



**\*\*\* 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 '17-' 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**  
**Municipal Service Center, Council Chambers**  
**1551 E. M.L. King Jr. Pkwy.**  
**Des Moines, Iowa 50317**

**September 25, 2017**  
**4:30 PM**

**PROCLAMATION – 4:00 PM**

Italian Heritage Month

**INVOCATION:** Council Member Gatto

- [17-1626](#) 1. ROLL CALL: **Present: Coleman, Gatto, Gray, Hensley, Moore and Westergaard.**  
**Absent: Cownie.**
- [17-1627](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**
- [17-1628](#) 3. APPROVING CONSENT AGENDA \* – items 3 through 47: **Moved by Hensley to adopt the balance of the consent agenda. Motion Carried 6-1. Absent: Cownie.**

**\*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

[17-1629](#)

4. [Approving](#) Alcoholic Beverage License Applications for the following: **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie. Council Member Coleman votes no on item 4K.**

### NEW APPLICATION

- (A) PATIENCES AFRICAN CUISINE 3811 DOUGLAS AVE C Beer/Wine

### RENEWAL APPLICATIONS

- (B) ANDYS PLACE 5114 SW 9TH ST C Liquor  
(C) ARAMARK @ NATIONWIDE 1100 LOCUST ST C Liquor  
(D) BDS STAR ASIAN GROCERY 3818 DOUGLAS AVE C Beer  
(E) BEER CAN ALLEY/EXCHANGE 216 COURT AVE C Liquor  
(F) CASEYS #44 4560 E 14TH ST C Beer  
(G) CEVICHE 223 E WALNUT ST C Liquor  
(H) CHEFS PALETTE 4700 GRAND AVE C Liquor  
(I) DES MOINES MARRIOTT HOTEL 700 GRAND AVE B Liquor  
(J) DES MOINES MARRIOTT HOTEL 700 GRAND AVE E Liquor  
\*(K) EAST VILLAGE PANTRY 333 E GRAND AVE E Liquor  
(L) EL BUEN SABOR LATINO 1130 E 9TH ST C Liquor  
(M) FAREWAY STORE #900 100 E EUCLID AVE E Liquor  
(N) FAREWAY STORE #975 3000 SE 22ND ST E Liquor  
(O) GODFATHERS PIZZA 4119 UNIVERSITY B Beer  
(P) GRAND VIEW UNIVERSITY 1500 MORTON AVE C Liquor  
(Q) HYATT PLACE DES MOINES 418 6TH AVENUE B Liquor  
(R) LE JARDIN 2815 BEAVER AVE C Beer/Wine  
(S) MONTANA MIKES STEAK 5030 NE 14TH ST C Liquor  
(T) VIVA MEXICAN RESTAURANT 6101 GRAND AVE C Liquor  
(U) WASABI CHI ASIAN DINER 5418 DOUGLAS AVE C Liquor  
(V) WELLMANS PUB 2920 INGERSOLL C Liquor

### TRANSFER TO A NEW LOCATION

- (W) GRAND VIEW UNIVERSITY 2811 E 14TH ST C Liquor  
Permanent transfer from 1500 Morton Avenue.

### SPECIAL EVENT APPLICATIONS

- (X) BUZZARD BILLYS 615 3RD ST Five (5) Day License  
Class C Liquor License for Bob Seger concert on October 10, 2017.
- (Y) BUZZARD BILLYS 615 3RD ST Five (5) Day License  
Class C Liquor License for Chris Stapleton concert on October 6, 2017.
- (Z) CAPTAIN ROYS 1900 SAYLOR RD B Beer  
Fourteen day license for events on September 27 – October 10, 2017.

- (AA) COMMONS OFF THE CLOCK 313 WALNUT ST Five (5) Day License  
Class B Beer License for an event on October 13, 2017.
- (BB) CRAFT HAULERS 1203 LOCUST ST Five (5) Day License  
Class B Beer License for Legion of Fall Food Truck Festival on October 6, 2017.  
Pending approval of Building Department.
- (CC) HOLY FAMILY SCHOOL 1265 E 9TH ST Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for Barn Bash Fundraising event on  
October 14, 2017.
- (DD) NATIONAL TACO ASSOC 1000 GRAND AVE Five (5) Day License  
Class C Liquor License for Taco Festival on October 7, 2017. Pending approval of  
Building and Zoning Departments.
- (EE) POLK CO. DEMOCRATS 2201 GEORGE FLAGG Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for Polk County Democratic Steak Fry  
on September 30, 2017. Pending approval of Zoning Department.

