



\*\*\* 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 '24-' 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 18, 2024**  
**5:00 PM**

**I. CLOSED SESSION – 4:00 PM**

[24-0379](#)

- (A) Roll Call. **Present: Boesen, Voss, Coleman, Westergaard and Gatto. Absent: Mandelbaum. Council Member Westergaard participated in the meeting by phone. Council Member Mandelbaum entered the meeting at 4:03 PM and left the meeting at 4:16 PM during item C.**

[24-0380](#)

- (B) Recess, and reconvene in closed session pursuant to Section 21.5, subsection 1, paragraph C, of the Iowa Code, to discuss as 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. Second by Voss. Motion Carried upon roll call 5-0. Absent: Mandelbaum.**

[24-0381](#)

- (C) Closed Session.

[24-0382](#)

- (D) Terminate closed session and reconvene in open session. **Moved by Voss to adopt. Second by Gatto. Motion Carried 5-0. Absent: Mandelbaum.**

[24-0383](#)

(E) Motion to adjourn. **Moved by Coleman to adjourn at 4:49 PM. Second by Westergaard. Motion Carried 5-0. Absent: Mandelbaum.**

\* \* \* \* \*

## **SPECIAL PRESENTATIONS – 4:50 PM**

Des Moines International Airport Terminal Project Champion

[24-0384](#)

1. **ROLL CALL: Present: Boesen, Voss, Coleman, Westergaard, Mandelbaum and Gatto. Council Member Westergaard participated in the meeting by phone.**

[24-0385](#)

2. **APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: Moved by Gatto to adopt. Second by Voss. Motion Carried 6-0.**

[24-0386](#)

3. **APPROVING CONSENT AGENDA \* – items 3 through 39: Moved by Gatto to adopt the balance of the Consent Agenda. Second by Mandelbaum. Motion Carried 6-0.**

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

## **LICENSES AND PERMITS**

[24-0387](#)

4. **[Approving](#) Alcoholic Beverage License Applications for the following: Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**

### **NEW APPLICATIONS**

(A) BEAVER TAP	4050 URBANDALE AVE	Class C Liquor
(B) DAVIS BALL PARK	4980 E 46TH ST	Special Class C
(C) ISLAS DEL PACIFICO	1434 DES MOINES ST #8	Class C Liquor
(D) LEO CONVENIENCE	3725 HUBBELL AVE	Class B Retail
(E) SANDS VOLLEYBALL	6214 GRAND AVE	Class C Liquor
(F) SODEXO LIVE!	1 LINE DR	Class C Liquor
(G) STUFFED OLIVE, THE	216 COURT AVE 100	Class C Liquor
(H) ZAVY KITCHEN	111 E GRAND AVE #101	Class C Liquor

### **RENEWAL APPLICATIONS**

(I) 4H BUILDING	3000 E GRAND AVE	Class C Liquor
(J) BEST TRIP	1516 SE 1ST ST	Class E Liquor
(K) EATARY/A	2932 INGERSOLL AVE	Class C Liquor
(L) GIT N GO STORE #10	816 E EUCLID AVE	Class B Retail

(M)	HAWKEYE ELKS LODGE	1401 WALKER ST	Class A Liquor
(N)	HY VEE FOOD STORE #3	3221 SE 14TH ST	Class E Liquor
(O)	HY VEE WINE & SPIRITS	2310 HUBBELL AVE	Class E Liquor
(P)	IOWA BEEF STEAK HOUSE	1201 E EUCLID AVE	Class C Liquor
(Q)	KUNG FU TAP & TACO	210 INDIANOLA RD	Class C Liquor
(R)	LDS CORNER	344 E JACKSON AVE	Class C Liquor
(S)	NOAHS ARK	2400 INGERSOLL AVE	Class C Liquor
(T)	NUT POB RESTAURANT	3322 INDIANOLA AVE	Special Class C
(U)	OVATIONS	233 CENTER	Class C Liquor
(V)	PRICE CHOPPER	3425 INGERSOLL AVE	Class E Liquor
(W)	PRICE CHOPPER	1819 BEAVER AVE	Class E Liquor
(X)	QUIK TRIP #527	614 UNIVERSITY AVE	Class B Retail
(Y)	STOP N SHOP	5000 SW 9TH ST	Class B Retail
(Z)	TACOS LA FAMILIA	1610 6TH AVE	Class C Liquor

