



*** 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 '18-' 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, City Council Chambers
400 Robert D. Ray Drive
Des Moines, Iowa 50309

December 17, 2018
4:30 PM

PROCLAMATIONS – 4:15 PM

National Homeless Persons' Memorial Day

INVOCATION: Council Member Westergaard

- [18-2037](#) 1. ROLL CALL: Present: Cownie, Boesen, Coleman, Gatto, Gray, Mandelbaum and Westergaard.
- [18-2038](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: Moved by Gatto to adopt. Motion Carried 7-0.
- [18-2039](#) 3. APPROVING CONSENT AGENDA * – items 3 through 51: Moved by Boesen 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

18-2040

4. Approving Alcoholic Beverage License Applications for the following: **Moved by Boesen to adopt. Motion Carried 7-0. Council Member Coleman voted No on item L.**

NEW APPLICATIONS

(A)	AIR LANES	4200 FLEUR DR	C Liquor
(B)	MAINGATE BAR AND GRILL	2956 E GRAND AVE	C Liquor
(C)	W-TAO SUSHI	400 WALNUT ST	C Liquor

RENEWAL APPLICATIONS

(D)	801 STEAK & CHOP HOUSE	801 GRAND AVE	C Liquor
(E)	A DONG RESTAURANT	1511 HIGH ST	C Beer/Wine
(F)	B & B SUPER MARKET	2001 SE 6TH ST	C Beer
(G)	BAILEYS PUB N GRUB	918 E EUCLID AVE	C Liquor
(H)	CHRISTOPHERS DINING	2816 BEAVER AVE	C Liquor
(I)	DES MOINES CLUB	666 GRAND AVE	A Liquor
(J)	DES MOINES SOCIAL CLUB	901 CHERRY ST	C Liquor
(K)	EASYGO	2723 GRAND AVE	C Beer
* (L)	GIT N GO STORE #2	1307 ARMY POST RD	C Beer
(M)	GOLDEN LAND FOOD MARKET	2740 DOUGLAS AVE	C Beer
(N)	HIGHLAND PARK POST NO 374	3712 2ND AVE	A Liquor
(O)	HULL AVENUE TAP	834 E HULL AVE	C Liquor
(P)	HY VEE C-STORE #3	3215 SE 14TH ST	C Beer
(Q)	KUM & GO #2722	2211 UNIVERSITY	C Beer
(R)	KUM & GO #2731	3104 UNIVERSITY	C Beer
(S)	LA TAPATIA III	4007 SE 13TH ST	C Beer
(T)	LICKETY LIQUOR *(2)	2501 HUBBELL AVE	E Liquor
(U)	LOS LAURELES	1518 E GRAND AVE	C Liquor
(V)	NOCE	1326 WALNUT ST	C Liquor
(W)	NOW OR LATER RESTAURANT	3750 E UNIVERSITY	C Liquor
(X)	PAESANOS PIZZERIA	2804 SW 9TH ST	C Beer/Wine
(Y)	PARK AVENUE PUB	1101 PARK AVE	C Liquor
(Z)	PEGGYS TAVERN *(1)	3020 FOREST AVE	C Liquor
(AA)	QUIK TRIP #544	3941 SE 14TH ST	E Liquor
(BB)	SCENIC ROUTE BAKERY	350 E LOCUST ST	C Liquor
(CC)	SUPER QUICK 2	1824 HUBBELL AVE	E Liquor
(DD)	TANGERINE FOOD CO	900 KEOSAUQUA	C Liquor
(EE)	TEMPLE THEATER	1011 LOCUST ST	C Liquor
(FF)	WASABI TAO	400 WALNUT ST	C Liquor
(GG)	WAVERLY *(1)	2120 INGERSOLL	C Liquor
(HH)	WEST END WINES	22 9TH ST	C Liquor

SPECIAL EVENT APPLICATIONS

- (II) 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, 2018.

