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 '06-' 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
March 20, 2006
4:30 P.M.

PROCLAMATIONS – 4:15 PM

Young Professionals Day

SPECIAL PRESENTATIONS – 4:15 PM

Iowa Special Olympics/Cessna Airlift Presentation – Craig Smith, Director, Des Moines International Airport

INVOCATION: Pastor Loren Strait
Glen Echo Christian Church

06-490 1. ROLL CALL: Present: Cownie, Brooks, Coleman, Hensley, Kiernan, Mahaffey and Vlassis.

06-491 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: Moved by Vlassis to adopt. Motion Carried 7-0.

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*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 50: Moved by Brooks to adopt the balance of the consent agenda. Motion Carried 7-0.

### LICENSES AND PERMITS

4. **Approving** Alcoholic Beverage Applications for the following: Moved by Brooks to adopt. Motion Carried 7-0.

#### NEW APPLICATIONS

- **(A)** DOUBLE DEUCE 2222 FOREST AVE C Liquor
- **(B)** ELREY BURRITOS II 2905 HUBBELL AVE C Liquor
- **(C)** KUM & GO #209 3400 SE 14TH ST C Beer

#### RENEWAL APPLICATIONS

- **(D)** BASIL PROSPERI 407 E 5TH ST B Wine
- **(E)** CHICAGO SPEAKEASY 1520 EUCLID AVE C Liquor
- **(F)** DAHLS FOODS 3425 INGERSOLL AVE E Liquor
- **(G)** GERRIS 232 E 30TH ST C Liquor
- **(H)** GIT N GO STORE #5 2700 INDIANOLA AVE C Beer
- **(I)** GRANDVIEW GOLF COURSE 2401 E 29TH STREET B Beer
- **(J)** GREAT MIDWESTERN CAFE 909 ROBERT D. RAY DR C Liquor
- **(K)** HAIRY MARYS 2307 UNIVERSITY AVE C Liquor
- **(L)** HAWKEYE ELKS LODGE #160 1401 WALKER ST C Liquor
- **(M)** HIGHLAND PARK COUNTRY 518 EUCLID AVENUE C Liquor
- **(N)** HY VEE FOOD STORE #3 3221 SE 14TH ST E Liquor
- **(O)** HY VEE WINE & SPIRITS 2310 HUBBELL AVE E Liquor
- **(P)** IOWA BEEF STEAK HOUSE 1201 E EUCLID AVE C Liquor
- **(Q)** JAVA JOES COFFEEHOUSE 214 4TH ST C Beer/Wine
- **(R)** JOHNNYS ITAL STEAKHSE 6800 FLEUR DR B Liquor
- **(S)** KUNG FU TAP & TACO 210 INDIANOLA AVE C Liquor
- **(T)** LCS CORNER 344 E JACKSON AVE C Liquor
- **(U)** NAT FOOD MART #1 3804 HUBBELL AVE C Beer
- **(X)** NEW ORIENTAL FOOD STORE 515 E GRAND AVE C Beer
- **(W)** NUT POB RESTAURANT 3322 INDIANOLA AVE C Beer/Wine
- **(X)** SHIE CONCESSION 3000 E GRAND AVE B Beer
- **(Y)** SUNRISE TAP 4155 EASTON BLVD C Liquor
- **(Z)** WELLMANS PUB 2920 INGERSOLL AVE C Liquor
- **(AA)** WEST END LOUNGE 2309 FOREST AVE C Liquor

#### OUTDOOR SERVICE APPLICATIONS

- **(BB)** COURT AVENUE BREWING 309 COURT AVE C Liquor
Temporary outdoor service area in conjunction with Drake Relays Celebration on April 28, 2006.

(CC) HIGH LIFE LOUNGE 200 SW 2ND ST  C Liquor
Adding permanent outdoor service area. Pending approval of Building and Zoning Departments.

(DD) OVATIONS FOOD SERVICES 233 CENTER ST  C Liquor
Temporary outdoor service area in conjunction with Aerosmith Concert on March 23, 2006. Pending approval of Building, Electrical, Fire and Zoning Departments.

06-494 5. City Clerk to issue Cigarette Licenses. Moved by Brooks to adopt. Motion Carried 7-0.

06-495 6. City Clerk to issue Coin Operated Machine Licenses. Moved by Brooks to adopt. Motion Carried 7-0.

