



*** 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 '16-' 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

April 25, 2016
4:30 PM

I. CLOSED SESSION – 3:30 PM

- [16-0641](#) (A) Roll Call. **Present: Cownie, Coleman, Gatto, Gray, Hensley, Moore and Westergaard.**
- [16-0642](#) (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 Hensley to adopt. Motion Carried 7-0.**
- [16-0643](#) (C) Closed Session.
- [16-0644](#) (D) Terminate closed session and reconvene in open session. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [16-0645](#) (E) Motion to adjourn. **Moved by Gatto to adjourn at 4:02 PM. Motion Carried 7-0.**

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SPECIAL PRESENTATIONS – 4:00 PM

Certificate of Appreciation to Senior Police Officer Michael DeMoss from the Fire Department

PROCLAMATIONS – 4:05 PM

Arbor Day

INVOCATION: Council Member Skip Moore

- [16-0646](#) 1. **ROLL CALL: Present: Cownie, Coleman, Gatto, Gray, Hensley, Moore and Westergaard.**
- [16-0647](#) 2. **APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: Moved by Hensley to adopt. Motion Carried 7-0.**
- [16-0648](#) 3. **APPROVING CONSENT AGENDA * – items 3 through 48: 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

- [16-0649](#) 4. **Approving Alcoholic Beverage License Application for the following: Moved by Hensley to adopt. Motion Carried 7-0. Council Member Coleman votes no on items D, F, G, I and J.**

NEW APPLICATIONS

(A)	EMBASSY SUITES HOTEL	101 E LOCUST ST	B Liquor
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RENEWAL APPLICATIONS

(B)	14TH STREET TAVERN	3418 E 14TH ST	C Liquor
(C)	ALL IN THE FAMILY LOUNGE	4249 FLEUR DRIVE	C Liquor
* (D)	BEST FOOD MART	4028 E 14TH ST	E Liquor
(E)	BOURBON STREET	500 ARMY POST RD	C Liquor
* (F)	CARBON C	216 COURT AVE	C Liquor
* (G)	DES MOINES VALERO #203	4140 PARK AVE	C Beer
(H)	DJANGO RESTAURANT	210 10TH ST	C Liquor
* (I)	GIT N GO STORE #1	3735 HUBBELL AVE	C Beer
* (J)	H & A MINI MART *(1)	5901 FLEUR DR	C Beer
(K)	JOHNNYS HALL OF FAME	302 COURT AVE	C Liquor
(L)	KUM & GO #120	101 ARMY POST RD	C Beer
(M)	LAST STOP BEVERAGE SHOP	2839 E UNIVERSITY	E Liquor

(N)	MICKEYS IRISH PUB	204 3RD ST	C Liquor
(O)	QUIK TRIP #515	1421 INGERSOLL	C Beer
(P)	THIRSTY SPORTSMAN	4808 SW 9TH ST	C Liquor

OUTDOOR SERVICE APPLICATIONS

(Q) PROOF RESTAURANT 1301 LOCUST ST C Liquor
 Permanent. Pending approval of Zoning Department.

(R) UNIVERSITY LIBRARY CAFE 3506 UNIVERSITY C Liquor
 Temporary for Bulldog Brewdays on April 28 – 30, 2016. Pending approval of Electrical Department.

SPECIAL EVENT APPLICATIONS

(S) DES MOINES SOCIAL 901 CHERRY ST Five (5) Day License
 Special Class C Liquor License (Beer/Wine) for Food Truck Throwdown on May 7, 2016. Pending approval of Electrical Department.

(T) IOWA TAPROOM 215 E 3RD ST Five (5) Day License
 Class B Beer License for Market to Market Relay on May 7, 2016. Pending approval of Building and Zoning Departments.

(U) LEVY PROM GOLF 3915 FLEUR DR Five (5) Day License
 Class C Liquor License for Principal Charity Classic on May 30 – June 5, 2016.

(V) NICKS 1106 ARMY POST RD Five (5) Day License
 Class B Beer License for Classic Car Show on April 29, 2016.

(W) NICKS 1106 ARMY POST RD Five (5) Day License
 Class B Beer License for Classic Car Show on May 6, 2016.

(X) NICKS 1106 ARMY POST RD Five (5) Day License
 Class B Beer License for Classic Car Show on May 13, 2016.

(Y) TASTE! TO GO 555 17TH ST Five (5) Day License
 Special Class C Liquor License (Beer/Wine) for Arts & Ends Fundraiser on April 29 – May 1, 2016.

