



**\*\*\* 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**

December 18, 2017 4:30 PM

**Farewell Reception 3:00 – 4:00 PM**  
**Municipal Service Center**  
**1551 E. M L King Jr. Pkwy**

**Council Member Christine Hensley, Ward III**  
**Council Member Skip Moore, At-Large**

**SPECIAL PRESENTATIONS 4:00 PM**

EMC check presentation for MacRae Park Overlook

**PROCLAMATIONS**

National Homeless Persons' Memorial Day

**INVOCATION:** Council Member Joe Gatto

[17-2112](#)

1. ROLL CALL: Present: Cownie, Coleman, Gatto, Gray, Hensley, Moore and Westergaard.

[17-2113](#)

- 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-2114](#)

- 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**

[17-2115](#)

- 4. **Approving Alcoholic Beverage License Applications for the following: Moved by Hensley to adopt. Motion Carried 7-0. Council Member Coleman votes No on items J and R.**

**NEW APPLICATIONS**

<del>(A)</del>	<del>EASYGO</del>	<del>2723 GRAND AVE</del>	<del>C Beer</del>
(B)	PAESANOS PIZZERIA	2804 SW 9TH ST	C Beer/Wine
(C)	QUIK TRIP #535R	1501 E GRAND AVE	C Beer

**RENEWAL APPLICATIONS**

(D)	801 STEAK & CHOP HOUSE	801 GRAND AVE	C Liquor
(E)	B & B SUPER MARKET	2001 SE 6TH ST	C Beer
(F)	DES MOINES CLUB	666 GRAND AVE	A Liquor
<del>(G)</del>	<del>DES MOINES SOCIAL CLUB</del>	<del>901 CHERRY ST</del>	<del>C Liquor</del>
(H)	EL RANCHO ALEGRE	3308 INDIANOLA	B Beer
(I)	FEDERAL DISTRIBUTORS	3000 E GRAND AVE	C Beer/Wine
*(J)	GIT N GO STORE #2	1307 ARMY POST RD	C Beer
(K)	HULL AVENUE TAP	834 E HULL AVE	C Liquor
(L)	HY VEE C-STORE #3 *(1)	3215 SE 14TH ST	C Beer
<del>(M)</del>	<del>JOHNNY MACS BAR &amp; GRILL</del>	<del>2279 HUBBELL AVE</del>	<del>C Liquor</del>
(N)	KUM & GO #2722	2211 UNIVERSITY	C Beer
(O)	KUM & GO #2731	3104 UNIVERSITY	C Beer
(P)	LA TAPATIA	1440 DES MOINES ST	C Beer
(Q)	LA TAPATIA III	4007 SE 13TH ST	C Beer
*(R)	LICKETY LIQUOR *(2)	2501 HUBBELL AVE	E Liquor
(S)	LOS LAURELES	1518 E GRAND AVE	C Liquor
(T)	LOTUS MOMENTS	2134 E GRAND AVE	C Liquor
(U)	LUIGIS ITALIAN RESTAURANT	2811 SE 14TH ST	C Liquor
(V)	NOW OR LATER RESTAURANT	3750 E UNIVERSITY	C Liquor
(W)	PEACE TREE BREWING CO	317 E COURT AVE	C Liquor
(X)	PEGGYS TAVERN *(1)	3020 FOREST AVE	C Liquor
(Y)	SUPER QUICK 2	1824 HUBBELL AVE	E Liquor
(Z)	TEMPLE THEATER	1011 LOCUST ST	C Liquor

### TRANSFER TO A NEW LOCATION

(AA) TOBACCO OUTLET PLUS #519 727 SE 14TH ST C Beer  
Permanent transfer from 3019 SE 14<sup>th</sup> Street.

### SPECIAL EVENT APPLICATION

(BB) LAO AMERICAN ASSOC 3000 E GRAND AVE Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for private social event on December 31, 2017.