PUBLIC IMPROVEMENTS

06-496 7. Ordering construction of Westchester Park Improvements – Phase 3 - Receiving of Bids (4-11-06), and Setting Date of Hearing, (4-24-06). (Construction Estimate-$222,650) (Council Communication No. 06-158) Moved by Brooks to adopt. Motion Carried 7-0.

06-497 8. Approving Design Agreement with U.S. Army Corp of Engineers for design of the Des Moines and Raccoon Rivers Project for Flood Protection, not to exceed $298,000. (Council Communication No. 06-143) Moved by Hensley to adopt. Motion Carried 5-2. Nays: Kiernan and Mahaffey.

06-498 9. Approving professional services agreement with Veenstra & Kimm, Inc. in conjunction with The Ingersoll Run Basin Master Plan Study, not to exceed $199,600. (Council Communication No. 06-144) Moved by Brooks to adopt. Motion Carried 7-0.

10. Approving Private Construction Contracts for the following:

06-499 (A) Sanitary Sewer Improvements between McAninch Corporation and Sterling Trace Development LLC in Sterling Trace Plat 2. Moved by Brooks to adopt. Motion Carried 7-0.

06-500 (B) Storm Sewer Improvements between McAninch Corporation and Sterling Trace Development LLC in Sterling Trace Plat 2. Moved by Brooks to adopt. Motion Carried 7-0.
(C) **Paving** Improvements between Nuckolls Concrete Services, Inc. and Sterling Trace Development LLC in Sterling Trace Plat 2. **Moved by Brooks to adopt. Motion Carried 7-0.**

(D) **Paving** Improvements between Hansen Company and Striggles Legacy II, LLC in Ingersoll Avenue, 17th – 18th Streets. **Moved by Brooks to adopt. Motion Carried 7-0.**

11. **Approving** permission to sublet from various contractors certain items on Public Improvement Projects. **Moved by Brooks to adopt. Motion Carried 7-0.**

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

(A) **Jensen** Construction Co. – BNSF Railroad Bridge Removal. **Moved by Brooks to adopt. Motion Carried 7-0.**

(B) **Van Hauen** & Associates, Inc. – Four Mile Trunk Replacement Sewer. **Moved by Brooks to adopt. Motion Carried 7-0.**

(C) **Spring Lake Construction** – Easter Lake Retention Basins Wetland Mitigation. **Moved by Brooks to adopt. Motion Carried 7-0.**

(D) **Reilly Construction Co., Inc. & Affiliates** – Easter Lake Retention Basins – Phase 2. **Moved by Brooks to adopt. Motion Carried 7-0.**

**SPECIAL ASSESSMENTS**

13. **Levying** assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development) for Schedule No. 2005-24. **Moved by Brooks to adopt. Motion Carried 7-0.**

14. **Approving** deletion of NAC-Emergency Assessments at 2906 Des Moines Street. **Moved by Brooks to adopt. Motion Carried 7-0.**

**LAND/PROPERTY TRANSACTIONS**

15. **Approving** final plat for Woodside Estates West Plat No. 3 in Polk County, located in the 2-mile review area, north of NW 54th Avenue and south of NW 57th Place. (Council Communication No. 06-138) **Moved by Brooks to adopt. Motion Carried 7-0.**

16. **Approving** tax abatement application from 2003 for property at 2600 Bent Ridge Court.
Moved by Brooks to adopt, and to request that the County Assessor apply the application retroactively as if the application had been timely processed by the City and forwarded to the County Assessor prior to March 1, 2004. Motion Carried 7-0.

17. Approval of two additional tax abatement applications from 2005 for property located at 5105 S.E. 27th Street and 2411 Hart Avenue. (Council Communication No. 06-137) Moved by Brooks to adopt. Motion Carried 7-0.

18. Approving payment of Condemnation Award for acquisition of property at 4600 Fleur Drive for McKinley Avenue Reconstruction Project, $2,000. (Council Communication No. 06-157) Moved by Brooks to adopt. Motion Carried 7-0.

19. Authorization to proceed with acquisition of the necessary right-of-way and easements for the Twana Bel-Aire Relief Storm Sewer project. Moved by Brooks to adopt. Motion Carried 7-0.

20. Authorization to proceed with acquisition of the necessary right-of-way and easements for the Leetown Creekway Wood Box replacement project. Moved by Brooks to adopt. Motion Carried 7-0.

BOARDS/COMMISSIONS/NEIGHBORHOODS

21. Approving appointment of additional member, Marian Gelb from the Park and Recreation Board to the Highway 5 and North River Master Plan Steering Committee. Moved by Brooks to adopt. Motion Carried 7-0.

