

## MINUTES

**DES MOINES CITY COUNCIL  
REGULAR MEETING  
City Council Chambers  
21630 11<sup>th</sup> Avenue South, Des Moines**

**November 15, 2018 – 7:00 p.m.**

### CALL TO ORDER

Mayor Pina called the meeting to order at 7:00 p.m.

### PLEDGE OF ALLEGIANCE

The flag salute was led by Councilmember Bangs.

### ROLL CALL

Council present: Mayor Matt Pina; Deputy Mayor Vic Pennington; Councilmembers Traci Buxton, Luisa Bangs, Jeremy Nutting, Robert Back and Matt Mahoney.

Staff present: City Manager Michael Matthias; Chief Operations Officer Dan Brewer; Chief Strategic Officer Susan Cezar; City Attorney Tim George; Finance Director Beth Anne Wroe; Police Chief Ken Thomas; Commander Doug Jenkins; Assistant City Attorney Matt Hutchins; Public Works Director Brandon Carver; Planning & Development Services Manager Denise Lathrop; Land Use Planner II Holly Keeton; Deputy City Clerk Taria Keane.

### COMMENTS FROM THE PUBLIC

- J.C. Harris, Des Moines, Airport
- Rick Johnson, Des Moines, Airport

### BOARD AND COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Councilmember Bangs

- Veterans Day Ceremony
- Arts Commission

Councilmember Nutting

- No Report

Councilmember Buxton

- Veterans Day Ceremony
- Squid-O-Rama
- Shoreline Management Program Open House
- Emergency Management Presentation
- Public Issues Committee Meeting

Deputy Mayor Vic Pennington

- Veterans Day Ceremony
- Community Involvement

Councilmember Mahoney

- Squid-O-Rama
- Veterans Day Ceremony
- Emergency Management Presentation

Councilmember Back

- No Report

**PRESIDING OFFICER'S REPORT**

- Veterans Day Ceremony
- Sculpture Garden

**CONSENT CALENDAR**

Item 1: APPROVAL OF MINUTES

Motion is to approve the Minutes from the October 11 and October 18, 2018 City Council Regular Meetings, and the November 1, 2018 Study Session.

**Direction/Motion**

Motion made by Councilmember Nutting to approve the consent calendar; seconded by Councilmember Bangs.  
Motion passed 7-0.

**PUBLIC HEARING/CONTINUED PUBLIC HEARING**

Item 1: CONTINUED PUBLIC HEARING TO CONSIDER DRAFT ORDINANCE 18-105 AMENDING THE DES MOINES 2035 COMPREHENSIVE PLAN AND PREFERRED LAND USE MAP

Staff Presentation:

Planning & Development Services Manager  
Denise Lathrop

This Public Hearing was opened at the October 18, 2018 City Council Meeting.

Planning & Development Services Manager Lathrop gave council a PowerPoint presentation.

Mayor Pina called for those that wished to speak:  
Danna Robinson, Des Moines

Mayor Pina asked 3 times if anyone wished to speak. Seeing none Mayor Pina asked Council if they had any questions.

Mayor Pina closed the Public Hearing at 7:31 p.m.

**Direction/Action**

Motion 1 made by Councilmember Bangs to amend Draft Ordinance No. 18-105, Exhibit B to remove Amendment 2018-1. (This amendment will remove the private application, maintaining the status quo for the land use); seconded by Deputy Mayor Pennington.  
The Motion Passed 7-0

**Direction/Action**

Motion 2 made by Councilmember Bangs to enact Draft Ordinance No. 18-105 as amended, amending Chapter 18.25 DMMC; seconded by Deputy Mayor Pennington.  
The Motion Passed 7-0

- Item 2: PUBLIC HEARING TO CONSIDER DRAFT ORDINANCE NO. 18-099  
REGARDING SOUTH 216<sup>TH</sup> STREET REZONE  
Staff Presentation: Land Use Planner II Holly Keeton

This Public Hearing was opened at the October 18, 2018 City Council Meeting.

Land Use Planner II Holly Keeton gave council a PowerPoint presentation.

As this public hearing is a Quasi-Judicial Mayor Pina asked all Councilmembers to give consideration as to whether they have:

- 1.) Demonstrated bias or prejudice for or against any party to the proceeding;
- 2.) A direct or indirect monetary interest in the outcome of the proceedings;
- 3.) A prejudgment of the issue prior to hearing the facts on the record; or
- 4.) Ex parte contact with any individual, excluding Administrative staff, with regard to an issue prior to the hearing.

No councilmembers answered in the affirmative.

Mayor Pina asked the speakers to affirm the truth of their testimony by standing, raising their right hand and responding with "I do."

Mayor Pina called for those that wished to speak:

- Rebecca King, Des Moines
- Jim Morrison, Des Moines
- Dee Cantellay, Des Moines
- Jeffery Johnson, Des Moines
- JC Harris, Des Moines

Mayor Pina asked the Administration as to whether there have been any mis-statements of fact or whether the administration wishes to introduce any material as to subjects raised by the proponent or opponents or alter in any regard its initial recommendations.

Mayor Pina asked 3 times if anyone wished to speak. Seeing none Mayor Pina asked Council if they had any questions.

Mayor Pina closed the Public Hearing at 8:07 p.m.

#### **Direction/Action**

**Motion** made by Councilmember Nutting to move to deny application No. LUA2018-0027 to amend the Zoning Map as the proposed zoning reclassification is inconsistent with City's Comprehensive Plan and therefore does not meet the criteria outlined in DMMC 18.30.080(2) and further to direct staff to prepare a Notice of Decision consistent with this decision; seconded by Councilmember Mahoney.

The motion passed 7-0

At 8:12 p.m. Council took an 11 minute break, and resumed the meeting at 8:23 p.m.

#### **ADMINISTRATION REPORT**

- Investigation Into Misappropriation of Funds: Final Report
  - City Attorney George updated the Council on the Investigation into Misappropriation of Funds.
  - Arik Van Zandt, Managing Director of Alvarez and Marsal Valuation Services, LLC provided the Council with an overview of the results of the Investigation.
  - Staff gave a PowerPoint Presentation to Council regarding Parks, Recreation, and Senior Services Department Internal Operations Review.

#### **NEXT MEETING DATE:**

December 6, 2018 City Council Study Session

#### **ADJOURNMENT**

##### **Direction/Action**

**Motion** made by Councilmember Nutting to adjourn; seconded by Deputy Mayor Pennington.

The motion passed 7-0.

The meeting adjourned at 8:53 p.m.

Respectfully Submitted,  
Taria Keane  
Deputy City Clerk