- [17-2116](#) 5. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Hensley to adopt. Motion Carried 7-0.**

### PUBLIC IMPROVEMENTS

- [17-2117](#) 6. [Ordering](#) construction of Skywalk Bridge 6F-7F: Receiving of bids, (1-23-18), Setting date of hearing, (2-5-18). Engineer's estimate, \$850,000. ([Council Communication No. 17-854](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [17-2118](#) 7. [Approving](#) and authorizing the execution of the Iowa Department of Transportation (IDOT) Agreement for Court Avenue Bridge over the Des Moines River Rehabilitation. ([Council Communication No. 17-855](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [17-2119](#) 8. [Approving](#) and authorizing the execution of the Iowa Department of Transportation (IDOT) Agreement for the Locust Street Bridge Replacement over the Des Moines River. ([Council Communication No. 17-860](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [17-2120](#) 9. [Approving](#) and authorizing the execution of Department of Transportation Agreement for the TIGER Discretionary Grant for the Bridges to Opportunity: Des Moines' Community Connection project. ([Council Communication No. 17-862](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [17-2121](#) 10. [Approving](#) Professional Services Agreement with Veenstra & Kimm, Inc. for conceptual design services for the Western Ingersoll Run Sewer Separation Project, not to exceed \$199,928. ([Council Communication No. 17-861](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [17-2122](#) 11. [Approving](#) Change Order No. 8 with Jasper Construction Services, Inc. for additional work on the 42<sup>nd</sup> Street Streetscape, \$115,775.98. ([Council Communication No. 17-856](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

WITHDRAWN

[17-2123](#)

12. ~~Approving additional 2017 revisions to the Des Moines construction bidding requirements.~~
13. Approving completion and acceptance of the private construction contract for the following:

[17-2124](#)

- (A) [Storm](#) Sewer Improvements, Brook Landing Plat 1, between Gator Excavating, Inc. and Brook Landing, LLC. **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-2125](#)

- (B) [Sanitary](#) Sewer Improvements, Brook Landing Plat 1, between Gator Excavating, Inc. and Brook Landing, LLC. **Moved by Hensley to adopt. Motion Carried 7-0.**

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

[17-2126](#)

- (A) [2017](#) Sidewalk Replacement Program, Ti-Zack Concrete, Inc. **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-2127](#)

- (B) [2017](#) ADA Sidewalk Ramp Program – Contract 1, Ti-Zack Concrete, Inc. **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-2128](#)

- (C) [2017](#) ADA Sidewalk Ramp Program – Contract 2, Ti-Zack Concrete, Inc. **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-2129](#)

- (D) [Police](#) Station Reroofing, Northern Winds Insulation, LLC. **Moved by Hensley to adopt. Motion Carried 7-0.**

**SPECIAL ASSESSMENTS**

[17-2130](#)

15. [Levy](#) assessments for costs of nuisance abatement – NAC Emergency Orders (Community Development) Schedule No. 2017-10. **Moved by Hensley to adopt. Motion Carried 7-0.**

**LAND/PROPERTY TRANSACTIONS**

[17-2131](#)

16. [Acceptance](#) of donation of 1926 Frazier Avenue from Kevin R. Kay for stormwater management. **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-2132](#)

17. [Authorization](#) to proceed with acquisition of the necessary property interests for the 59<sup>th</sup> Street- 62<sup>nd</sup> Street and Douglas Avenue Traffic Signal Improvements project. ([Council Communication No. 17-853](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-2133](#)

18. [Establishing](#) fair market value of multiple properties for the Hubbell Avenue Improvements – E. 33<sup>rd</sup> Street to E. 38<sup>th</sup> Street project. ([Council Communication No. 17-858](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

## COMMUNICATIONS FROM PLANNING AND ZONING

- [17-2134](#) 19. **Regarding** request from Optima Life Services for vacation of the south 6-feet of Des Moines Street adjoining 621 Des Moines Street. **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.**