22. Approving appointments of District Chief Kenneth Danley and Captain William Jones as voting and alternate members to the Warren County E911 Joint Service Board. Moved by Brooks to approve. Motion Carried 7-0.

23. Approving the following recommendations for reappointments from Mayor Frank Cownie:

(A) John A. Brooks to the Civil Service Commission, Seat 3, for a four-year term commencing April 1, 2006 to expire April 1, 2010. Moved by Brooks to adopt. Motion Carried 7-0.

(B) Jeffrey Hall to the Civil Service Commission, Seat 4, for a four-year term commencing April 1, 2006 to expire April 1, 2010. Moved by Brooks to adopt. Motion Carried 7-0.

(C) James E. O’Daye, II to the Human Rights Commission, Seat 1, for a three-year term commencing April 1, 2006 to expire April 1, 2009. Moved by Brooks to adopt.
24. **Communication** from Phillip James advising of his resignation from the Des Moines Park and Recreation Board effective immediately. **Moved by Brooks to receive, file and accept this resignation with our appreciation for Mr. James’ service. Motion Carried 7-0.**

**COMMUNICATIONS FROM PLANNING AND ZONING**

25. **Regarding** City initiated request to vacate a segment of S.E. 27th Court between E. Railroad Avenue and the Norfolk Southern Railway. **Moved by Brooks to receive and file, and refer to the City Manager for further processing in accordance with standard City property disposition procedures. Motion Carried 7-0.**

26. **Regarding** request from Imperial III Partnership for approval of a preliminary subdivision plat for “Ellis Heights Plat 2” located at 5049 N.E. 14th Street in unincorporated Polk County, for subdivision review to allow division of the property into two parcels for a freestanding restaurant and for the primary commercial center. **Moved by Brooks to receive and file. Motion Carried 7-0.**

27. **Regarding** request from ST Investments for vacation and conveyance of air rights of southern portion of East Court Avenue right-of-way adjoining 301 E. Court Avenue, to allow for second floor balcony; and vacation and conveyance of segment of north/south alley adjoining 301 E. Court Avenue on the east, in the block bounded by E. Court Avenue, E. 3rd and E. 4th Streets. **Moved by Brooks to receive and file, and to refer to the City Manager for further processing in accordance with standard City property disposition procedures. Motion Carried 7-0.**

28. **Regarding** request from Rumely, LLC for vacation and conveyance of air rights of north/south alley, west of 104 SW 4th Street and over north portion of Market, south of 104 SW 4th Street to allow for balconies; and vacation and conveyance of southern portion of Vine adjoining 104 SW 4th Street extending north to line 15’ south of centerline of railroad track. **Moved by Brooks to receive and file, and to refer to the City Manager for further processing in accordance with standard City property disposition procedures. Motion Carried 7-0.**

**SETTING DATE OF HEARINGS**

29. **On** conveyance of remaining vacated east/west alley between 27th and 28th Streets, south of Cottage Grove, to Terri A. Fristo, $50 and Pablo Cerda-Fernandez and Sara R. Cerda, $75 (4-10-06). **Moved by Brooks to adopt. Motion Carried 7-0.**

30. **On** conveyance of permanent easement for water main right-of-way and temporary
easement for construction on south side of Locust Street between 2nd Avenue and the Des Moines River Bridge for Des Moines River Outfall and Overflow 2 Project to Board of Water Works Trustees, $1, (4-10-06). **Moved by Brooks to adopt. Motion Carried 7-0.**

06-528 31. **To** correct scrivener’s error on vacation and conveyance of City-owned street and all rights-of-way located adjacent to 1101 E. 6th Street to Des Moines Independent School District, (4-10-06). **Moved by Brooks to adopt. Motion Carried 7-0.**

06-529 32. **On** request from Dominic Formaro to rezone property located at 3004 E. 38th Street from “RI-70” (One-Family Low-Density Residential) to “C-1” (Neighborhood Retail Commercial), subject to conditions, (4-10-06). **Moved by Brooks to adopt. Motion Carried 7-0.**

06-530 33. **On** request from Frank and Christine Holt for voluntary annexation of approx 10.5 acres in the vicinity of 4250 Grandview Avenue, (5-8-06). **Moved by Brooks to adopt. Motion Carried 7-0.**

06-531 34. **On** request from Fleur Properties, LLC for an amendment to the design standards of an approved PUD conceptual plan “Airport Crossroads Conceptual Plan” located west of Fleur Drive, north of County Line Rd., **Plan and Zoning Commission recommends DENIAL,** (4-10-06). **Moved by Brooks to adopt. Motion Carried 7-0.**

