



*** 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 '15-' 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

March 9, 2015 4:30 PM

I. CLOSED SESSION – 3:30 PM.

- [15-0354](#) (A) Roll Call. **Present: Cownie, Gatto, Gray, Hensley, Mahaffey and Moore. Absent: Coleman. Council Member Coleman entered the meeting during item (C).**
- [15-0355](#) (B) Recess, and reconvene in closed session pursuant to Section 21.5, subsection 1, paragraph C, of the Iowa Code, to discuss 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 Moore to adopt. Motion Carried 6-1. Absent: Coleman.**
- [15-0356](#) (C) Closed Session.
- [15-0357](#) (D) Terminate closed session and reconvene in open session. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0358](#) (E) Motion to adjourn. **Moved by Mahaffey to adjourn at 4:16 PM. Motion Carried 7-0.**

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PROCLAMATIONS – 4:15 PM

Certified Government Financial Manager Month

INVOCATION: Council Member Hensley

- [15-0359](#) 1. ROLL CALL: **Present: Cownie, Coleman, Gatto, Gray, Hensley, Mahaffey and Moore.**
- [15-0360](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0361](#) 3. APPROVING CONSENT AGENDA * – items 3 through 57: **Moved by Gatto 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

- [15-0362](#) 4. [Approving](#) Alcoholic Beverage License Applications for the following: **Moved by Gatto to adopt all except item (A) J&J Pizza Pub; Moved by Gray to continue item (A) until March 23, 2015. Motion Carried 7-0. Council Member Coleman votes “No” on item (S) Hawkeye Pantry.**

NEW APPLICATIONS

*(A) J & J PIZZA PUB	2500 MLK JR PKWY	C Liquor
(B) LEFTYS LIVE MUSIC	2307 UNIVERSITY	C Liquor
(C) VIEW NIGHTCLUB	508 INDIANOLA RD	C Liquor

RENEWAL APPLICATIONS

(D) B & B SUPER MARKET	2001 SE 6TH ST	C Beer
(E) BUZZARD BILLYS	615 3RD ST	C Liquor
(F) CHUCKS	3608 6TH AVE	C Liquor
(G) DES MOINES VALERO #205	2829 EASTON BLVD	C Beer
(H) DOLLAR GENERAL #13292	3102 MERLE HAY RD	C Beer
(I) DOLLAR GENERAL #313	2570 HUBBELL AVE	C Beer
(J) DOLLAR GENERAL #4554	1020 E ARMY POST	C Beer
(K) DOLLAR GENERAL #4991	3223 SE 14TH ST	C Beer
(L) DOLLAR GENERAL #6077	221 SW 63RD ST	C Beer
(M) DOLLAR GENERAL #6725	1428 E OVID AVE	C Beer
(N) DOLLAR GENERAL #6735	2650 INGERSOLL	C Beer
(O) DOLLAR GENERAL #8594	4213 FLEUR DR	C Beer

(P)	EVEREST GROCERY STORE	5000 SW 9TH ST	C Beer
(Q)	FRANCIES	2100 WAKONDA VIEW	C Liquor
(R)	GRANDVIEW GOLF COURSE	2401 E 29TH ST	C Liquor
*(S)	HAWKEYE PANTRY	501 LOCUST ST	E Liquor
(T)	IOWA BEEF STEAK HOUSE	1201 E EUCLID AVE	C Liquor
(U)	JOHNNYS BLANK PARK ZOO	7401 SW 9TH ST	C Liquor
(V)	LA CRUZ #3	3900 E 14TH ST	C Beer
(W)	MACCABEES DELI & JUDAICA	1150 POLK BLVD	B Wine
(X)	MALO RESTAURANT	900 MULBERRY ST	C Liquor
(Y)	MCCUENS PUB	2565 WEDGEWOOD	C Liquor
(Z)	PAESANOS PIZZERIA	2804 SW 9TH ST	C Beer/Wine
(AA)	RICCELLIS SUPPER CLUB	3803 INDIANOLA	C Liquor
(BB)	SCORNOVACCAS PIZZA	3900 E 14TH ST	B Beer
(CC)	VOM FASS	833 42ND ST	E Liquor

OUTDOOR SERVICE APPLICATIONS

(DD) HIGH LIFE LOUNGE *(1) 200 SW 2ND ST C Liquor
Temporary for Leprechaun Chase on March 14, 2015.