[17-1630](#)

- 5. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits. **Moved by Hensley to adopt. Motion Carried 5-1-1. Nays: Moore. Absent: Cownie.**

#### PUBLIC IMPROVEMENTS

[17-1631](#)

- 6. [Ordering](#) construction of 1401 E. 12<sup>th</sup> Street Building Demolition: Receiving of bids, (10-10-17), Setting date of hearing, (10-23-17). Engineer's estimate, \$275,000. ([Council Communication No. 17-692](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**

[17-1632](#)

- 7. [Authorizing](#) the City Manager to submit an Iowa Clean Air Attainment Program (ICAAP) Funding Application to the Des Moines Area Metropolitan Planning Organization (MPO) for Iowa Department of Transportation (IDOT) Funding of Traffic Signal System Timing Updates – Phase 3. ([Council Communication No. 17-696](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**

- 8. Approving completion of private construction contracts for the following:

[17-1633](#)

- (A) [Storm](#) Sewer Improvements, 5th Avenue, south of Court Avenue, between Elder Corporation and Hy-Vee Construction, LC. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**

[17-1634](#)

- (B) [Storm](#) Sewer Improvements, 409 E. Grand Avenue, between Elder Corporation and Iowa Machine Shed Co. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**

[17-1635](#) 9. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**

[17-1636](#) 10. [Amendment](#) to the Agreement with Iowa Interstate Railroad, Ltd. for additional track protection services and track work necessary for installation of flood gates at the ends of Iowa Interstate Railroad's Des Moines River Bridge as part of the Downtown Closures Improvements Project. ([Council Communication No. 17-697](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**

[17-1637](#) 11. [Approving](#) E. 30<sup>th</sup> Street Streetscape Concept Plan and authorizing staff to proceed with final design. ([Council Communication No. 17-688](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**

#### **SPECIAL ASSESSMENTS**

[17-1638](#) 12. [Levying](#) assessments for costs of Public Works Sewer Repair, Schedule No. 2017-04. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**

#### **LAND/PROPERTY TRANSACTIONS**

[17-1639](#) 13. [Termination](#) of Lot Tie Agreement, no longer necessary for building and fire code compliance, 1221 Keosauqua Way. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**

#### **BOARDS/COMMISSIONS/NEIGHBORHOODS**

[17-1640](#) 14. [Moving](#) the Beaverdale Neighborhood from Designated to Charter Status in accordance with the Neighborhood Revitalization Program. ([Council Communication No. 17-687](#)) **Moved by Gray to adopt. Motion Carried 6-1. Absent: Cownie.**

[17-1641](#) 15. [Approving](#) recommendation from Mayor Cownie to appoint Jill Lippincott to the Housing Services Board, Seat 1, for a three-year term commencing June 30, 2017 and ending June 30, 2020. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**

## COMMUNICATIONS FROM PLANNING AND ZONING

[17-1642](#) 16. Regarding request from Imperial Properties, Inc. for vacation of Lyon Street between E. 15<sup>th</sup> and E. 16<sup>th</sup> Street and of the east-west alley right-of-way in the vicinity of 1500-1554 Des Moines Street and 606 E. 16th Street for assemblage with adjoining property for commercial and/or residential redevelopment, subject to conditions. **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 6-1. Absent: Cownie.**

[17-1643](#) 17. Regarding Preliminary Plat “Bauer Heights Plat 4” in the vicinity of the 5500 block of NE 36<sup>th</sup> Court. **Moved by Hensley to receive and file. Motion Carried 6-1. Absent: Cownie.**

## SETTING DATE OF HEARINGS

[17-1644](#) 18. On request from 4000 Ingersoll Park Houses, LP (developer) represented by Frank Levy (officer) for a 4th Amendment to the Plymouth Congregational Church PUD Conceptual Plan located at 4016-4126 Ingersoll Avenue, 526-550 40th Street, and 527-535 41st Street, (10-9-17). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**

[17-1645](#) 19. On License Agreement to license a portion of the Combined Sewer Solids Separation Facility –Building 02 located southwest of SE 25<sup>th</sup> Court and C B & Q Street from Des Moines Metropolitan Wastewater Reclamation Authority, (10-9-17). (Council Communication No. 17-679) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**

[17-1646](#) 20. On assessment of \$1,500 penalty and a 30-day suspension of liquor license for Des Moines Yacht Club located at 2617 Ingersoll Avenue for violation of Iowa Alcoholic Beverage Laws, sales to minors (10-9-17). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**

[17-1647](#) 21. On the Proposed 2018 Action Plan for the U.S. Department of Housing and Urban Development Consolidated Plan, (11-6-17). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**