## SETTING DATE OF HEARINGS

- [17-2135](#) 20. **Receive** and file communication from the Des Moines Airport Authority Board recommending the sale of excess City-owned property located at the northwest corner of McKinley Avenue and SW 31<sup>st</sup> Street and conveyance of property to John P. Braswell, \$40,000 and setting date of public hearing, (1-8-18). **Moved by Hensley to adopt. Motion Carried 7-0.**

## BOARDS/COMMISSIONS/NEIGHBORHOODS

- [17-2136](#) 21. **Approving** recommendation from Council Member Christine Hensley to reappoint Sarah Oltrogge to the Housing Appeals Board, Seat 6, for a three-year term commencing March 16, 2017 and expiring March 16, 2020. **Moved by Hensley to approve. Motion Carried 7-0.**

22. Approving recommendation from Mayor T.M. Franklin Cownie to reappoint the following:

- [17-2137](#) (A) **Linda** Carter-Lewis to the Civil Service Commission, Seat 7, for a four-year term commencing April 1, 2016 and expiring April 1, 2020. **Moved by Hensley to approve. Motion Carried 7-0.**

- [17-2138](#) (B) **Peter** Rounds to the Civil Service Commission, Seat 6, for a four-year term commencing April 1, 2015 and expiring April 1, 2019. **Moved by Hensley to approve. Motion Carried 7-0.**

- [17-2139](#) 22-I **Approving** recommendation from Mayor T. M. Franklin Cownie to appoint Theresa Graziano to the Civil Service Commission, Seat 2, for a 4-year term commencing April 1, 2015 to April 1, 2019, effective immediately. **Moved by Hensley to adopt. Motion Carried 7-0.**

- [17-2140](#) 23. **Approving** recommendation from Council Member Christine Hensley to reappoint Candy Morgan to the Building and Fire Code Board of Appeals, Seat 13, for a three-year term commencing April 1, 2017 to expire April 1, 2020. **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-2141](#) 24. [Receipt](#) of communication from Michelle Book, advising of her resignation from the Des Moines Civil and Human Rights Commission, Seat 6, effective December 31, 2017. **Moved by Hensley to receive, file and accept resignation with appreciation for her service. Motion Carried 7-0.**

[17-2142](#) (A) [Approving](#) recommendation from Council Member Christine Hensley to appoint Claudia Scabel to the Des Moines Civil and Human Rights Commission, Seat 6, for a three-year term commencing April 16, 2016 and expiring April 16, 2019, effective January 1, 2018. **Moved by Hensley to approve. Motion Carried 7-0.**

#### **LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS**

[17-2143](#) 25. [Approving](#) payment to Kenworthy Law, PC for matters related to construction disputes, \$24,369. **Moved by Hensley to adopt. Motion Carried 7-0.**

26. Approving payment to Ahlers & Cooney, PC Law Firm regarding the following:

[17-2144](#) (A) [Collective](#) Bargaining, \$1,824. **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-2145](#) (B) [General](#) Matters, \$150. **Moved by Hensley to adopt. Motion Carried 7-0.**

27. Approving payment to Peddicord, Wharton, Spencer, Hook, Barron & Wegman, LLP for representation of the following:

[17-2146](#) (A) [Former](#) Police Officer Vanessa Miller, \$100. **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-2147](#) (B) [Former](#) Police Officer Tyson Teut, \$550. **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-2148](#) 28. [Approving](#) payment to J. Brian Johnson for an employment claim. **Moved by Hensley to adopt. Motion Carried 7-0.**

#### **CITY MANAGER COMMUNICATIONS**

[17-2149](#) 29. [Submitting](#) travel and training requests for T.M. Franklin Cownie. ([Council Communication No. 17-838](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