06-532 35. **On** the 17th Amendment to the Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area to encourage redevelopment and revitalization of the Eastgate Commercial Center, Downtown and Neighborhood Retail Districts by providing tax abatement for improvements, (4-10-06). **Moved by Brooks to adopt. Motion Carried 7-0.**

06-533 36. **On** long term lease agreement with Federal Express Corporation for occupancy of newly constructed Cargo Building No. 32, ten-year term with two five-year options, $204,336 annually plus maintenance and parking fees, (4-10-06). **Moved by Brooks to adopt. Motion Carried 7-0.**

**LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS**

06-534 37. **Approving** payment of $652 to Tishler & Wald, Ltd. for representation in the UAL Corporation bankruptcy and payment of $337.23 to Barnes & Thornburg, LLP for representation in the ATA Holding Corporation bankruptcy. **Moved by Brooks to adopt. Motion Carried 7-0.**
CITY MANAGER COMMUNICATIONS

06-535  38. Submitting out-of-state travel requests for Dan Gray, Allen Johnson, Diane Rauh, 
David Lockard, Dani Stookey, Andrea Hauer and Christine Hensley. (Council Communication No. 06-145) Moved by Hensley to adopt. Motion Carried 7-0.

APPROVING

06-536  39. Environmental Certification and Request for Release of Funds from HUD for Department of Housing Services’ 2006 Capital Fund Program. (Council Communication No. 06-134) Moved by Brooks to adopt. Motion Carried 7-0.

06-537  40. Second Amendment to Development Agreement and authorizing closing on sale of vacant parcel west and south of Spaghetti Works Building to Court Avenue Partners II L.P. Moved by Brooks to adopt. Motion Carried 7-0.

06-538  41. The East Village Court, LLC application for Enterprise Zone Benefits for a project at 301 E. Court Avenue in the Des Moines Gateway Enterprise Zone. (Council Communication No. 06-132) Moved by Brooks to approve. Motion Carried 7-0.

06-539  42. Amendment No. 2 to FY2004 Law Enforcement Terrorism Prevention Program Grant changing the performance period of the original grant to include start date of 6-9-04 and ending date of 5-31-06. (Council Communication No. 06-133) Moved by Brooks to approve. Motion Carried 7-0.

06-540  43. Grant Application from the United States Department of Homeland Security for funding purchase and utilization of power lift ambulance stretchers for the Des Moines Fire Department. (Council Communication No. 06-135) Moved by Brooks to adopt. Motion Carried 7-0.

06-541  44. Renewal of Lease Agreement with HPM Investments, Inc. for the Housing Services Department administrative offices at Park Fair Mall, $93,712.04 per year. (Council Communication No. 06-155) Moved by Brooks to approve. Motion Carried 7-0.

06-542  45. Communication from Downtown Community Alliance requesting approval on behalf of Meredith Corporation to approve banner design for 14 banners in downtown Des Moines during Spring 2006. Moved by Brooks to receive, file and approve banner design. Motion Carried 7-0.

46. Bids from the following:

06-543  (A) Mario’s Lawn Services, for an annual contract with two additional one-year renew
options to furnish mowing and trimming services for Woodland, Simms and Oak Grove Cemeteries. (Ten bids mailed, four received.) Moved by Brooks to adopt. Motion Carried 7-0.

06-544  (B) Stetson Building Products, for an annual contract with two additional one-year renewal options to furnish concrete saw blades for use by the Street Maintenance Division. (Twelve bids mailed, ten bids received.) Moved by Brooks to adopt. Motion Carried 7-0.

06-545  (C) Tough Solutions, for mounting hardware for mobile data computers for use by the Fire Department, $40,951. (Six bids mailed, five bids received). Moved by Brooks to adopt. Motion Carried 7-0.

06-546  47. Receipt of the Legislative Update for the 81st Iowa General Assembly. Moved by Hensley to receive and file the report. Motion Carried 7-0.

06-547  48. Civil Service Entrance Lists for Economic Development Coordinator, Assistant Surveyor, and Fleet Service Vehicle and Equipment Coordinator. Moved by Brooks to receive and file. Motion Carried 7-0.

06-548  49. Authorizing Finance Director to draw checks on the registers for the weeks of March 20, March 27 and April 3, 2006 and to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of March 20, March 27 and April 3, 2006; and to draw checks for biweekly payroll due March 31, 2006. Moved by Brooks to adopt. Motion Carried 7-0.

