



**\*\*\* 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 '25-' 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**

**February 10, 2025**  
**5:00 PM**

**SPECIAL PRESENTATION – 4:45 PM**

**Prairie Meadows/Polk County Check Presentation**

- [25-0161](#) 1. ROLL CALL: **Present: Boesen, Simonson, Voss, Coleman, Westergaard, Mandelbaum and Gatto. Council Member Mandelbaum participated in the meeting by telephone.**
- [25-0162](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [25-0163](#) 3. APPROVING CONSENT AGENDA \* – items 3 through 37: **Moved by Gatto to adopt the balance of the Consent Agenda. Second by Voss. Motion Carried 7-0.**

**\*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

[25-0164](#)

4. [Approving](#) Alcoholic Beverage License Applications for the following: **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0. Council Member Gatto declares a conflict of interest and abstains from voting on item 4F.**

### NEW APPLICATIONS

|     |                          |                    |                 |
|-----|--------------------------|--------------------|-----------------|
| (A) | FIVE STARZ RESTAURANT    | 1951 INDIANOLA AVE | Class C Liquor  |
| (B) | LA PREMIUM MICHAOCANA    | 1434 DES MOINES ST | Special Class C |
| (C) | LACHELES FINE FOODS      | 3619 6TH AVE       | Class C Liquor  |
| (D) | LACHELES FINE FOODS      | 2716 INGERSOLL AVE | Class C Liquor  |
| (E) | MERLE HAY LIQUOR & SMOKE | 3408 MERLE HAY RD  | Class E Liquor  |

### RENEWAL APPLICATIONS

|      |                          |                    |                 |
|------|--------------------------|--------------------|-----------------|
| *(F) | CAFE BARATTAS            | 600 E LOCUST ST    | Class C Liquor  |
| (G)  | CASEYS STORE #3518       | 1907 ARMY POST RD  | Class E Liquor  |
| (H)  | CASH SAVER #34           | 4121 FLEUR DR      | Class E Liquor  |
| (I)  | DES MOINES BIERGARTEN    | 2251 GEORGE FLAGG  | Special Class C |
| (J)  | DISTRICT                 | 212 4TH ST         | Class C Liquor  |
| (K)  | EL TOREADO MEXICAN BAR   | 4521 FLEUR DR      | Class C Liquor  |
| (L)  | GIT N GO STORE #23       | 2930 HICKMAN RD    | Class B Retail  |
| (M)  | INDIA STAR               | 5514 DOUGLAS AVE   | Special Class C |
| (N)  | LACHELES FINE FOODS      | 2716 INGERSOLL AVE | Class C Liquor  |
| (O)  | TUPELO HONEY HOSPITALITY | 665 GRAND AVE      | Class C Liquor  |

### SPECIAL EVENT APPLICATIONS

(P) APRES BAR CO 100 LOCUST ST 5 days  
CLASS C LIQUOR LICENSE FOR CANDLELIGHT CONCERT ON FEBRUARY 22, 2025.

(Q) SALISBURY HOUSE 4025 TONAWANDA DR 5 days  
SPECIAL CLASS C LIQUOR LICENSE (BEER/WINE) FOR LOVE LETTERS - READERS THEATRE ON FEBRUARY 22, 2025.

### OUTDOOR SERVICE APPLICATION

(R) CAPTAIN ROYS 1900 SAYLOR RD Class C Liquor  
TEMPORARY FOR SHIVER ON THE RIVER ON FEBRUARY 15, 2025.

[25-0165](#)

5. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits. **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-1. Nays: Voss.**

[25-0166](#)

6. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

[25-0167](#)

7. [City](#) Clerk to approve Device Retailer Permits. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

## PUBLIC IMPROVEMENTS

8. Ordering construction of the following:

[25-0168](#) (A) [2025](#) Sidewalk and Pedestrian Ramp Replacement Program: Receiving of bids, (2-25-25) and Setting date of hearing, (3-10-25), Engineer's estimate, \$436,000. ([Council Communication No. 25-056](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

