PROCLAMATIONS – 4:00 PM

African American Baseball Day

SPECIAL PRESENTATION – 4:05 PM

Des Moines Vocal Arts Ensemble

INVOCATION: Rev. Tim Diebel
First Christian Church
2500 University Avenue

1. ROLL CALL:

2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:

* * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * *  
*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.

3. APPROVING CONSENT AGENDA – items 3 through 46:

LICENSES AND PERMITS

4. Approving Alcoholic Beverage License Applications for the following:

NEW APPLICATIONS

(A) BISTRO 18 2500 ML KING PKWY C Liquor
(B) HEROES 216 COURT AVE C Liquor
(C) UNIVERSITY GROCERIES 2121 UNIVERSITY E Liquor

RENEWAL APPLICATIONS

(D) ANDYS PLACE 5114 SW 9TH ST C Liquor
(E) BISTRO MONTAGE 2724 INGERSOLL C Liquor
(F) CASEYS GENERAL STORE #44 4560 E 14TH ST C Beer
(G) CITGO 1800 SE 14TH ST C Beer
(H) DES MOINES IZAAK WALTON 4343 GEORGE FLAGG C Liquor
(I) DES MOINES MARRIOTT 700 GRAND AVE E Liquor


<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>J</td>
<td>DES MOINES MARRIOTT</td>
<td>700 GRAND AVE</td>
<td>B Liquor</td>
</tr>
<tr>
<td>K</td>
<td>GODFATHERS PIZZA</td>
<td>4119 UNIVERSITY</td>
<td>B Beer</td>
</tr>
<tr>
<td>L</td>
<td>HULL TAVERN TAP</td>
<td>834 E HULL AVE</td>
<td>C Liquor</td>
</tr>
<tr>
<td>M</td>
<td>LA BAMBA MEXICAN</td>
<td>6101 GRAND AVE</td>
<td>C Liquor</td>
</tr>
<tr>
<td>N</td>
<td>MERLE HAY LANES</td>
<td>3800 MERLE HAY</td>
<td>C Liquor</td>
</tr>
<tr>
<td>O</td>
<td>NOODLE ZOO</td>
<td>601 E LOCUST ST</td>
<td>C Beer/Wine</td>
</tr>
<tr>
<td>P</td>
<td>PROOF</td>
<td>1301 LOCUST ST</td>
<td>C Beer/Wine</td>
</tr>
<tr>
<td>Q</td>
<td>SHOP N SAVE</td>
<td>2127 M L KING PKWY</td>
<td>E Liquor</td>
</tr>
<tr>
<td>R</td>
<td>WELLMANS PUB</td>
<td>2920 INGERSOLL</td>
<td>C Liquor</td>
</tr>
</tbody>
</table>

**OUTDOOR SERVICE APPLICATIONS**

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(S)</td>
<td>BLAZING SADDLE</td>
<td>416 E 5TH ST</td>
<td>C Liquor</td>
</tr>
<tr>
<td></td>
<td>Temporary in conjunction with East Village Bike Night on September 25, 2009.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(T)</td>
<td>BUDDYS CORRAL</td>
<td>418 E 5TH ST</td>
<td>C Liquor</td>
</tr>
<tr>
<td></td>
<td>Temporary in conjunction with East Village Bike Night on September 25, 2009.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pending approval of Electrical and Fire Departments.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(U)</td>
<td>CHRISTOPHERS DINING</td>
<td>2816 BEAVER AVE</td>
<td>C Liquor</td>
</tr>
<tr>
<td></td>
<td>Temporary in conjunction with Beaverdale Fall Festival on September 18, 2009.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pending approval of Zoning Department.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(V)</td>
<td>GOODSONS</td>
<td>2815 BEAVER AVE</td>
<td>C Liquor</td>
</tr>
<tr>
<td></td>
<td>Temporary in conjunction with Beaverdale Fall Festival on September 18, 2009.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pending approval of Zoning Department.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(W)</td>
<td>LOCUST TAP</td>
<td>434 E LOCUST ST</td>
<td>C Liquor</td>
</tr>
<tr>
<td></td>
<td>Temporary in conjunction with East Village Bike Night on September 25, 2009.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pending approval of Fire Department.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(X)</td>
<td>MAIN GATE</td>
<td>2956 E GRAND AVE</td>
<td>C Liquor</td>
</tr>
<tr>
<td></td>
<td>Temporary for an event on September 27, 2009.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pending approval of Building, Electrical, Fire and Zoning Departments.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(Y)</td>
<td>SUDSUCKERS</td>
<td>1511 E ARMY POST</td>
<td>C Liquor</td>
</tr>
<tr>
<td></td>
<td>Temporary for an event September 26 – 28, 2009.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pending approval of Building, Electrical, Fire and Zoning Departments.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(Z)</td>
<td>UNDERGROUND</td>
<td>500 E LOCUST ST</td>
<td>C Liquor</td>
</tr>
<tr>
<td></td>
<td>Temporary in conjunction with East Village Bike Night on September 25, 2009.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pending approval of Electrical Department.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**SPECIAL EVENTS APPLICATIONS**