- [18-2041](#) 5. [City Clerk](#) to issue Coin Operated Machine Licenses. **Moved by Boesen to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

- [18-2042](#) 6. [Ordering](#) construction of Riverview Park Improvements: Receiving of bids, (1-15-19), Setting date of hearing, (2-11-19). Engineer's estimate, \$755,000. ([Council Communication No. 18-670](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

- [18-2043](#) 7. [Approving](#) Professional Services Agreement with Savage-Ver Ploeg & Associates, Inc. d/b/a SVPA Architects, Inc. for Fire Station No. 11, not to exceed \$392,275. ([Council Communication No. 18-674](#)) **Moved by Westergaard to adopt. Motion Carried 7-0.**

- [18-2044](#) 8. [Approving](#) Supplemental Agreement No. 2 to the Professional Services Agreement with Stantec Consulting Services, Inc. for additional design and construction administration services for the SE 9th Street Storm Water Pump Station, not to exceed \$301,000. ([Council Communication No. 18-671](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

- [18-2045](#) 9. [Approving](#) exception to the Request for Proposal (RFP) process for good cause and approving a Professional Services Agreement with Veenstra & Kimm, Inc. for design phase services for Market District Sanitary Sewer Improvements, not to exceed \$104,464. ([Council Communication No. 18-677](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

- [18-2046](#) 10. [Approving](#) exception to the Request for Proposal (RFP) process for good cause and approving a Professional Services Agreement with Snyder & Associates, Inc. for design and construction phase services for 47th Street and Holcomb Avenue Reconstruction, not to exceed \$158,000. ([Council Communication No. 18-673](#)) **Moved by Gray to adopt. Motion Carried 7-0.**

- [18-2047](#) 11. [Acceptance](#) of proposal from MidAmerican Energy Company for relocation of gas facilities for the Leetown Creekway Box Culvert project, \$259,134.35. ([Council Communication No. 18-675](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

- [18-2048](#) 12. [Approving](#) completion and acceptance of the Cooperative Public Service Project between Polk County and the City of Des Moines for the Hot Mix Asphalt Resurfacing of E. Aurora Avenue and NW Morningstar Drive. **Moved by Boesen to adopt. Motion Carried 7-0.**

- [18-2049](#) 13. [Approving](#) private construction contract between Baker Electric, Inc. and HRC 6th Street LLC for Traffic Signal Improvements in Carbon 550 at the southeast corner of 6th Avenue and Watson Powell Jr. Parkway. **Moved by Boesen to adopt. Motion Carried 7-0.**

[18-2050](#) 14. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects. **Moved by Boesen to adopt. Motion Carried 7-0.**

[18-2051](#) 15. [Accepting](#) completed construction and approving final payment for Evergreen Avenue Bridge over Easter Lake Replacement, United Contractors, Inc. **Moved by Boesen to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

[18-2052](#) 16. [Levying](#) Assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2018-12. **Moved by Boesen to adopt. Motion Carried 7-0.**

[18-2053](#) 17. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2018-10. **Moved by Boesen to adopt. Motion Carried 7-0.**

[18-2054](#) 18. [Approving](#) deletion of Rental Inspection Assessment at 1941 Courtland Drive. **Moved by Boesen to adopt. Motion Carried 7-0.**

[18-2055](#) 19. [Approving](#) deletion of NAC-Emergency Assessment at 2733 Maple Street. **Moved by Boesen to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

[18-2056](#) 20. [Approving](#) tax abatement applications for the additional value added by improvements completed during 2018 (119 applications). ([Council Communication No. 18-661](#)) **Moved by Boesen to adopt, and to request that the Polk County Assessor apply the tax abatement to the valuation existing on January 1, 2018, and the property taxes payable in FY2018/19. Motion Carried 7-0.**

[18-2057](#) 21. [Conditional](#) approval of final subdivision plat entitled Heritage Flats Plat 1, located in the vicinity of the 1900 block of Merle Hay Road. ([Council Communication No. 18-663](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

[18-2058](#) 22. [Conditional](#) approval of final subdivision plat entitled Cityview 34 Final Plat, located in the 1300 block of Keosauqua Way. ([Council Communication No. 18-662](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS

- [18-2059](#) 22-I [Recommendation](#) from Council Member Westergaard to appoint Mary Benetti to the Housing Services Board, Seat 5, for a three-year term commencing June 30, 2017 to June 30, 2020. **Moved by Boesen to adopt. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [18-2060](#) 23. [Regarding](#) request from Blackbird Investments, LLC (owner) to vacate a 16-foot by 24-foot segment of air rights over adjoining Walnut Street to allow for a swimming pool to extend from the 33rd floor of the proposed building at 555 Walnut Street. **Moved by Gatto to receive and file the attached communication from the Plan and Zoning Commission, and refer to the City Manager to follow-up and report back on the status and details of the Development Agreement. Motion Carried 7-0.**

- [18-2061](#) 24. [Regarding](#) request from Emogine, Inc. (owner), 100 Indiana Avenue, to vacate surface rights on a 4-foot by 4-foot segment on west side of Maine Street adjoining the subject property to accommodate a door swing encroachment by the existing building. **Moved by Boesen 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.**

- [18-2062](#) 25. [Regarding](#) request from Nelson Development 1, LLC (owner) to vacate the following right-of-way adjoining 2650 University Avenue to allow for assemblage with the adjoining properties and redevelopment into a 5-story hotel building: **Moved by Boesen 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.**

(A) North/south alley between 26th Street and 27th Street running from University Avenue to point 329 feet to the south.

(B) Air rights within the adjoining south 1.5 feet of University Avenue and the east 1.0 feet of 27th Street.

(C) Subsurface rights within the adjoining south 3.0 feet of University Avenue and the adjoining east 3.0 feet of 27th Street.

- [18-2063](#) 26. [Regarding](#) a City-initiated request to vacate the following segments of undeveloped right-of-way in the vicinity of E. Vine Street and SE 9th Street to provide for a land exchange with adjoining property owner Hawkeye Land Company and facilitation of land assemblage for other nearby redevelopment projects: **Moved by Boesen 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.**

- (A) E. Vine Street from Iowa Interstate Railroad (RR) SE 9th Street.
- (B) E. Vine Street from SE 9th Street to the Norfolk Southern RR.
- (C) SE 9th Street from the Norfolk Southern RR and the Iowa Interstate RR.
- (D) North/south alley between SE 8th Street and SE 9th Street from E. Vine Street to the Iowa Interstate RR.
- (E) North/south alley between SE 9th Street and SE 10th Street from the Norfolk Southern RR to east/west alley.
- (F) East/west alley between E. Vine Street and E. Market Street from the Iowa Interstate RR to SE 10th Street.

[18-2064](#)

27. [Regarding](#) approval of a Preliminary Plat “Hapke Acres Plat 1” on property located at 3191 NE 46th Avenue, in unincorporated Polk County within the two-mile distance for extraterritorial review of subdivision plats by the City of Des Moines, to allow the property to be divided into three (3) lots with frontage on NE 46th Avenue for residential development. **Moved by Boesen to adopt. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

[18-2065](#)

28. [On](#) conveyance of City-owned property at 1124 13th Street and 1311 Laurel Street to Indigo Dawn, LLC for redevelopment of housing, (1-14-19). **Moved by Boesen to adopt. Motion Carried 7-0.**

[18-2066](#)

29. [On](#) approval of documents for conveyance of excess City-owned property located at SE 25th Street, south of Shaw Street to Jose Gonzalez, \$10,955, (1-14-19). **Moved by Boesen to adopt. Motion Carried 7-0.**

[18-2067](#)

30. [On](#) request to rezone property located at 1900, 1904, 1912 and 1914 SW 1st Street from “R-3” (Multiple-Family Residential) to “D-R” (Downtown Riverfront), to allow redevelopment of the property for senior living apartments with a density of 40 units per acre, (1-14-19). **Moved by Boesen to adopt. Motion Carried 7-0.**

[18-2068](#)

- (A) [Receive](#) and file communication from Plan and Zoning Commission regarding request from CS Family Properties, LLC for vacation of north/south alley adjoining 1900, 1904, 1912 and 1914 SW 1st Street. **Moved by Boesen 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.**

[18-2069](#)

31. [On](#) request from Mulvihill Farms, Inc. (owner) to rezone property located at 1145 and 1147