[25-0169](#) (B) [E.](#) 33<sup>rd</sup> Street from University Avenue to Easton Boulevard Improvements: Receiving of bids, (2-25-25) and Setting date of hearing, (3-24-25), Engineer's estimate, \$825,000. ([Council Communication No. 25-057](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

[25-0170](#) 9. [Approving](#) Supplemental Agreement No. 3 to the Professional Services Agreement with Barr Engineering Company for professional services for George Flagg Parkway and Fleur Drive Floodgate Closure, not to exceed \$227,500. ([Council Communication No. 25-052](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

[25-0171](#) 10. [Approving](#) Private Construction Contract between McAninch Corporation and HOA Aston LLC for storm sewer improvements in 603 E. 6<sup>th</sup> Street. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

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

[25-0172](#) (A) [2022](#) Midblock Pedestrian Signal Improvements – Ti-Zack Concrete, Inc. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

[25-0173](#) (B) [Easter](#) Lake Drive Sidewalk from Indianola Avenue to Easter Lake Park – TK Concrete, Inc. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

[25-0174](#) (C) [Indianola](#) Avenue Reconstruction – E. Army Post Road to U.S. HWY 69 – Absolute Concrete Construction, Inc. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

## SPECIAL ASSESSMENTS

- [25-0175](#) 12. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2025-02. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
13. Deletion of NAC – Emergency Assessments at the following:
- [25-0176](#) (A) [3603](#) Valdez Drive. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [25-0177](#) (B) [2611](#) Park Place. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [25-0178](#) 14. [Deletion](#) of rental inspection assessment at 4205 Park Avenue BLDG 21 and 22. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

## LAND/PROPERTY TRANSACTIONS

- [25-0179](#) 15. [Approval](#) of final subdivision plat for Matilda Plat 1 located in the vicinity of 1201 Center Street. ([Council Communication No. 25-059](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

## BOARDS/COMMISSIONS/NEIGHBORHOODS

- [25-0180](#) 16. [Approving](#) appointments of Primary and Alternate Members to the Metro Waste Authority (MWA) for Calendar Year 2025. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [25-0181](#) 17. [Receive](#) and file communication from Scott Bents advising of his resignation from the Transportation Safety Committee, Seat 1, effective immediately. **Moved by Gatto to receive, file and accept resignation with appreciation for his service. Second by Voss. Motion Carried 7-0.**
- [25-0182](#) 18. [Receive](#) and file communication from Joseph Nolte advising of his resignation from the Greater Des Moines Sister Cities Commission, Seat 14, effective immediately. **Moved by Gatto to receive, file and accept resignation with appreciation for his service. Second by Voss. Motion Carried 7-0.**

## SETTING DATE OF HEARINGS

- [25-0183](#) 19. [On](#) vacation of air rights within a portion of 41st Street right-of-way adjoining 4109 University Avenue and conveyance of a Permanent Easement for Air Space Above City-owned Property to Uptown Partners Corp. for \$2,041, (2-24-25). **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [25-0184](#) 20. [On](#) approval of a lease agreement with Riley Drive Entertainment XIII, Inc. d/b/a Tonic Bar Des Moines for a portion of the vacated north/south alley right-of-way adjoining 210 Court Avenue for use as a sidewalk café, (2-24-25). **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

## LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [25-0185](#) 21. [Approving](#) payment to Jacob Dodson for a workers' compensation claim. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [25-0186](#) 22. [Approving](#) payment to Anthony Morrison for a workers' compensation claim. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [25-0187](#) 23. [Approving](#) payment to Andrey Rodygin for a property damage claim. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

## APPROVING

- [25-0188](#) 24. [Preliminary](#) award of \$1,000,000 of HOME Investment Partnership Program, as authorized under the American Rescue Plan (HOME-ARP) to Starts Right Here for the construction of STAY at 525 E. 9th Street. ([Council Communication No. 25-051](#)) **Moved by Voss to adopt. Second by Gatto. Motion Carried 6-0. Council Member Simonson declares a conflict of interest and abstains from voting.**
- [25-0189](#) 25. [Preliminary](#) terms of an Urban Renewal Development Agreement with Newbury Management Company and Newbury Commons Associates, LP for the construction of Newbury Commons, a 49-unit apartment building located at 401 SE 7th Street. ([Council Communication No. 25-061](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
26. Second Amendments to Urban Renewal Development Agreements with Hilltop Housing, LLC allowing for an extension of time for completion of improvements in the vicinity of 3600 Hubbell Avenue for the following: ([Council Communication No. 25-060](#))
- [25-0190](#) (A) [Hilltop](#) III Housing. **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-0. Council Member Simonson declares a conflict of interest and abstains from voting.**

- [25-0191](#) (B) [Hilltop](#) IV Housing. **Moved by Gatto to adopt. Second by Voss. Motion Carried 6-0. Council Member Simonson declares a conflict of interest and abstains from voting.**
- [25-0192](#) 27. [Issuance](#) of Certificate of Completion for Bridge District Level Phase 2 Metro Center Urban Renewal Project located in the 300 block of Maple Street. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [25-0193](#) 28. [Submitting](#) applications for funding through the 2025 Homeland Security Grant Program in support of the statewide Weapons of Mass Destruction (WMD)/SWAT Task Force, the statewide Explosive Ordnance Detection (EOD) Task Force, and the Securing of Crowded Places project. ([Council Communication No. 25-049](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [25-0194](#) 29. [Communication](#) from the Greater Des Moines Partnership on behalf of the Iowa State University's Ivy College of Business requesting approval of placement for up to 25 banners to be displayed on banner poles in downtown Des Moines beginning March 1, 2025. **Moved by Gatto to receive, file and approve. Second by Voss. Motion Carried 7-0.**
30. Abatement of public nuisances as follows:
- [25-0195](#) (A) [2153](#) Capitol Avenue. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [25-0196](#) (B) [2202](#) SE 7<sup>th</sup> Street. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [25-0197](#) 31. [Purchase](#) of police emergency vehicle equipment per the State of Iowa Contracts and NASPO ValuePoint Agreement from Whelen through its authorized distributor Keltek Inc. a division of Rayser Holdings Inc. (Michelle Jensen, President and CEO), \$219,452.27. ([Council Communication No. 25-048](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [25-0198](#) 32. [Purchase](#) of cardio and weight equipment for Des Moines North Side Community Recreation Center from Precor Inc. d/b/a Push Pedal Pull (Martin Bruder, President) per Sourcewell Contract and authorizing negotiation and execution of Supplemental Agreement with Precor Inc., \$112,144. ([Council Communication No. 25-044](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [25-0199](#) 33. [Authorizing](#) renewable agreements for mowing, trimming and litter removal services from various lawn care providers to be used by the Parks and Recreation Department, total estimated annual amount \$1,179,046. (Eighteen (18) potential bidders, four (4) received). ([Council Communication No. 25-047](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

- [25-0200](#) 34. [Purchase](#) from MHC Kenworth Waco (Steve Ellington, Vice President Texas Region and Zach Coulter, MHC Kenworth-Waco Branch Manager) of one (1) replacement Kenworth chassis with a 22-ton boom crane per Sourcewell Contract for use by the Public Works Department, \$348,461.62. ([Council Communication No. 25-046](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [25-0201](#) 35. [Purchase](#) from Patriot Critical Power, LLC (Markus Pitts, Owner) of generator maintenance services for use by the City Manager's Office, total annual estimated amount \$150,000. (Three (3) compliant bids received). **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [25-0202](#) 36. [Purchase](#) from Ziegler Caterpillar (Chris Culbertson, Branch Operations Manager) of one (1) replacement compact track loader per Sourcewell Contract for use by the Public Works Department, \$109,713.18. ([Council Communication No. 25-045](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [25-0203](#) 37. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of February 10 and 17, 2025; to draw checks for the [bills](#) of the Des Moines Municipal Housing Agency for the weeks of February 10 and 17, 2025; to draw checks for biweekly payroll due on February 21, 2025. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

