carried 7-0.**

LICENSES AND PERMITS

[08-1726](#)

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

NEW APPLICATIONS

(A) EMBASSY SUITES HOTEL	101 E LOCUST ST	B Wine
(B) GOODSONS	2815 BEAVER AVE	C Liquor
(C) THIRSTY DOG	2222 FOREST AVE	C Liquor

RENEWAL APPLICATIONS

(D) BLAZING SADDLE	416 E 5TH ST	C Liquor
(E) BLUES ON GRAND	1501 GRAND AVE	C Liquor
(F) CAMPBELLS CONCESSIONS	3000 E GRAND AVE	B Beer
(G) CAMPBELLS CONCESSIONS	3000 E GRAND AVE	B Beer
(H) DAHLS FOODS	4343 MERLE HAY RD	E Liquor
(I) DRAKE DINER	1111 25TH ST	C Liquor
(J) EL PALOMINO IMPORTS	3116 E 14TH ST	C Beer
(K) FAMILY PANTRY	4538 LOWER BEAVER	E Liquor
(L) FLEUR CINEMA & CAFE	4545 FLEUR DR	C Beer/Wine
(M) GIT N GO STORE #33	865 42ND ST	C Beer
(N) GRAND VIEW COLLEGE	1500 MORTON AVE	C Beer/Wine
(O) KARTARS MINI MART	3761 E UNIVERSITY	C Beer
(P) KENNY DS	3925 E 14TH STREET	C Liquor
(Q) ROBINS WOOD OVEN GRILL	6401 SE 14TH ST	C Liquor
(R) TROPIK RESTAURANT AND BAR	3015 MERLE HAY RD	C Liquor
(S) ZIMMS	3124 INGERSOLL AVE	C Liquor

SPECIAL EVENT APPLICATION

- (T) TASTE TO GO 519 PARK ST Five (5) Day License
Class C Liquor License for event on November 7, 2008. Pending approval of Fire
Department.

- [08-1727](#) 4-I [Consideration](#) of new application by NLS, LLC Dba The Edge, 508 Indianola Rd. for a Class C Liquor License. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [08-1728](#) 5. [City](#) Clerk to issue Cigarette Licenses. **Moved by Coleman to adopt. Motion Carried 6-1. Nays: Cownie.**
- [08-1729](#) 6. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Coleman to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

WITHDRAWN

- [08-1730](#) 7. ~~[Ordering](#) construction of M. L. King Jr. Parkway Levee Restoration—Receiving of bids, (10-28-08), and Setting date of hearing, (11-10-08). (Construction Estimate \$373,980). ([Council Communication No. 08-601](#))~~
- [08-1731](#) 8. [Approving](#) emergency proceedings for the 3625 SW 34th Street Emergency Sanitary Sewer Repair, receive and file City Manager's emergency declaration and approve emergency contract with The Underground Co., Ltd. (Duane Burkhardt, President), \$46,200. ([Council Communication No. 08-611](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-1732](#) 9. [Approving](#) Professional Services Agreement with OPN Architects, Inc. for design and construction phase services for the Grandview Golf Course Clubhouse, not to exceed \$134,000. ([Council Communication No. 08-599](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [08-1733](#) 10. [Communications](#) from Ti-Zack Concrete, Inc. requesting permission to sublet certain items on 2008 Sidewalk Replacement Program and 2008-09 Sidewalk Program. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [08-1734](#) 11. [Authorizing](#) Public Works Director to execute an agreement with the U.S. Army Corps of Engineers for the Repair of Federal Flood Control Work and Related Repairs. ([Council Communication No. 08-626](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-1735](#) 12. [Accepting](#) completed construction and approving final payment for Mulberry Street Storm Sewer – 9th Street to 10th Street, The Underground Company, Ltd. **Moved by Coleman to adopt. Motion Carried 7-0.**