24th Street from “R1-60” (One-Family Low-Density Residential) to "NPC" (Neighborhood Pedestrian Commercial), to allow expansion of off-street parking for existing multiple-family dwellings and for shared parking for nearby mixed-use, (1-14-19). **Moved by Boesen to adopt. Motion Carried 7-0.**

[18-2070](#) 32. [On](#) proposed connection fee ordinance for Little Four Mile Trunk Sewer Benefitted District, (1-14-19). ([Council Communication No. 18-679](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

[18-2071](#) 33. [Approving](#) payment to Ahlers & Cooney, PC Law Firm for services. **Moved by Boesen to adopt. Motion Carried 7-0.**

34. Approving payment to Duncan, Green, Brown & Langeness Law Firm representation regarding the following:

[18-2072](#) (A) [Former](#) Police Officer Tyson Teut, \$3,144.91. **Moved by Boesen to adopt. Motion Carried 7-0.**

[18-2073](#) (B) [Police](#) Officer Cody Grimes, \$6,614. **Moved by Boesen to adopt. Motion Carried 7-0.**

[18-2074](#) 35. [Approving](#) payment to Shuttleworth & Ingersoll Law Firm for representation on matters related to the possible acquisition of the DICO property located near the intersection of Fleur Drive and Martin Luther King Jr. Parkway, \$6,260.50. **Moved by Boesen to adopt. Motion Carried 7-0.**

[18-2075](#) 36. [Approving](#) payment to Davis Brown Law Firm for legal services in the preparation and review of condominium regime for the Fifth, \$3,287.25. **Moved by Boesen to adopt. Motion Carried 7-0.**

[18-2076](#) 37. [Approving](#) payment to John Booth for a workers’ compensation claim. **Moved by Boesen to adopt. Motion Carried 6-1. Nays: Gray.**

[18-2077](#) 38. [Approving](#) payment to Charles Brookhart for a workers’ compensation claim. **Moved by Boesen to adopt. Motion Carried 6-1. Nays: Gray.**

[18-2078](#) 39. [Approving](#) payment to Dennis Degner for a workers’ compensation claim. **Moved by Boesen to adopt. Motion Carried 6-1. Nays: Gray.**

CITY MANAGER COMMUNICATIONS

- [18-2079](#) 40. [Submitting](#) travel and training request for Chris Hardy. ([Council Communication No. 18-680](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

APPROVING

- [18-2080](#) 41. [Amended](#) parking meter rate and Time Zone I. **Moved by Boesen to adopt. Motion Carried 7-0.**

- [18-2081](#) 42. [Receive](#) and file the Des Moines Water Works budget for 2019. **Moved by Boesen to receive and file. Motion Carried 7-0.**

- [18-2082](#) 43. [Authorizing](#) applications to Iowa Department of Transportation (IDOT) for Volkswagen Settlement Environmental Mitigation Trust Grant (VW Settlement) funds for City fleet vehicle and equipment replacements. ([Council Communication No. 18-665](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**

44. Abatement of public nuisance at the following:

- [18-2083](#) (A) [1117](#) 26th Street. **Moved by Boesen to adopt. Motion Carried 7-0.**

- [18-2084](#) (B) [1063](#) 17th Street. **Moved by Boesen to adopt. Motion Carried 7-0.**

- [18-2085](#) (C) [2403](#) 36th Street. **Moved by Boesen to adopt. Motion Carried 7-0.**

- [18-2086](#) (D) [2906](#) State Avenue. **Moved by Boesen to adopt. Motion Carried 7-0.**

- [18-2087](#) (E) [3403](#) Columbia Street. **Moved by Boesen to adopt. Motion Carried 7-0.**

- [18-2088](#) 45. [Communication](#) of fire escrow at 2202 E. Walnut Street. **Moved by Boesen to receive and file and direct the City Attorney to continue with legal action previously directed by Roll Call 18-1763 on October 22, 2018. Motion Carried 7-0.**

- [18-2089](#) 46. [Release](#) of fire escrow at 1924 E. 27th Street. **Moved by Boesen to adopt. Motion Carried 7-0.**

