



*** 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 '11-' 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 13, 2011
4:30 PM

SPECIAL PRESENTATIONS – 4:00 PM

[Bicycle](#) Friendly Community Award

INVOCATION: Council Member Halley Griess

- [11-0958](#) 1. ROLL CALL: **Present: Cownie, Coleman, Griess, Hensley, Mahaffey, Meyer and Moore.**
- [11-0959](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0960](#) 3. APPROVING CONSENT AGENDA * – items 3 through 47: **Moved by Moore 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

[11-0961](#)

4. Approving Alcoholic Beverage License Applications for the following: **Moved by Moore to adopt. Motion Carried 7-0.**

NEW APPLICATIONS

(A)	DEN	4369 MERLE HAY RD	C Liquor
(B)	INGERSOLL	3711 INGERSOLL AVE	C Liquor
(C)	KELLYS LITTLE NIPPER	1701 E GRAND AVE	C Liquor
(D)	STOCKMANS INN	3000 E GRAND AVE	B Beer
(E)	W CHINA BUFFET	100 E EUCLID AVE	C Beer/Wine

RENEWAL APPLICATIONS

(F)	CJS II	316 E 30TH ST	C Liquor
(G)	COURT AVENUE BREWING	309 COURT AVE	C Liquor
(H)	DAHLS FOODS	4121 FLEUR DR	E Liquor
(I)	GIT N GO STORE #11	3940 E 29TH ST	C Beer
(J)	HOUSE OF BRICKS	525 E GRAND AVE	C Liquor
(K)	JOHNNYS HALL OF FAME	302 COURT AVE	C Liquor
(L)	LA FAVORITA	1700 E GRAND AVE	C Beer
(M)	NEW CHINA BUFFET	1111 E ARMY POST	B Beer
(N)	OKOBOJI GRILL	6050 SE 14TH ST	C Liquor
(O)	OLD WEST MEXICAN	4138 FLEUR DR	C Liquor
(P)	OPEN SESAME	313 E LOCUST ST	C Liquor
(Q)	QUIK TRIP #535	1501 E GRAND AVE	C Beer
(R)	SUITES OF 800 LOCUST	800 LOCUST ST	B Liquor
(S)	TOBACCO OUTLET PLUS #519	3019 SE 14TH ST	B Beer
(T)	VETERANS MEMORIAL	833 5TH AVENUE	C Liquor

TRANSFER TO NEW LOCATION

- (U) ELWELL FAMILY FOOD CENTER 3000 E GRAND C Liquor
Temporary to the Animal Learning Center for Volks Associations on June 23, 2011.

SPECIAL EVENTS APPLICATIONS

(V) DES MOINES ARTS FESTIVAL 1501 LOCUST AVE Five (5) Day License
Special Class C Liquor License (Beer/Wine) for an event on June 24 – 26, 2011. Pending approval of Building, Electrical, Fire and Zoning Departments.

(W) DES MOINES ARTS FESTIVAL 1302 LOCUST AVE Five (5) Day License
Special Class C Liquor License (Beer/Wine) for an event on June 24 – 26, 2011. Pending approval of Building, Electrical, Fire and Zoning Departments.

(X) DES MOINES ARTS FESTIVAL 1203 LOCUST Five (5) Day License
Special Class C Liquor License (Beer/Wine) for an event on June 24 – 26, 2011. Pending approval
of Building, Electrical, Fire and Zoning Departments.

(Y) DES MOINES ARTS FESTIVAL 1310 GRAND AVE Five (5) Day License
Special Class C Liquor License (Beer/Wine) for an event on June 24 – 26, 2011. Pending approval
of Building, Electrical, Fire and Zoning Departments.

(Z) DES MOINES ARTS FESTIVAL 1426 GRAND AVE Five (5) Day License
Special Class C Liquor License (Beer/Wine) for an event on June 24 – 26, 2011. Pending approval
of Building, Electrical, Fire and Zoning Departments.