- [08-1736](#) 13. [Accepting](#) completed construction and approving final payment for Leetown Creekway Wooden Box Replacement-Phase 4, Van Hauen & Associates, Inc. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [08-1737](#) 14. [Accepting](#) completed construction and approving final payment regarding Purchase Order No. 21521 for The Birdland Levee Opening at 2nd Avenue Repair, Elder Corporation. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-1738](#) 15. [Accepting](#) completed construction and approving final payment regarding Purchase Order No. 21346 for the SE 5th & Livingston and SE 8th & Van Buren Storm Sewer Repairs, Van Hauen & Associates, Inc. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-1739](#) 16. [Accepting](#) completed construction, approving Change Order No. 1 and approving final payment regarding Purchase Order No. 21445 for the SE 14th Street and E. Park Avenue Emergency Sanitary Sewer Repair, The Underground Company, Ltd. ([Council Communication No. 08-614](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-1740](#) 17. [Accepting](#) completed construction, approving Change Order No. 1 and approving final payment regarding Purchase Order No. 21102 for the Emergency Earth Berm Construction around the Storm Sewer Manhole at the Levee near SW 5th Street North of the Raccoon River, McAninch Corporation. ([Council Communication No. 08-617](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-1741](#) 18. [Accepting](#) completed construction, approving Change Order No. 1 and approving final payment regarding Purchase Order No. 21107 for the SE 6th Street South of the Des Moines River Emergency Storm Sewer Repair, Van Hauen & Associates. ([Council Communication No. 08-613](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [08-1742](#) 19. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Order (Community Development) Schedule No. 2008-14. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [08-1743](#) 20. [Approving](#) deletion of NAC-Emergency Assessments at various locations. **Moved by Coleman to adopt. Motion Carried 7-0.**

- [08-1744](#) 21. [Approving](#) delinquent sewer rental and/or solid waste/stormwater utility credits for September 2008. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [08-1745](#) 22. [Approving](#) delinquent sewer rental and/or solid waste/stormwater utility fees for September 2008. **Moved by Coleman to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [08-1746](#) 23. [Approving](#) acceptance of real estate documents for property located at 941 8th Street and 928 6th Avenue for Crocker Street at 5th Avenue, 6th Avenue and 7th Street Traffic Signal Installation project. **Moved by Coleman to adopt. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [08-1747](#) 24. [Regarding](#) request from City Engineer for vacation and conveyance of E. Granger Avenue between Vandalia Road and the Burlington Northern Santa Fe Railroad from SE 35th Street to SE 36th Street, adjoining property located at 1602 SE 36th Street and 1601 SE 35th Street. **Moved by Coleman to receive, file and forward recommendation to the Engineering Department, Real Estate Division. Motion Carried 7-0.**
- [08-1748](#) 25. [Regarding](#) request from 1717 Ingersoll, LLC, PW Waterbury, LC, and OPOPMODO, LLC for vacation and conveyance of the east/west alley between Ingersoll Avenue and High Street from 17th Street to a point approximately 175 feet east of 19th Street. **Moved by Coleman to receive, file and forward recommendation to the Engineering Department, Real Estate Division. Motion Carried 7-0.**
- [08-1749](#) 26. [Regarding](#) request from Jason Vandermark to vacate and convey the following adjoining segments of right-of-way (**Plan and Zoning Commission recommends DENIAL**): **Moved by Vlassis to receive and file comments; refer to the City Manager for review and recommendation and defer to the November 10, 2008 Council meeting. Motion Carried 7-0.**
- (A) SE 23rd Street from Maury to Shaw Street.
- (B) North/south alley between SE 23rd Street and SE 23rd Court from Maury to Shaw Street.
- [08-1750](#) 27. [Regarding](#) request from Monte and Krista Bennett for property at 1912 Cottage Grove Avenue for vacation and conveyance of a small segment of Cottage Grove Avenue adjoining the property on the north, to allow encroachment of an elevated stoop for the north entrance to the building. **Moved by Coleman to receive, file and forward recommendation to the Engineering Department, Real Estate Division. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