[16-0650](#)

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

PUBLIC IMPROVEMENTS

6. Ordering construction of the following:

[16-0651](#)

- (A) [City](#) Hall Improvements: Receiving of bids, (5-24-16), Setting date of hearing (6-13-16). Construction estimate, \$5,795,000. ([Council Communication No. 16-223](#))
Moved by Hensley to adopt. Motion Carried 7-0.

- [16-0652](#) (B) [Four Mile Community Center Parking Lot Improvements](#): Receiving of bids, (5-10-16), Setting date of hearing (5-23-16). Construction estimate, \$170,000. ([Council Communication No. 16-225](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [16-0653](#) 7. [Approval](#) of FY 2015-16 Annual Right-of-Way (ROW) Management Fee. ([Council Communication No. 16-208](#)) **Moved by Hensley to adopt. Motion Carried 5-1-1. Nays: Moore. Council Member Coleman declared a conflict of interest and abstains from voting.**
- [16-0654](#) 8. [Approving](#) endorsement of the National Association of City Transportation Officials (NACTO) Design Guides. ([Council Communication No. 16-217](#)) **Moved by Coleman to adopt; subject to discussion with IDOT regarding use of NACTO design guides. Motion Carried 7-0.**
- [16-0655](#) 8-I [Adopting](#) the Iowa Statewide Urban Design and Specifications (SUDAS) Design Manual, 2016 Edition, and the SUDAS Standard Specifications, 2016 Edition, as the official design standards and standard specifications for the City of Des Moines, Iowa. Sponsor: Mayor Cownie. ([Council Communication No. 16-233](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [16-0656](#) 9. [Approving](#) increase of total project costs for the design and construction of the Des Moines and Raccoon Rivers Project. ([Council Communication No. 16-218](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [16-0657](#) 10. [Approving](#) Professional Services Agreement with Walker Coen Lorentzen Architects, Inc. for programming, design, and construction phase services for the MacRae Park Shelter Renovation, not to exceed \$50,800. ([Council Communication No. 16-226](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [16-0658](#) 11. [Approving](#) Professional Services Agreement with Cambridge Systematics, Inc. for professional services for the Downtown Walkability Study Traffic Modeling Project, not to exceed \$356,981. ([Council Communication No. 16-221](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [16-0659](#) 12. [Approving](#) Change Order No. 2 with D.W. Zinser Company, Inc. for additional contract time and work on the 7th & Grand Parking Garage Demolition Project, not to exceed \$480,500. ([Council Communication No. 16-222](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [16-0660](#) 13. [Approving](#) Private Construction Contract between Miner Hardscape, LLC and Des Moines Independent Community School District for Storm Sewer Improvements in 5001 SW 14th Street, Wright Elementary School, \$15,752. **Moved by Hensley to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [16-0661](#) 14. [Levying](#) assessments for fees, costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2016-04. **Moved by Hensley to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [16-0662](#) 15. [Acceptance](#) of real estate documents from Archer-Daniels-Midland Company for voluntary acquisition of property located at the southwest Corner of E. Euclid Avenue and Delaware Avenue for Storm Water Improvements. ([Council Communication No. 16-228](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [16-0663](#) 16. [Acceptance](#) of real estate documents from the Estate of Cedric E. Ruby for voluntary acquisition of property at 1605 34th Street for the Closes Creek Watershed Improvements Project. ([Council Communication No. 16-219](#)) **Moved by Gray to continue to the May 9th Council meeting; refer to the City Manager for review and recommendation regarding the appraisal. Motion Carried 7-0.**

- [16-0664](#) 17. [Authorization](#) to proceed with acquisition of the necessary property interests for the Vine Street Improvements-Southwest 2nd Street to Southwest 3rd Street Project. ([Council Communication No. 16-211](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [16-0665](#) 18. [Recommendation](#) from Council Member Linda Westergaard to appoint Steve Wallace to the Plan and Zoning Commission, Seat 10, for a five-year term commencing July 5, 2014 to expire July 5, 2019. **Moved by Hensley to adopt. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [16-0666](#) 19. [Regarding](#) request from Bruce Davidson for vacation of the south 5 feet of Ankeny Avenue adjoining 2001 Hubbell Avenue to allow right-of-way to be incorporated for provision of the minimum five feet of setback required for paved vehicle display lots. **Moved by Gatto to continue to May 9, 2016. Motion Carried 7-0.**

- [16-0667](#) 20. [Regarding](#) request from 215 East 3rd Street, LLC for vacation of a segment of E. 3rd Street to allow for encroachment of an entrance canopy feature with support beams and grain silo element, subject to conditions. **Moved by Hensley to receive and file the communication from the Plan and Zoning Commission, and to refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**