(AA) GREATER DM MUSIC 1102 LOCUST ST Five (5) Day License
Special Class C Liquor License (Beer/Wine) for 80-35 Concert on July 2 – 4, 2011. Pending
approval of Building, Electrical, Fire and Zoning Departments.

(BB) GREATER DSM MUSIC 1418 GRAND AVE Five (5) Day License
Class C Liquor License for 80-35 Concert on July 2 – 4, 2011. Pending approval of Building,
Electrical, Fire and Zoning Departments.

(CC) GREATER DSM MUSIC 1302 LOCUST AVE Five (5) Day License
Special Class C Liquor License (Beer/Wine) for 80-35 Concert on July 2 – 4, 2011. Pending
approval of Building, Electrical, Fire and Zoning Departments.

(DD) GREATER DSM MUSIC 1013 LOCUST ST Five (5) Day License
Special Class C Liquor License (Beer/Wine) for 80-35 Concert on July 2 – 4, 2011. Pending
approval of Building, Electrical, Fire and Zoning Departments.

(EE) PARKS AREA FOUNDATION 3012 6TH AVE Five (5) Day License
Class B Beer License for Rendezvous on Riverview event on June 24, 2011. Pending approval of
Building, Electrical, Fire and Zoning Departments.

(FF) PARKS AREA FOUNDATION 3012 6TH AVE Five (5) Day License
Class B Beer License for Rendezvous on Riverview event on June 17, 2011. Pending approval of
Building, Electrical, Fire and Zoning Departments.

(GG) SUMMER JAM/COUNTRY BASH 2201 GEORGE FLAGG Five (5) Day License
Special Class C Liquor License (Beer/Wine) for an event on June 25 – 26, 2011. Pending approval
of Building, Electrical, Fire and Zoning Departments.

(HH) WATLAO BUDDHAVATH 1804 E PARK AVE Five (5) Day License
Class C Liquor License for a festival on June 24 – 26, 2011. Pending approval of Building,
Electrical, Fire and Zoning Departments.

[11-0962](#)

5. [City](#) Clerk to issue Cigarette Licenses. **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Cownie and Moore.**

[11-0963](#)

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

PUBLIC IMPROVEMENTS

7. Ordering construction of the following:

- [11-0964](#) (A) [E. Indianola Avenue Widening – Phase 2](#): receiving of bids, (6-21-11), setting date of hearing, (7-11-11), construction estimate \$3,399,618. ([Council Communication No. 11-382](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-0965](#) (B) [SW 9th Street and Dart Way Intersection Improvements](#): receiving of bids, (6-21-11), setting date of hearing, (7-11-11), construction estimate \$775,000. ([Council Communication No. 11-376](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-0966](#) (C) [2011 Expanded Street Resurfacing Program Contract 2](#): receiving of bids, (6-28-11), setting date of hearing, (7-11-11), construction estimate \$2,700,000. ([Council Communication No. 11-374](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-0967](#) (D) [2011 Critical Sanitary Sewer Lining](#): receiving of bids, (6-28-11), setting date of hearing, (7-11-11), construction estimate \$4,300,000. ([Council Communication No. 11-388](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-0968](#) (E) [Gray's Lake Shoreline Restoration](#): receiving of bids, (6-28-11), setting date of hearing, (7-11-11), construction estimate \$202,000. ([Council Communication No. 11-380](#)) **Moved by Moore to adopt. Motion Carried 7-0.**

8. Approving the following items regarding Citywide Fixed-Time Traffic Signal Upgrading project:

- [11-0969](#) (A) [Iowa Department of Transportation Agreement](#). ([Council Communication No. 11-379](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-0970](#) (B) [Ordering construction of Citywide Fixed-Time Traffic Signal Upgrading project](#): receiving of bids, (6-21-11), setting date of hearing, (7-11-11), construction estimate \$440,000. ([Council Communication No. 11-383](#)) **Moved by Moore to adopt. Motion Carried 7-0.**