28. Number Not Used.

[08-1751](#) 29. [On](#) corrected conveyance of City-owned property at 1440 Stewart Street for infill housing redevelopment to LAB Investment Company, Inc., \$7,160, (10-27-08). **Moved by Coleman to adopt. Motion Carried 7-0.**

[08-1752](#) 30. [On](#) conveyance of 1005 Maury Street, located on the south side of Maury Street between SE 10th Street and SE 11th Street to Greater Des Moines Habitat for Humanity, Inc., \$72,500, (10-27-08). **Moved by Coleman to adopt. Motion Carried 7-0.**

[08-1753](#) 31. [On](#) request from Home Opportunities Made Easy, Inc. to rezone property at 5119 Bel-Aire Rd. from “R-2” (Two-Family Residential) to a Ltd. “R-3” (Multiple-Family Residential), to allow a reconfiguration of existing 6 duplexes to a property regime that has 12 separately owned single-family semi-detached units on common property owned and maintained by an owners association, subject to conditions, (10-27-08). **Moved by Coleman to adopt. Motion Carried 7-0.**

[08-1754](#) 32. [On](#) request from Savannah Homes, Inc. to amend the Silver Leaf PUD Conceptual Plan for property at 5100 NE 38th Avenue to allow reconfiguration of the street, alley and lot layout, including an increase in the number of lots from 131 to 158, subject to conditions, (10-27-08). **Moved by Mahaffey to refer back to Plan and Zoning Commission to take another look at the optional garages in this project. Motion Carried 7-0.**

[08-1755](#) 33. [On](#) Scheduled Airline Operating Agreements and Terminal Building Leases with Allegiant Air, LLC, American Eagle Airlines, Inc., Delta Air Lines, Inc., ExpressJet Airlines, Inc., Midwest Airlines, Inc., Northwest Airlines, Inc., United Air Lines, Inc., US Airways, Inc., United Parcel Service Co., and Federal Express Corporation at the Des Moines International Airport, through June 30, 2013, (10-27-08). ([Council Communication No. 08-616](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

[08-1756](#) 34. [Approving](#) payment of \$7,393.90 to Hall & Associates for services related to the Combined Sewer Overflows related to the NPDES Permit. **Moved by Coleman to adopt. Motion Carried 7-0.**

35. Approving payment to the following for workers’ compensation claims:

[08-1757](#) (A) [Ronald](#) Sowden - \$32,220.53. **Moved by Coleman to adopt. Motion Carried 7-0.**

[08-1758](#) (B) [Keith](#) Warne - \$21,779.20. **Moved by Coleman to adopt. Motion Carried 7-0.**

[08-1759](#) (C) [Robert](#) Cox - \$8,139.71. **Moved by Coleman to adopt. Motion Carried 7-0.**

- [08-1760](#) 36. [Approving](#) payment of \$5,000 to State Farm Insurance and \$2,720 to Reverend Ellery Duke for property damage as the result of a sewer backup. **Moved by Coleman to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- [08-1761](#) 37. [Submitting](#) training requests for Tim Briggs, Doug Philip, and Deborah Van Velzen. ([Council Communication No. 08-624](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

APPROVING

- [08-1762](#) 38. [LIHEAP](#) Contract with the Iowa Department of Human Rights, Division of Community Action Agencies, for energy-related assistance for low-income residents from October 1, 2008 to September 30, 2009. ([Council Communication No. 08-590](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

- [08-1763](#) 39. [2008](#) Community Response Grant application with the Greater Des Moines Community Foundation for purchase of a graffiti camera for use by the Des Moines Police Department. ([Council Communication No. 08-598](#)) **Moved by Coleman to approve. Motion Carried 7-0.**

- [08-1764](#) 40. [Use](#) of various City Facilities as poll sites for precincts for the General Election to be held on Tuesday, November 4, 2008. **Moved by Coleman to approve. City Clerk will notify the Parks Department and the Municipal Housing Department to arrange access to the buildings. Motion Carried 7-0.**