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(AA)</td>
<td>CENTERPLATE</td>
<td>1 LINE DR</td>
<td>Five (5) Day License</td>
</tr>
<tr>
<td></td>
<td>Class B Beer Permit effective October 1, 2009 for an event at Principal Park.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pending approval of Fire Department.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
DRAKE AREA BUSINESS 2318 UNIVERSITY  Five (5) Day License Class B Beer Permit for Dog Town Fest on September 26, 2009. Pending approval of Fire and Zoning Departments.

FRATERNAL ORDER 6567 BLOOMFIELD  Five (5) Day License Class B Beer Permit for ABATE Toy Run on October 11, 2009. Pending approval of Fire Department.

PROOF 1330 GRAND AVE  Five (5) Day License Class C Liquor License for the Des Moines Art Center Gala on September 26, 2009.

ST ANTHONYS CATHOLIC 15 INDIANOLA  C Beer/Wine Special Class C Liquor License effective September 23, 2009. Pending approval of Building, Electrical, Fire and Zoning Departments.

5. City Clerk to issue Cigarette Licenses.

PUBLIC IMPROVEMENTS

6. Ordering construction of the following:

   (A) Highland Hills Sanitary Sewer Televising: Receiving of bids, (9-29-09), and Setting date of hearing, (10-12-09). (Construction Estimate - $442,200).

   (Council Communication No. 09-657)

   (B) 7th & Grand Parking Garage Rehabilitation: Receiving of bids, (9-29-09), and Setting date of hearing, (10-12-09). (Construction Estimate - $503,315).

   (Council Communication No. 09-658)

   (C) 2009 Expanded Street Resurfacing Program – Contract 4: Receiving of bids, (9-29-09), and Setting date of hearing, (10-12-09). (Construction Estimate - $536,550).

   (Council Communication No. 09-659)

   (D) 1706 Pennsylvania Avenue Soil Stabilization: Receiving of bids, (9-29-09), and Setting date of hearing, (10-12-09). (Construction Estimate - $127,345).

   (Council Communication No. 09-656)

7. Approving Supplemental Agreement No. 6 to I-235 Birds Run Outlet Storm Sewer Professional Services Agreement with Veenstra & Kimm, Inc. to perform additional
construction phase services for the Ingersoll Run Outlet Storm Sewer Phase 2, not to exceed $233,385.86.

(Council Communication No. 09-652)

8. Approving Supplemental Agreement No. 1 to Court Avenue/Water Street Sewer Separation Professional Services Agreement with Veenstra and Kimm, Inc. for additional design and construction phase services for the Court Avenue/Water Street Sewer Separation Project, not to exceed $72,853.

(Council Communication No. 09-653)

9. Approving Change Order No. 1 with Elder Corporation for additional work on the Cownie Soccer Fields Improvements - Phase 3, not to exceed $71,720.