9. [Reject](#) all bids on Tonawanda Drive Ravine Improvements. ([Council Communication No. 11-377](#)) **Moved by Moore to adopt. Motion Carried 7-0.**

- [11-0972](#) (A) [Ordering construction of Tonawanda Drive Ravine Improvements](#): receiving of bids, (6-28-11), setting date of hearing, (7-11-11), construction estimate \$2,268,000. ([Council Communication No. 11-375](#)) **Moved by Moore to adopt. Motion Carried 7-0.**

- [11-0973](#) 10. [Reject](#) all bids on Demolition at 717 Grand Avenue Former YWCA and authorize the City Engineer to redesign the project for rebidding. ([Council Communication No. 11-378](#)) **Moved by Hensley to adopt and move the project along as quickly as possible. Motion Carried 7-0.**
- [11-0974](#) 11. [Approving](#) additional FY2013 Traffic Safety Fund Application to Iowa Department of Transportation for Hubbell Avenue “Four-Lane to Three-Lane Conversion” Project, including bicycle lanes. ([Council Communication No. 11-358](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-0975](#) 12. [Approving](#) First Amendment to Reimbursement Agreement with MCI Communications Services, Inc. for relocation of fiber optic line at I-235 Dean’s Lake Storm Sewer Outlet Phase 2 project, not to exceed \$12,804.20. ([Council Communication No. 11-354](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-0976](#) 13. [Authorization](#) to proceed with the 2011-2012 Sidewalk Program. ([Council Communication No. 11-353](#)) **Moved by Moore to adopt. City Manager will schedule a workshop to discuss options for sidewalk assessments. Motion Carried 7-0.**
- [11-0977](#) 14. [Approving](#) Federal Aviation Administration AIP Grant Agreement to reconstruct parallel Taxiway Delta and connecting Taxiways Bravo and Charlie, Phase 1 – design only, at the Des Moines International Airport. ([Council Communication No. 11-384](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-0978](#) 15. [Approving](#) Change Order No. 5 with Cramer & Associates, Inc. for additional work on SW 8th Street Viaduct over ML King Jr. Parkway Rehabilitation project, not to exceed, \$143,651.65. ([Council Communication No. 11-359](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-0979](#) 16. [Receipt](#) of communication from contractors requesting permission to sublet certain items on public improvement projects. **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-0980](#) 17. [Accepting](#) completed construction and approving final payment for 2011 Golf Course Repairs, T & A Turf and Irrigation LLC. **Moved by Moore to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [11-0981](#) 18. [Levying](#) assessments for costs of Nuisance Abatement – NAC Emergency Orders (Community Development) Schedule No. 2011-07. **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-0982](#) 19. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of Neighborhood Inspection Rental Code, Schedule No. 2011-04. **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-0983](#) 20. [Approving](#) deletion of NAC- Emergency Assessment at 1323 E. 28th Street. **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-0984](#) 21. [Approving](#) waiver of special assessments and City inspection fees to allow for redevelopment of 3125 Kingman Blvd. and 1147 27th Street. ([Council Communication No. 11-347](#)) **Moved by Moore to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [11-0985](#) 22. [Recommendation](#) from Council Member Halley Griess to appoint Cindy Smith to the Zoning Board of Adjustment, Seat 4, for a five-year term commencing April 1, 2011 to expire April 1, 2016. **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-0986](#) 23. [Communication](#) from Mary Harlan, advising of her resignation from the Public Housing Board, Seat 1, effective June 30, 2011. **Moved by Moore to receive, file and accept resignation with appreciation for her service. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [11-0987](#) 24. [On](#) vacation and conveyance of remaining public alley right-of-way in the block bound by Vine, Water, Market and SW 2nd Streets to Waterfront Lodging, Inc. for \$39,856, subject to conditions (6-27-11). **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-0988](#) 25. [On](#) vacation and lease of alleys adjoining 1312 and 1408 Locust Street to Westgate Partnership, LLC, subject to conditions (6-27-11). **Moved by Hensley to adopt and refer to the City Manager to report on water problems at the location. Motion Carried 7-0.**
- [11-0989](#) 26. [On](#) request from QuikTrip Corporation to rezone property at 2300 E. 14th Street from Ltd. “C-1” (Neighborhood Retail Commercial) to “C-1”, (6-27-11). **Moved by Moore to adopt. Motion Carried 7-0.**

- [11-0990](#) 27. [On](#) request from HDR Land Development, LLC to amend The Woods of Copper Creek PUD Conceptual Plan (4600 block of Easton Blvd.) revising the southeastern five acres removing it from Area “C” for multiple-family and adding to Area “A” for single-family development, subject to conditions, (6-27-11). **Moved by Moore to adopt, and refer to the City Manager to review the current standard regarding caliper of trees required in residential areas. Motion Carried 6-1. Absent: Meyer.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [11-0991](#) 28. [Approving](#) payment of \$3,115.91 (City’s share) to Husch Blackwell LLP for services related to levee system issues. **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-0992](#) 29. [Approving](#) payment of \$4,951.66 to Hansen, McClintock & Riley for representation of Officer John Mailander. **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-0993](#) 30. [Approving](#) payment of \$9,224.33 to Anthony Russo for a workers’ compensation claim. **Moved by Moore to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- [11-0994](#) 31. [Submitting](#) travel and training requests for Darlene Blake, Lawrence McDowell, Eric Nevins, Kerri Przybylski and Vidal Spaine. ([Council Communication No. 11-349](#)) **Moved by Moore to adopt. Motion Carried 7-0.**

APPROVING

32. Major Amendment of the Community Development Block Grant Housing Disaster Recovery (CDBG-DR) Fund Contract with Iowa Department of Economic Development – IDED (Contract Number 08-DHR-209).
- [11-0995](#) (A) [#7](#). ([Council Communication No. 11-344](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-0996](#) (B) [#11](#). ([Council Communication No. 11-343](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
33. City HOME Funds for the following: ([Council Communication No. 11-345](#))
- [11-0997](#) (A) [Capitol](#) City Duplexes, LLLP for a Low-Income Housing Tax Credit rehabilitation of 16 units of family housing at scattered sites, \$198,040. **Moved by Moore to adopt. Motion Carried 7-0.**

- [11-0998](#) (B) [Des](#) Moines Greystone Homes, LP for a Low-Income Housing Tax Credit on the construction of 26 units of single-family housing at scattered sites, \$150,000. **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-0999](#) (C) [Silver](#) Oaks Associates, LP for a Low-Income Housing Tax Credit on the construction of 39 units of senior housing at 979 Oakridge Drive, \$195,000. **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-1000](#) 34. [Removal](#) of requested properties from the Polk County Tax Certificate Sale for future development of housing. ([Council Communication No. 11-369](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-1001](#) 35. [Agreements](#) for assignment of tax sale certificates with Greater Des Moines Habitat for Humanity Inc. and Home Opportunities Made Easy (HOME) Inc. for development of low to moderate-income owner-occupied housing. ([Council Communication No. 11-368](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
36. Number Not Used.
- [11-1002](#) 37. [Amendment](#) of Schedule of Fees applicable to sidewalk Café Lease and License Agreements. ([Council Communication No. 11-346](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-1003](#) 38. [Extension](#) of Municipal Parking Facilities Management Services Agreement with Ampco System Parking through June 30, 2012. ([Council Communication No. 11-357](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-1004](#) 39. [Metropolitan](#) Planning Organization (MPO) Work Plan for Fiscal Year 2011-2012 and authorizing payment of FY 2012 Assessment. ([Council Communication No. 11-355](#)) **Moved by Moore to adopt. Motion Carried 6-1. Nays: Hensley.**
- [11-1005](#) 40. [Communication](#) from Downtown Community Alliance, on behalf of Hy-Vee Triathlon, to approve banner design to be displayed downtown on Locust Street Bridge in August. **Moved by Moore to approve banner design. Motion Carried 7-0.**
- [11-1006](#) 41. [Communication](#) from Downtown Community Alliance, on behalf of Meredith Corporation, to approve banner design to be displayed in downtown Des Moines on Locust Street in summer 2011. **Moved by Moore to receive, file and approve banner design. Motion Carried 7-0.**
- [11-1007](#) 42. [Request](#) for Proposal (RFP) seeking a qualified License Plate Reader vendor. ([Council Communication No. 11-367](#)) **Moved by Moore to adopt. Motion Carried 7-0.**

43. Bids from the following:

- [11-1008](#) (A) [Mongan](#) Painting (Rick Mongan, President) for repair and refurbishment services to the rocket slide at Union Park for use by the Park & Recreation Department, \$27,969. (Five bids mailed, three received). **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-1009](#) (B) [Windstream](#) Communications (Jeff Gardner, President) for a thirty-six (36) month agreement with three (3) additional twelve (12) month renewal options to provide broadband internet access for use by the IT Department, annual cost \$38,784. (Five bids mailed, four received). ([Council Communication No. 11-361](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-1010](#) (C) [Sandry](#) Fire Supply (Mary Sandry, President) for an annual contract with two (2) additional one-year renewal options to furnish fire service bunker coats and pants for use by the Fire Department, annual estimated cost \$100,000. (Thirteen bids mailed, four received). ([Council Communication No. 11-365](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-1011](#) (D) [Vital](#) Support Systems (Jeff Sparling, CEO) and CDW Government (Chris Rother, President) for Hewlett Packard servers and storage system for desktop virtualization for use by the IT Department, \$102,557.44. (Eight bids mailed, two received). ([Council Communication No. 11-372](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-1012](#) (E) [Mohawk](#) Lifts (Steve Perlstein, Owner & General Sales Manager) for one replacement vehicle lift system per State of Iowa Contract for use by the Fire Department, \$42,245.90. ([Council Communication No. 11-348](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-1013](#) (F) [MTI](#) Distributing (Michael E. Anderson, President) for two (2) replacement commercial zero turn mowers per State of Iowa Contract for use by the Park & Recreation Department, \$85,842. ([Council Communication No. 11-350](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-1014](#) (G) [GameTime](#) (Robert Farnsworth, President) for playground equipment per US Communities Contract for use by the Park & Recreation Department, \$38,584.94. ([Council Communication No. 11-364](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-1015](#) (H) [Trans-Iowa](#) Equipment (Eric Thorson, General Manager) for three (3) replacement mechanical broom street sweepers per National Joint Powers Alliance (NJPA) Contract for use by Fleet Maintenance, \$488,450. ([Council Communication No. 11-351](#)) **Moved by Moore to adopt. Motion Carried 7-0.**

- [11-1016](#) (I) [Vermeer](#) Corporation (Mary Andringa, President) for two (2) replacement wood chippers per National Joint Powers Alliance (NJPA) Contract for use by Fleet Maintenance, \$82,916. ([Council Communication No. 11-352](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-1017](#) (J) [Westnet](#) (Richard Matheny, President), as manufacturer and sole area wide distributor of upgrades to existing stations alerting system for use by the Fire Department, \$55,139.82. ([Council Communication No. 11-373](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-1018](#) (K) [Hewlett-Packard Co.](#) (Mark Hurd, President) for annual maintenance and support of existing Hewlett Packard Storage Area Network Servers (SANS) mass storage system per Western States Contracting Alliance (WSCA) price agreement for use by the IT Department, \$64,813.52 ([Council Communication No. 11-366](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-1019](#) (L) [Ed Stivers Ford](#) (Scott Politte, General Manager) for annual contract with two (2) additional one-year renewal options to furnish Ford Motor Vehicle repair services for use by the Equipment Maintenance Center, annual estimated cost \$35,000. (Four bids mailed, two received). **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-1020](#) 44. [Civil](#) Service Promotional Lists for Senior Clerk and Park Construction Technician and Entrance List for WRF Operations Supervisor. **Moved by Moore to receive and file. Motion Carried 7-0.**
- [11-1021](#) 45. [Authorizing](#) and providing for issuance of \$45,520,000 General Obligation Bonds, Series 2011A, and levying a tax. **Moved by Moore to adopt. Motion Carried 7-0.**
- [11-1022](#) 46. [Authorizing](#) Finance Director to draw checks on [registers](#) for weeks of June 13 and June 20, 2011; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for weeks of June 13 and June 20, 2011; and to draw checks for biweekly payroll due July 1, 2011. **Moved by Moore to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

- [11-1023](#) 47. [Amending](#) Chapter 10 of the Municipal Code, regarding Class E Liquor Licenses, (amendment required due to recent State Code changes). **Moved by Moore that this ordinance do now pass, #15,022. Motion Carried 7-0.**

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

ORDINANCES - FIRST CONSIDERATION

- [11-1024](#) 48. **Amending** Chapter 26 of the Municipal Code regarding design and enclosures of swimming pools, spas and hot tubs. ([Council Communication No. 11-390](#)) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Nays: Moore.**
- [11-1025](#) (A) **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, #15,023. Motion Carried 6-1. Nays: Moore.**
49. Items regarding Dog Parks in Des Moines: ([Council Communication No. 11-363](#))
- [11-1026](#) (A) **First** consideration of ordinance allowing dogs to be off-leash in designated areas. **Moved by Meyer that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [11-1027](#) (1) **Final** consideration of ordinance above, (waiver requested by Park and Recreation 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, #15,024. Motion Carried 7-0.**
- [11-1028](#) (B) **Approving** Rules for Dog Parks. **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1029](#) (C) **Approving** amendment to the Schedule of Fees, establishing fees for purchase of Dog Park permits. ([Council Communication No. 11-362](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1030](#) (D) **Approving** bid from Des Moines Steel Fence (Douglas Ayers, President), for fencing services for the Ewing Dog Park for use by the Park and Recreation Department, \$47,823. (Eight bids mailed, three received). **Moved by Meyer to adopt. Motion Carried 7-0.**

COUNCIL REQUESTS

- [11-1031](#) 50. [From](#) Council Member Skip Moore to discuss the Woodland Restoration Fund. **Moved by Moore to receive, file and refer to the City Manager to respond to Mr. LeBlanc regarding status of the funds. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

- [11-1032](#) 51. [From](#) Joe Galloway, Chair of Park and Recreation Board, regarding proposed “Walk 100 Miles” program. **Moved by Hensley to receive and file comments; refer to the City Manager to work with the Park Board and Parks Department to implement the program. Motion Carried 6-1. Absent: Meyer.**
- [11-1033](#) 52. [Communication](#) from William Lillis and Chris Pose, attorneys for 3801 LLC (Rich Eychaner), regarding possible Development Agreement for property on the northeast corner of Merle Hay Road and Douglas Avenue. **Moved by Griess to receive, file and refer to the City Manager for review and recommendation. Motion Carried 7-0.**
- [11-1034](#) 53. [Communication](#) and petition regarding Beaver Avenue Reconstruction Project and removal of sidewalk from the east side of Beaver. **Moved by Griess to receive, file and refer to the City Manager for review and recommendation and to work with Polk County. Motion Carried 7-0.**

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 54 THRU 60)