- [08-1765](#) 41. [Request](#) from IMT Des Moines Marathon for approval of banners across the street for Starting Line on Locust between 3rd and 4th Streets, and Finish Line on 3rd between Locust and Walnut Streets on Sunday, October 19, 2008. **Moved by Coleman to receive, file and approve banners. Motion Carried 7-0.**

42. Bids for the following:

- [08-1766](#) (A) [American](#) Fence Company for fence replacement at Blank Park Zoo to be used by the Park and Recreation Department, \$63,524.25. (Eight bids mailed, five received). ([Council Communication No. 08-604](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

- [08-1767](#) (B) [Bayliff](#) Construction for an increase in annual contract with two (2) additional one year renewal options to furnish additional concrete construction services to be used by the Park and Recreation Department, \$65,000. (Ten bids mailed, one received). ([Council Communication No. 08-593](#)) **Moved by Coleman to adopt. Motion Carried 6-1. Nays: Hensley.**
- [08-1768](#) (C) [Parker](#) Signs and Graphics for various parks signage to be used by the Park and Recreation Department, \$61,890.50. (Seven bids mailed, three received). ([Council Communication No. 08-603](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-1769](#) (D) [TNT](#) Landscaping for plant materials for installation at various park locations to be used by the Park and Recreation Department, \$47,520. (Eleven bid mailed, two received). **Moved by Coleman to adopt. Motion Carried 7-0.**
- [08-1770](#) (E) [Vital](#) Support Systems for annual maintenance and support services for CISCO network equipment hardware and software to be used by the IT Department, \$141,646.55. (Six bids mailed, three received). **Moved by Coleman to adopt. Motion Carried 7-0.**
43. Communications from Downtown Community Alliance for approval of banner designs for the following:
- [08-1771](#) (A) [On](#) behalf of the Court Avenue District Association to display 30 banners in Court Avenue District, effective November 2008. **Moved by Coleman to receive, file and approve banner design. Motion Carried 7-0.**
- [08-1772](#) (B) [On](#) behalf of Downtown Community Alliance to display 30 banners in Court Avenue District, effective November 2008. **Moved by Coleman to receive, file and approve banner design. Motion Carried 7-0.**
- [08-1773](#) (C) [On](#) behalf of Catholic Charities to display 36 banners on Walnut Street and Grand Avenue in November and December 2008. **Moved by Coleman to receive, file and approve banner design. Motion Carried 7-0.**
- [08-1774](#) 44. [Civil](#) Service Entrance Lists for Animal Control Officer, Business Analyst Manager, Airport Facilities Superintendent, and Promotional Lists for Street Maintenance Worker and Fire Lieutenant. **Moved by Coleman to receive and file. Motion Carried 7-0.**
- [08-1775](#) 45. [Authorizing](#) Finance Director to draw checks on registers for the weeks of [October 13](#) and [October 20](#), 2008; to draw checks for bills of the Des Moines Municipal Housing Agency for the weeks of October 13 and October 20, 2008; and to draw checks for bi-weekly payroll due October 24, 2008. **Moved by Coleman to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

- [08-1776](#) 46. Amending Chapter 102 of the Municipal Code regarding civil infraction penalties for sidewalk maintenance. **Moved by Coleman that this ordinance do now pass, #14,800. Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

- [08-1777](#) 47. Rezone property at 1045 19th Street from “R-3” (Multiple-Family Residential) to “NPC” (Neighborhood Pedestrian Commercial) to allow redevelopment of property with new multiple-family residential, subject to conditions. **Moved by Coleman that this ordinance be considered and given second vote for passage. Motion Carried 6-0. Council Member Hensley declares a conflict of interest and abstains from voting.**

- [08-1778](#) 48. Amending Chapter 30 of the Municipal Code regarding painting house numbers on curbing. **Moved by Coleman that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

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

ORDINANCES - FIRST CONSIDERATION

- [08-1779](#) 49. Amending Chapter 126 of the Municipal Code regarding Taxicab regulations. (Council Communication No. 08-619) **Moved by Hensley that this ordinance be considered and given first vote for passage. Refer to the City Manager to provide an explanation of the rationale staff used to make these recommendations. Place this on the October 27, 2008 agenda for final consideration. Motion Carried 7-0.**