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

#### HEARINGS (OPEN AT 5:00 PM) (ITEMS 38 THRU 47)

- [25-0204](#) 38. [On](#) vacation of surface rights within a portion of 6<sup>th</sup> Avenue right-of-way adjoining 3612 and 3614 6<sup>th</sup> Avenue and conveyance of a Permanent Easement for Building Encroachment-Door Swing to 36 on 6<sup>th</sup>, LLC, \$34. **Moved by Westergaard to adopt. Second by Gatto. Motion Carried 7-0.**
- [25-0205](#) (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 7-0.**
- [25-0206](#) (B) [Final](#) consideration of ordinance above (waiver requested by Tim Bratvold, Manager), 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, [#16,430](#). Second by Gatto. Motion Carried 7-0.**
- [25-0207](#) 39. [On](#) vacation of surface rights within portions of Indianola Avenue and E. Hillside Avenue right-of-way adjoining 1961 Indianola Avenue and conveyance of a Permanent Easement for Building Encroachment – Door Swing to Optimae LifeServices, Inc., \$300. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**



- [25-0208](#) (A) [First](#) consideration of ordinance above. **Moved by Gatto that this ordinance be considered and given first vote for passage. Second by Voss. Motion Carried 7-0.**
- [25-0209](#) (B) [Final](#) consideration of ordinance above (waiver requested by William Dodds, Chair of the Board of Director), 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, [#16,431](#). Second by Voss. Motion Carried 7-0.**
- [25-0210](#) 40. [On](#) request from Invest DSM, Inc. (Christopher Civitate, Officer) to amend the PlanDSM Creating Our Tomorrow Comprehensive Plan to revise the future land use classification from Low Density Residential within a Neighborhood Node to High Density Residential within a Neighborhood Node and to rezone property located in the vicinity of 3610 5th Avenue from “MX1” Mixed Use District to Limited “RX1” Mixed Use District to allow redevelopment of the property for a multiple-household building with up to twelve (12) dwelling units. **Moved by Westergaard to adopt. Second by Voss. Motion Carried 7-0.**
- [25-0211](#) (A) [First](#) consideration of ordinance above. **Moved by Westergaard that this ordinance be considered and given first vote for passage. Second by Voss. Motion Carried 7-0.**
- [25-0212](#) (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, [#16,432](#). Second by Voss. Motion Carried 7-0.**
- [25-0213](#) 41. [On](#) request from Big Deal Investments, LLC (Dylan Book, Officer) to rezone property located at 1424 Army Post Road from “RX1” Mixed Use District to Limited “MX3” Mixed Use District to allow reuse of the property for a “Vehicle Sales and Service – Vehicle Rental” use. **Moved by Mandelbaum to adopt. Second by Voss. Motion Carried 7-0.**
- [25-0214](#) (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 7-0.**
- [25-0215](#) (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, [#16,433](#). Second by Voss. Motion Carried 7-0.**



- [25-0216](#) 42. [On](#) City initiated request to rename a segment of “Lake Ridge Avenue” to “Sweetwater Drive” located to the east of SE 30th Street between E. Army Post Road to the north and E. Pine Avenue to the south. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [25-0217](#) (A) [First](#) consideration of ordinance above. **Moved by Gatto that this ordinance be considered and given first vote for passage. Second by Voss. Motion Carried 7-0.**
- [25-0218](#) (B) 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, [#16,434](#). Second by Voss. Motion Carried 7-0.**
- [25-0219](#) 43. [On](#) proposed connection fee ordinance for East Army Post Road and Indianola Avenue Trunk Sanitary Sewer System Benefited District. ([Council Communication No. 25-062](#)) **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**
- [25-0220](#) (A) [First](#) consideration of ordinance above. **Moved by Gatto that this ordinance be considered and given first vote for passage. Second by Voss. Motion Carried 7-0.**
- [25-0221](#) 44. [On](#) request from Faithful Moments, LLC (Adam Sieren, Officer) to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use classification for property located at 5702 Grand Avenue from Low Density Residential to Low-Medium Density Residential and to rezone from “N3c” Neighborhood District to Limited “NX2” Neighborhood Mix District to allow the redevelopment of the property for rowhome buildings. ([Council Communication No. 25-050](#)) **Moved by Voss to adopt. Second by Gatto. Motion Carried 7-0.**
- [25-0222](#) (A) [First](#) consideration of ordinance above. **Moved by Voss that this ordinance be considered and given first vote for passage. Second by Gatto. Motion Carried 7-0.**
- [25-0223](#) (B) [Final](#) consideration of ordinance above (waiver requested by applicant), 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, [#16,435](#). Second by Gatto. Motion Carried 7-0.**
- [25-0224](#) 45. [On](#) 2025 Traffic Signal Replacement Contract 1: Resolution approving plans, specifications, form of contract documents, engineer’s estimate, receive and file bids, and designating the lowest responsive, responsible bidder as Van Maanen Electric, Inc. (Nathan Van Maanen, President), \$719,946.70. ([Council Communication No. 25-055](#)) **Moved by Gatto to adopt. Second by Coleman. Motion Carried 7-0.**