WITHDRAWN

- [18-2090](#) 47. [Preliminary](#) terms of an Urban Renewal Development Agreement with Swaps Cash, LLC for the construction of a new 6-story, 112-room Element Hotel project located at 304 E. Walnut Street, and waiver of the Traffic Analysis Policy to allow submittal of a site plan prior to completion of Traffic Review. ([Council Communication No. 18-681](#))

- [18-2091](#) 48. [Renewal](#) Addendum and Amendment to Contract with Genuine Parts Company for on-site fleet services parts operation. ([Council Communication No. 18-659](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**
49. Purchases from the following:
- [18-2092](#) (A) [OneNeck](#) IT Solutions (Terry Swanson, President/CEO) for seven Hewlett Packard servers that will support current software technologies and provide additional capacity for growth per State of Iowa Contract for use by the IT Department, \$190,987.37. ([Council Communication No. 18-658](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**
- [18-2093](#) (B) [Homer](#) Tree Service Inc. (Ron Reposh, Owner/President) for tree clearing services for the Des Moines Regional Trail, Phase II for use by the Engineering Department, \$62,000. (Thirteen (13) potential bidders, three received). **Moved by Boesen to adopt. Motion Carried 7-0.**
- [18-2094](#) (C) [Watchguard](#) Video (Stephan Coffman, President) as sole area-wide distributor for non-competitive procurement of seventy-five (75) additional body-worn cameras for use by the Police Department, \$178,895. ([Council Communication No. 18-667](#)) **Moved by Boesen to adopt. Motion Carried 7-0.**
- [18-2095](#) 50. [Civil](#) Service entrance lists for Fleet Services Mechanic and Public Works Assistant and Promotional List for Street Maintenance Worker. **Moved by Boesen to receive and file. Motion Carried 7-0.**
- [18-2096](#) 51. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of December 17, 24 and 31, 2018 and January 7, 2019; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of December 17, 24 and 31, 2018 and January 7, 2019; and to draw checks for biweekly payroll due December 21, 2018 and January 4, 2019. **Moved by Boesen to adopt. Motion Carried 7-0.**

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

ORDINANCES - FIRST CONSIDERATION

- [18-2097](#) 52. **Amending** Chapter 30 of the Municipal Code regarding businesses engaged in the practice of massage therapy without valid licenses and/or involved in illegal activities. (**Council Communication No. 18-682**) **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [18-2098](#) (A) **Final** consideration of ordinance above (waiver requested by Council Member Coleman), 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, #15,734. Motion Carried 7-0.**
- [18-2099](#) 53. **Amending** Chapter 18 of the Municipal Code regarding community cats. (**Council Communication No. 18-668**) **Moved by Mandelbaum that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [18-2100](#) (A) **Final** consideration of ordinance above (waiver requested by the City Manager), requires six votes. (Will be effective March 1, 2019). **Moved by Mandelbaum 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, #15,735; refer to the City Manager to provide data reports at 6 and 12 months and schedule a workshop in April 2020. Motion Carried 7-0.**
- [18-2101](#) 54. **Amending** Chapter 114 of the Municipal Code regarding traffic regulation changes as follows: (**Council Communication No. 18-678**) **Moved by Mandelbaum that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- (A) Code changes required for conversion of 4th Street to two-way traffic between Grand Avenue and Locust Street.
- (B) Code changes related to the realignment of 43rd Street and Crocker Street.
- (C) Removal of on-street parking restriction on the south side of Osceola Avenue from E. 9th Street to 155 feet east.
- (D) Removal of on-street parking on the east side of SW 39th Street, south of Park Avenue including the cul-de-sac.
- (E) Removal of on-street parking on the west side of the 26th Street curve from Arnold Road to Payne Road.
- (F) Adding two-hour parking only restriction and amending lot hours for Parks parking

lot located on the east side of 2nd Avenue immediately southwest of the Women of Achievement Bridge.

- (G) Code changes for bus parking inset improvement at the Walnut Street School.
- (H) Code changes needed as a result of the 42nd Street Streetscape Improvement Project.
- (I) Removal of loading zone on the west side of E. 3rd Street, north of E. Court Avenue.
- (J) Removal of loading zones on Walnut Street between 13th Street and 15th Street.

