



*** 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 '14-' 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
City Hall, Council Chambers
400 Robert D. Ray Dr.
Des Moines, Iowa 50309

July 14, 2014 4:30 PM

INVOCATION: Council Member Gatto

- [14-1022](#) 1. ROLL CALL: **Present: Cownie, Coleman, Gatto, Gray, Hensley, Mahaffey and Moore.**
- [14-1023](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-1024](#) 3. APPROVING CONSENT AGENDA * – items 3 through 52: **Moved by Hensley to adopt the balance of the consent agenda. Motion Carried 7-0.**

***Note: These are routine items and will be enacted by one roll call vote without separate discussion unless someone, Council or public, requests an item be removed to be considered separately.**

LICENSES AND PERMITS

[14-1025](#)

4. Approving alcoholic beverage license applications for the following: **Moved by Hensley to adopt. Council Members Coleman and Hensley vote “No” on item (B) Fastmart. Council Member Coleman votes “No” on item (U) Smokin’ Joes #4. Motion Carried 7-0.**

NEW APPLICATIONS

(A)	BUD TENT	3000 E GRAND AVE	C Beer/Wine
* (B)	FASTMART	1621 UNIVERSITY	E Liquor
(C)	LA HACIENDA MEXICAN	6250 SE 14TH ST	C Liquor
(D)	OASIS	630 SW 9TH ST	C Beer

RENEWAL APPLICATIONS

(E)	AIR LANES	4200 FLEUR DR	C Liquor
(F)	BEVERDALE VFW CLUB	4029 URBANDALE	A Liquor
(G)	BLANK MUNICIPAL GOLF	711 COUNTY LINE RD	C Liquor
(H)	BLU	215 E WALNUT ST	C Beer/Wine
(I)	COPPER CUP	207 4TH ST	C Liquor
(J)	DES MOINES AMVETS POST #2	2818 5TH AVE	C Liquor
(K)	EL MERENDEROS EVENT CTR	900 E ARMY POST RD	C Liquor
(L)	GIT N GO STORE #3	100 WATROUS AVE	C Beer
(M)	ISLAS DEL PACIFICO	1434 DES MOINES ST	C Liquor
(N)	JASPER WINERY	2400 GEORGE FLAGG	C Native Wine
(O)	LOCUST TAP	434 E LOCUST ST	C Liquor
(P)	MASTER JACKS	3000 E GRAND AVE	C Liquor
(Q)	NOODLES & COMPANY	5840 DOUGLAS AVE	C Liquor
(R)	ORLONDOS	4337 PARK AVE	C Liquor
(S)	QUIK TRIP #530	2300 E 14TH ST	C Beer
(T)	RICHARD O JACOBSON EXHIB	3000 E GRAND AVE	C Liquor
* (U)	SMOKIN' JOES #4	2800 E UNIVERSITY	E Liquor
(V)	TEQUILA RESTAURANT	2824 EASTON BLVD	C Liquor
(W)	TOBACCO OUTLET PLUS #519	3019 SE 14TH ST	C Beer
(X)	W CHINA BUFFET	100 E EUCLID AVE	C Beer/Wine
(Y)	WAVELAND MUNICIPAL GOLF	4908 UNIVERSITY	C Liquor

OUTDOOR SERVICE APPLICATIONS

(Z)	MADHOUSE BREWING CO	501 SCOTT AVE	B Beer
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Permanent.

(AA)	NICKS	1106 ARMY POST RD	B Beer
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Temporary outdoor service on July 18, 2014. Pending approval of Building, Electrical, Fire and Zoning Departments.

(BB)	NICKS	1106 ARMY POST RD	B Beer
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Temporary outdoor service on July 25, 2014. Pending approval of Building, Electrical, Fire and Zoning Departments

(CC)	PLAYERS SPORTS BAR AND	1760 BEAVER AVE	C Liquor
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Permanent.

~~(DD) SAKARI SUSHI LOUNGE 2605 INGERSOLL AVE C Liquor~~

Permanent.

SPECIAL EVENT APPLICATIONS

(EE) BEAVERDALE BETTERTMENT 3422 BEAVER AVE Five (5) Day License
Special Class C Liquor License (Beer/Wine) for Beaverdale Live on July 26, 2014. Pending approval of Fire Department.