[25-0225](#) (A) [Approval](#) of contract and bond. **Moved by Gatto to adopt. Second by Coleman. Motion Carried 7-0.**

[25-0226](#) 46. [On](#) Southeast Connector from SE 30<sup>th</sup> Street to US 65: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating the lowest responsive, responsible bidder as C.J. Moyna & Sons, LLC (John P. Moyna, President) and Progressive Structures, LLC (Travis Augustyn, President), A Joint Venture, \$58,999,314.12. ([Council Communication No. 25-053](#)) **Moved by Gatto to adopt. Second by Westergaard. Motion Carried 7-0.**

[25-0227](#) (A) [Approval](#) of contract and bond. **Moved by Gatto to adopt. Second by Westergaard. Motion Carried 7-0.**

[25-0228](#) 47. [On](#) SW 9<sup>th</sup> Street Viaduct Rehabilitation: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating the lowest responsive, responsible bidder as Jasper Construction Services, Inc. (Cliff Rhoads, President), \$2,065,841.95. ([Council Communication No. 25-054](#)) **Moved by Mandelbaum to adopt. Second by Gatto. Motion Carried 7-0.**

[25-0229](#) (A) [Approval](#) of contract and bond. **Moved by Mandelbaum to adopt. Second by Gatto. Motion Carried 7-0.**

\*\*\*\*\*END HEARINGS AT 5:55 PM\*\*\*\*\*

## APPROVING II

[25-0230](#) 48. [Review](#) of Zoning Board of Adjustment decision conditionally granting a Use Variance for an "Office: Business or Professional" use within an "F" Flood District on property at 414 61st Street. ([Council Communication No. 25-058](#)) **Moved by Mandelbaum to adopt alternative C, (C) The City Council declines to remand the decision to the Zoning Board of Adjustment. The decision of the Board becomes final on this date. Second by Gatto. Motion Carried 7-0.**

## ORDINANCES FIRST CONSIDERATION

[25-0231](#) 49. [Amending](#) Section 114-485.12 of the Municipal Code relating to the City's impound and preservation fee. **Moved by Gatto that this ordinance be considered and given first vote for passage. Second by Voss. Motion Carried 7-0.**

[25-0232](#)

- (A) [Final](#) consideration of ordinance above (waiver requested by Police Chief Michael McTaggart), 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, [#16,436](#). Second by Voss. Motion Carried 7-0.**

[25-0233](#)

- (B) [Amending](#) the schedule of fees by repealing the Impound & Preservation Fee for vehicles impounded by the City. **Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.**

## COMMUNICATIONS/REPORTS

[25-0234](#)

50. [Requests](#) to speak as follows: **Moved by Gatto to receive and file, and direct the City Manager to look into traffic around E. University Avenue and E. 22<sup>nd</sup> Ct. and City policies regarding Development Agreements. Second by Westergaard. Motion Carried 7-0.**

- (A) Nicholas King
- (B) Jenny King
- (C) Kellie Midgorden
- (D) Laurie Wolf
- (E) Karla Damken
- (F) Andy Roberts
- (G) Felicia Hilton
- (H) Giada Morresi
- (I) Abby Banks

[25-0235](#)

**MOTION TO ADJOURN. Moved by Gatto to adjourn at 6:24 P.M. Second by Voss. Motion Carried 7-0.**

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