ORDINANCES - FINAL CONSIDERATION

06-549  50. Amending Chapter 118 of the Municipal Code, regarding Regulation of Industrial Wastewater and Commercial Wastewater, to provide for various fees that make the Industrial Pretreatment Program self-funded and to add enforcement mechanisms required by the Iowa Department of Natural Resources. Moved by Brooks that this ordinance do now pass, #14,549. Motion Carried 7-0.

* * * * * * * * * END CONSENT AGENDA * * * * * * * * *
ORDINANCES - FIRST CONSIDERATION

06-550  51.  **Amending** Chapter 114 of the Municipal Code regarding traffic regulation changes as follows:  
          (Council Communication No. 06-141)  Moved by Hensley that this ordinance be considered and given first vote for passage.  Motion Carried 7-0.

          (A)  Maximum load limit revision-East Payton Avenue Bridge over the creek, south of Easter Lake.

          (B)  Greenwood School area parking revisions-38th Place/Greenwood Drive.

          (C)  Stop signs at uncontrolled intersections in the area bounded by SE 6th Street on the West, Scott Avenue on the North, SE 14th Street on the East, and the Des Moines River on the South.

          (D)  Parking meter time limit change-E. 4th Street from E. Walnut Street to E. Locust Street.

          (E)  Parking restriction to facilitate movement of solid waste vehicles-West side of 49th Place, south of Urbandale Avenue.

          (F)  Updating parking regulations-Western Gateway area between 13th Street and Locust Street.

          (G)  Parking restriction adjacent to Events Center-West side of 2nd Avenue between Center and Crocker Streets.

          (H)  Final consideration of ordinance above.  Moved by Hensley 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, #14,550.  Motion Carried 7-0.

COUNCIL REQUESTS

06-552  52.  **Council-initiated** amendment to the Des Moines 2020 Community Character Land Use Plan to designate property in the vicinity of SE 6th and north of E. Columbus Avenue (South Des Moines Little League) as Low/Medium or Medium Density Residential, and to rezone the property to “R-3” or “R-4” (Multiple Family Residential).  Moved by Brooks to adopt.  Motion Carried 7-0.

**Council considered Item 60 next**
HEARINGS (OPEN AT 5:05 P.M.) (ITEMS 53 THRU 59)

06-553 53. On 2005 HUD Consolidated Annual Performance and Evaluation Report (CAPER), file in the City Clerk’s Office. Moved by Hensley to adopt. Motion Carried 7-0.

06-554 54. On Voluntary Annexation of approximately 10 acres of land in Warren County, located west of County Highway R63 between Blue and Carpenter Streets, LeMar Koethe. Moved by Hensley to continue the public hearing until April 10, 2006 at 5:00 P.M. Motion Carried 7-0.

06-555 55. On City-initiated proposal to annex the north half of NE 40th Avenue, adjoining the City boundary. Moved by Mahaffey to adopt. Motion Carried 7-0.

06-556 56. On Lease Agreement with E-Z-Go Division of Textron, Inc., for rental of golf carts for a 3-year period and allowing for one 3-year extension, $74,194.38 annually. (Council Communication No. 06-146) Moved by Vlassis to adopt. Motion Carried 7-0.

06-557 57. On 2006 Expanded Street Resurfacing Program – Arterial: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate, and designating lowest responsible bidder as Des Moines Asphalt & Paving Co., (Jim Gauger, President), $1,457,903.75. (Council Communication No. 06-159) Moved by Kiernan to adopt. Motion Carried 7-0.

06-559 58. On 2006 Expanded Street Resurfacing Program - Residential: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate, and designating lowest responsible bidder as Des Moines Asphalt & Paving Co., (Jim Gauger, President), $943,497.50. (Council Communication No. 06-160) Moved by Kiernan to adopt. Motion Carried 7-0.

06-560 59. On Closes Creek Watershed-26th Street Detention and Storm Improvements: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate, and designating lowest responsible bidder as Elder Corporation, (Jared R. Elder, President), $2,836,999.99. (Council Communication No. 06-161) Moved by Vlassis to adopt.
Motion Carried 7-0.

06-563 (A) **Approving** contract and bond and permission to sublet. **Moved by Vlassis to adopt.**
Motion Carried 7-0.

06-564 (B) **Approving** Professional Services Supplemental Agreement No. 3 with Snyder & Associates, Inc., not to exceed $92,800. (Council Communication No. 06-142) **Moved by Vlassis to adopt.** Motion Carried 7-0.

