



*** 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 '19-' 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

March 25, 2019
4:30 PM

I. **CLOSED SESSION – 3:30 PM**, Lower Level, Conference Room 1

[19-0436](#)

- (A) Roll Call. **Present: Cownie, Boesen, Gatto, Gray and Westergaard. Council Members Coleman and Mandelbaum entered the meeting during item C.**

[19-0437](#)

- (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 Gatto to adopt. Motion Carried Upon Roll Call 5-2. Absent Coleman and Mandelbaum.**

[19-0438](#)

- (C) Closed Session.

[19-0439](#)

- (D) Terminate closed session and reconvene in open session. **Moved by Gray to adopt. Motion Carried 7-0.**

[19-0440](#)

- (E) Motion to adjourn. **Moved by Gray to adjourn at 4:26 PM. Motion Carried 7-0.**

INVOCATION: Council Member Coleman

- [19-0441](#) 1. ROLL CALL: **Present: Cownie, Boesen, Coleman, Gatto, Gray, Mandelbaum and Westergaard.**
- [19-0442](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Gatto to adopt. Motion Carried 7-0. Motion made by Gatto to reconsider item 2. Motion Carried 7-0. Motion made by Gatto to add 13 and 13A back to agenda. Motion Carried 7-0.**
- [19-0443](#) 3. APPROVING CONSENT AGENDA * – items 3 through 39: **Moved by Gatto to adopt the balance of the consent agenda. Motion Carried 7-0.**

***Note: These are routine items and will be enacted by one roll call vote without separate discussion unless someone, Council or public, requests an item be removed to be considered separately.**

LICENSES AND PERMITS

- [19-0444](#) 4. [Approving](#) Alcoholic Beverage License Applications for the following: **Moved by Gatto to adopt. Motion Carried 7-0. Council Member Coleman votes no on items C, L and W.**

NEW APPLICATIONS

(A) SHAGS	216 COURT AVE	C Liquor
(B) STATION ON INGERSOLL	3124 INGERSOLL	C Liquor

RENEWAL APPLICATIONS

*(C) BEST TRIP	1516 SE 1ST ST	E Liquor
(D) BIG DOG BILLIARDS	4510 E 14TH ST	C Liquor
(E) CASH SAVER	1320 E EUCLID AVE	E Liquor
(F) CASH SAVER	4121 FLEUR DR	E Liquor
(G) CHICAGO SPEAKEASY	1520 EUCLID AVE	C Liquor
(H) EATARY/A	2932 INGERSOLL	C Liquor
(I) FAT TUESDAY	6112 SW 9TH ST	C Liquor
(J) FRANCIES	2100 WAKONDA VIEW	C Liquor
(K) GAS LAMP	1501 GRAND AVE	C Liquor
*(L) GIT N GO STORE #10 *(1)	816 E EUCLID AVE	C Beer
(M) HARBINGER RESTAURANT	2724 INGERSOLL	C Liquor
(N) HAWKEYE ELKS LODGE #160	1401 WALKER ST	A Liquor
(O) HY VEE FOOD STORE #3	3221 SE 14TH ST	E Liquor
(P) KUNG FU TAP & TACO	210 INDIANOLA AVE	C Liquor
(Q) LDS CORNER	344 E JACKSON AVE	C Liquor
(R) LEFTYS LIVE MUSIC	2307 UNIVERSITY	C Liquor
(S) MANNINGS	2102 INDIANOLA	C Liquor
(T) NEW ORIENTAL FOOD STORE	515 E GRAND AVE	C Beer