- [16-0668](#) 21. [Regarding](#) approval of a Preliminary Plat "Lake View Ridge" located in the 4601 block of

SE 34th Street to allow for development of 54 single-family dwelling lots. **Moved by Hensley to receive and file. Motion Carried 7-0.**

- [16-0669](#) 22. **Regarding** DENIAL of a Preliminary Plat “Winterfell” on property at 3816 John Lynde Road. **Moved by Hensley to adopt. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [16-0670](#) 23. **On** petition to establish the SW 9th Corridor Self-Supported Municipal Improvement District (SSMID), (5-23-16). ([Council Communication No. 16-215](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [16-0671](#) (A) **Communication** from Plan and Zoning Commission. **Moved by Hensley to receive and file the communication from the Plan and Zoning Commission. Motion Carried 7-0.**

- [16-0672](#) 24. **On** conveyance of a vacated portion of the north/south alley right-of-way adjoining 2726 E. 16th Street to Luther Park Apartments Inc., \$600, (5-9-16). **Moved by Hensley to adopt. Motion Carried 7-0.**

- [16-0673](#) 25. **On** vacation and conveyance of a segment of Martin Luther King, Jr. Parkway adjoining 2120 Ingersoll Avenue to DJ Ingersoll Properties, LLC for use as an outdoor seating and patio area, \$5,115, (5-9-16). **Moved by Hensley to adopt. Motion Carried 7-0.**

- [16-0674](#) (A) **Communication** from Plan and Zoning Commission. **Moved by Hensley to receive and file the communication from the Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**

- [16-0675](#) 26. **On** vacation and conveyance of the north/south alley right-of-way located north of Crocker Street between 8th Street and 9th Street to HRC 8th Street, LLC, \$31,350, (5-9-16). **Moved by Hensley to adopt. Motion Carried 7-0.**

- [16-0676](#) (A) **Communication** from Plan and Zoning Commission. **Moved by Hensley to receive and file the communication from the Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0**

- [16-0677](#) 27. **On** request from JJ Equity, LLC to rezone 3300 E. 56th Street from “A-1” (Agricultural) to “PUD” (Planned Unit Development) to allow development of a single-family lot development and religious assembly site development, (5-9-16). **Moved by Hensley to adopt. Motion Carried 7-0**

- [16-0678](#) 28. **On** request from QuikTrip Corporation to rezone 4021 Fleur Drive from “C-2” (General Retail and Highway-Oriented Commercial) to “PUD” (Planned Unit Development) to

allow development of a convenience store, (5-9-16). **Moved by Hensley to adopt. Motion Carried 7-0**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [16-0679](#) 29. [Receive](#), file and affirm 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.**
- [16-0680](#) 30. [Approving](#) payment to Peddicord, Wharton, Spencer, Hook, Barron & Wegman, LLP for representation of former Police Officer Colin Boone, \$1,600. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [16-0681](#) 31. [Approving](#) payment to Belin McCormick Law Firm in conjunction with Kragnes v. City of Des Moines, Iowa, \$420. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [16-0682](#) 32. [Approving](#) payment to Duncan, Green, Brown & Langeness for representation on matters related to construction disputes, \$3,306. **Moved by Hensley to adopt. Motion Carried 7-0**
- [16-0683](#) 33. [Approving](#) payment to Orville Paul Hill for a personal injury lawsuit. **Moved by Hensley to adopt. Motion Carried 7-0**

CITY MANAGER COMMUNICATIONS

- [16-0684](#) 34. [Submitting](#) travel and training requests for Kirk Robinson and Jeremy Sprague. ([Council Communication No. 16-232](#)) **Moved by Hensley to adopt. Motion Carried 7-0**

APPROVING

- [16-0685](#) 35. [Settlement](#) Agreement between the Iowa Economic Development Authority (IEDA) and Hewlett Packard Enterprise Company. ([Council Communication No. 16-231](#)) **Moved by Hensley to adopt. Motion Carried 7-0**

- [16-0686](#) 36. [Contract](#) with Home Opportunities Made Easy, Inc. for operating support as a designated Community Housing Development Organization (CHDO) under the HOME Investment Partnership Program. ([Council Communication No. 16-212](#)) **Moved by Hensley to adopt. Motion Carried 7-0**