- [11-1035](#) 54. [On](#) conveyance of permanent water main easements across various city-owned properties to Des Moines Water Works, \$1. **Moved by Coleman to adopt. Motion Carried 6-1. Absent: Meyer.**
- [11-1036](#) 55. [On](#) conveyance of overhead and underground electric line easements on various City-owned properties to MidAmerican Energy Company, \$1. **Moved by Coleman to adopt. Motion Carried 6-1. Absent: Meyer.**
- [11-1037](#) 56. [On](#) conveyance of License Agreement at 1012 Oak Park Avenue (McHenry Park) to Qwest Corporation, \$200 and to continue to June 27, 2011 at 5:00 PM. ([Council Communication No. 11-389](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [11-1038](#) 57. [On](#) 2011 HMA Pavement Scarification and 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), \$416,889. ([Council Communication No. 11-387](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [11-1039](#) (A) [Approving](#) contract and bond, and permission to sublet. **Moved by Meyer to adopt. Motion Carried 7-0.**

- [11-1040](#) 58. [On](#) 2011 Sidewalk Replacement Program: 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), \$265,725. ([Council Communication No. 11-386](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [11-1041](#) (A) [Approving](#) contract and bond, and permission to sublet. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [11-1042](#) 59. [On](#) 3rd & Court Parking Garage LED Lighting: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as ABC-Electrical Contractors, LLC (W. Dave Ward, President/CEO), \$279,780. ([Council Communication No. 11-385](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-1043](#) (A) [Approving](#) contract and bond, and permission to sublet. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-1044](#) 60. [On](#) Fire Station Emergency Generator, HVAC, and Sprinkler Improvements: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Biermann's University Electric Company, Inc., (Gary P. Cornelius, President), \$656,763. ([Council Communication No. 11-381](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [11-1045](#) (A) [Approving](#) contract and bond, and permission to sublet. **Moved by Hensley to adopt. Motion Carried 7-0.**

*** END OF HEARINGS AT 5:12 PM ***

APPROVING

- [11-1046](#) 61. [Adoption](#) of Bicycle and Trail Master Plan as an element of the 2020 Community Character Plan and authorize City Manager to appoint an advisory committee to coordinate fundraising and implementation strategy. ([Council Communication No. 11-360](#)) **Moved by Moore to adopt; City Manager to provide Council with a pool of candidates for appointment to the Advisory Committee. Motion Carried 7-0.**
- [11-1047](#) (A) [Recommendation](#) from Plan and Zoning Commission. **Moved by Moore to adopt, and approve the proposed amendment. Motion Carried 7-0.**
- [11-1048](#) 62. [Urban](#) Renewal Development Agreement with Kemin Industries, Inc. for expansion of World-wide Corporate Headquarters and Corporate Campus, 2100 Maury Street. ([Council Communication No. 11-391](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**

63. Items regarding Declaration of approximately 1.8 acres of cemetery land located in Glendale Cemetery as excess property:

[11-1049](#) (A) [Receive](#) and file Park Board Resolution **NOT IN FAVOR** of Declaration as excess property. **Moved by Griess to receive and file. Motion Carried 6-1. Nays: Cownie.**

[11-1050](#) (B) [Receive](#) and file Park Board Letter advising reasons **NOT IN FAVOR** of Declaration of excess property. **Moved by Griess to receive and file. Motion Carried 6-1. Nays: Cownie.**

[11-1051](#) (C) [Approving](#) Declaration of excess property. ([Council Communication No. 11-393](#)) **Moved by Griess to adopt. Motion Carried 6-1. Nays: Cownie.**

[11-1052](#) 64. [Diminution](#) of two positions within the Community Development Department. ([Council Communication No. 11-392](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Moore.**

BOARD OF HEALTH

[11-1053](#) MOTION TO CONVENE. **Moved by Griess that the City Council adjourn and convene as a Board of Health. Motion Carried 7-0.**

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

[11-1054](#) (A) [728](#) E. Border Street, (Warren County), main structure, garage structure, and accessory structure, Titleholder: Gary Reeser. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

[11-1055](#) (B) [3400](#) Easton Blvd., main structure and garage structure, Titleholder: Anthony Golob, Mortgage Holder: Allied Group Mortgage n/k/a Nationwide Advantage Mortgage Company. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

[11-1056](#) MOTION TO ADJOURN. **Moved by Mahaffey to adjourn at 7:05 PM. Motion Carried 7-0.**