WITHDRAWN 22. On ~~review of the anticipated environmental impact of the River Bend and King Irving Sewer Separation Project, (10-23-17).~~

## LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [17-1648](#) 23. [Approving](#) payment to Ana Mejia for an auto claim and Jorge Acosta for a bodily injury claim. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**
- [17-1649](#) 24. [Approving](#) payment to Mid America Recycling for an auto claim. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**
- [17-1650](#) 25. [Approving](#) payment to Kenworthy Law, PC on matters related to construction disputes \$7,990.92. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**
- [17-1651](#) 26. [Approving](#) payment to Belin McCormick Law Firm regarding environmental issues, \$162.50. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**

## CITY MANAGER COMMUNICATIONS

- [17-1652](#) 27. [Submitting](#) travel and training for Aaron Cawthorn, Dan Pritchard, Dustin Wing and Skip Moore. ([Council Communication No. 17-702](#)) **Moved by Gatto to adopt. Motion Carried 5-1-1. Pass: Hensley. Absent: Cownie.**

## APPROVING

- [17-1653](#) 28. [Community](#) Development Block Grant (CDBG) Agreement and receive City Manager's recommendation for future allocations of Home Investment Partnerships (HOME) funding for Birdland Vista, LLC to construct affordable housing in the Birdland area. ([Council Communication No. 17-685](#)) **Moved by Westergaard to adopt. Motion Carried 6-1. Absent: Cownie.**
- [17-1654](#) 29. [Grant](#) Agreements with the U.S. Department of Housing and Urban Development (HUD) for funding the City's Third Year (2017) Action Plan of the 2015-2019 HUD Consolidated Plan. ([Council Communication No. 17-670](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**
- [17-1655](#) 30. [Release](#) of HOME Investment Partnership Program (HOME) Liens associated with Southern Meadows Project, 2800 SE 8<sup>th</sup> Street. ([Council Communication No. 17-689](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**
- [17-1656](#) 31. [First](#) Amendment to HOME Agreement with Ingersoll Square Phase III Associates, LP, 2005 Ingersoll Avenue. ([Council Communication No. 17-686](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**
- [17-1657](#) 32. [Support](#) of a Workforce Housing Tax Credit Application to be submitted to the Iowa Economic Development Authority (IEDA) by Market District One, LLC for a new 59-unit housing project at 401 SE 6<sup>th</sup> Street. ([Council Communication No. 17-701](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**

- [17-1658](#) 33. [Parcel](#) Development Agreement with New Horizon Real Estate Development – Iowa, LLP and redevelopment plan for construction of a daycare facility in Gray’s Landing at the northwest corner of SW 9<sup>th</sup> and Murphy Street. ([Council Communication No. 17-700](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**
- [17-1659](#) 34. [City](#) loan in the amount of \$100,000 from the Des Moines Action Loan Fund to Port of Des Moines, LLC, 320 Martin Luther King Jr. Parkway. ([Council Communication No. 17-699](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**
- [17-1660](#) 35. [Acceptance](#) of 2017 Homeland Security Weapons of Mass Destruction (WMD)/SWAT and the Explosive Ordnance Detection (EOD) Grant, \$302,095. ([Council Communication No. 17-671](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**
- [17-1661](#) 36. [Memorandum](#) of Agreement with Iowa Homeland Security and Emergency Management Department (IHSEMD) for consent to IHSEMD to retain cybersecurity risk reduction grant funding for use by State Office of Chief Information Officer (OCIO). ([Council Communication No. 17-667](#)) **Moved by Hensley to approve. Motion Carried 6-1. Absent: Cownie.**
- [17-1662](#) 37. [Cooperative](#) Agreement with Polk County to provide watershed coordination services to support metro area watershed management authorities, \$37,000. ([Council Communication No. 17-669](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**
- [17-1663](#) 38. [Donation](#) and Construction Agreement with Rebuilding Together Greater Des Moines, Inc. d/b/a Rebuilding Together regarding Stewart Park Playground. ([Council Communication No. 17-681](#)) **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Cownie.**
- [17-1664](#) 39. [Intergovernmental](#) 28E Agreement with Drake University regarding operation and shared maintenance of the Drake Municipal Observatory. ([Council Communication No. 17-666](#)) **Moved by Hensley to approve. Motion Carried 6-1. Absent: Cownie.**
- [17-1665](#) 40. [City](#) Council meeting schedule for 2018. **Moved by Hensley to approve the 2018 schedule. Motion Carried 6-1. Absent: Cownie.**
- [17-1666](#) 41. [City](#) Street Financial Report to Iowa Department of Transportation (IDOT) for Fiscal Year 2017. ([Council Communication No. 17-680](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**