## APPROVING

- [17-2150](#) 30. **Support** of a Workforce Housing Tax Credit benefit application to be submitted to the Iowa Economic Development Authority (IEDA) by Rowat Lofts, LLC for a 158 multi-family housing development at 110 SE 7<sup>th</sup> Street. ([Council Communication No. 17-865](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
31. Number not used.
- [17-2151](#) 32. **First** Amendment to Urban Renewal Development Agreement with 219 Grand, LLC, represented by Jake Christensen and Tim Rypma, officers, and Jim Cownie, principal investor, for the redevelopment of 219 E. Grand Avenue with a six-story mixed-use building. ([Council Communication No. 17-863](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-2152](#) (A) **Approving** issuance of Certificate of Completion to 219 Grand, LLC for the new mixed-use building at 219 E. Grand Avenue. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-2153](#) 33. **Council** policy for considering public requests for resolution or other Council action. **Moved by Moore to adopt. Motion Carried 7-0.**
- [17-2154](#) 34. **Ingersoll**-Grand Beautification Program grant for streetscape improvements at 3815 Ingersoll Avenue owned by J.J. Stenberg, LLC. ([Council Communication No. 17-848](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
35. Issuance of Certificate of Completion to the following:
- [17-2155](#) (A) **H.** Glass Partners, LLC for the redevelopment of 212 E. 3<sup>rd</sup> Street for office and restaurant/retail use. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-2156](#) (B) **Confluence** on Third LLC for the redevelopment of property in the vicinity of 123 SW 3<sup>rd</sup> Street and 106 and 112 SW 2<sup>nd</sup> Street for a multi-family housing project. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-2157](#) 36. **Execution** of Intergovernmental 28E Agreement with various entities for the North and Middle Rivers Watershed Management Authority. ([Council Communication No. 17-845](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [17-2158](#) 37. [Communication](#) from Downtown Community Alliance, on behalf of the Greater Des Moines Partnership, requesting approval of banner placement for banners to be displayed on Locust Street, E. Locust Street, Grand Avenue, and 8th, 10th, 12th, and 13<sup>th</sup> Street banner poles January through December, 2018. **Moved by Hensley to receive, file and approve. Motion Carried 7-0.**
- [17-2159](#) 38. [Assignment](#) of intellectual property rights to the Des Moines Metropolitan Wastewater Reclamation Authority. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-2160](#) 39. [Renewal](#) of Concession Agreement with Port of Des Moines, LLC for the Hub Spot. ([Council Communication No. 17-844](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-2161](#) 40. [Extension](#) of Agreement with Airport Authority. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-2162](#) 41. [Granting](#) authority to the Mayor to give host approval on the City of Pleasant Hill, Iowa, revenue refunding bonds (Wellmark YMCA Project), Series 2017 and the City of Carlisle, Iowa, revenue refunding bonds (Wellmark YMCA Project), Series 2017. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-2163](#) 42. [Receipt](#) of Des Moines Water Works budget for calendar year ending December 31, 2018. **Moved by Coleman to receive and file; refer to the City Manager for review and recommendation regarding the long-term investment in the distribution system and production plants, and to schedule a joint meeting with the Water Works Board of Trustees. Motion Carried 7-0.**
43. Abatement of public nuisances at the following addresses:
- [17-2164](#) (A) [37](#) E. Gray Street. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-2165](#) (B) [2527](#) 51<sup>st</sup> Street. **Moved by Gray to adopt; refer to the City Manager to keep Mr. Gray and other Council Members informed of any progress on the property. Motion Carried 7-0.**
- [17-2166](#) (C) [2926](#) Walker Street. **Moved by Hensley to adopt. Motion Carried 7-0.**
44. Purchases from the following:
- [17-2167](#) (A) [Heartland](#) Business Systems (Peter Helander, President) for replacement Cisco network equipment for an upgrade to the City's network at City Hall per State of Iowa Contract for use by the IT Department, \$86,400. ([Council Communication No. 17-840](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**



[17-2168](#) (B) [Pigott Inc.](#) (John Stenberg, President and Owner) for office furniture to be installed at City Hall per US Communities Contract for use by the Engineering Department and Facilities Manager of the City Manager’s Office, \$239,056.70 and approve increase of the City Hall Improvement project budget by \$136,000. ([Council Communication No. 17-864](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-2169](#) 45. [Exception](#) to procurement ordinance competitive bidding requirements for good cause and approving procurement of security camera systems for five (5) pools and aquatic centers from Baker Group (Ed Baker III, Chairman & CEO) for use by the Parks & Recreation Department, \$62,730. ([Council Communication No. 17-843](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[17-2170](#) 46. [Civil](#) Service Entrance Lists for Vehicle Impound Clerk and Engineering (Contracts) Administrative Assistant. **Moved by Hensley to receive and file. Motion Carried 7-0.**

[17-2171](#) 47. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of December 18 and 25, 2017 and January 1, 2018; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of December 18 and 25, 2017 and January 1, 2018; and to draw checks for biweekly payroll due on December 22, 2017 and January 5, 2018. **Moved by Hensley to adopt. Motion Carried 7-0.**

**ORDINANCES - FINAL CONSIDERATION**

[17-2172](#) 48. [Amending](#) Chapter 114 of the Municipal Code regarding rates for Saturday parking and removing special night parking rates. **Moved by Hensley that this ordinance do now pass, #15,634. Motion Carried 7-0.**

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

**ORDINANCES - FIRST CONSIDERATION**

[17-2173](#) 49. [Amending](#) Chapter 38 of the Municipal Code regarding the final determination of ambulance fees. ([Council Communication No. 17-867](#)) **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[17-2174](#) (A) [Final](#) consideration of ordinance above (waiver requested by the Finance Department), 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, #15,635. Motion Carried 7-0.**

## COUNCIL REQUESTS

- [17-2175](#) 50. **From** Council Member Joe Gatto, to speak regarding Friends of SW 9<sup>th</sup>. **Moved by Gatto to receive and file comments. Motion Carried 7-0.**
- [17-2176](#) 50-I **From** Council Member Skip Moore to sponsor Jeff Witte, President of the Fairmont Park Neighborhood Association, to speak regarding adding stop signs on E. 25<sup>th</sup> Street at Ovid and Grandview Avenue. **Moved by Westergaard to receive and file comments; refer to the City Manager to provide options for calming traffic and to present options at the January 22, 2018 Council meeting. Motion Carried 6-1. Nays: Moore.**

## COMMUNICATIONS/REPORTS

- [17-2177](#) 51. **From** David Cornelison and David Lippold, 1954 Courtland Drive, to speak regarding pedicab license requirements and license fees. **Moved by Hensley to receive and file comments; refer to the City Manager for review and recommendation regarding amendments to the ordinance and to delay renewals of any licenses until review is complete. Motion Carried 7-0.**
- [17-2178](#) 52. **From** Pat Meiners, David Barzen and Larry Tovrea, Des Moines Historical Society, to speak regarding the 100<sup>th</sup> Anniversary of renaming of 58<sup>th</sup> Street to Merle Hay Road. **Moved by Gray to receive and file comments. Motion Carried 7-0.**

## APPROVING

- [17-2179](#) 53. **Policies** for expenditure of local option sales and services tax revenues. **Moved by Gatto to adopt. Motion Carried 7-0.**
54. Master Subordination Agreement and Estoppel Certificate for refinancing of the following:
- [17-2180](#) (A) **Woodland** Avenue Brickstones at 1501 Woodland Avenue. (**Council Communication No. 17-846**) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-2181](#) (B) **East** Village Square Apartments at 333 E. Grand Avenue. (**Council Communication No. 17-847**) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-2182](#) 55. **Receipt** of recommendation to accept and approve the Des Moines Strategic Plan 2017-2022-2032 Final Reports (reports on file in the City Clerk's Office). (**Council Communication No. 17-851**) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [17-2183](#) 56. [Intergovernmental](#) 28E Agreement for Assessment of Fair Housing (AFH). ([Council Communication No. 17-850](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

**HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 57 THRU 63)**

- [17-2184](#) 57. [On](#) vacation of a portion of Falcon Drive and adjoining north-south alley right-of-way between 15<sup>th</sup> and 16<sup>th</sup> Street, south of Walnut Street adjoining 1514 Walnut Street and conveyance of said vacated right-of-way and other excess City property to Exile Brewing Company, \$3,240. ([Council Communication No. 17-857](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [17-2185](#) (A) [First](#) consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- [17-2186](#) (B) Final consideration of ordinance above. **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, [#15,636](#). Motion Carried 7-0.**

- [17-2187](#) 58. [On](#) vacation of north-south and east-west alley right-of-way in the block bounded by Clark Street, 2<sup>nd</sup> Place, Forest Avenue and 4<sup>th</sup> Street and conveyance of portions of the vacated alleys to Galway Homes, Inc., \$275, Zachary A. Powell, \$25, and Layla Kimmel, \$25. ([Council Communication No. 17-859](#)) **Moved by Gray to adopt. Motion Carried 7-0.**

- [17-2188](#) (A) [First](#) consideration of ordinance above. **Moved by Gray that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- [17-2189](#) (B) [Final](#) consideration of ordinance above (waiver requested by Galway Homes, Inc.), 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, [#15,637](#). Motion Carried 7-0.**

- [17-2190](#) 59. **On** vacation of City right-of-way bounded by Martin Luther King, Jr. Parkway on the north, Maury Street on the south, SE 23rd Street on the east, and the Union Pacific Railroad right-of-way on the west and conveyance of said vacated right-of-way and other excess City property within said boundary to Kemin Holdings, LC for \$455,402. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-2191](#) (A) **First** consideration of ordinance above. **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [17-2192](#) (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, [#15,638](#). Motion Carried 7-0.**
- [17-2193](#) (C) **Economic** Development Agreement with Kemin Industries, Inc., represented by Elizabeth Nelson, Officer, to assist in Kemin's purchase of City-owned land for a further expansion of the Kemin home office, research and manufacturing facilities. ([Council Communication No. 17-839](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-2194](#) 60. **Approving** Second Amendment to Urban Renewal Agreement for Sale of Land for Private Redevelopment with 5th and Walnut Parking LLC, represented by Justin Mandelbaum, Officer, regarding the sale and redevelopment of the Fifth and Walnut Parking Garage at 422 Walnut Street. ([Council Communication No. 17-841](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [17-2195](#) (A) **Approving** Conceptual Development Plan for The Fifth, a mixed-use project by 5th and Walnut Parking LLC at 422 Walnut Street. ([Council Communication No. 17-842](#)) **Moved by Hensley to adopt and approve the proposed Conceptual Development Plan, subject to the Plan being first amended to incorporate the amendments recommended by the Economic Development Director and identified in paragraphs a, b, c, d, e and f; and, to the Economic Development Director reasonably determining that such amendments have been properly incorporated into the amended Plan. Motion Carried 7-0.**
- [17-2196](#) 61. **On** authorization of a loan agreement and issuance of not to exceed \$95,000,000 General Obligation Refunding Capital Loan Notes. ([Council Communication No. 17-866](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [17-2197](#) (A) **Authorization** for additional action. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [17-2198](#) 62. On application for voluntary annexation of 7.55 acres in the vicinity of 5066 NE 23<sup>rd</sup> Avenue, Ruby Rose Ridge Residential Development, by John H. Dawson, Thomas G. Dawson and Larry M. Dawson. **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [17-2199](#) 63. On 2018 Sewer Lining Program: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Visu-Sewer, Inc. (Keith M. Alexander, President), \$2,131,573.40. ([Council Communication No. 17-852](#)) **Moved by Gray to adopt. Motion Carried 7-0.**
- [17-2200](#) (A) Approving contract and bond and permission to sublet. **Moved by Gray to adopt. Motion Carried 7-0.**

\*\*\* END OF HEARINGS AT 5:32 PM \*\*\*

[17-2201](#) MOTION TO ADJOURN. **Moved by Gatto to adjourn at 6:19 PM. Motion Carried 7-0.**

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All-America City  
1949 1976 1981 2003 2010 2017