(EE) MICKEYS IRISH PUB 204 3RD ST C Liquor
Temporary for St. Paddy's Day Tent Party on March 17 – 18, 2015. Pending approval of Building Department.

SPECIAL EVENTS APPLICATIONS

(FF) DRAKE – CARTWRIGHT 2615 CARPENTER Five (5) Day License
Special Class C Liquor License (Beer/Wine) for 150th Anniversary of the Law School on March 26 – 28, 2015.

[15-0363](#) 5. [Consideration](#) of new Class C Beer Permit with B Wine Permit for University Grocery, 2121 University Avenue. (Zoning Department recommends denial). **Moved by Gray to continue to March 23, 2015. Motion Carried 7-0.**

[15-0364](#) 6. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Gatto to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

[15-0365](#) 7. [Ordering](#) construction of Fire Stations Number 2, 5, 7, and 9 Bathroom Remodeling: Receiving of bids, (3-24-15), Setting date of hearing, (4-6-15). Construction estimate, \$265,000. ([Council Communication No. 15-104](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [15-0366](#) 8. [Approving](#) Professional Services Agreement with ERES International, Inc. d/b/a Engineering and Research International, Inc. for professional services for the Arterial Roadway Pavement Rehabilitation Evaluation, not to exceed \$229,900. ([Council Communication No. 15-107](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0367](#) 9. [Approving](#) amendment to agreement with Des Moines Metropolitan Wastewater Reclamation Authority (WRA) for Construction Services to Abandon the Grit Chamber as Part of the WRA New Main Outfall, Phase 17, Segment 8 Project. ([Council Communication No. 15-097](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0368](#) 10. [Approving](#) Supplemental Agreement No. 4 to the Professional Services Agreement with Brown Engineering Company for the Des Moines Skywalk Bridge Roof Analysis & Design, not to exceed \$28,325. ([Council Communication No. 15-110](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0369](#) 11. [Approving](#) Change Order No. 8 with Elder Corporation for additional work on the SE Connector Paving – SE 9th to SE 15th Street Project, not to exceed \$64,097.28. ([Council Communication No. 15-109](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0370](#) 12. [Approving](#) Private Construction Contract between Machin Corporation and Little Kading Construction Company, Inc. for storm sewer improvements in Southern Meadows, \$20,015. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0371](#) 13. [Approving](#) Private Construction Contract between Polk County Heating & Cooling, Inc. and Tucker Trucking, LLC for storm sewer improvements in 4044 E. 14th Street, \$28,500. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0372](#) 14. [Approval](#) of contract and bond and permission to sublet for construction of an improvement with an estimated cost which is less than the Iowa Code competitive bid threshold, Sanitary Sewer Gatewell 280 Repair Near SW 7th Street, J & K Contracting, LLC, (Jeremy Feldmann, President), \$90,000. ([Council Communication No. 15-106](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0373](#) 15. [Accepting](#) completed construction and approving final payment for E. 14th Street & E. Euclid Avenue Intersection Modifications, T K Concrete, Inc. **Moved by Gatto to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [15-0374](#) 16. [Approving](#) tax abatement applications for the additional value added by improvements completed during 2014, (22 applications). ([Council Communication No. 15-101](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0375](#) 17. [Conditional](#) approval of the final Subdivision Plat of Artisan Row, Plat 1 located at 1623 Grand Avenue. ([Council Communication No. 15-102](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0376](#) 18. [Authorization](#) to proceed with acquisition of the necessary temporary access easements for survey, geotechnical and environmental audits for the SE Connector – SE 30th Street to U.S. Highway 65 project. ([Council Communication No. 15-108](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [15-0377](#) 19. [Recommendation](#) from Council Member Bill Gray to appoint Sasha Kamper to the Plan and Zoning Commission, Seat 9, for a five-year term commencing July 1, 2011 to expire July 1, 2016. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0378](#) 20. [Recommendation](#) from Mayor T. M. Franklin Cownie to reappoint Graham Gillette to the Des Moines Water Works Board of Trustees, Seat 4, for a six-year term commencing April 1, 2015 to expire April 1, 2021. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0379](#) 21. [Recommendation](#) from Council Member Christine Hensley to reappoint Martie Mendenhall to the Building and Fire Code Board of Appeals, Seat 6, for a three-year term commencing April 1, 2015 to expire April 1, 2018. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0380](#) 22. [Communication](#) from Gary Edgington advising of his resignation from the Building and Fire Code Board of Appeals, Seat 8, effective immediately. **Moved by Gatto to receive, file and accept resignation with appreciation for his service. Motion Carried 7-0.**