(FF) COWNIE SOCCER COMPLEX 2600 HARTFORD AVE Five (5) Day License
Class B Beer License for Event on August 2, 2014. Pending approval of Fire Department.

(GG) DOWNTOWN EVENTS GROUP 520 ROBERT D RAY DR Five (5) Day License
Special Class C Liquor License (Beer/Wine) for concert series August 1-3, 2014.

(HH) GATEWAY MARKET MLK 1200 GRAND AVE Five (5) Day License
Class C Liquor License (Beer/Wine) for University of Iowa Meet and Greet on July 17, 2014.
Pending approval of Building and Fire Departments.

(II) JAZZ IN JULY 1701 6TH Avenue Five (5) Day License
Class B Beer License for an annual event on July 18, 2014.

(JJ) KEG STAND 1 LINE DR Five (5) Day License
Class B Beer License for Brewfest Event on July 19, 2014.

(KK) PARKS AREA FOUNDATION 3012 6TH AVE Five (5) Day License
Class B Beer License for Rendezvous on the River Event on July 25, 2014.

(LL) PARKS AREA FOUNDATION 3012 6TH AVE Five (5) Day License
Class B Beer License for Rendezvous on the River Event on August 1, 2014.

(MM) TURSIS LATIN KING 1203 LOCUST Five (5) Day License
Special Class C Liquor License (Beer/Wine) for Viva L'italia on July 25-26, 2014. Pending approval of Building Department.

(NN) VIVA L'ITALIA 1203 LOCUST ST Five (5) Day License
Class B Beer License for Italian Heritage Festival on July 25-26, 2014.

(OO) VIVA L'ITALIA 1203 LOCUST ST Five (5) Day License
Class B Beer License for Italian Heritage Festival on July 25-26, 2014.

(PP) VIVA L'ITALIA 1203 LOCUST ST Five (5) Day License
Class B Beer License for Italian Heritage Festival on July 25-26, 2014.

14-1026

5. Consideration of Class C Beer Permit with B Wine for the following: **Moved by Hensley to adopt. Motion Carried 7-0.**

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|-----|-----------------------|-------------------|--------|
| (A) | DOLLAR GENERAL #13292 | 3102 MERLE HAY RD | C Beer |
| (B) | DOLLAR GENERAL #313 | 2570 HUBBELL AVE | C Beer |
| (C) | DOLLAR GENERAL #4554 | 1020 E ARMY POST | C Beer |
| (D) | DOLLAR GENERAL #4991 | 3223 SE 14TH ST | C Beer |
| (E) | DOLLAR GENERAL #6077 | 221 SW 63RD ST | C Beer |
| (F) | DOLLAR GENERAL #6725 | 1428 E OVID AVE | C Beer |
| (G) | DOLLAR GENERAL #6735 | 2650 INGERSOLL | C Beer |
| (H) | DOLLAR GENERAL #8594 | 4213 FLEUR DR | C Beer |

- [14-1027](#) 6. [Consideration](#) of Class C Beer Permit renewal for Des Moines Food and Liquor, 5000 SW 9th Street. (Zoning Department recommends denial). **Moved by Hensley to deny. Motion Carried 7-0.**
- [14-1028](#) 7. [Consideration](#) of Class E Liquor License for Fast Mart, 1401 Buchanan Street. (Continued from June 23 Council Meeting, conditional use permit has been approved). **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Coleman.**
- [14-1029](#) 8. [Consideration](#) of Class C Liquor License for Peggy's Inc., 3020 Forest Avenue. (Police Department recommends denial). (Continued from June 23 Council Meeting). **Moved by Gray to continue to the July 28, 2014 Council meeting. Motion Carried 7-0.**
- [14-1030](#) 9. [City](#) Clerk to issue Cigarette Licenses. **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Cownie and Moore.**
- [14-1031](#) 10. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Hensley to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