(U)	NOAHS ARK	2400 INGERSOLL	C Liquor
(V)	NUT POB RESTAURANT	3322 INDIANOLA	C Beer/Wine
*(W)	OASIS *(1)	1401 BUCHANAN ST	E Liquor
(X)	OVATIONS FOOD SERVICES	233 CENTER ST	C Liquor
(Y)	PRICE CHOPPER	4343 MERLE HAY RD	E Liquor
(Z)	PRICE CHOPPER	3425 INGERSOLL	E Liquor
(AA)	PRICE CHOPPER	1819 BEAVER AVE	E Liquor
(BB)	PRICE CHOPPER	4341 MERLE HAY RD	C Beer
(CC)	PRICE CHOPPER	3401 INGERSOLL	C Beer
(DD)	QUIK TRIP #527	614 UNIVERSITY	C Beer
(EE)	RICCELLIS SUPPER CLUB	3803 INDIANOLA	C Liquor
(FF)	ROOFTOP BAR	525 E GRAND AVE	C Liquor

SPECIAL EVENT APPLICATIONS

(GG) DRAKE UNIVERSITY 2615 CARPENTER AVE Five (5) Day License
Special Class C Liquor License (Beer/Wine) for Student Bar Association Lunch and Awards Ceremony on March 27, 2019.

(HH) DSM BOOK FESTIVAL 400 LOCUST ST Five (5) Day License
Class C Liquor License for festival on March 30, 2019.

WITHDRAWN

[19-0445](#)

5. ~~City Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits.~~

[19-0446](#)

6. ~~City Clerk to issue Coin Operated Machine Licenses. Moved by Gatto to adopt. Motion Carried 7-0.~~

PUBLIC IMPROVEMENTS

7. Ordering construction of the following:

[19-0447](#)

- (A) [Polk](#) Boulevard Reconstruction from I-235 to University Avenue: Receiving of bids, (4-9-19), Setting date of hearing, (5-6-19). Engineer's estimate, \$1,500,000. ([Council Communication No. 19-128](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[19-0448](#)

- (B) [2019-2020 HMA Pavement Scarification and Resurfacing](#): Receiving of bids, (4-9-19), Setting date of hearing, (5-6-19). Engineer's estimate, \$220,000. ([Council Communication No. 19-124](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[19-0449](#)

- (C) [2019 Sidewalk Replacement Program](#): Receiving of bids, (4-9-19), Setting date of hearing, (5-6-19). Engineer's estimate, \$425,000. ([Council Communication No. 19-123](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [19-0450](#) (D) [Glendale](#) Cemetery Road Reconstruction and Grays Lake Trail Resurfacing: Receiving of bids, (4-9-19), Setting date of hearing, (5-6-19). Engineer's estimate, \$1,090,000. ([Council Communication No. 19-130](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-0451](#) (E) [Riverwalk](#) Improvements – Balustrade Replacement: Receiving of bids, (4-23-19), Setting date of hearing, (5-6-19). Engineer's estimate, \$230,000. ([Council Communication No. 19-137](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-0452](#) (F) [Riverview](#) Park Canopy and Truss: Receiving of bids, (4-23-19), Setting date of hearing, (5-20-19). Engineer's estimate, \$844,000. ([Council Communication No. 19-135](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
8. Approving items related to Traffic Study preparation for new developments: ([Council Communication No. 19-133](#))
- (A) Number not used.
- [19-0453](#) (B) [Supplemental](#) Agreement No. 16 with Shive-Hattery, Inc. for professional services for on-call traffic impact studies to increase the upper limit of the original agreement to a not-to-exceed amount of \$250,000. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-0454](#) (C) [Supplemental](#) Agreement No. 9 with HDR Engineering, Inc. for professional services for on-call traffic impact studies to increase the upper limit of the original agreement to a not-to-exceed amount of \$250,000. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-0455](#) (D) [Supplemental](#) Agreement No. 14 with Bolton & Menk, Inc. for professional services for on-call traffic impact studies to increase the upper limit of the original agreement to a not-to-exceed amount of \$250,000. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-0456](#) 9. [Approving](#) Supplemental Agreement No. 2 to the Professional Services Agreement with Calhoun-Burns and Associates, Inc. for additional construction phase services (construction observation) for the Fleur Drive Passageway, not to exceed \$150,000. ([Council Communication No. 19-127](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-0457](#) 10. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects. **Moved by Gatto to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [19-0458](#) 11. [Levying](#) Assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 2019-03. **Moved by Gatto to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [19-0459](#) 12. [Acceptance](#) of real estate documents from True Bible Baptist Church for voluntary acquisition of property interests located at 4104 Amherst Street for the Hamilton Drain Storm Water Improvements – Phase 1 Project. ([Council Communication No. 19-132](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-0460](#) 13. [Acceptance](#) of real estate documents from Wakonda Club for voluntary acquisition of property interests located at 3915 Fleur Drive for the Fleur Drive Reconstruction – George Flagg Parkway to Watrous Avenue Project. ([Council Communication No. 19-118](#)) **Moved by Mandelbaum to adopt. Motion FAILED 3-4. Nays: Coleman, Gatto, Gray and Westergaard.**
- [19-0461](#) (A) [Approving](#) Change Order No. 1 with Synergy Contracting, LLC for additional work on Fleur Drive Reconstruction from George Flagg Parkway to Watrous Avenue Phase 1 Northbound Lanes, \$257,409.45. ([Council Communication No. 19-129](#)) **Moved by Mandelbaum to adopt. Motion FAILED 3-4. Nays: Coleman, Gatto, Gray and Westergaard.**
- [19-0462](#) 14. [Approving](#) tax abatement applications for the additional value added by improvements completed during 2018 (10 applications). ([Council Communication No. 19-114](#)) **Moved by Gatto 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.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [19-0463](#) 15. [Recommendation](#) from Council Member Westergaard to reappoint Matthew Keller to the Building and Fire Code Board of Appeals, Seat 5, for a three-year term commencing April 1, 2019 to expire April 1, 2022. **Moved by Gatto to adopt. Motion Carried 6-1. Nays: Mandelbaum.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [19-0464](#) 16. [Regarding](#) request from Roll-Offs Des Moines, Inc. (owner), represented by Anthony Holt (officer), for vacation of segments of right-of-way adjoining the applicant's property to allow site assembly in the vicinity of 100 block of SE 15th Street. **Moved by Gatto 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.**
- [19-0465](#) 17. [Regarding](#) approval of Preliminary Plat "Bridge District Plat 3" for 720 and 730 E. 2nd Street. **Moved by Gatto to receive and file. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [19-0466](#) 18. **On** vacation of the north-south alley right-of-way located west of and adjoining 1014 through 1036 SE 9th Street for the SE 9th Street Storm Water Pump Station Project, (4-8-19). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-0467](#) 19. **On** conveyance of City-owned property located at 1601 County Line Road to the Des Moines Metropolitan Wastewater Reclamation Authority for the Southern Tier Interceptor Pump Station and Equalization Basin Phase 10 – Segment 2 Project, (4-8-19). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-0468](#) 20. **On** request from DDX Worldwide Cargo, Inc. (owner) represented by Juan Guaman (officer) to rezone 2017 Capitol Avenue from “R1-60” (One-Family Low Density Residential) to Ltd. “M-1” (Light Industrial) to allow expansion of the existing warehouse and distribution center use, (4-8-19). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-0469](#) 21. **On** request from AMT Associates, LLC (owner) represented by Lance Arrasmith (officer) to rezone 1315 E. Broadway Avenue from Ltd. “M-1” (Light Industrial) to a revised Ltd. “M-1” (Light Industrial) to remove the restriction from Ord. No. 14,573 that “the perimeter of any outdoor storage area shall be enclosed by a 100% opaque wood or masonry fence”, to allow the use of chain link fencing with vinyl slats for an opaque screen fence material for outdoor storage, (4-8-19). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-0470](#) 22. **On** intent to commence a public improvement project to construct the East Douglas Avenue Widening – E. 42nd Street to E. 56th Street Project and to authorize acquisition of the necessary property interests, including agricultural land for the project, (4-8-19). **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-0471](#) 23. **On** City-initiated request to rename a segment of E. Douglas Avenue to Kennedy Drive for a segment which is located between Hubbell Avenue and a point 650 feet to the west as part of the realignment of E. Douglas Avenue, (4-8-19). **Moved by Gatto to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

24. Approving payment to the following:
- [19-0472](#) (A) **Hall** & Associates for services related to the Clean Water Act, \$928.60. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-0473](#) (B) **Shuttleworth** & Ingersoll Law Firm. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-0474](#) (C) **Ahlers** & Cooney, PC Law Firm with respect to Refunding Section 108 Government Guaranteed Participation Certificate, \$8,500. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [19-0475](#) 25. [Agreement](#) with Assistant City Attorney Roger K. Brown for part-time legal services. **Moved by Gatto to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- [19-0476](#) 26. [Submitting](#) travel and training requests for Roger Nowadzky and Doug Lewis. ([Council Communication No. 19-121](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

APPROVING

- [19-0477](#) 27. [Home](#) Investment Partnerships Program (HOME) funding for Greater Des Moines Habitat for Humanity to construct eight (8) single-family affordable homes on scattered properties. ([Council Communication No. 19-113](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [19-0478](#) 28. [Preliminary](#) terms of an Urban Renewal Development Agreement with JR Partners, LLC (Tim Rypma, Jeremy Cotright, and Paul Cownie, Members) for the historic renovation of 401 E. Court Avenue. ([Council Communication No. 19-120](#)) **Moved by Gatto to approve the preliminary terms of agreement as set forth in Council Communication No. 19-120, and to direct the City Manager or his designee to negotiate final terms of agreement for future consideration by the City Council. Motion Carried 7-0.**

- [19-0479](#) 29. [Urban](#) Renewal Development Agreement with Merle Hay Investors, LLC (Elizabeth Holland, CEO) for rehabilitation of existing Merle Hay Mall property and repurposing Sears site. ([Council Communication No. 19-140](#)) **Moved by Gray to approve. Motion Carried 7-0.**

- [19-0480](#) 30. [Urban](#) Renewal Development Agreement with Bell Avenue Properties, Inc. and Conceptual Development Plan for the new construction of an office and production building for the Waldinger Corporation. ([Council Communication No. 19-119](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [19-0481](#) 31. [Approving](#) amendment to Eighth and Mulberry Parking License Agreement and amendment to Redevelopment Agreement with Wells Fargo Properties, Inc. **Moved by Gatto to adopt. Motion Carried 7-0.**

- [19-0482](#) 32. [Approving](#) documents related to a Neighborhood Commercial Revitalization (NCR) Program Façade Grant for \$9,250 to assist in renovations to 2706 Beaver Avenue. ([Council Communication No. 19-117](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [19-0483](#) 33. [Grant](#) Match Policy. **Moved by Gatto to receive and file. Motion Carried 7-0.**

- [19-0484](#) 34. [Rules](#) for skateparks. ([Council Communication No. 19-112](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

- [19-0485](#) 35. [Communication](#) from Downtown Community Alliance, on behalf of the Iowa State Fair, requesting approval for up to 88 banners to be displayed on 44 poles in downtown Des Moines on Locust Street, Grand Avenue, and E. Locust Street in July and August 2019. **Moved by Gatto to receive, file and approve. Motion Carried 7-0.**
- [19-0486](#) 36. [Bid](#) from Story Construction Co. (Mike Espeset, President) for Birdland pump station gate replacement for use by the Public Works Department, \$110,595. (Nine potential bidders, four received.) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-0487](#) 37. [Civil](#) Service Entrance Lists for Engineering Laboratory and Inspection Technician and Procurement Administrator. **Moved by Gatto to receive and file. Motion Carried 7-0.**
- [19-0488](#) 38. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of March 25 and April 1, 2019; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of March 25 and April 1, 2019; and to draw checks for biweekly payroll due March 29, 2019. **Moved by Gatto to adopt. Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

- [19-0489](#) 39. [Amending](#) Chapter 114 of the Municipal Code regarding traffic code modifications related to the Vue 23 Lofts Development, 23rd Street at Ingersoll. **Moved by Gatto that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

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

ORDINANCES - FIRST CONSIDERATION

- [19-0490](#) 40. [Amending](#) Chapter 42 of the Municipal Code regarding noise control. ([Council Communication No. 19-122](#)) **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [19-0491](#) 41. [Amending](#) Chapter 114 of the Municipal Code regarding traffic regulation changes as follows: ([Council Communication No. 19-139](#)) **Moved by Gatto that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
 - (A) Code modifications related to the vacation of E. Railroad Avenue between SE 25th Court and SE 26th Court.
 - (B) Code corrections to match field conditions – Woods on the River, Plat 9.
 - (C) Parking restriction – SE 18th Street from E. Lacona to King Avenue and King Avenue from SE 18th Street to SE 18th Court.

[19-0492](#) (D) 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, #15,756. Motion Carried 7-0.**

[19-0493](#) 42. [Amending](#) Chapter 118 of the Municipal Code regarding qualifying practices and method of making rebate payments and use of storm water charges outside of city limits. ([Council Communication No. 19-115](#)) **Moved by Gray that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

[19-0494](#) (A) [Final](#) consideration of ordinance above (waiver requested by the Public Works Director), 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, #15,757. Motion Carried 7-0.**

[19-0495](#) 43. [Amending](#) Chapter 2 of the Municipal Code regarding exceptions to procurement of goods and services under competitive bidding or request for proposals process. **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

[19-0496](#) 44. [From](#) Michael Welch, 300 Walnut Street, to speak regarding traffic concerns and plans for the intersection of 5th and Walnut. **Moved by Mandelbaum to receive and file comments and document. Motion Carried 7-0.**

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 45 THRU 54)

[19-0497](#) 45. [On](#) approval of 2018 US Department of Housing and Urban Development (HUD) Consolidated Annual Performance and Evaluation Report (CAPER). ([Council Communication No. 19-111](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**

[19-0498](#) 46. [On](#) vacation of the north-south alley right-of-way between SW 1st Street and SW 2nd Street, from Edison Avenue to Columbus Avenue and conveyance to CS Family Properties, LLC, (Cory Steiner, Officer) to allow for assemblage with adjoining properties for redevelopment with a senior living apartments project, \$5,544. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**

- [19-0499](#) (A) **First** consideration of ordinance above. **Moved by Mandelbaum that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [19-0500](#) (B) **Final** consideration of ordinance above (waiver requested by the applicant), requires six votes. **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, #15,758. Motion Carried 7-0.**
- [19-0501](#) 47. **On** request from Luther Memorial Church of Des Moines, Iowa (purchaser) to rezone 1101 Grandview Avenue from “PUD” (Planned Unit Development) to “R-3” (Multiple-Family Residential) and to amend the Grand View University West PUD Conceptual Plan to remove the subject property from the PUD in order to assemble it with property to the east at 1201 Grandview Avenue for expansion of the existing church at 1201 Grandview Avenue. The subject property is owned by Grand View University. **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [19-0502](#) (A) **First** consideration of ordinance above. **Moved by Westergaard that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [19-0503](#) (B) **Final** consideration of ordinance above (waiver requested by the applicant), requires six votes. **Moved by Westergaard 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, #15,759. Motion Carried 7-0.**
48. Items regarding property at 1145 and 1147 24th Street, Mulvihill Farms, Inc. (continued from February 25, 2019 meeting):
- [19-0504](#) (A) **Amend** the existing PlanDSM: Creating Our Tomorrow Plan future land use designation from Low/Medium Density Residential to Neighborhood Mixed Use, to allow for rezoning to Ltd. “NPC” (Neighborhood Pedestrian Commercial) and expansion of off-street parking for existing multiple-family dwellings and for shared parking for nearby mixed-use. **Moved by Mandelbaum to adopt and approve the proposed amendment. Motion Carried 6-1. Nays: Gatto.**
- [19-0505](#) (B) **Close** the hearing on rezoning the property from “R1-60” (Low Density Residential) to “NPC” (Neighborhood Pedestrian Commercial). **Moved by Mandelbaum to adopt. Motion Carried 6-1. Nays: Gatto.**
- [19-0506](#) (C) **First** consideration of ordinance above. **Moved by Mandelbaum that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Nays: Gatto.**

- [19-0507](#) (D) [Final](#) consideration of ordinance above (waiver requested by the applicant), requires six votes. **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, #15,760. Motion Carried 6-1. Nays: Gatto.**
- [19-0508](#) 49. [On](#) County Line Road Culvert Replacement: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Peterson Contractors, Inc. (Cordell Peterson, President), \$197,054.90. ([Council Communication No. 19-125](#)) **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
- [19-0509](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**
- [19-0510](#) 50. [On](#) Evelyn K. Davis Park Basketball Court Lighting: Resolution approving plans, specifications, form of contract documents, and Engineer's estimate and designating lowest responsible bidder as Ardent Lighting, LLC d/b/a Ardent Lighting Group, LLC (Jeannie Everly, President), \$72,800. ([Council Communication No. 19-126](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- [19-0511](#) (A) [Approving](#) contract and bond. **Moved by Coleman to adopt. Motion Carried 7-0.**
- [19-0512](#) 51. [On](#) Gray Street Concrete Culvert Rehabilitation: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Proshot Concrete, Inc. (Anthony McDougle, President), \$664,250. ([Council Communication No. 19-131](#)) **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-0513](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Gatto to adopt. Motion Carried 7-0.**
- [19-0514](#) 52. [On](#) Riverview Park Site Improvements: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Munro Construction Co. (Patrick T. Munro, President), \$627,793. ([Council Communication No. 19-136](#)) **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [19-0515](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Westergaard to adopt. Motion Carried 7-0.**
- [19-0516](#) 53. [On](#) University Avenue Rehabilitation from 56th Street to 48th Street: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving (Jeffrey A. Chapman, General Manager), \$727,677.05. ([Council Communication No. 19-138](#)) **Moved by Mandelbaum to adopt. Motion Carried 7-0.**

[19-0517](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Mandelbaum to adopt. Motion Carried 7-0.**

[19-0518](#) 54. [On](#) Police Academy Firing Range HVAC Improvements: Reject all bids and close hearing on the plans, specifications, form of contract documents and Engineer's estimate. (Two bids received, both over estimate). ([Council Communication No. 19-134](#)) **Moved by Gatto to adopt. Motion Carried 6-1. Absent: Coleman.**

END HEARINGS AT 5:24 PM

EXTRA ITEMS

[19-0519](#) 1. [Request](#) for Council review and approve a letter to Commissioner Dan Mathews at U.S. General Administration regarding Federal Courthouse Design. Sponsor: Mayor Cownie. **Moved by Gatto to approve letter. Motion Carried 6-1. Nays: Westergaard.**

[19-0520](#) 2. [Request](#) from Iowa CCI, to speak regarding proposed racial profiling ordinance. Sponsor: Boesen. **Moved by Boesen to receive and file comments, and refer to the City Manager and City Attorney to prepare an ordinance regarding racial profiling encompassing all City employees, Boards and Commissions and City Council Members. Motion Carried 7-0.**

[19-0521](#) 3. Request from Council Member Mandelbaum to speak regarding sidewalks on Fleur Drive. **Moved by Mandelbaum to receive and file comments. Motion Carried 7-0.**

[19-0522](#) MOTION TO ADJOURN. **Moved by Gatto to adjourn at 7:36 PM. Motion Carried 7-0.**

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