[18-2102](#)

- (K) Final consideration of ordinance above. **Moved by Mandelbaum 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, #15,736; refer to the City Manager to have changes voted on prior to improvements. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

[18-2103](#)

- 55. [Request](#) from Chase Holm, 2119 SE 8th Street, to speak regarding Fort Des Moines Museum and internet taxation. **Moved by Coleman to receive and file comments. Motion Carried 7-0.**

APPROVING

- 56. Items regarding imposition of a Local Option Sales and Services Tax (LOSST):

[18-2104](#)

- (A) [Statement](#) of Intent for proposed Council action regarding submission of the question of the imposition of a Local Option Sales and Services Tax to registered voters of the City of Des Moines, Polk County, Iowa. **Moved by Boesen to adopt. Motion Carried 7-0.**

[18-2105](#)

- (B) [Initial](#) consideration of the proposed form of ballot proposition for a proposal to impose a Local Option Sales and Services Tax. **Moved by Boesen to adopt. Motion Carried 7-0.**

[18-2106](#)

- (C) [Approving](#) Local Option Sales and Services Tax Revenue Expenditure Policy. **Moved by Boesen to adopt. Motion Carried 7-0.**

[18-2107](#)

- 57. [LiveDSM](#) Parks and Recreation Comprehensive Plan and adopting the plan as an element of and amendment to the PlanDSM: Creating Our Tomorrow Comprehensive Plan.

<https://livedsm.org/> (Council Communication No. 18-666) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [18-2108](#) 58. **Scheduling** hearing on not to exceed \$8,500,000 refunding or reissuance of the Section 108 Government Guaranteed Participation Certificates, Series HUD 2008-A and associated note, issued for the Gray's Landing Project, (1-14-19). **Moved by Mandelbaum to adopt. Motion Carried 7-0.**

HEARINGS (OPEN AT 5:08 P.M.) (ITEMS 59 THRU 63)

- [18-2109](#) 59. **Regarding** request from 50th and Douglas, LLC to rezone property located in the vicinity of 3905 50th Street from "R1-60" (One-Family Low-Density Residential) to "PUD" (Planned Unit Development) and for approval of a PUD Conceptual Plan "Beaverdale Townhomes" for development of approximately 2.74 acres for 21 rowhouse one-story townhomes on a private drive accessed from 50th Street, subject to conditions and to continue to February 25, 2019 at 5:00 PM. **Moved by Gray to adopt. Motion Carried 7-0.**

- [18-2110](#) 60. **On** vacation of portions of City right-of-way and approval of a Land Exchange Agreement with Hawkeye Land Co. in conjunction with the Rowat Lofts Project and the E. 30th Street Over Union Pacific Railroad Bridge Rehabilitation Project. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [18-2111](#) (A) **First** consideration of ordinance above. **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

- [18-2112](#) (B) Final consideration of ordinance above. **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, #15,737. Motion Carried 7-0.**

- [18-2113](#) 61. **On** Easter Lake South Watershed Pond Dredging and Improvements: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Elder Corporation (Jared R. Elder II, President), \$1,827,200. (Council Communication No. 18-672) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [18-2114](#) (A) **Approving** contract and bond and permission to sublet. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [18-2115](#) 62. **On** Little Four Mile Trunk Sanitary Sewer: Resolution approving plans, specifications,

form of contract documents, Engineer's estimate, and receive and file bids. ([Council Communication No. 18-676](#)) **Moved by Westergaard to adopt. Motion Carried 7-0.**

[18-2116](#)

63. [On](#) 2019 ADA Downtown Sidewalk Ramp Program: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Ti-Zack Concrete, Inc. (Steve J. Rutt, President), \$272,630. ([Council Communication No. 18-669](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[18-2117](#)

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

*** END OF HEARINGS AT 5:13 PM ***

EXTRA ITEMS

[18-2118](#)

1. [Approving](#) incorporation of the Connect Downtown Plan as an element of the MoveDSM Transportation Master Plan. Sponsors: Council Members Coleman and Gatto. ([Council Communication No. 18-683](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[18-2119](#)

MOTION TO ADJOURN. **Moved by Gatto to adjourn at 6:14 PM. Motion Carried 7-0.**

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All-America City
1949 1976 1981 2003 2010 2017