- [08-1780](#) 50. Amending Chapter 78 of the Municipal Code regarding Transient Merchants. **Moved by Meyer that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- [08-1781](#) (A) Approving Amendment to the Schedule of Fees. (Council Communication No. 08-620) **Moved by Meyer to adopt, subject to final passage of the pending ordinance. Motion Carried 7-0.**

WITHDRAWN

- [08-1782](#) 51. ~~Amending Chapter 118 of the Municipal Code regarding Stormwater Utility Fee rate increase for residential and nonresidential properties. (Council Communication No. 08-600)~~

WITHDRAWN

- [08-1783](#) 52. ~~Amending Chapter 118 of the Municipal Code regarding establishment of Personal Property Protection Program and Subsidy Credit for qualifying plumbing work. (Council Communication No. 08-618)~~
- [08-1784](#) (A) Request from Council Member Meyer to speak regarding repairs to water stop box shut-off valve stems. **Moved by Meyer to refer to City Manager for review and recommendation. Motion Carried 7-0.**
- [08-1785](#) 53. Adding Section 114-364 to the Municipal Code regarding sound system operation in vehicles. (Council Communication No. 08-612) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [08-1786](#) 54. Amending Chapter 74 of the Municipal Code regarding Brenton Skating Plaza fees. (Council Communication No. 08-605) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [08-1787](#) 55. Amending Chapter 60 of the Municipal Code regarding Neighborhood Inspection Rental Code and collection of fees, fines, penalties, costs and interest to allow collection or assessments against the property. (Council Communication No. 08-591) **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [08-1788](#) (A) Amendment to the Schedule of Fees and to the Schedule of Administrative Penalties. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-1789](#) 56. Second Consideration of ordinance on Council-initiated request to rezone a portion of Riverbend Neighborhood Area from “R-3” (Multiple Family Residential) and “M-1” (Light Industrial) to “R1-60” (One-Family Low-Density Residential), *as amended to delete the properties at 1243 7th Street and 1804 Arlington Street, and subject to amending the rezoning for 1233 7th Street to Ltd. “R-3” classification that is restricted to single-family or two-family uses.* (Council Communication No. 08-623) **Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 6-1. Absent: Meyer.**
- [08-1790](#) (A) First consideration of ordinance rezoning 1233 7th Street from “R-3” (Multiple Family Residential) to Ltd. “R-3”. **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Meyer.**
- [08-1791](#) (1) Final consideration of ordinance rezoning 1233 7th Street. **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, that the ordinance be placed upon its final passage and that the ordinance do now pass, #14,801. Motion Carried 6-1. Absent: Meyer.**

COMMUNICATIONS/REPORTS

- [08-1792](#) 57. From Bob Wessel, 2719 Leach Avenue to speak regarding financial matters. **Moved by Hensley to receive and file comments. Motion Carried 7-0.**
- [08-1793](#) 58. Receipt of Annual Report of the Des Moines International Airport for the year ended June 30, 2008. ([Council Communication No. 08-615](#)) **Moved by Coleman to adopt. Motion Carried 6-1. Absent: Meyer.**

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 59 THRU 64)

- [08-1794](#) 59. On appeal from Robert Gourd, 1214 Walker Street, of the Administrative Hearing Officer's decision regarding his dog. **Moved by Hensley to uphold declaration. Motion Carried 7-0.**
- [08-1795](#) 60. On 2600 Block of Aurora Avenue: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designating lowest responsible bidder as C. A. C. Inc., (Chris Christensen, President), \$90,995. ([Council Communication No. 08-608](#)) **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Coleman.**
- [08-1796](#) (A) Approval of contract and bond and permission to sublet. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Coleman.**
- [08-1797](#) 61. On Hickman Road Traffic Signal Improvements: 48th Street, 4400 & 5500 Blocks: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designating lowest responsible bidder as Baker Electric, Inc., (Britt Baker, CEO), \$249,602. ([Council Communication No. 08-606](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-1798](#) (A) Approval of contract and bond and permission to sublet. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-1799](#) 62. On Solid Waste Building Fire Repairs: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designating lowest responsible bidder as Bergstrom Construction, Inc., (Tom Gorgas, President), \$417,926. ([Council Communication No. 08-610](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [08-1800](#) (A) Approval of contract and bond and permission to sublet. **Moved by Vlassis to adopt. Motion Carried 7-0.**