- [15-0381](#) 23. [Communication](#) from Laura Peters advising of her resignation from the Urban Design Review Board, Seat 8, effective immediately. **Moved by Gatto to receive, file and accept resignation with appreciation for her service. Motion Carried 7-0.**
- [15-0382](#) 24. [Designating](#) Scott Sanders as the alternate representative on the Metropolitan Coalition Board of Directors. **Moved by Gatto to adopt. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [15-0383](#) 25. [On](#) conveyance of 1712 8th Street to Caselli Holdings, Inc., \$4,500, (3-23-15). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0384](#) 26. [On](#) conveyance of 3015 Seneca Avenue to Thoughtful Housing Solutions, LLC, \$67,900, (3-23-15). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0385](#) 27. [On](#) vacation and conveyance of east/west alley right-of-way in the block bounded by Forest Avenue, Indiana Avenue, 3rd Street and 4th Street to Forest Avenue Outreach, \$150, (3-23-15). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0386](#) 28. [On](#) request from Pyramid Investments, LLC to rezone 1300 Army Post Road from “C-2” (General Retail and Highway-Oriented Commercial) and “R1-60” (One-Family Low-Density Residential) to Ltd. “M-1” (Light Industrial), (3-23-15). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0387](#) 29. [On](#) request from Abay Mengistu (owner) 3016 E. Kenyon Avenue for a 3rd Amendment to the Easter Lake Estates PUD Conceptual Plan to allow retention of a 6-foot tall solid vinyl material fence in lieu of the permitted 6-foot tall solid wood material fence within 5-feet of the right-of-way line along Easter Lake Drive, (3-23-15). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0388](#) 30. [On](#) request to rezone 4538 Lower Beaver Road from “R-4” (Multiple-Family Residential) to “C-2” (General Retail and Highway-Oriented Commercial) to allow the right to request a Conditional Use Permit to continue selling alcoholic liquor, wine and beer as part of either a limited food/retail sales establishment or as a liquor store, (4-6-15). **Moved by Coleman to adopt; refer to the City Manager to report on proposed uses of the property across the street. Motion Carried 7-0.**
- [15-0389](#) 31. [On](#) lease agreement with Bloomfield United Methodist Church for the use of 1.32 Acres in Ewing Park, (3-23-15). ([Council Communication No. 15-116](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0390](#) 32. [On](#) request to amend the Des Moines 2020 Community Character Plan to adopt the Southwest 9th Street Corridor Plan as an element, (3-23-15). **Moved by Gatto to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [15-0391](#) 33. [Approving](#) retention of Peddicord, Wharton, Spencer, Hook, Barron & Wegman as outside counsel to represent former Police Officer Colin Boone. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0392](#) 34. [Approving](#) payment of billing from the Ahlers & Cooney, PC law firm with respect to collective bargaining, \$1,396.50. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0393](#) 35. [Approving](#) payment to Duncan, Green, Brown & Langeness with respect to construction disputes, \$16,988.51. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0394](#) 36. [Approving](#) payment to Ahlers & Cooney, PC law firm relating to proposed 7th and Grand lease purchase agreement, \$1,176. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0395](#) 37. [Approving](#) payment to Kevin Buttrey for settlement of a workers' compensation claim. **Moved by Gatto to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- [15-0396](#) 38. [Submitting](#) travel and training requests for T.M. Franklin Cownie, Sone Cam, Jeff Cronin, Tim Fricke, Kyle Larson, Dani Lisk, Amber Lynch, Scott Rounds, and Jason Underwood. ([Council Communication No. 15-124](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