**END HEARINGS AT 5:12 PM**

**Council considered Items 62 thru Board of Health next**

CITY MANAGER RECOMMENDATIONS

06-565  60. **Regarding** the City’s participation in the proposed redevelopment of the vacant Younkers Building at 7th and Walnut Streets, not to exceed $2 million or 5% of total project cost, whichever is less. (Council Communication No. 06-136) **Moved by Hensley to receive and file, and to direct the City Manager to proceed with negotiations toward a preliminary and final agreement for further consideration by the City Council.** Motion Carried 7-0.

**Council considered Hearing Items 53 thru 59 next**

APPROVING

WITHDRAWN  61. Maintenance Agreement between the City of Des Moines, Des Moines Riverfront Development Authority (RDA) and Downtown Des Moines Self-Supported Municipal Improvement District (SSMID) to maintain Gateway West Park, Principal Riverwalk, M.L. King Jr. Parkway and the East Locust Streetscape.

06-566  62. **Second** Consideration of ordinance on vacation and conveyance of multiple paper (non-constructed) streets and alleys in vicinity of SW 31st Street and Muskogee Avenue, along with ten City-owned parcels fronting such right-of-way to Barton A. Hicklin, $20,000. **Moved by Hensley that this ordinance be considered and given second vote for passage.** Motion Carried 7-0.

06-567  (A) **Final** consideration of ordinance above, (waiver requested by applicant), requiring 6 votes. (Council Communication No. 06-163) **Moved by Hensley 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, #14,551.** Motion Carried 7-0.
63. **Maintenance** Agreement with Greater Des Moines Baseball Co. (Iowa Cubs) for custodial care and horticultural maintenance at James W. Cownie Soccer Park, not to exceed $275,000 per year. *(Council Communication No. 06-147)* Moved by Hensley to adopt. Motion Carried 7-0.

64. **Adoption** of new policies and procedures for administration of the HOME Investment Partnership Act (HOME PROGRAM). *(Council Communication No. 06-140)* Moved by Hensley to adopt. Motion Carried 7-0.

65. **Contract** between the City Youth Advisory Board and Sheslow Auditorium on the Drake University Campus for the annual Metro Star Event scheduled for March 31, 2006 at 7 P.M. *(Council Communication No. 06-156)* Moved by Vlassis to approve. Motion Carried 7-0.

**BOARD OF HEALTH**

66. **MOTION TO CONVENE.** Moved by Vlassis that the City Council adjourn and convene as a Board of Health. Motion Carried 7-0.

**AUTHORIZED**

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

   67. **(A)** 2117 Delaware Avenue, Titleholder: Michael Woods. Moved by Vlassis to adopt. Motion Carried 7-0.

   68. **(B)** 820 Grandview Avenue, Titleholder: Neighborhood Finance Corporation. Moved by Mahaffey to defer for 6 months; at that time, present a status report to the Council. Motion Carried 7-0.

   **WITHDRAWN**


   70. **(D)** 1512 23rd Street, Titleholder: Rick Prettyman d/b/a Forest Renewal, Inc. Moved by Vlassis to defer to April 10, 2006 Council meeting; property owner will submit a work plan and proof of financial capability. Motion Carried 7-0.

   71. **(E)** 1548 23rd Street (garage), Titleholder: Nathan Amadeo. Moved by Kiernan to defer to April 10, 2006 Council meeting; property owner will submit a work plan and proof of financial capability. Motion Carried 7-0.

   72. **(F)** 3721 SE 24th Court, Titleholder: Sara A. Cowger and Michael G. Fuller; Mortgage Holders: CitiMortgage, Inc. and Wells Fargo Bank, N.A. Moved by Vlassis
adopt. Motion Carried 7-0.

06-578  (G) 124 E. 35th Court, Titleholders: Brian H. Ehlert and Janice R. Ehlert; Mortgage Holders: Bank of America, N.A. and Iowa State Bank. Moved by Vlassis to adopt. Motion Carried 7-0.

06-579  2. The Engineering Department to cause the removal of the structure located at 1210 York, Titleholder: Adams Broderick a/k/a Adam Broderick; Mortgage Holder: Polk County Bank. Moved by Mahaffey to adopt. Motion Carried 7-0.

06-580  3. Release of demolition costs reserve held by Allied Insurance regarding property known as 1610 E. 9th Street held under claim number 14R43188 insured by MarySue McMulin with no claim being made for enforcement costs. Moved by Hensley to adopt. Motion Carried 7-0.

COMMUNICATION

06-581  4. