



***** 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 '13-' 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

September 9, 2013
4:30 PM

PROCLAMATIONS – 4:15 PM

[Filipino](#) American Cultural and Diversity Month
[Prince](#) Hall Day
[National](#) Discover Your Optimal Health Day

INVOCATION: Council Member Hensley

- [13-1368](#) 1. ROLL CALL: **Present: Cownie, Coleman, Griess, Hensley, Mahaffey, Meyer and Moore.**
- [13-1369](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1370](#) 3. APPROVING CONSENT AGENDA * – items 3 through 38: **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

[13-1371](#)

4. Approving Alcoholic Beverage License Applications for the following: **Moved by Moore to adopt. *Council Member Coleman votes “No” on item (J) H & A Mini Mart. Motion Carried 7-0.**

NEW APPLICATIONS

(A)	BARU AT THE ART CENTER	4700 GRAND AVE	C Liquor
(B)	CVS PHARMACY 10162	3151 SE 14TH ST	E Liquor
(C)	GRAND VIEW UNIVERSITY	1500 MORTON AVE	C Liquor
(D)	SAAM AI NONG	1517 2ND AVE	C Liquor
(E)	UNDERGROUND	500 E LOCUST ST	C Liquor

RENEWAL APPLICATIONS

(F)	CARLOS O'KELLYS	4371 MERLE HAY RD	C Liquor
(G)	CASEYS #2314	3527 INDIANOLA	C Beer
(H)	DES MOINES VALERO #202 *(1)	821 E EUCLID AVE	C Beer
(I)	GATWAS GROCERY STORE	2901 DOUGLAS AVE	C Beer
* (J)	H & A MINI MART	145 UNIVERSITY	E Liquor
(K)	INDIA STAR	5514 DOUGLAS AVE	C Beer/Wine
(L)	LA PREFERIDA	2300 HICKMAN RD	C Beer
(M)	MARS CAFE	2318 UNIVERSITY	C Beer/Wine
(N)	NOODLE ZOO	601 E LOCUST ST	C Beer/Wine
(O)	PLAYERS SPORTS BAR	1760 BEAVER AVE	C Liquor
(P)	PROOF RESTAURANT	1301 LOCUST ST	C Liquor
(Q)	QUIK TRIP #527	1215 6TH AVE	C Beer
(R)	QUIKTRIP #560 *(1)	2300 MLK	C Beer
(S)	UNDERGROUND	500 E LOCUST ST	C Liquor
(T)	WALGREENS #359	2545 E EUCLID AVE	E Liquor
(U)	WALGREENS #4714	4555 FLEUR DR	E Liquor
(V)	WALGREENS #5362	1330 E UNIVERSITY	E Liquor
(W)	WALGREENS #5721	3140 SE 14TH ST	E Liquor
(X)	WALGREENS #5777	2930 E UNIVERSITY	E Liquor
(Y)	WALGREENS #5852	3030 UNIVERSITY	E Liquor
(Z)	WALGREENS #7452	4415 DOUGLAS AVE	E Liquor
(AA)	WALGREENS #7453 *(1)	104 E EUCLID AVE	E Liquor
(BB)	WALGREENS #7833	3501 INGERSOLL	E Liquor
(CC)	WALGREENS #7968	6200 SE 14TH ST	E Liquor
(DD)	WAVELAND COFFEE SHOP	4704 UNIVERSITY	C Liquor

OUTDOOR SERVICE APPLICATIONS

(EE)	BEAVER TAP	4050 URBANDALE	C Liquor
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Temporary in conjunction with Beavertdale Fall Festival on September 13 – 14, 2013. Pending approval of Building and Zoning Departments.

(FF) CHRISTOPHERS 2816 BEAVER AVE C Liquor
Temporary in conjunction with Beaverville Fall Festival on September 13 – 14, 2013. Pending approval of Fire and Zoning Departments.

(GG) GOODSONS 2815 BEAVER AVE C Liquor
Temporary in conjunction with Beaverville Fall Festival on September 13 – 14, 2013.

(HH) SAINTS PUB + PATIO 4041 URBAN DALE AVE C Liquor
Temporary in conjunction with Beaverville Fall Festival on September 13 – 14, 2013.

(II) TALLYS 2712 BEAVER AVE C Liquor
Temporary in conjunction with Beaverville Fall Festival on September 13–14, 2013.

SPECIAL EVENTS APPLICATIONS

(JJ) DM OKTOBERFEST 103 4TH ST Five (5) Day License
Class C Liquor License for Des Moines Annual Oktoberfest on September 27–28, 2013.

(KK) DOWNTOWN EVENTS 401 E 5TH ST Five (5) Day License
Special Class C Liquor License (Beer/Wine) for World Food Prize Festival on September 20–22, 2013.

(LL) DOWNTOWN EVENTS 431 E LOCUST AVE Five (5) Day License
Class C Liquor License for World Food Prize Festival on September 20 – 22, 2013.

(MM) EMBASSY CLUB – WFP 100 LOCUST ST Five (5) Day License
Class C Liquor License for City of Des Moines Service Dinner on September 19, 2013.

(NN) HISTORIC COURT AVE 318 COURT AVE Five (5) Day License
Special Class C Liquor License (Beer/Wine) for Fridays on Court Avenue on September 13, 2013.

(OO) HISTORIC COURT AVE 318 COURT AVE Five (5) Day License
Special Class C Liquor License (Beer/Wine) for Fridays on Court Avenue on September 20, 2013.

(PP) KINGS OF BBQ 3800 MERLE HAY RD Five (5) Day License
Class B Beer License for an event on September 20–21, 2013. Pending approval of Fire Department.

(QQ) ST ANTHONY CHURCH 15 INDIANOLA RD Five (5) Day License
Special Class C Liquor License (Beer/Wine) for Fall Festival on September 20 – 22, 2013.

(RR) TALLYS 1312 LOCUST ST Five (5) Day License
Special Class C Liquor License (Beer/Wine) for a wedding reception on September 14, 2013.

(SS) TASOS STEAKHOUSE 1312 LOCUST ST Five (5) Day License
Special Class C Liquor License (Beer/Wine) for a wedding reception on September 21, 2013. Pending approval of Building, Electrical, Fire and Zoning Departments.

(TT) TASTE! TO GO 2201 GEORGE FLAGG Five (5) Day License
Special Class C Liquor License (Beer/Wine) for an Open House at Water Works Park on September 10, 2013. Pending approval of Building and Zoning Departments.

[13-1372](#) 5. [City](#) Clerk to issue Cigarette Licenses. **Moved by Coleman to adopt. Motion Carried 5-2. Nays: Cownie and Moore.**

[13-1373](#) 6. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Moore to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

[13-1374](#) 7. [Ordering](#) construction of Army Post Road Bridge over Great Western Trail: Receiving of bids (9-24-13), Setting date of hearing (10-7-13), Construction estimate \$1,525,470.50. ([Council Communication No. 13-453](#)) **Moved by Moore to adopt. Motion Carried 7-0.**

[13-1375](#) 8. [Authorize](#) the City Manager to submit an Iowa Clean Air Attainment Program (ICAAP) Fund Application to the Iowa Department of Transportation (IDOT) for the following: ([Council Communication No. 13-457](#)) **Moved by Moore to adopt. Motion Carried 7-0.**

(A) The Downtown Bicycle Plan Implementation – Phase 2.

(B) City-wide Fixed-time Signal Upgrade Project – Phase 2.

(C) Northeast Des Moines Bicycle and Pedestrian Corridor Feasibility Study.

[13-1376](#) 9. [Approving](#) Professional Services Agreement with Walker Coen Lorentzen Architects, Inc. for programming, design and construction phase services for the Greenwood Park Shelter Renovation, \$33,000. ([Council Communication No. 13-452](#)) **Moved by Moore to adopt. Motion Carried 7-0.**

[13-1377](#) 10. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects. **Moved by Moore to adopt. Motion Carried 7-0.**

11. Approving Private Construction Contracts for the following:

[13-1378](#) (A) [Edge](#) Commercial, LLC and CF Investors, LLC for paving improvements in 3617 SE 14th Street. **Moved by Moore to adopt. Motion Carried 7-0.**

[13-1379](#) (B) [Koester](#) Construction Co., Inc. and Hatch Development Group, LLC for Sanitary Sewer and Storm Sewer Improvements in 2800 Indianola Avenue. **Moved by Moore to adopt. Motion Carried 7-0.**

[13-1380](#) (C) [Baxter](#) Construction Company, LLC and Waterfront Lodging, Inc. for paving improvements in Market Street between SW 2nd Street and Water Street. **Moved by Coleman to adopt. Motion Carried 6-1. Nays: Moore.**

[13-1381](#) (D) [Kline](#) Electric, Inc. and Edmundson Art Foundation, Inc. d/b/a Des Moines Art Center for adjacent improvements in Locust Street between 13th and 14th Street. **Moved by Moore to adopt. Motion Carried 7-0.**

12. Accepting completed construction and approving final payment for the following:

[13-1382](#) (A) [2012](#) Park ADA Access Route Improvements; Joiner Construction Co., Inc. **Moved by Moore to adopt. Motion Carried 7-0.**

[13-1383](#) (B) [Southeast](#) Connector – Des Moines River Bridge with Levee, Sanitary Sewer and Water Main Relocation; United Contractors, Inc. and Subsidiaries. **Moved by Moore to adopt. Motion Carried 7-0.**

[13-1384](#) (C) [Principal](#) Park Locker Rooms; Ball Team, LLC. **Moved by Moore to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

[13-1385](#) 13. [Approving](#) deletion of Rental Inspection Assessment at 312 Thornton Avenue. **Moved by Moore to adopt. Motion Carried 7-0.**

[13-1386](#) 14. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2013-09. **Moved by Moore to adopt. Motion Carried 7-0.**

15. Approving deletion of NAC-Emergency Assessments for the following:

[13-1387](#) (A) [1823](#) E. Marion Street. **Moved by Moore to adopt. Motion Carried 7-0.**

[13-1388](#) (B) [4123](#) 40th Street. **Moved by Moore to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

[13-1389](#) 16. [Accepting](#) permanent easement for public sidewalk from Financial Plus Credit Union at 2844-2850 E. Euclid Avenue. **Moved by Moore to adopt. Motion Carried 7-0.**

[13-1390](#) 17. [Acceptance](#) of PUD Restoration Bond for Grading of “The Woods of Copper Creek” in the vicinity of the 4700 Block of Easton Avenue (NE 23rd Avenue). ([Council Communication No. 13-450](#)) **Moved by Moore to adopt. Motion Carried 7-0.**

[13-1391](#) 18. [Authorization](#) to proceed with acquisition of the necessary right-of-way and easements for the East 4th Street at Walnut Street and Court Avenue Traffic Signal Project. ([Council Communication No. 13-458](#)) **Moved by Moore to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [13-1392](#) 19. [Approving](#) recommendation from the City of Windsor Heights to appoint Tracy Levine to the Greater Des Moines Sister Cities Commission, Seat 18. **Moved by Moore to adopt. Motion Carried 7-0.**
- [13-1393](#) 20. [Approving](#) recommendation from Council Member Chris Coleman to appoint Jeff Clubb to Seat 6 on the Park and Recreation Board for a 4-year term commencing June 30, 2012 to June 30, 2016, effective October 1, 2013. **Moved by Moore to adopt. Motion Carried 7-0.**
- [13-1394](#) 20-I [Approving](#) recommendation of Mayor Cownie to nominate Council Member Bob Mahaffey for reappointment as the Des Moines Regional Transit Authority (DART) Commission Member representing District V of the DART Commission. **Moved by Moore to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [13-1395](#) 21. [Approving](#) payment of billing to Ahlers & Cooney, PC for \$5,405. **Moved by Moore to adopt. Motion Carried 7-0.**
- [13-1396](#) 22. [Approving](#) payment to Robbin and Edward Welch and their Attorney Rob Garver for a claim, \$7,500. **Moved by Moore to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- [13-1397](#) 23. [Submitting](#) travel and training requests for Alex Anderson, James Entekin, Amanda Hamm, Douglas Romig and Matthew Towers. ([Council Communication No. 13-468](#)) **Moved by Moore to adopt. Motion Carried 7-0.**

APPROVING

- [13-1398](#) 24. [Second](#) Amendment to Development Agreement with B.H. Temple, Inc., Downtown Preservation Partners, LLC and The Temple Partners, LP for the Temple for Performing Arts Rehabilitation Project, 1101 Locust Street. ([Council Communication No. 13-470](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [13-1399](#) 25. [Preliminary](#) approval of a \$185,000 Neighborhood Commercial Revitalization Program Loan and \$15,000 Façade Grant to Norris Partners, LLC for renovations to 210 Court Avenue. ([Council Communication No. 13-469](#)) **Moved by Hensley to approve; refer to the City Manager to work with this developer and encourage a full service restaurant at this location. Motion Carried 7-0.**

- [13-1400](#) 26. [Roosevelt](#) Cultural District Streetscape Concept Plan. ([Council Communication No. 13-467](#)) **Moved by Hensley to adopt; refer to the City Manager for review and recommendation regarding alternatives to the plan, and to consider application for a Great Places grant. Motion Carried 7-0.**
- [13-1401](#) 27. [Concession](#) Agreement for the Management, Operation and Maintenance of the Brenton Skating Plaza with Downtown Des Moines Self-Supported Municipal Improvement District a/k/a Operation Downtown and the Riverfront Development Authority. ([Council Communication No. 13-456](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [13-1402](#) 28. [Donation](#) Agreement with Variety – The Children’s Charity of Iowa for a playground at Ewing Park and naming of the playground “Ashley Okland Star Playground”. ([Council Communication No. 13-460](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [13-1403](#) 29. [Agreement](#) with Principal Financial Group (Larry Zimpleman, President and CEO) for the provision of Group and Supplemental Life Insurance and Long Term Disability Benefits for eligible employees from October 1, 2013 through September 30, 2016 with option for two additional one-year renewals. ([Council Communication No. 13-459](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [13-1404](#) 30. [Proposal](#) from Catapult Systems, LLC (Greg Schlather, General Manager) for Microsoft Office 365 implementation services, not to exceed \$100,749. ([Council Communication No. 13-462](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [13-1405](#) 31. [Exception](#) to the procurement ordinance competitive bidding requirements for good cause and Professional Services Contract with ETC Institute for the development and implementation of the 2013 Resident and Business Satisfaction Surveys, \$33,250. ([Council Communication No. 13-463](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [13-1406](#) 32. [Application](#) from Brew Mile for banners to be placed at the east end of the Walnut Street Bridge as the starting line and on the Court Avenue Bridge as the finish line on September 28, 2013. **Moved by Moore to receive, file and approve banner design. Motion Carried 7-0.**
- [13-1407](#) 33. [Communication](#) from Downtown Community Alliance on behalf of Des Moines Performing Arts to approve banner design for **Wicked** to be displayed in downtown Des Moines during mid-October through mid-November. **Moved by Moore to receive, file and approve banner design. Motion Carried 7-0.**
34. Bids from the following:
- [13-1408](#) (A) [Management](#) Communication Services Inc. (Eugene Beckman, President) for A10 Network appliances requested by the IT Department, \$40,385.10. (Four bids mailed, three bids received) **Moved by Moore to adopt. Motion Carried 7-0.**

- [13-1409](#) (B) [Blacktop](#) Repair Service Inc. (Patricia Hicks, President) for tennis and takraw court resurfacing services requested by the Park & Recreation Department, \$179,793.60. (Five bids mailed, one received) ([Council Communication No. 13-465](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [13-1410](#) (C) [Klocke's](#) Emergency Vehicles (Kevin Klocke, President) for three replacement ambulances requested by the Fire Department, \$578,758. (Eight bids mailed, two received) **Moved by Moore to adopt. Motion Carried 7-0.**
- [13-1411](#) 35. [Civil](#) Service Entrance Lists for Safety Consultant, Family Self-Sufficiency and Home Ownership Supervisor and Fire Equipment Mechanic. **Moved by Moore to receive and file. Motion Carried 7-0.**
- [13-1412](#) 36. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of September 9 and 16, 2013; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of September 9 and 16, 2013; and to draw checks for biweekly payroll due on September 20, 2013. **Moved by Moore to adopt. Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