### SPECIAL EVENT APPLICATIONS

- (AA) DRAKE UNIVERSITY      2800 UNIVERSITY AVE      5 days  
CLASS C LIQUOR LICENSE FOR PROGRESS BIRTHDAY CELEBRATION ON MARCH 23, 2024.
- (BB) SALISBURY HOUSE      4025 TONAWANDA DR      5 days  
CLASS C LIQUOR LICENSE FOR MAD HATTER/FEVER EVENT ON MARCH 29, 2024.
- (CC) TANGERINE FOOD CO      100 LOCUST ST      5 days  
CLASS C LIQUOR LICENSE FOR MAD HATTER/FEVER EVENT ON MARCH 29, 2024.
- (DD) THIRSTY PIGS      313 WALNUT ST      5 days  
CLASS C LIQUOR LICENSE FOR HOPS & HOOPS ON MARCH 21 - 23, 2024.
- (EE) YOUR PRIVATE BAR      120 E 5TH ST      5 days  
CLASS C LIQUOR LICENSE FOR OPEN HOUSE ON MARCH 22, 2024.

[24-0388](#)

5. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 5-1. Nays: Voss.**

[24-0389](#)

6. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**

## PUBLIC IMPROVEMENTS

### 7. Ordering construction of the following:

- [24-0390](#) (A) [2024](#) Citywide Pavement Marking Program: Receiving of bids, (4-2-24) and Setting date of hearing, (5-6-24), Engineer's estimate, \$450,000. ([Council Communication No. 24-120](#)) **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**
- [24-0391](#) (B) [2024](#) Citywide PCC Pavement Patching Program: Receiving of bids, (4-2-24) and Setting date of hearing, (5-6-24), Engineer's estimate, \$1,567,000. ([Council Communication No. 24-117](#)) **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**
- [24-0392](#) (C) [Bill](#) Riley Trail Resurfacing from Ashworth Pool to Gray's Lake: Receiving of bids, (4-2-24) and Setting date of hearing, (5-6-24), Engineer's estimate, \$970,000. ([Council Communication No. 24-118](#)) **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**
- WITHDRAWN
- [24-0393](#) 8. ~~[Approving](#) Professional Services Agreement with Kirkham Michael & Associates, Inc. for professional services for Douglas Avenue Improvements—Merle Hay Road to Martin Luther King Jr. Parkway, not to exceed \$703,000. ([Council Communication No. 24-113](#))~~
- [24-0394](#) 9. [Approving](#) exception to Request for Proposal (RFP) process for good cause and approving Professional Services Agreement with Bolton & Menk, Inc. for design services for 2nd Avenue Improvements from Court Avenue to Interstate 235, not to exceed \$147,778. ([Council Communication No. 24-114](#)) **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**
- [24-0395](#) 10. [Approving](#) Supplemental Agreement No. 1 to the Professional Services Agreement with Kirkham Michael & Associates, Inc. for additional professional services for Tuttle Street from SW 14th Street to SW 16th Street, not to exceed \$192,000. ([Council Communication No. 24-115](#)) **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**
- [24-0396](#) 11. [Approving](#) Private Construction Contract between Estes Construction and Meridian at Gray's Landing LLC for storm sewer improvements in 425 SW 11th Street. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**
- [24-0397](#) 12. [Approving](#) completion and acceptance of private construction contract between Corell Contractor, Inc. and Coppola Enterprises, Inc. for paving, sanitary sewer and storm sewer improvements in The Creek at Echo Valley Plat 1. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**