- [16-0687](#) 37. [Preliminary](#) terms of agreement of an urban renewal agreement with Mandelbaum Properties LLC for the sale and redevelopment of City-owned property at 5th and Walnut. ([Council Communication No. 16-220](#)) **Moved by Hensley to receive, file and approve the preliminary terms of agreement as set forth in Council Communication No. 16-220, and to direct the Office of Economic Development to proceed with negotiation of a formal agreement with Mandelbaum Properties consistent with the terms set forth in Council Communication No. 16-220. Motion Carried 7-0.**

- [16-0688](#) 38. [Preliminary](#) terms of agreement with Janssen Lodging, Inc. for the renovation of the Hotel Fort Des Moines at 1000 Walnut Street. ([Council Communication No. 16-229](#)) **Moved by Hensley to receive, file and approve the preliminary terms of agreement as set forth in Council Communication No. 16-229, and to direct the Office of Economic Development to proceed with negotiation of a formal agreement with Janssen Lodging, Inc., consistent with the terms set forth in Council Communication No. 16-229. Motion Carried 6-1. Nays: Moore.**

- [16-0689](#) 39. [Extension](#) of contract with Intermedix Corporation for emergency medical ambulance billing and collection services through September 30, 2016. **Moved by Hensley to adopt. Motion Carried 7-0.**

- [16-0690](#) 40. [Agreement](#) with the Beaverdale Betterment Coalition regarding the operation of the Beaverdale SSMID. ([Council Communication No. 16-210](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [16-0691](#) 41. [Submittal](#) of an application for FY 2016 Body-Worn Camera Policy and Implementation Program Grant. ([Council Communication No. 16-205](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [16-0692](#) 42. [Receive](#) and file Quarterly Treasurer’s Report as of March 31, 2016. **Moved by Hensley to receive and file. Motion Carried 7-0.**

- 43. Abatement of public nuisances at the following addresses:

- [16-0693](#) (A) [2523](#) Shaw Street, fire damaged main structure. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [16-0694](#) (B) [3235](#) State Avenue, fire damaged main structure. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [16-0695](#) (C) [3820](#) 3rd Street, fire damaged main structure. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [16-0696](#) (D) [1526](#) 28th Street, main structure. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [16-0697](#) (E) [3611](#) E. 43rd Court, fire damaged main structure. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [16-0698](#) (F) [2552](#) Onawa Street, main structure and accessory structure. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [16-0699](#) 44. [Communication](#) of fire escrow being held for 1544 17th Street, main structure. **Moved by Hensley to receive and file and to direct the City Attorney to bring legal action within one hundred eighty (180) days of certified mail notice dated March 21, 2016 if owner(s) has not demolished or renovated the structure. Motion Carried 7-0.**
45. Bids from the following:
- [16-0700](#) (A) [Communications](#) Engineering Company (Matt Dlougy, DEO) for an audio visual system in the training rooms at the Des Moines Regional Police Academy for use by the Police Department, \$79,705.88. (Ten potential bidders, three received). ([Council Communication No. 16-204](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [16-0701](#) (B) [En](#) Pointe Technologies (Michael Rapp, President) for Microsoft Enterprise Agreement software support services for a three-year period for use by the IT Department, \$1,387,083.34. (Four potential bidders, three received). ([Council Communication No. 16-214](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [16-0702](#) (C) [Golden](#) Valley Hardscapes (Chuck Dornfeld, President) for an annual agreement with two (2) additional one-year renewal options to furnish engineered wood fiber playground mulch for use by the Park & Recreation Department, estimated annual cost \$40,000. (Five potential bidders, two received). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [16-0703](#) (D) [Triad](#) Productions Inc. (Dick Trump, President) for procurement of services to relocate the City Clerk's Office voting system and audio system from City Hall Council Chambers to the Municipal Service Center, \$45,000. ([Council Communication No. 16-224](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Coleman.**

[16-0704](#)

- 46. [Civil](#) Service Entrance Lists for Human Rights Specialist, Traffic Signal Technician, and Promotional List for Light Equipment Operator. **Moved by Hensley to receive and file. Motion Carried 7-0.**

[16-0705](#)

- 47. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of April 25 and May 2, 2016; and to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of April 25 and May 2, 2016; and to draw checks for biweekly payroll due on April 29, 2016. **Moved by Hensley to adopt. Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

[16-0706](#)

- 48. [Amending](#) Chapter 1 of the Municipal Code regarding general penalty for misdemeanors. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

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

ORDINANCES - FIRST CONSIDERATION

[16-0707](#)

- 49. [Amending](#) Chapter 114 of the Municipal Code submitting traffic regulation changes as follows: ([Council Communication No. 16-227](#)) **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0. *Council Member Moore votes “No” on item (B) Closure of Scott avenue between SE 15th Ct. and SE 18th Street.**

(A) Opening of E. Martin Luther King Jr. Parkway between SE 15th Street and SE 30th Street.