APPROVING

WITHDRAWN

- [15-0397](#) 39. ~~CDBG Project Agreement with 6th Avenue Corridor, Inc. for a redevelopment project in the 6th Avenue Corridor area.~~
- [15-0398](#) 40. [Support](#) of a grant application by Community Housing Initiatives for funding of a proposed housing rehabilitation initiative in the East Bank neighborhoods. ([Council Communication No. 15-115](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0399](#) 41. [First](#) Amendment to Urban Renewal Development Agreement with 201, LLC regarding the required size of the Staybridge Suites Hotel component of the City Square Development at 201 E. Locust Street. ([Council Communication No. 15-125](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [15-0400](#) 42. [Collateral](#) Assignment of Development Agreement with Randolph Apartments LLC (George Sherman, President) to Great Southern Bank as security for project financing. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0401](#) 43. [Sponsorship](#) of an application for financial assistance to the Iowa Economic Development Authority under the High Quality Jobs Program and preliminary approval of a City Economic Development Loan of up to \$40,000 for Pillar Technology, LLC. ([Council Communication No. 15-120](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0402](#) 44. [Budget](#) for the Downtown Self-Supported Municipal Improvement District (SSMID) for the fiscal year ending June 30, 2016. **Moved by Hensley to adopt; refer to the City Manager to start discussions regarding how to fund amenities such as Police on Court Avenue and D-Line. Motion Carried 7-0.**
- [15-0403](#) 45. [Iowa](#) Great Places Program Grant Agreement for Sixth Avenue Corridor Streetscape Project. ([Council Communication No. 15-114](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0404](#) 46. [Submission](#) of Smart Policing Initiative Competitive Grant program, \$542,039.20. ([Council Communication No. 15-098](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0405](#) 47. [License](#) Agreement with Principal Life Insurance Company for the installation and operation of a fiber optic communication system in City-owned Skywalk Bridges and Corridors. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0406](#) 48. [Communication](#) from Downtown Community Alliance, on behalf of the Downtown Farmers' Market, requesting approval of banner design for banners to be displayed in downtown Des Moines on Court Avenue from April through October 2015. **Moved by Gatto to receive, file and approve banner design. Motion Carried 7-0.**

WITHDRAWN

49. ~~Keltek Inc. (Kelly Milligan, Owner/President) for mobile access routers for use in law enforcement vehicles as requested by the Police Department, \$451,262.50. (Ten bids mailed, seven received).~~

50. Bids from the following:

- [15-0407](#) (A) [ABM](#) Onsite Services (Brad Nelson, Regional Director of Operations) and Reliable Maintenance (Keith McKay, Vice President) for two (2) year contract with three (3) additional one-year renewal options to furnish city-wide custodial services for use by the Parks & Recreation Department, estimated annual cost \$280,000. (Eleven bids mailed, six received). ([Council Communication No. 15-117](#)) **Moved by Moore to adopt. Motion Carried 6-1. Absent: Coleman.**
- [15-0408](#) (B) [Excel](#) Mechanical (Alisa Smith, President) for rooftop HVAC replacement services for the Saddlery Building Skywalk for use by the Engineering Department, \$111,760. (Ten bids mailed, three received). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0409](#) (C) [Hubb](#) Systems LLC d/b/a Data 911 (Bret Hubbard, President and CEO) for mobile data computers for use in Fire Department medical emergency response vehicles per US General Services Administration (GSA) Contract for use by the Police Department, \$70,287.14. ([Council Communication No. 15-100](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0410](#) 51. [Civil](#) Service Promotional Lists for Senior Plant Operator, Solid Waste Section Chief, Pumping Station Technician, Mobile Data Technician, and Sewer Maintenance Worker. **Moved by Gatto to receive and file. Motion Carried 7-0.**
- [15-0411](#) 52. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of March 9 and 16, 2015; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of March 9 and 16, 2015 and to draw checks for biweekly payroll due on March 20, 2015. **Moved by Gatto to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

- [15-0412](#) 53. [Amending](#) Chapter 114 of the Municipal Code to place a 4-way stop at the intersection of SW 56th Street and SW McKinley Avenue. **Moved by Gatto that this ordinance do now pass, [#15,351](#). Motion Carried 7-0.**
- [15-0413](#) 54. [Amending](#) Chapter 102 of the Municipal Code regarding appointment of members to the Skywalk Committee. **Moved by Gatto that this ordinance do now pass, [#15,352](#). Motion Carried 7-0.**
- [15-0414](#) 55. [Amending](#) Chapter 114 of the Municipal Code to remove two parking meters on the east side of 12th Street, north of Cherry. **Moved by Gatto that this ordinance do now pass, [#15,353](#). Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

[15-0415](#) 56. Amending Chapter 114 of the Municipal Code regarding hours of restriction change on corner clearance at SW 9th Street and Kenyon Avenue. **Moved by Gatto that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

[15-0416](#) 57. Amending Chapter 78 of the Municipal Code regarding buffer zones for street use permits, to bring the Peddler Ordinance and Transient Merchant Ordinance regulations in line with the Street Use ordinance. **Moved by Gatto that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

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

ORDINANCES - SECOND CONSIDERATION

[15-0417](#) 58. Amending Chapter 126 of the Municipal Code regarding Vehicle Transportation Services, as amended. (Council Communication No. 15-112) **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

[15-0418](#) (A) Final consideration of ordinance above (waiver requested by the City Manager), 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, #15,354. Motion Carried 7-0.**

ORDINANCES - FIRST CONSIDERATION

[15-0419](#) 59. Amending Chapter 114 of the Municipal Code submitting traffic regulation changes as follows: (Council Communication No. 15-111) **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

(A) Code revisions as a result of renaming that segment of the Southwest Connector extending west from Iowa Highway 28 to the west City boundary as “Veterans Parkway.”

(B) Code revisions necessary to reflect changes due to construction project on Evergreen.

(C) Code revisions necessary to reflect changes due to construction project on Southwest Water Street.

[15-0420](#) (D) 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, #15,355. Motion Carried 7-0.**

[15-0421](#) 60. **Amending** Chapter 78 of the Municipal Code to establish a Mobile Vender Pilot Program and regulate the sale of food and beverages by mobile vendors in the downtown area. ([Council Communication No. 15-123](#)) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

COMMUNICATION/REPORTS

[15-0422](#) 60-I **Request** from Nan Stillians, 1604 24th Place, to speak regarding an article entitled “In Their Shoes” and the State of Iowa Boards and Commissions. Sponsor: Mayor Cownie. **No motion made.**

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 61 THRU 69)

[15-0423](#) 61. **On** Urban Renewal Agreement for sale of land for private redevelopment with Iowa Machine Shed Co., for the sale and redevelopment of Disposition Parcel 13-1 at 401 E. Grand Avenue in the Metro Center Urban Renewal Project. ([Council Communication No. 15-118](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[15-0424](#) (A) **Setting** date of hearing on vacation of air space and subsurface rights within E. Grand Avenue and subsurface rights within E. 4th Street adjoining 401 E. Grand Avenue and for conveyance of easements to Iowa Machine Shed Co., \$6,093, (3-23-15). **Moved by Gatto to adopt. Motion Carried 7-0.**

62. Items regarding request from Des Moines Pediatric and Adolescent Clinic, PLC for property at 2301 Beaver Avenue, 2313 Beaver Avenue and 2300 40th Place:

[15-0425](#) (A) **To** Amend the Des Moines 2020 Community Character Plan Future Land Use Designation from Low-Density Residential District to Commercial: Pedestrian-Oriented, Neighborhood Node. **Moved by Gray to adopt and approve the proposed amendment. Motion Carried 6-1. Nays: Moore.**

[15-0426](#) (B) **Hearing** on rezoning of the property from “C-0” (Commercial-Residential) and “R1-60” (One-Family Low-Density Residential) to Ltd. “C-1” (Neighborhood Retail Commercial). (Six affirmative votes required for approval). **Moved by Gray to adopt. Motion Carried 6-1. Nays: Moore.**

- [15-0427](#) (C) [First](#) consideration of ordinance above. **Moved by Gray that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Nays: Moore.**
- [15-0428](#) (D) [Final](#) consideration of ordinance above (waiver requested by the applicant), requires six votes. **Moved by Gray 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, [#15,356](#). Motion Carried 6-1. Nays: Moore.**
- [15-0429](#) 63. [On](#) adoption of the recommended Capital Improvement Program for fiscal years 2015-2016 through 2020-2021. ([Council Communication No. 15-121](#)) **Moved by Hensley to adopt; refer to the City Manager to present options for use of additional road use tax funds on park and cemetery roads and other appropriate uses. Motion Carried 7-0.**
64. Items regarding proposed General Obligation Bonds for the following: ([Council Communication No. 15-122](#))
- [15-0430](#) (A) [On](#) issuance of not to exceed \$19,660,000 (for Essential Corporate Purposes). **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [15-0431](#) (1) [Authorization](#) for additional action. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [15-0432](#) (B) [On](#) issuance of not to exceed \$3,680,000, (for Urban Renewal Purposes). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0433](#) (1) [Authorization](#) for additional action. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0434](#) (C) [On](#) issuance of not to exceed \$955,000 (for General Corporate Purposes). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0435](#) (1) [Authorization](#) for additional action. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0436](#) (D) [On](#) issuance of not to exceed \$870,000 (for General Corporate Purposes). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0437](#) (1) [Authorization](#) for additional action. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0438](#) (E) [On](#) issuance of not to exceed \$570,000, (for General Corporate Purposes). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0439](#) (1) [Authorization](#) for additional action. **Moved by Hensley to adopt. Motion Carried 7-0.**

- [15-0440](#) (F) [On](#) issuance of not to exceed \$845,000, (for General Corporate Purposes). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0441](#) (1) [Authorization](#) for additional action. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0442](#) (G) [On](#) issuance of not to exceed \$850,000, (for General Corporate Purposes). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0443](#) (1) [Authorization](#) for additional action. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0444](#) (H) [On](#) issuance of not to exceed \$955,000, (for General Corporate purposes). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0445](#) (1) [Authorization](#) for additional action. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0446](#) (I) [On](#) issuance of not to exceed \$820,000, (for General Corporate Purposes). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0447](#) (1) [Authorization](#) for additional action. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0448](#) (J) [On](#) issuance of not to exceed \$870,000, (for General Corporate Purposes). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0449](#) (1) [Authorization](#) for additional action. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0450](#) (K) [Authorizing](#) issuance of not to exceed \$30,075,000 General Obligation Bonds and levying a tax for payment. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0451](#) 65. [On](#) Amendment to the annual budget for current fiscal year ending June 30, 2015. ([Council Communication No. 15-121](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0452](#) 66. [On](#) proposed budget for the fiscal year ending June 30, 2016. ([Council Communication No. 15-121](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [15-0453](#) 67. [On](#) Cownie Baseball Facility Parking Lot: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designation of lowest responsible bidder as Grimes Asphalt and Paving Corporation, (Kurt Rasmussen, President), \$779,232.25. ([Council Communication No. 15-103](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0454](#) (A) [Approving](#) contract and bond, and permission to sublet. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [15-0455](#) 68. On Greenwood Park Pond Dredging: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designation of lowest responsible bidder as Corell Contractor, Inc., (Grant Corell, President), \$381,172.50. ([Council Communication No. 15-105](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0456](#) (A) Approving contract and bond, and permission to sublet. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [15-0457](#) 69. On Williams Street Culvert Replacement South of Timber Lane: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designation of lowest responsible bidder as J & K Contracting, LLC, (Jeremy Feldmann, President), \$197,961. ([Council Communication No. 15-113](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [15-0458](#) (A) Approving contract and bond, and permission to sublet. **Moved by Gatto to adopt. Motion Carried 7-0.**

*** END OF HEARINGS AT 6:34 PM ***

APPROVING

- [15-0459](#) 70. Supporting the positions that corporations should not receive the same constitutional rights as natural persons and that money is not speech. **Moved by Moore to adopt. Motion Carried 5-1-1. Nays: Hensley. Pass: Mahaffey.**

EXTRA ITEMS

- [15-0460](#) 1. Approval of collective bargaining agreement with Central Iowa Public Employees Council (CIPEC) for the period July 1, 2015 through June 30, 2018. Sponsor: Mayor Cownie. ([Council Communication No. 15-126](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

BOARD OF HEALTH

- [15-0461](#) 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:

- [15-0462](#) (A) [1312](#) Boyd Street, garage structure; Titleholder: Linda J. White; Mortgage Holder: Bank of the West f/k/a Commercial Federal Bank; Tax Lien Holder: Iowa Department of Revenue. **Moved by Gray to adopt. Motion Carried 7-0.**
- [15-0463](#) (B) [1637](#) Huntland Drive, main structure; Titleholder: David R. Nichols; Mortgage Holder: Bank of America, NA. **Moved by Gray to adopt. Motion Carried 7-0.**
- [15-0464](#) (C) [1509](#) Maury Street, commercial building structure and accessory building; Titleholders: Bud J. Sonderleiter and Leola M. Sonderleiter. **Moved by Gray to adopt. Motion Carried 7-0.**
- [15-0465](#) (D) [2111](#) Mondamin Avenue, main structure; Titleholder: Paul D. Johnson; Contract Buyer: Sandy Olechnovics. **Moved by Gray to adopt. Motion Carried 7-0.**
- WITHDRAWN
[15-0466](#) (E) ~~[822](#) Olinda Avenue, garage structure; Titleholder: T.J. Elings a/k/a Terry Lee Elings, Jr.; Mortgage Holder: Wells Fargo Bank, NA.~~
- [15-0467](#) (F) [4707](#) SE 5th Street, main structure; Titleholder: Raymond E. Johnson. **Moved by Gray to adopt. Motion Carried 7-0.**
- [15-0468](#) MOTION TO ADJOURN. **Moved by Gray to adjourn at 8:10 PM. Motion Carried 7-0.**

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