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

- [24-0398](#) (A) [Near](#) West Side Sewer Separation Phase 4, Synergy Contracting, LLC. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**
- [24-0399](#) (B) [Animal](#) Control Facility Bid Package No. 1 – Structural Steel and Erection, Jensen Builders Ltd. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**
- [24-0400](#) (C) [Animal](#) Control Facility Bid Package No. 4 – Concrete Building Foundations and Slab on Grade, Jensen Builders Ltd. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**
- [24-0401](#) (D) [Animal](#) Control Facility Bid Package No. 5 – Masonry, Seedorff Masonry, Inc. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**
- [24-0402](#) (E) [Animal](#) Control Facility Bid Package No. 7 – Roofing and Sheetmetal, Academy Roofing & Sheet Metal of the Midwest, Inc. d/b/a Academy Roofing & Sheet Metal Co. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**
- [24-0403](#) (F) [Animal](#) Control Facility Bid Package No. 9 – Drywall, Framing, Acoustic Ceilings and Painting, 1<sup>st</sup> Interiors, Inc. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**
- [24-0404](#) (G) [Animal](#) Control Facility Bid Package No. 12 – Kennels and Cat Cages, Midmark Corporation. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**
- [24-0405](#) (H) [Animal](#) Control Facility Bid Package No. 16 – Site Paving, Jensen Builders Ltd. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**
- [24-0406](#) (I) [Animal](#) Control Facility Bid Package No's 3, 6, 8, 10 and 11 – General Carpentry, Architectural, Millwork, Glazing and Metal Panels, Tile and Fluid Applied Flooring, Woodruff Construction, Inc. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**

#### **SPECIAL ASSESSMENTS**

- [24-0407](#) 14. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Neighborhood Services), Schedule No. 2024-03. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**

## LAND/PROPERTY TRANSACTIONS

- [24-0408](#) 15. [Releasing](#) PUD restoration bond for Southern Horizon Condominiums (Meadowlands PUD) in the vicinity of 7400 Meadowlands Drive. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**
- [24-0409](#) 16. [Approval](#) of four (4) tax abatement applications for work completed in 2023. ([Council Communication No. 24-122](#)) **Moved by Gatto to adopt and to approve the applications for the total number of years in the applicable exemption schedule, with the schedule to commence with the taxes payable in FY2023/24. Second by Mandelbaum. Motion Carried 6-0.**
- [24-0410](#) 17. [Authorization](#) to proceed with acquisition of the necessary property interests for the 2026 Neighborhood Sidewalk Program. ([Council Communication No. 24-119](#)) **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**

## BOARDS/COMMISSIONS/NEIGHBORHOODS

18. Approving appointments to the Transportation Safety Committee with a term expiring December 31, 2026, as follows:
- [24-0411](#) (A) [From](#) the Iowa Department of Transportation District One, Seat 11, Shelby Ebel. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**
- [24-0412](#) (B) [From](#) the Polk County Health Department, Seat 12a, Helen Eddy as Primary and Seat 12b, Juan Carlos Cadenillas as Alternate. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**

## SETTING DATE OF HEARINGS

- [24-0413](#) 19. [On](#) conveyance of vacated alley right-of-way located south of and adjoining 1319 E. Oak Park Avenue to Jessica Norris, \$25, (4-1-24). **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**
20. Number not used.
- [24-0414](#) 21. [On](#) a request from Stamorenno, LLP (Anthonius M. Stam, Officer) for property located at 2505 E. 40th Street to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification from Low Density Residential to Low-Medium Density Residential and to rezone the property from “N3a” Neighborhood District to “N3a-2” Neighborhood District, to allow the development of the property for two-household (duplex) units, (4-1-24). **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**

- [24-0415](#) 22. [On](#) a request from Ecosource, LLC (Darren Fife, Officer) to rezone property located in the vicinity of 1001 Raccoon Street from “DXR” Downtown District to Limited “EX” Mixed Use District, to allow the expansion of an existing industrial service, warehousing, and office use with conditions, (4-1-24). **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**
- [24-0416](#) 23. [On](#) a request from Hurd Ingersoll, LLC (Richard Hurd, Officer) for multiple parcels located in the vicinity of 3121 Ingersoll Avenue and 3111 Ingersoll Avenue to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification from Neighborhood Mixed Use and Low Density Residential within a Community Node to Community Mixed Use within a Community Node, and to rezone the northwest portion of the site from “RX1” Mixed Use District to “MX2” Mixed Use District and to rezone the northernmost parcel from “N5” Neighborhood District to “RX1” Mixed Use District, to allow development of a mixed-use (commercial and residential) building, a multiple-household building, and rowhome buildings, (4-1-24). **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**
- [24-0417](#) 24. [On](#) a request from Wat Lao Buddhavath of Iowa (Phetsamone Dary, Officer) to rezone property located in the vicinity of 1806 E. Park Avenue, approximately the northernmost 50 feet of the two (2) parcels, from “N3a” Neighborhood District to Limited “P2” Public, Civic, and Institutional District to allow construction of an open-air accessory building for meditation and other uses associated with an “Assembly, Place of Worship” use, (4-1-24). **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**

#### LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [24-0418](#) 25. [Approving](#) payment to Patrick Kelehan for a property damage claim. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**

#### APPROVING

- [24-0419](#) 26. [Community](#) Development Block Grant (CDBG) award of \$1,000,000 to Ellipsis. Inc. for the rehabilitation of 5525 Meredith Drive into supportive living and qualified residential treatment facilities for foster youth. ([Council Communication No. 24-107](#)) **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**
- [24-0420](#) 27. [Release](#) of Community Development Block Grant – Disaster Recovery (CDBG-DR) Liens on Franklin Field Apartments at 5250 Franklin Avenue. ([Council Communication No. 24-106](#)) **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**
- [24-0421](#) 28. [Memorandum](#) of Understanding (MOU) to support the Central Iowa Code Consortium (CICC). ([Council Communication No. 24-121](#)) **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**



[24-0422](#) 29. [Parking](#) License Agreement with United States General Services Administration for Third and Court Garage. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**

WITHDRAWN

[24-0423](#) 30. ~~[Contract](#) with Frontline Warning Systems, Inc. for design, installation and software services for outdoor warning system replacement, not to exceed \$1,622,401. ([Council Communication No. 24-126](#))~~

[24-0424](#) 31. [Application](#) for the 2025 Governor's Traffic Safety Bureau (GTSB) Law Enforcement Highway Safety grant, \$246,333. ([Council Communication No. 24-103](#)) **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**

[24-0425](#) 32. [Communication](#) from the Des Moines Downtown Farmer's Market, requesting approval of placement for up to 35 banners to be displayed on banner poles in downtown Des Moines Historic Court District beginning April 1, 2024. **Moved by Gatto to receive, file and approve. Second by Mandelbaum. Motion Carried 6-0.**

33. Abatement of public nuisances as follows:

[24-0426](#) (A) [908](#) E. Ovid Avenue. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**

[24-0427](#) (B) [4236](#) E. Ovid Avenue. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**

[24-0428](#) (C) [913](#) E. 23<sup>rd</sup> Street. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**

[24-0429](#) (D) [712](#) Marion Street. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**

[24-0430](#) (E) [1208](#) E. Watrous Avenue. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**

[24-0431](#) 34. [Purchase](#) from K M International (Suong Rho, CEO) of one (1) additional asphalt recycler per Sourcewell Contract for use by the Public Works Department, \$101,365. ([Council Communication No. 24-110](#)) **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**

[24-0432](#) 35. [Purchase](#) from Keltek, Inc. (Michelle Jensen, President and CEO) of emergency vehicle equipment per State of Iowa Contracts, NASPO ValuePoint Master Agreement and State of Iowa Participating Addendum for use by the Police Department, \$252,637.16. ([Council Communication No. 24-102](#)) **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**



- [24-0433](#) 36. [Purchase](#) from Quality Cut Lawn Care LLC (Steve Darcy, President) of landscape installation for Fleur Drive Medians Phase Three Renovation project for use by the Parks and Recreation Department, \$247,710.95. (Two hundred fifty-two (252) potential bidders, seven (7) received). ([Council Communication No. 24-104](#)) **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**
- [24-0434](#) 37. [Receive](#) and file the Comprehensive Annual Financial Report for the City of Des Moines for the year ending June 30, 2023. ([Council Communication No. 24-111](#)) **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**
- [24-0435](#) 38. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of March 18 and 25, 2024; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of March 18 and 25, 2024; to draw checks for biweekly payroll due March 22, 2024. **Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-0.**

#### ORDINANCES - FINAL CONSIDERATION

- [24-0436](#) 39. [On](#) vacation of a portion of the Masonic Temple Cemetery, located southwest and interior to the intersection of 48th Street and Franklin Avenue. **Moved by Gatto that this ordinance do now pass, #[16,339](#). Second by Mandelbaum. Motion Carried 6-0.**