- [13-1413](#) 37. [Amending](#) Chapter 74 of the Municipal Code regarding neighborhood recognition signage in City Parks. **Moved by Coleman that this ordinance be considered and given second vote for passage. Motion Carried 6-1. Nays: Moore.**
- [13-1414](#) (A) [Final](#) consideration of ordinance above (waiver requested by the Park and Recreation Director), requires six votes. **Moved by Coleman 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, [#15,211](#). Motion Carried 6-1. Nays: Moore.**
- [13-1415](#) 38. [To](#) continue and adjust the boundaries of the Downtown Des Moines Self-Supported Municipal Improvement District (SSMID) and providing for continuation of an operation fund and the levy of an annual tax. **Moved by Moore that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

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

ORDINANCES - FIRST CONSIDERATION

- [13-1416](#) 39. **Amending** Chapter 74 of the Municipal Code regarding sledding, ice skating and cross-country skiing in city parks and designated areas in municipal golf courses, and winter activities prohibited on Gray's Lake. (Council Communication No. 13-466) **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [13-1417](#) (A) Final consideration of ordinance above, requires six votes. **Moved by Coleman 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, #15,212. Motion Carried 7-0.**
- [13-1418](#) 40. **Amending** Chapter 114 of the Municipal Code submitting traffic regulation changes as follows: ([Council Communication No. 13-451](#)) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- (A) Parking Restrictions on E. Grand Avenue and on Locust Street in conjunction with new pavement markings.
- (B) Commercial Loading Zone on the east side of 18th Street, north of Grand Avenue.
- [13-1419](#) (C) Final consideration of ordinance above, requires six 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, #15,213. Motion Carried 7-0.**

HEARINGS (OPEN AT 5:03 P.M.) (ITEMS 41 THRU 48)

41. Items regarding property at 1300, 1310 and 1330 Keosauqua Way, Kum & Go LC: ([Council Communication No. 13-455](#))
- [13-1420](#) (A) **Hearing** on vacation and conveyance of segments of Keosauqua Way and Oakridge Drive right-of-way, subject to conditions, \$13,010. **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Cownie.**
- [13-1421](#) (1) **First** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Nays: Cownie.**

[13-1422](#)

- (2) [Final](#) consideration of ordinance above (waiver requested by the applicant), 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, #15,214. Motion Carried 6-1. Nays: Cownie.**

- (B) Hearing on rezoning of the property from “C-2” (General Retail and Highway Oriented Commercial) to “PUD” (Planned Unit Development) and approval of the PUD Conceptual Plan:

WITHDRAWN
[13-1423](#)

- (1) ~~[ALTERNATE A](#)~~ to prohibit sale of beer and wine.

WITHDRAWN
[13-1424](#)

- (a) ~~[First](#)~~ consideration of ordinance above.

WITHDRAWN
[13-1425](#)

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

OR

[13-1426](#)

- (2) [ALTERNATE B](#) – to allow sale of beer and wine, (staff recommends Alternate B). **Moved by Hensley to adopt and approve the rezoning to the PUD District classification and Conceptual Plan subject to final passage of the rezoning ordinance. Motion Carried 6-1. Nays: Cownie.**

[13-1427](#)

- (a) [First](#) consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Nays: Cownie.**

WITHDRAWN
[13-1428](#)

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

[13-1429](#)

42. [On](#) request from Kum & Go, LC for an amendment to the PUD Conceptual Plan “Eastgate Plaza” to create a separate PUD Conceptual Plan “Kum & Go Store #534” on property located at 1424 E. Euclid Avenue to allow a 4,992-square foot convenience store with 20 fueling locations, subject to conditions. **Moved by Mahaffey to adopt and to approve the proposed amendment to the PUD Conceptual Plan. Motion Carried 7-0.**

[13-1430](#)

43. [On](#) request from Kum & Go, LC for an amendment to the PUD Conceptual Plan “Kum & Go Store #120” at 6304 SW 9th Street to revise the provision limiting the maximum canopy height in order to allow a canopy with a maximum height of 20-feet 10-inches. **Moved by Hensley to adopt and to approve the proposed amendment to the PUD Conceptual Plan. Motion Carried 7-0.**