11. Ordering construction of the following:

- [14-1032](#) (A) [Elm](#) Grove Cemetery Roadway Improvements: Receiving of bids, (7-29-14), Setting date of hearing, (8-11-14). (Construction Estimate, \$135,000). ([Council Communication No. 14-345](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-1033](#) (B) [33rd](#) Street and [24th](#) Street Sewer Separation: Receiving of bids, (7-29-14), Setting date of hearing, (8-11-14). (Construction Estimate, \$212,000). ([Council Communication No. 14-344](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-1034](#) (C) [1422](#) Scott Avenue Demolition: Receiving of bids, (8-12-14), Setting date of hearing, (8-25-14). (Construction Estimate, \$310,825). ([Council Communication No. 14-336](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-1035](#) 12. [Receive](#) and file letter from the City of West Des Moines to make paving improvements to Pine Avenue from Iowa 28 to West City Limits and directing staff to prepare an Agreement for the paving improvements. ([Council Communication No. 14-349](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-1036](#) 13. [Approving](#) Private Construction Contract between McAninch Corporation and St. Joseph Parish for paving improvements in E. [33rd](#) Street and E. [34th](#) Street. **Moved by Hensley to**

adopt. Motion Carried 7-0.

- [14-1037](#) 14. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-1038](#) 15. [Accepting](#) completed construction and approving final payment for Botanical Center accessible elevator, The Weitz Company, LLC. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-1039](#) 16. [Accepting](#) completed construction and approving final payment for Inter-Urban Trail Bridge repair, Cramer and Associates, Inc. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-1040](#) 17. [Accepting](#) completed construction and approving final payment for SE 6th Street Widening – E. Court Avenue to The Des Moines River, Elder Corporation. **Moved by Hensley to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [14-1041](#) 18. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2014-05. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-1042](#) 19. [Approving](#) deletion of NAC-Emergency Assessment at 1012 SE 10th Street. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-1043](#) 20. [Approving](#) deletion of special assessments to allow for redevelopment of the parcel at 1424 Cleveland. ([Council Communication No. 14-337](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [14-1044](#) 21. [Acceptance](#) of real estate documents from Gregory Holt for voluntary acquisition of property at 1615 E. 18th Street for the Guthrie Avenue Business Park. ([Council Communication No. 14-335](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-1045](#) 22. [Acceptance](#) of corrected Quit Claim Deed from Union Pacific Railroad and approval of environmental covenant between the City of Des Moines and The Iowa Department of Natural Resources on City-owned property formerly owned by Union Pacific Railroad Company on the south side of Gray's Lake. ([Council Communication No. 14-343](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-1046](#) 23. [Acceptance](#) of Planned Unit Development (PUD) Restoration Bond for the Kum & Go Store #536 project, located at 1300 Keosauqua Way. ([Council Communication No. 14-329](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-1047](#) 24. [Acceptance](#) of Planned Unit Development (PUD) Restoration Bond for the Kum & Go Store #535 project, located at 4960 E. Broadway Avenue. ([Council Communication No. 14-322](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

25. Approving the removal of the following Neighborhood Associations from the list of Recognized Neighborhoods:

[14-1048](#) (A) [Hillsboro](#). ([Council Communication No. 14-333](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-1049](#) (B) [Laurel Hill](#). ([Council Communication No. 14-334](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-1050](#) 25-I [Recommendation](#) from Council Member Bill Gray to appoint Tammy Keiter to the Neighborhood Revitalization Board, Seat 7, for a three-year term commencing June 30, 2013 to expire June 30, 2016. **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-1051](#) 26. [Communication](#) from Dwight Stelling advising of his resignation from the Greater Des Moines Sister Cities Commission, Seat 13, effective immediately. **Moved by Hensley to receive, file and accept resignation with appreciation for his service. Motion Carried 7-0.**

[14-1052](#) 27. [Approving](#) revision of Rule Amendment #5 of the Access Advisory Board to allow the Executive Committee to continue or postpone any regular meeting to another date and time, or cancel a meeting. ([Council Communication No. 14-327](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-1053](#) 28. [Attendance](#) Reports for the various City Boards and Commissions for January 1 through June 30, 2014. **Moved by Hensley to receive and file, and express our appreciation to all especially those with perfect attendance, and refer this item to the City Attorney and City Manager for review and recommendation regarding options for addressing excessive absences. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

29. On vacation of portions of Elm Street and SW 6th Street right-of-way adjoining the following, (7-28-14):

[14-1054](#)

- (A) [300](#) SW 5th Street and conveyance of such right-of-way and other adjoining excess City-owned property to Harbach Building, LLC, \$54,000. **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-1055](#)