(Council Communication No. 09-645)

10. Communication from contractors requesting permission to sublet certain items.

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

    (A) Grimes Asphalt & Paving Corporation-SW 7th Street and Indianola Road Intersection Improvements.

    (B) Grimes Asphalt & Paving Corporation – SW 9th Street to Fleur Drive.

SPECIAL ASSESSMENTS

12. Levying assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code (Schedule No. 2009-02), continued from 8-24-09 Council meeting.

13. Approving Deletion of NAC-Emergency Assessment at various locations.


15. Approving delinquent sewer rental and/or solid waste/storm water utility credits for August 2009.
LAND/PROPERTY TRANSACTIONS

16. **Release** of PUD Restoration Bond from Merchants Bonding Company in amount of $350,754 as security for completion of required grading and site restoration for Airport Commerce Park South Plat 2.

   *(Council Communication No. 09-624)*

BOARDS/COMMISSIONS/NEIGHBORHOODS

17. **Recommendation** from Council Member Brian Meyer to appoint Charles Talarico to the Citizen Odor Board, Seat 14, for a three-year term commencing April 1, 2009 to expire April 1, 2012.

18. **Recommendation** from Council Member Tom Vlassis to appoint Tim Urban to the Plan and Zoning Commission, Seat 8, to fill an unexpired term commencing July 1, 2005 to expire July 1, 2010. Appointment to be effective November 1, 2009.


20. **Communication** from Monica Green advising of her resignation from Sister Cities Commission, Seat 11, effective immediately.

SETTING DATE OF HEARINGS

21. **On** Memorandum of Agreement with the Federal Aviation Administration for Airfield Navigational Aid Facilities at the Des Moines International Airport, (9-28-09).

22. On items regarding Rumely Lofts:

   (A) **Vacation** and conveyance of the north/south alley adjoining 101 SW 5th Street to Rumely Lofts Limited Partnership for $13,959, (9-28-09).

   (B) **Vacation** and conveyance of an encroachment easement to allow for encroachment of the existing building at 104 SW 4th Street to Rumely Lofts Limited Partnership for $1,746, (9-28-09).

   (C) **City** Plan and Zoning Commission recommendation.
23. **On** vacation and conveyance of an irregular segment of E. 14th Street right-of-way located west of the travelled portion of the street and running approximately 376 feet south of E. Court Avenue, and portions of street and alley rights-of-way in the vicinity of the State Judicial Building, to the State of Iowa for $1, (9-28-09).

   (A) **City** Plan and Zoning Commission recommendation.

23-I **On** a request from Casey’s Marketing Company to rezone property located in the southern portion of 6120 Douglas Avenue from “R1-60” (One-Family Low Density Residential) to “C-2” (General Retail and Highway Oriented Commercial), (9-28-09).

23-II **On** a request from Northern Warren Fire and Emergency Response to rezone 6304 SW 7th Street from Ltd. “C-2” (General Retail and Highway Oriented Commercial) to an amended Ltd. “C-2” (General Retail and Highway Oriented Commercial), (9-28-09).

23-III **On** proposed text amendment to Chapter 134 to establish a new Division 32 – Vehicle Display Lot Overlay District and rezoning of properties fronting the E. 14th Street and SE 14th Street Corridor within the corporate limits of the City to add the “VDL” (Vehicle Display Lot Overlay District) designation, (9-28-09).

**LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS**

24. **Approving** payment of $9,664.02 to Peddicord, Wharton, Spencer, Hook, Barron & Wegman, L.L.P. for representation of Police Officer Mersed Dautovic.

25. **Approving** payment of $17,653.32 to Hansen, McClintock and Riley for representation of Police Officer John Mailander.

26. Approving payment of workers’ compensation claims for the following:

   (A) **Tonya** Gordon, $18,908.60.

   (B) **Sharon** Handeland, $17,004.35.

27. **Approving** payments of settlements made by City Attorney, not exceeding $5,000.