[13-1431](#)

44. **On** request from Kum & Go, LC to rezone 4965 Hubbell Avenue from “A-1” (Agricultural District) to “PUD” (Planned Unit Development) and approve the proposed Conceptual Plan, subject to modifications. **Moved by Mahaffey to adopt and approve the rezoning to the PUD District classification and Conceptual Plan, subject to final passage of the rezoning ordinance. Motion Carried 7-0.**

[13-1432](#)

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

[13-1433](#)

- (B) **Final** consideration of ordinance above (waiver requested by the applicant), requires six votes. **Moved by Mahaffey 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, #15,215. Motion Carried 7-0.**

[13-1434](#)

45. **On** conveyance of 1349 Washington Avenue to NFC Properties, LLC, \$18,000. ([Council Communication No. 13-449](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**

[13-1435](#)

46. **On** request from Quest Development and Construction and Lamont Companies to rezone 205 SW 11th Street from “C-3B” (Central Business Mixed-Use District) to “PUD” (Planned Unit Development) and an amendment to the Riverpoint West PUD Conceptual Plan to add 4.09 acres of land for future development of a four-story hotel with 102 guest rooms at the southwestern portion of the site while designating the southeastern portion of the site for future development, subject to conditions. **Moved by Hensley to adopt and approve the rezoning and Conceptual Plan, subject to final passage of the rezoning ordinance. Motion Carried 7-0.**

[13-1436](#)

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

[13-1437](#)

- (B) **Final** consideration of ordinance above (waiver requested by the applicant), requires six 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, #15,216. Motion Carried 7-0.**

47. Items regarding request from Jake Christensen for property at 600 E. 5th Street:

[13-1438](#)

- (A) **Hearing** on rezoning from “R-4” (Multiple-Family Residential District) to “C-3B” (Central Business Mixed-Use District) to allow use of the property for 103 multiple-family dwelling units, 19,433 square feet of area for a skilled nursing facility, and 4,392 square feet of area for a restaurant use, subject to conditions. **Moved by Meyer to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 7-0.**

- [13-1439](#) (B) [Amendment](#) to the Des Moines 2020 Community Character Plan to revise the future land use designation from High-Density Residential to Downtown Retail/Office Core/Core Fringe. **Moved by Meyer to approve the proposed amendment. Motion Carried 7-0.**
- [13-1440](#) (C) [First](#) consideration of ordinance above. **Moved by Meyer that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [13-1441](#) (D) [Final](#) consideration of ordinance above (waiver requested by the applicant), 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, [#15,217](#). Motion Carried 7-0.**
- [13-1442](#) 48. [On](#) 2013 American with Disabilities Act (ADA) Sidewalk Ramp Program - Contract 2: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating lowest responsible bidder as Ti-Zack Concrete, Inc., (Steve J. Rutt, President), \$417,190. ([Council Communication No. 13-454](#)) **Moved by Moore to adopt. Motion Carried 7-0.**
- [13-1443](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Moore to adopt. Motion Carried 7-0.**

*** END OF HEARINGS AT 6:12 PM ***

APPROVING

- [13-1444](#) 49. [Economic](#) Development Assistance Contract with Iowa Economic Development Authority and Helena Industries, Inc. for State assistance for construction of a new warehouse building at 3525 Vandalia Road. ([Council Communication No. 13-464](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [13-1445](#) (A) [First](#) consideration of an ordinance giving prior approval for a partial exemption from property taxation on the value added by new construction at 3525 Vandalia Road. **Moved by Meyer that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

EXTRA ITEM

[13-1446](#)

1. Request from Lee Peer, 4210 NE 14th Street, to speak regarding sodium fluoride being used in Des Moines drinking water. **Moved by Meyer to receive and file comments, and refer to the Water Works Director for a report. NO VOTE TAKEN.**

[13-1447](#)

MOTION TO ADJOURN. **Moved by Griess to adjourn at 6:15 PM. Motion Carried 7-0.**

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