- (B) [300](#) SW 6th Street and conveyance of such right-of-way and other adjoining excess City-owned property to JB Doors Partnership, \$71,000. **Moved by Hensley to adopt. Motion Carried 7-0.**

30. Number not used.

[14-1056](#)

31. [On](#) conveyance of underground electric line easements on City-owned property at 221 and 313 Walnut Street to MidAmerican Energy Company, \$1, (7-28-14). **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-1057](#)

32. [On](#) request from Hansen Real Estate Services, Inc. to rezone property owned by City of Des Moines and Wastewater Reclamation Authority in the vicinity of 714 SE 6th Street from "R1-60" (One Family Low-Density Residential) and "M-1" (Light Industrial) to "D-R" (Downtown Riverfront) to allow development up to a six story, 132 unit multiple-family dwelling, (7-28-14). **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-1058](#)

33. [On](#) authorization of a loan agreement and the issuance of not to exceed \$32,000,000 General Obligation Refunding Capital Loan Notes, (7-28-14). ([Council Communication No. 14-338](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

[14-1059](#)

34. [Approving](#) payment to Hall & Associates for representation in Iowa League of Cities V. United States Environmental Protection Agency, \$533.39 and authorization for an additional amount, not to exceed \$1,500. **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-1060](#)

35. [Approving](#) payment to Ahlers & Cooney, PC with respect to general matters, \$416.50. **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-1061](#)

36. [Approving](#) worker's compensation settlement for Michael Palik. **Moved by Hensley to adopt. Motion Carried 7-0.**

- [14-1062](#) 37. [Affirming](#) settlements made by City Attorney, not exceeding \$5,000. **Moved by Hensley to receive, file and affirm settlements made by City Attorney. Motion Carried 7-0.**
- [14-1063](#) 38. [Approving](#) payment to Douglas and Kelli Sampson for property damage as a result of a blocked sewer line. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-1064](#) 39. [Approving](#) payment to Jerry, Candy and Sharlee Mercer for property damage as a result of an improperly reattached sewer line. **Moved by Hensley to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- [14-1065](#) 40. [Submitting](#) travel and training request for Judy Bradshaw, Kenneth Brown and Denise Schafnitz. ([Council Communication No. 14-339](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

APPROVING

41. Items regarding 350 E. Locust Street development:

- [14-1066](#) (A) [Second](#) Amendment to Urban Renewal Agreement for sale of land for private redevelopment with East Village Growth Partners, LLC and approval of partial transfer and encumbrance, development of Disposition Parcel No. 02-1A (350 E. Locust Street) in Metro Center Urban Renewal Project. ([Council Communication No. 14-346](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-1067](#) (B) [Authorizing](#) Community Development Director to sign a Subordination Agreement (CDBG-DR loan) for additional private loan to finance the fifth floor build out. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-1068](#) 42. [Issuance](#) of Certificate of Final Completion to Waterfront Lodging, Inc. for the development of the hotels at 100 and 120 Water Street and the parking garage at 101 SW 2nd Street. ([Council Communication No. 14-328](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Moore.**
- [14-1069](#) 43. [Donation](#) and Installation Agreement with AIB College of Business for scoreboard at James W. Cownie Soccer Park. ([Council Communication No. 14-325](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-1070](#) 44. [Communication](#) from Downtown Community Alliance, on behalf of the Des Moines Performing Arts, requesting approval of banner design for banners to be displayed in downtown Des Moines on Walnut Street from September through October. **Moved by Hensley to receive, file and approve banner design. Motion Carried 7-0.**

[14-1071](#) 45. [Adopting](#) an amended Schedule of Fees for Snow Hauler Permit under Chapter 42 of the City Code. ([Council Communication No. 14-340](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

45-I Authorizing and providing for the issuance of the following:

[14-1072](#) (A) [\\$24,945,000](#) General Obligation Bonds, Series 2014C and levying a tax to pay. **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-1073](#) (B) [\\$2,250,000](#) Taxable General Obligation Urban Renewal Bonds, Series 2014D and levying a tax to pay. **Moved by Hensley to adopt. Motion Carried 7-0.**