42. Purchases from the following:

- [17-1667](#) (A) [City Supply Corporation](#) (Randy Childs, General Manager) for Zurn brand drain gates to fit existing floor drains at various parking garages for use by the Engineering Department, \$107,392. (Three potential bidders, two received). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**
- [17-1668](#) (B) [Cunningham Recreation](#) (Scott Cunningham, President) for playground resurfacing at Drake Park for use by the Parks & Recreation Department, \$44,105.70. (Nine potential bidders, four received). ([Council Communication No. 17-684](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**
- [17-1669](#) (C) [Family Tree Care](#) (Rick Hanson, Owner) for City-wide hazardous tree removal services for use by the Public Works Department, \$199,709. (Nine potential bidders, one received). ([Council Communication No. 17-668](#)) **Moved by Moore to adopt; refer to the City Manager for review and recommendation regarding adding additional employees to the City Forestry Division. Motion Carried 6-1. Absent: Cownie.**
- [17-1670](#) (D) [Outdoor Recreation Products](#) (Jennifer Pospichal, President) for playground equipment for Belle Turner Park per National Cooperative Purchasing Alliance (NCPA) Contract for use by the Parks & Recreation Department, \$63,933. ([Council Communication No. 17-683](#)) **Moved by Westergaard to adopt. Motion Carried 6-1. Absent: Cownie.**
- [17-1671](#) (E) [Sandry Fire Supply](#) (Mary Sandry, President) for six additional Self-Contained Breathing Apparatus (SCBA) for use by the Police Department, \$42,616. ([Council Communication No. 17-673](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**
- [17-1672](#) (F) [International Erosion Control Systems](#) (Charles Chase, President) for concrete block erosion control matting systems for additional grade site work at Neil Smith Trail for use by the Parks & Recreation Department, additional amount \$6,544.50. ([Council Communication No. 17-682](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**
- [17-1673](#) (G) [Foster Coach Sales Inc.](#) (Steve Foster, President) per Houston-Galveston Area Council (HGAC) Contract approving a change order regarding retention of a trade-in ambulance and adding an oxygen lift system to an existing ambulance order for use by the Fire Department, additional amount \$15,400. ([Council Communication No. 17-675](#)) **Moved by Hensley to adopt. Motion Carried 5-1-1. Nays: Coleman. Absent: Cownie.**



- [17-1674](#) 43. [Iowa](#) Department of Natural Resources (IDNR) REAP (Resource Enhancement and Protection) Agreement for Des Moines River Trail Phase 2 Improvements. ([Council Communication No. 17-678](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**
- [17-1675](#) 44. [Civil](#) Service Promotional Lists for Street Maintenance Worker and Truck Driver. **Moved by Hensley to receive and file. Motion Carried 6-1. Absent: Cownie.**
- [17-1676](#) 45. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of September 25 and October 2, 2017; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of September 25 and October 2, 2017; and to draw checks for biweekly payroll due on September 29, 2017. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**

**ORDINANCES - SECOND CONSIDERATION**

- [17-1677](#) 46. [Amending](#) Chapter 114 of the Municipal Code regarding parking rates in municipally-owned parking garages. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 6-1. Absent: Cownie.**
- [17-1678](#) 47. [Amending](#) Chapter 74 of the Municipal Code regarding Brenton Skating Plaza ice rink fees. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 6-1. Absent: Cownie.**
- [17-1679](#) (A) [Final](#) consideration of ordinance above (Parks and Recreation 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, [#15,613](#). Motion Carried 6-1. Absent: Cownie.**

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

## ORDINANCES - FIRST CONSIDERATION

[17-1680](#)

48. **Amending** Chapter 114 of the Municipal Code submitting traffic regulation changes as follows: (**Council Communication No. 17-698**) **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Cownie.**

(A) Parking restriction – east side of SW 5<sup>th</sup> Street from Martin Luther King Jr. Parkway to Tuttle Street.

(B) Revised parking restriction times – north side of Forest Avenue from 32<sup>nd</sup> Street to 34<sup>th</sup> Street.

(C) Parking restriction – south side of Forest Avenue, west of 27<sup>th</sup> Street.

(D) Code correction – Two-way stop control at E. 43<sup>rd</sup> Street and Hull Avenue.

(E) Four-way stop control – Garfield Avenue and E. 12<sup>th</sup> Street.