*(B) Closure of Scott Avenue between SE 15th Court and SE 18th Street.

(C) Addition of streets in the Woods of Copper Creek Development.

(D) Extension of No Parking Restriction on 31st Street, south of Ingersoll Avenue.

(E) Yield control for southbound Bradway Place at Harwood Drive.

[16-0708](#)

- (F) Final consideration of ordinance above, 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, #15,466. Motion Carried 7-0. *Council Member Moore votes “No” on item (B) Closure of Scott avenue between SE 15th Ct. and SE 18th Street.**

- [16-0709](#) 50. [Amending](#) Chapter 78 of the Municipal Code regarding transient merchants and mobile food vendors. ([Council Communication No. 16-230](#)) **Moved by Hensley that this ordinance be considered and given first vote for passage; refer to the City Manager for review and recommendation regarding hours of operation. Motion Carried 7-0.**

COUNCIL REQUESTS

- [16-0710](#) 51. [Request](#) from Council Member Skip Moore to discuss flag etiquette. **Moved by Moore to receive and file comments; refer to the City Manager for review and recommendation and to outline the City's process. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

- [16-0711](#) 52. [From](#) Robert Martin, 2117 36th Street, to speak regarding City Government, ADA, and Animal Control. **Moved by Gray to receive and file comments; refer to the City Manager for review and recommendation. Motion Carried 7-0.**

WITHDRAWN

- [16-0712](#) 53. ~~From Neighborhood Finance Corporation, requesting that the shelter at Redhead Park be renamed the Nadine Hogate Shelter.~~

- [16-0713](#) 54. [From](#) Rosemary Kirlin, 3031 Grand Ave, Apt. 112, to speak regarding parking on 31st Street between Ingersoll and Grand Avenue. **Moved by Hensley to receive and file. Ms. Kirlin did not appear. Motion Carried 7-0.**

- [16-0714](#) 55. [From](#) iMatter, a youth environmental organization, and others to speak regarding environmental issues and climate goals in Des Moines. **Moved by Gatto to receive and file comments and documents. Motion Carried 7-0.**

APPROVING

- [16-0715](#) 56. [Memorandum](#) of Understanding (MOU) with the United States General Services Administration (GSA) for action related to the development of a new Federal Courthouse in Des Moines. ([Council Communication No. 16-206](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [16-0716](#) 56-I [Dedicating](#) previously vacated east and west 25.25 feet of E. 2nd Street between E. Grand Avenue and E. Locust Street. **Moved by Gatto to adopt. Motion Carried 7-0.**

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 57 THRU 60)

- [16-0717](#) 57. **On** City-initiated request to consider adoption of “PlanDSM: Creating Our Tomorrow” as an amendment to the City’s Comprehensive Plan. **Moved by Hensley to adopt the plan as presented; refer to the City Manager for review and recommendation regarding: 1. Goal for the City to become carbon neutral by 2040. 2. Reconvening a citizen Sustainability Task Force. Motion Carried 7-0.**
- [16-0718](#) 58. **On** vacation and lease of a portion of 14th Street right-of-way adjoining 1459 Grand Avenue to Linden Street Investments, LLC in exchange for a permanent easement for a public pedestrian way across adjoining property owned by Linden Street Investments, LLC. ([Council Communication No. 16-209](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [16-0719](#) (A) **First** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [16-0720](#) (B) **Final** consideration of ordinance above (waiver requested by Kum & Go), 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, #15,467. Motion Carried 7-0.**
- [16-0721](#) 59. **On** vacation and lease of a portion of 13th Street right-of-way for a sidewalk café lease adjoining Proof Restaurant at 1301 Locust Street. ([Council Communication No. 16-207](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [16-0722](#) (A) **First** consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [16-0723](#) (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, #15,468. Motion Carried 7-0.**
- [16-0724](#) 60. **On** vacation and conveyance of an easement to 7&Grand Ramp Developer, LLC, for subsurface building encroachment under a portion of the south side of the 700 block of

High Street. **Moved by Hensley to adopt. Motion Carried 7-0.**

[16-0725](#)

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

[16-0726](#)

(B) **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, [#15,469](#). Motion Carried 7-0.**

*** END OF HEARINGS AT 5:47 PM ***

[16-0727](#)

MOTION TO ADJOURN. **Moved by Coleman to adjourn at 6:03 PM. Motion Carried 7-0.**

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