46. Bids from the following:

[14-1074](#) (A) [Gee](#) Asphalt Systems (Dan Gee, President) for bituminous fog seal application services as requested by the Public Works Department, \$223,762.50. (Three bids mailed, one received.) ([Council Communication No. 14-332](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-1075](#) (B) [Communication](#) Innovators (Stan Glawe, President) for data and telephone technician labor services for the 2015 fiscal year per State ICN contract as requested by the Information Technology Department, \$55,000. ([Council Communication No. 14-330](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-1076](#) (C) [Hewlett](#) Packard Co. (Meg Whitman, President) for replacement data protect tape library backup system per WSCA price agreement as requested by the Information Technology Department, \$90,014.28. ([Council Communication No. 14-331](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-1077](#) (D) [Carahsoft](#) Technology Corporation (Godfrey R. Sullivan, President and CEO) for Splunk Enterprise, a platform for operational intelligence used to monitor and analyze massive amounts of data for troubleshooting problems and investigating security incidents per US GSA Contract as requested by the Information Technology Department, \$70,062.25. ([Council Communication No. 14-320](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-1078](#) (E) [Dewey](#) Ford (Dan Boettcher, General Manager) for one replacement aerial lift platform truck as requested by the Fleet Maintenance Division, \$196,194. (Eleven bids mailed, three received.) **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-1079](#) (F) [Freightliner](#) of Des Moines (Carl Schwab, President) for two replacement step vans as requested by the Fleet Maintenance Division, \$233,766. (Eight bids mailed, one received.) ([Council Communication No. 14-323](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-1080](#) (G) [The](#) Waldinger Corporation (Guy Gast, President) for rooftop HVAC replacement services at the Principal Skywalk as requested by the Engineering Department, \$88,900. (Nine bids mailed, five received.) **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-1081](#) (H) [Indoff](#) (Jim Malkus, President) for workbenches for use at the Municipal Service Center as requested by the Engineering Department, \$57,200. (Six bids mailed, four received.) **Moved by Hensley to adopt. Motion Carried 7-0.**

[14-1082](#) 47. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of July 14 and July 21, 2014 and to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of July 14 and July 21, 2014 and to draw checks for biweekly payrolls due on July 25, 2014. **Moved by Hensley to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

48. Items regarding fishing in Des Moines:

[14-1083](#) (A) [Amending](#) Chapter 74 of the Municipal Code regarding fishing. **Moved by Hensley that this ordinance do now pass, [#15,293](#). Motion Carried 7-0.**

[14-1084](#) (B) [Amending](#) Chapter 130 of the Municipal Code regarding fishing. **Moved by Hensley that this ordinance do now pass, [#15,294](#). Motion Carried 7-0.**

[14-1085](#) 49. [Amending](#) Chapter 114 of the Municipal Code regarding Downtown On-Street Bike Facilities Implementation. **Moved by Hensley that this ordinance do now pass, [#15,295](#). Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

[14-1086](#) 50. [On](#) rezoning of 4044 E. 14th Street from “C-2” (General Retail and Highway Oriented Commercial) and “R1-60” (One-Family Low-Density Residential) to Ltd. “M-1” (Light Industrial). **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

[14-1087](#) (A) [Final](#) consideration of ordinance above (waiver requested by 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 it final passage and that the ordinance do now pass, [#15,296](#). Motion Carried 7-0.**

[14-1088](#)

51. **Amending** Chapter 114 of the Municipal Code submitting traffic regulation changes as follows: **Moved by Hensley that this ordinance be considered and given second vote for passage. Council Member Moore votes “No” on item C. Motion Carried 7-0.**

(A) Parking meter and parking restriction revisions near the new Residence Inn by Marriott and Hampton Inn on Water Street.

(B) Stop Sign Installation at E. 35th and Hull Avenue.

(C) Speed Limit Change – Keosauqua Way between Lynn Street and 19th Street.