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

#### HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 40 THRU 46)

- [24-0437](#) 40. [On](#) vacation of a segment of Ingersoll Avenue right-of-way adjoining 2103 Ingersoll Avenue and conveyance of an Easement for Bus Shelter Encroachment on City-owned property to Des Moines Area Regional Transit Authority, \$220. **Moved by Mandelbaum to adopt. Second by Voss. Motion Carried 6-0.**
- [24-0438](#) (A) [First](#) consideration of ordinance above. **Moved by Mandelbaum that this ordinance be considered and given first vote for passage. Second by Voss. Motion Carried 6-0.**
- [24-0439](#) (B) Final consideration of ordinance above, 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, #[16,340](#). Second by Voss. Motion Carried 6-0.**

[24-0440](#)

41. [On](#) vacation of a segment of Littell Avenue right-of-way located between Fleur Drive and Army Post Road. **Moved by Mandelbaum to adopt. Second by Voss. Motion Carried 6-0.**

[24-0441](#)

- (A) [First](#) consideration of ordinance above. **Moved by Mandelbaum that this ordinance be considered and given first vote for passage. Second by Voss. Motion Carried 6-0.**

[24-0442](#)

- (B) [Final](#) consideration of ordinance above (waiver requested by Sara Arnold, Airport Project Engineer), 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, #[16,341](#). Second by Voss. Motion Carried 6-0.**

[24-0443](#)

42. [On](#) approval of entering into a Waiver of Distance Separation Easement Agreement with and conveying a Waiver of Distance Separation Easement to the Des Moines Metropolitan Wastewater Reclamation Authority and acknowledgement by Des Moines Area Regional Transit Authority on property located at 3500 Vandalia Road, \$1. **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-0.**

[24-0444](#)

43. [On](#) a request from 3800-3804 Ingersoll, LLC and MGS, LLC (Kimberley R. Robertson, Officer) and (Michael Simpson, Officer) to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification from Low Density Residential to Community Mixed Use and to rezone the property located at 1205 E. 33rd Street and 3304 E. University Avenue from “N3b” Neighborhood District to Limited “CX” Mixed Use District to allow use of the property for warehousing and other commercial uses. **Moved by Westergaard to adopt. Second by Gatto. Motion Carried 6-0.**

[24-0445](#)

- (A) [First](#) consideration of ordinance above. **Moved by Westergaard that this ordinance be considered and given first vote for passage. Second by Gatto. Motion Carried 6-0.**

[24-0446](#)

- (B) [Final](#) consideration of ordinance above (waiver requested by 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, #[16,342](#). Second by Gatto. Motion Carried 6-0.**

[24-0447](#)

44. [On](#) a request from Max Z. Steigleder and Tracy D. Steigleder (Owners) to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification from Business Park to Industrial and to rezone property in the vicinity 9500 Southridge Boulevard from “EX” Mixed Use District to “I2” Industrial District to allow the construction of a concrete manufacturing plant with outdoor storage. **Moved by Gatto to DENY the proposed rezoning. Second by Coleman. Motion Carried 6-0.**

[24-0448](#)

45. [On](#) approval of the 2023 U.S. Department of Housing and Urban Development (HUD) Consolidated Annual Performance and Evaluation Report (CAPER). ([Council Communication No. 24-105](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-0.**

[24-0449](#)

46. [On](#) 30th Street Sidewalk from Urbandale Avenue to Euclid Avenue: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating the lowest responsive, responsible bidder as MPS Engineers, PC d/b/a Kingston Services, PC (Umesh G. Shetye, President), \$208,879.50. ([Council Communication No. 24-116](#)) **Moved by Coleman to adopt. Second by Voss. Motion Carried 6-0.**

[24-0450](#)

- (A) [Approval](#) of contract and bond. **Moved by Coleman to adopt. Second by Voss. Motion Carried 6-0.**

\*\*\*\*\*END HEARINGS AT 5:14 PM\*\*\*\*\*

## ORDINANCES FIRST CONSIDERATION

[24-0451](#)

47. [Amending](#) Chapter 114 of the Municipal Code regarding Traffic Regulation Changes as follows: ([Council Communication No. 24-112](#)) **Moved by Gatto that this ordinance be considered and given first vote for passage. Second by Mandelbaum. Motion Carried 6-0. Motion by Mandelbaum to receive and file document from Jim Bowman and to direct staff to work with the homeowner’s association to facilitate renovations without violating the new ordinance. Second by Gatto. Motion Carried 6-0. Motion by Gatto to receive and file picture from Mark Wallace. Second by Mandelbaum. Motion Carried 6-0.**

- (A) Parking Modifications – E Park Avenue from SE 21<sup>st</sup> Street to SE 22<sup>nd</sup> Street.
- (B) Parking Modifications – Scott Avenue from SE 10<sup>th</sup> Street to SE 11<sup>th</sup> Street.
- (C) Parking Modifications related to Stanton Ridge Plat 1 Development:
  - (1) SW 23<sup>rd</sup> Street from Stanton Avenue to Emma Avenue.
  - (2) SW 29<sup>th</sup> Street from Stanton Avenue to Emma Avenue.
  - (3) Emma Avenue from SW 23<sup>rd</sup> Street to SW 29<sup>th</sup> Street.
- (D) Parking Restriction – SW 9<sup>th</sup> Street between Bell Avenue and Loomis Avenue.
- (E) Parking Restriction – Scott Avenue between SE 18<sup>th</sup> Street and the cul-de-sac to the west.
- (F) Code Correction – Corning Avenue between 6<sup>th</sup> Avenue and East Dead End.

- (G) Alley Loading Restriction – East/West Alley between E. Grand Avenue, E. Locust Street, E. 4<sup>th</sup> Street and E. 5<sup>th</sup> Street.
- (H) Parking Modification –South side of Locust Street between 4<sup>th</sup> Street and 5<sup>th</sup> Avenue.
- (I) Parking Modification – South side of Grand Avenue between 2<sup>nd</sup> Avenue and 3<sup>rd</sup> Street.
- (J) Corner Clearance Parking Restrictions:
  - (1) 37<sup>th</sup> Street and Kingman Boulevard.
  - (2) Oaklyn Drive and Lower Beaver Road.

[24-0452](#)

48. [Amending](#) Chapter 82 of the Municipal Code relating to the Urban Design Review Board. ([Council Communication No. 24-125](#)) **Moved by Gatto that this ordinance be considered and given first vote for passage. Second by Coleman. Motion Carried 6-0.**

[24-0453](#)

- (A) 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, #[16,343](#). Second by Coleman. Motion Carried 6-0.**

[24-0454](#)

49. [Amending](#) Chapter 58 of the Municipal Code relating to the elimination of the Landmark Review Board and providing various functions and services under the Historic Preservation Commission and Development Services Department. ([Council Communication No. 24-124](#)) **Moved by Voss that this ordinance be considered and given first vote for passage. Second by Gatto. Motion Carried 6-0.**

[24-0455](#)

- (A) Final consideration of ordinance above, requires six votes. **Moved by Voss 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, #[16,344](#). Second by Gatto. Motion Carried 6-0.**

[24-0456](#)

50. [Amending](#) Chapters 134 and 135 of the Municipal Code relating to expedited Type 2 design alternatives review; value determinations; Type 1 design alternatives; Type 2 design alternatives; and large-scale development requirements. ([Council Communication No. 24-123](#)) **Moved by Gatto that this ordinance be considered and given first vote for passage. Second by Voss. Motion Carried 6-0.**

[24-0457](#)

- (A) 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, #[16,345](#). Second by Voss. Motion Carried 6-0.**

[24-0458](#)

51. [Amending](#) Chapter 42 of the Municipal Code relating to the enforcement of nuisance vegetation management. ([Council Communication No. 24-108](#)) **Moved by Gatto that this ordinance be considered and given first vote for passage. Second by Voss. Motion Carried 6-0.**

## COMMUNICATIONS/REPORTS

[24-0459](#)

52. [Requests](#) to speak as follows: **Moved by Gatto to receive and file. Second by Voss. Motion Carried 6-0.**

- (A) Aaron Stacy Roberts – Did not speak.
- (B) Adam Callanan
- (C) Jean O'Donnell
- (D) David Joiner
- (E) Veola Perry
- (F) Harvey Harrison
- (G) Peggy Fitch
- (H) Carol Maher – Did not speak.

[24-0460](#)

MOTION TO ADJOURN. **Moved by Boesen to adjourn at 5:59 PM. Motion Carried 6-0.**

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