- [08-1801](#) 63. [On](#) 2008 Enhanced School Crossings at Signalized Intersections (SRTS): Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designating lowest responsible bidder as Baker Electric, Inc., (Britt Baker, CEO), \$139,696.45. ([Council Communication No. 08-602](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-1802](#) (A) [Approval](#) of contract and bond and permission to sublet. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-1803](#) 64. [On](#) 2008 Flood Sewer Repair Contract 1: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designating lowest responsible bidder as Corell Contractor, Inc., (Grant S. Corell, President), \$113,215. ([Council Communication No. 08-607](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [08-1804](#) (A) [Approval](#) of contract and bond and permission to sublet. **Moved by Kiernan to adopt. Motion Carried 7-0.**

***** END HEARING AT 5:17 PM *****

APPROVING

- [08-1805](#) 65. [Merle](#) Hay Neighborhood Plan and adopting the plan as an amendment to the Des Moines 2020 Community Character Plan. ([Council Communication No. 08-609](#)) **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Cownie.**
- [08-1806](#) 66. [Supplemental](#) 28E Agreement with Neighborhood Finance Corporation extending from June 30, 2010 to June 30, 2012 and increasing amount by \$500,000. ([Council Communication No. 08-622](#)) **Moved by Coleman to adopt. Motion Carried 6-1. Absent: Cownie.**
- [08-1807](#) 67. [Receipt](#) of petition to continue the Downtown Des Moines Self-Supported Municipal Improvement District (SSMID) for an additional five years beginning July 2009 pursuant to Iowa Code Chapter 386. ([Council Communication No. 08-621](#)) **Moved by Coleman to receive, file and refer to the City Plan and Zoning Commission for preparation of an evaluative report on the merit and feasibility on continuation of the Downtown Des Moines SSMID Project and to make recommendations with respect to continuation of the Downtown Des Moines SSMID Project to be received by the City Council for the November 10, 2008 regular City Council meeting. Motion Carried 6-1. Absent: Cownie.**

- [08-1808](#) 68. [Greater](#) Des Moines Partnership –Partnership 2012 Investment Campaign Commitment, \$100,000. ([Council Communication No. 08-592](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

EXTRA ITEMS

- [08-1809](#) 1. [Approving](#) CDBG Housing Disaster Recovery Fund Contract with Iowa Department of Economic Development. Sponsor: Mahaffey. ([Council Communication No. 08-628](#)) **Moved by Mahaffey to adopt. Motion Carried 6-1. Absent: Cownie.**
- [08-1810](#) 2. [Approving](#) Jumpstart Small Business Assistance Program Grant Agreement. Sponsor: Mahaffey. ([Council Communication No. 08-627](#)) **Moved by Mahaffey to approve. Motion Carried 6-1. Absent: Cownie.**

BOARD OF HEALTH

- [08-1811](#) MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene as a Board of Health. Motion Carried 6-1. Absent: Cownie.**

AUTHORIZING:

1. The Legal Department to proceed with court action seeking authority to abate the public Nuisance at the following locations:
- [08-1812](#) (A) [1029](#) E. 7th Street, main structure and garage structure, Titleholders: Edward Miller and Cathy S. Miller Mortgage Holder: Deutsche Bank National Trust Company. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Cownie.**
- [08-1813](#) (B) [1521](#) 29th Street, main structure, Titleholder: Shawn Wagner. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Cownie.**
- [08-1814](#) MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 6:37 PM. Motion Carried 6-1. Absent: Cownie.**

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