**CITY MANAGER COMMUNICATIONS**

28. **Approving** travel and training requests for Brian Dennis, Jennifer Huisman, Jeff Morton, Douglas Philiph, Robin Sprafka, Paul Stout, Michael Towey and Thomas Vlassis.

   *(Council Communication No. 09-636)*
APPROVING

29. Cooperative Agreement and Amendment for FY2009 with United States Department of Housing and Urban Development (HUD) Fair Housing Assistance Program.

   (Council Communication No. 09-623)

30. Second Amendment to the Jumpstart Housing Assistance Program Grant Agreement.

   (Council Communication No. 09-635)

31. Economic Development Grant to Hubbell Homes for redevelopment of 2016 and 2024 Forest Avenue with nine (9) low-income housing units.

   (Council Communication No. 09-628)

32. Agreements for retention of jobs and reuse of property at 2200 Rittenhouse Street by Eurofins Scientific, Inc.

   (Council Communication No. 09-633)

33. Issuance of Certificate of Completion for Nelson Development 15, LLC mixed use building located at 300 E. Grand Avenue – Metro Center Urban Renewal Project.

34. Neighborhood Commercial Revitalization Program $15,000 Façade Grant, a $5,000 Predevelopment Grant and a $100,000 Economic Development Bridge Loan to assist the renovations to 3600 6th Avenue.

   (Council Communication No. 09-643)

35. Amended and restated Metropolitan Incident Command Radio Network (MICRN) 28E Agreement.

   (Council Communication No. 09-629)


   (Council Communication No. 09-644)

37. Acceptance of 2009 Justice Grant Award to be utilized for various law enforcement purposes.
38. **Solid** Waste Alternatives Program Project Agreement with Iowa Department of Natural Resources awarding $59,250 to Des Moines International Airport to begin a recycling program.


40. **Amendment** No. 1 to Other Transaction Agreement (OTA) with Transportation Security Administration (TSA) to extend completion date of Baggage Handling System Project to June 30, 2010 and agreement performance date to September 30, 2010.

41. **Renewal** amendment of contract with U.S. Bank, NA and ELAVON (f/k/a NOVA Information Systems, Inc.) for credit and debit card processing services.

42. Banners for the following:

   (A) **Des** Moines Marathon requesting approval for banners across the streets on Locust for the starting line between 3rd and 4th and finish line on 3rd between Locust and Walnut on Sunday, October 18, 2009.

   (B) **Downtown** Events Group requesting approval to temporarily place banners across the streets on E. Locust from E. 3rd to E. 6th Street for the World Food Festival on October 7-11, 2009.

43. **Communication** from Downtown Community Alliance on behalf of Mercy Medical Center to approve banner design for 30 banners to be displayed in Downtown Des Moines every October over the next few years.

44. **Selection** of five General Contractors eligible to bid projects under the Lead Hazard Control Grant administered by the Community Development Department – Neighborhood Conservation Services Division in partnership with the Polk County Health Department.
45. Bids for the following:

(A) **Accela**, Inc. (Maury Blackman, CEO) for annual software maintenance and support for Tidemark to be used by the Information Technology Department, $34,685.92.

   *(Council Communication No. 09-621)*

(B) **Corson’s** Cemetery Restoration & Repair (Bobbie Jo Corson, Owner) and Indianola Memorial Works (Martin Hall, Vice President) for monument repair services to be used by the Park & Recreation Department, $51,000. (Four bids mailed, two received).

   *(Council Communication No. 09-638)*

(C) **Eddy-Walker** Equipment Company (Don Eddy, President) for 45 replacement trash dumpsters to be used by the Parks & Recreation Department, $43,155. (Three bids mailed, three received).

   *(Council Communication No. 09-639)*

(D) **FrontRange** Solutions (Michael McCloskey, CEO) for annual software maintenance and support for HEAT to be used by the Information Technology Department, $40,737.70.

   *(Council Communication No. 09-622)*

(E) **Dukes** Root Control Inc. (Michael Hogan, President) for chemical root control services for various sanitary sewer lines to be used by the Public Works Department, $114,463. (Twelve bids mailed, two received).

46. **Authorizing** Finance Director to draw checks on registers for the weeks of September 14 and September 21, 2009; to draw checks for bills of the Des Moines Municipal Housing Agency for the weeks of September 14 and 21, 2009; and to draw checks for bi-weekly payroll due September 25, 2009.

* * * * * * * END CONSENT AGENDA * * * * * * *
ORDINANCES - FINAL CONSIDERATION


(A) Communication from Allen Suby, 422 SW Westview Dr., Ankeny.

48. Amending Chapter 114 of the Municipal Code regarding proposal for a three-lane restriping project including bicycle lanes and additional parking on Ingersoll Avenue.

(Council Communication No. 09-662)

ORDINANCES - SECOND CONSIDERATION

49. Actions to establish a comprehensive system for the consideration of tree removal and the planting of replacement trees in the review and approval of applications for grading permits, site plans, subdivision plats and plats of survey:

(A) Second consideration of ordinance enacting a new Article X to Chapter 42 to be known as the Tree Removal and Mitigation Ordinance, and amending Section 122-58 to adopt a list of approved tree species for planting in the rights-of-way and as required replacement trees.

(B) Final consideration of ordinance above, (waiver requested by the Community Development Director) requires 6 votes.

(C) Second consideration of ordinance amending the regulations applicable to grading permits, site plans, subdivision plats and plats of survey to reference the requirements in the Tree Removal and Mitigation Ordinance.

(D) Final consideration of ordinance above, (waiver requested by the Community Development Director) requires 6 votes.

(E) Resolution approving a list of tree species recommended for planting in the public rights-of-way and as required replacement trees.

(F) Receive and file the Community Development Director’s policy regarding the protection of trees and canopied areas to be preserved during development activities.

(G) Resolution adopting Tree Preservation Principles for City Property, Public Improvement Projects and Utilities.

(Council Communication No. 09-663)
ORDINANCES - FIRST CONSIDERATION

50. **Amending** Chapter 114 of the Municipal Code regarding automated traffic enforcement.

   *(Council Communication No. 09-627)*

51. **Amending** Chapter 114 of the Municipal Code regarding traffic regulation changes as follows:

   (A) Change from Thursdays to Fridays for a parking restriction for solid waste collection – west side of SE 4th Street from E. Philip to E. McKinley Avenue.

   (B) Code revisions for streets that have been vacated, renamed or had field adjustments.

   (C) Removal of handicapped parking space on the east side of E. 13th Street, south of Grandview Avenue.

   (D) Parking restriction on the east side of 61st Street, north of Grand Avenue for deliveries.

   (E) Additional handicapped parking meter on the west side of 13th Street between Locust and Walnut Streets.

   *(Council Communication No. 09-650)*

COMMUNICATIONS/REPORTS

52. **From** David Costello, 1105 Orchard Lane, to speak regarding homelessness in the community.

53. **From** ToyA Johnson, 1646 Dean Avenue, to speak regarding dismissal of a special tax assessment.

54. **From** Gerald LaBlanc, 8912 NE 46th Avenue, Altoona to speak regarding the Woodland Arch.

55. **From** William Lillis of Connolly Law Firm on behalf of Ruth A. Holt and Andrew Holt, 2715 Dean Avenue, requesting reimbursement of Special Assessment payment for the E. 28th Street Project.

56. **From** Kris McVicker, 5289 Glen Oaks Way, West Des Moines, to speak regarding removal of a fine for property at 1422 55th Street.
57. From Johnny Mascaro, Des Moines, to speak regarding various issues, i.e., creating jobs, and violations for littering.

58. Petition from property owners protesting proposed sidewalk on Druid Hill Drive from Casady Drive to Bell Avenue.

59. Petition from property owners requesting paving for E. 35th Street from Easton Boulevard to Arthur Avenue, and Arthur Avenue from E. 34th to E. 35th Street.


61. Number not Used.

*Note: If the City Council completes all items above before 5:00 PM, they will skip the Hearing Items, and continue the agenda starting with the next item following the Hearings. At 5:00 PM, they will return to this point in the agenda to consider the Hearing Items and then continue with all the remaining items on the agenda.

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 62 THRU 70)

62. On conveyance of property located between 1545 and 1601 30th Street to C. Renee Ellingson for $75 and to Nia Vassilonikolidakis, $75.

   (Council Communication No. 09-655)

63. On conveyance of vacated segment of east/west alley between E. 14th and E. 15th Streets, north of E. Court Avenue and south of Dean Avenue to Leon C. Newquist, $50.

   (Council Communication No. 09-654)

64. On application of Angel Groff for relief from temporary moratorium on creation or expansion of vehicle display lots at 4109 SE 14th Street, Staff recommends DENIAL.

   (Council Communication No. 09-642)

65. On voluntary annexation application from William F. and Roxanna Franklin of 843 NW Aurora Avenue.

   (Council Communication No. 09-640)

   (A) Communication in objection from Marc Broer.

   (A) **Communication** from Plan and Zoning Commission.

   *(Council Communication No. 09-626)*

67. **On** amendment of established Final Connection Fee Ordinances by reducing the level for the collection of interest from 9% to 5% retroactive to July 1, 2009 for the following trunk sanitary sewer system benefited districts: Easter Lake Area, Four Mile East, Northwest Airport Area, Southwest Airport Area, Southeast Airport Area and Northeast Four Mile Area.

   *(Council Communication No. 09-648)*

   (A) **First** consideration of ordinance above.

   (B) **Final** consideration of ordinance above, (waiver requested by the Public Works Department) requires 6 votes.

68. **On** Final Connection Fee Ordinance for the Clover Hill Trunk Sanitary Sewer System Benefited District.

   *(Council Communication No. 09-649)*

   (A) **First** consideration of ordinance above.

   (B) **Final** consideration of ordinance above, (waiver requested by the Public Works Department) requires 6 votes.

69. **On** Principal Riverwalk - Walnut Street to Grand Avenue, West Side: Resolution approving plans, specifications, form of contract documents, engineer’s estimate and designating lowest responsible bidder as Elder Corporation, (Jared R. Elder II, President), $2,849,000.

   *(Council Communication No. 09-660)*

   (A) **Approving** contract and bond, and permission to sublet.

70. **On** 1235 Davis Avenue Soil Stabilization: Resolution approving plans, specifications, form of contract documents, engineer’s estimate and designating lowest responsible bidder as Hardscape Solutions of Iowa, Inc., (Curtis Richey, President), $137,519.35.
(Council Communication No. 09-661)

(A) Approval of contract and bond, and permission to sublet.

*** END OF HEARINGS ________ PM ***

APPROVING

71. Reduction of three Horticulture Technicians in the Park & Recreation Department – Golf Courses.

(Council Communication No. 09-637)

72. Authorizing submittal of STP and STP-TE Fund FY2014 Applications to the Des Moines Metropolitan Planning Organization.

(Council Communication No. 09-651)

BOARD OF HEALTH

MOTION TO CONVENE.

AUTHORIZED:

1. The Legal Department to proceed with court action seeking authority to abate the public nuisance at the following locations: MEMO

   (A) 1300 Boyd Street, main structure, Titleholders: Gary J. Oeth and Suzanne Oeth.

   (B) 1155 Enos Avenue, main structure and garage structure, Titleholders: Abraham D. Sommerville and Arlando L. Sommerville; Mortgage Holder: First American Bank f/k/a Brenton National Bank.

   (C) 2221 35th Street, fire-damaged main structure and garage structure, Titleholder: Robert E. Griffin; Mortgage Holders: Mortgage Electronic Registration System, Inc. and Countrywide Home Loans, Inc.

2. The release of the fire escrow account held for the structure located at 3212 Garfield Avenue. Date of loss: 12-28-08.

MOTION TO ADJOURN AT ______________________ P.M.
All-America City