[17-1681](#)

(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, #15,614. Motion Carried 6-1. Absent: Cownie.**

## COMMUNICATIONS/REPORTS

[17-1682](#)

49. **Request** from Madeline Cano, 112-10<sup>th</sup> Street and others, to speak regarding the Welcoming City resolution. **Moved by Hensley to receive and file comments and refer to the City Manager and City Attorney for review and recommendation regarding criteria and benchmarks when requests are presented to the City Council for consideration, including whether the requested Council action will actually result in meaningful action or is intended just for Council to state a position on a particular issue, and to have this discussion at an upcoming Council Work Session. Motion Carried 6-1. Absent: Cownie.**

[17-1683](#)

50. **From** Justin Daniel, 657-42<sup>nd</sup> Street, to speak regarding a special assessment at 1502 Guthrie Avenue. **Moved by Westergaard to receive and file comments; refer to the City Manager for the following items: 1. Determine if the costs for the emergency repairs were split between the two properties. 2. Contact US Bank regarding their failure to disclose the assessment. 3. Review the current City policy for assessing costs and determine if there is a cap on expenses. 4. Consider a possible extension of time for payment of the assessment. Motion Carried 6-1. Absent: Cownie.**

## APPROVING

- [17-1684](#) 51. [Report](#) and recommendation from the City Council Personnel Sub-Committee (Coleman, Chair), regarding recently completed reviews. **Moved by Hensley to adopt. Motion Carried 5-1-1. Nays: Moore. Absent: Cownie.**

## HEARINGS (OPEN AT 5:16 P.M.) (ITEMS 52 THRU 58)

- [17-1685](#) 52. [On](#) vacation of east-west alley right-of-way lying north of and adjoining 322 E. Court Avenue and conveyance to 322 E. Court, LLC for \$1,000. ([Council Communication No. 17-691](#)) **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Cownie.**
- [17-1686](#) (A) [First](#) consideration of ordinance above. **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Cownie.**
- [17-1687](#) (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, #15,615. Motion Carried 6-1. Absent: Cownie.**
- [17-1688](#) 53. [On](#) request from Brian Johnson to rezone property located at 1916 Dean Avenue from “R1-60” (One-Family Low-Density Residential) to Ltd. “M-1” (Light Industrial) to allow the split-zoned property to be used legally for the owner’s existing roofing contractor business. (Continued from August 28, 2017 Council Meeting) **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Cownie.**
- [17-1689](#) (A) [First](#) consideration of ordinance above. **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Cownie.**
- [17-1690](#) (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, #15,616. Motion Carried 6-1. Absent: Cownie.**
- [17-1691](#) 54. [On](#) conveyance of excess City-owned property at the intersection of 16<sup>th</sup> Street and Day Street and at 645 SE 26<sup>th</sup> Court to We Can Build It, LC, \$6,500. ([Council Communication No. 17-695](#)) **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Cownie.**

[17-1692](#) 55. On three-year lease with Electronic Engineering for the housing of public safety communication equipment at 1801 Grand Avenue. ([Council Communication No. 17-672](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**

[17-1693](#) 56. On assessment of \$500 penalties to the following liquor license holders for violation of Iowa Alcoholic Beverage Laws, sales to minors. **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Cownie.**

- (A) Casey's, 2106 Echo Valley Drive.
- (B) Casey's, 1907 Army Post Road.
- (C) Jiffy #924, 3718 SW 9<sup>th</sup> Street.
- (D) US Gas, 3000 SW 9<sup>th</sup> Street.
- (E) Git-N-Go Store #18, 6501 SE 14<sup>th</sup> Street.

[17-1694](#) 57. On 2017 Sewer Repair – Contract 1: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as EJM Pipe Services, Inc. (Tim Culp, Vice President), \$361,570.25. ([Council Communication No. 17-693](#)) **Moved by Gray to adopt. Motion Carried 6-1. Absent: Cownie.**

[17-1695](#) (A) Approving contract and bond. **Moved by Gray to adopt. Motion Carried 6-1. Absent: Cownie.**

[17-1696](#) 58. On Principal Park Batting Tunnel Building Expansion: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Septagon Construction Company, Inc. (Brad Leonard, President), \$463,140. ([Council Communication No. 17-694](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**

[17-1697](#) (A) Approving contract and bond and permission to sublet. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**

\*\*\* END OF HEARINGS AT 5:24 PM \*\*\*

[17-1698](#) MOTION TO ADJOURN. **Moved by Coleman to adjourn at 5:53 PM. Motion Carried 6-1. Absent: Cownie.**

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All-America City  
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