[14-1089](#)

52. **Amending** Chapter 98 of the Municipal Code regarding Waste Hauler’s Permit requirements and fees. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

[14-1090](#)

(A) **Final** consideration of ordinance above (waiver requested by the Public Works Director), 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, #15,297. Motion Carried 7-0.**

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

COUNCIL REQUESTS

[14-1091](#)

53. **From** Council Member Skip Moore to discuss the naming of the Municipal Service Center. **Moved by Moore to refer to the Legal Department to amend the current naming policy and start the renaming process to name the Municipal Services Center after Rick Clark. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

[14-1092](#)

54. **From** David Costello, 1105 Orchard Lane, to speak regarding homeless evictions and compassion campaign. **Moved by Hensley to receive and file comments. Motion Carried 7-0.**

[14-1093](#)

55. **From** Michael Hildebrand, 410 Franklin Avenue, to speak regarding property at 1942 Arlington in the River Bend neighborhood. **Moved by Gray to refer to the City Manager and City Attorney to work with Neighborhood Finance Authority (NFC) on recommendations regarding a policy to assist rehabilitation of nuisance properties City-wide to become owner-occupied. Motion Carried 7-0.**

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 56 THRU 61)

- [14-1094](#) 56. **On** vacation of air space over portions of E. 5th Street and E. Grand Avenue adjoining 505 E. Grand Avenue, and for conveyance of an easement to 505 East Grand, LLC, for \$3,885. ([Council Communication No. 14-341](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [14-1095](#) (A) **First** consideration of ordinance above. **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [14-1096](#) (B) **Final** consideration of ordinance above (waiver requested by the applicant), requires six votes. **Moved by Gatto 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, [#15,298](#). Motion Carried 7-0.**
- [14-1097](#) 57. **On** proposed vacation and lease of a 280 sq. ft. portion of the sidewalk adjoining 2605 Ingersoll Avenue to Sakari Sushi Lounge, LLC, for a sidewalk café. ([Council Communication No. 14-321](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-1098](#) (A) **First** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [14-1099](#) (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, [#15,299](#). Motion Carried 7-0.**
- [14-1100](#) 58. **On** sale of City-owned property in the vicinity of SE 6th Street and Shaw Street to Hansen Real Estate Services, Inc., \$3.30 per square foot and to continue to July 28, 2014 at 5:00 PM. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [14-1101](#) 59. **On** request from Drake University to rezone property at 2700 University Avenue from Limited “NPC” (Neighborhood Pedestrian Commercial) to an amended Limited “NPC” to permit accessory alcoholic beverages sales and service related to private events operated by Drake University. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [14-1102](#) (A) **First** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[14-1103](#) (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, [#15,300](#). Motion Carried 7-0.**

[14-1104](#) 60. [On](#) 2014-2015 HMA Pavement Scarification and Resurfacing: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designation of lowest responsible bidder as Grimes Asphalt & Paving Corporation, (Kurt Rasmussen, President), \$365,325.50. ([Council Communication No. 14-342](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**

[14-1105](#) (A) [Approving](#) contract and bond, and permission to sublet. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

[14-1106](#) 61. [To](#) reject all bids on Traffic Observation Camera and Downtown Changeable Message Signs (CMS) upgrades. (No bids were received.) ([Council Communication No. 14-347](#)) **Moved by Moore to adopt. Motion Carried 7-0.**

*** END OF HEARINGS AT 5:06 PM ***

APPROVING

[14-1107](#) 62. [Recognition](#) of the service of the Des Moines Enterprise Zone Commission an entity that will be dissolved with the passing of the 2014 State of Iowa Legislation to sunset the Enterprise Zone program. ([Council Communication No. 14-348](#)) **Moved by Hensley to receive and file the attached communication and to direct the City Manager to send letters of appreciation for their service to members of the Des Moines Enterprise Zone Commission. Motion Carried 7-0.**

BOARD OF HEALTH

[14-1108](#) MOTION TO CONVENE. **Moved by Gatto that the City Council adjourn and convene as a Board of Health. Motion Carried 7-0.**

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

[14-1109](#) (A) [3510](#) University Avenue, commercial building structure, Titleholder: 8105 Landco LLC. **Moved by Gray to adopt. Motion Carried 7-0.**

- [14-1110](#) (B) [1426](#) 4th Street, fire-damaged main structure, Titleholder: Frank E. Weinstein, Contract Buyers: Javier Nieto and Eba Nieto. **Moved by Gray to adopt. Motion Carried 7-0.**
- [14-1111](#) (C) [1708](#) 6th Avenue, commercial building structure, Titleholder: Courts of Calanthe. **Moved by Gray to adopt. Motion Carried 7-0.**
- [14-1112](#) MOTION TO ADJOURN. **Moved by Gatto to adjourn at 5:10 PM. Motion Carried 7-0.**

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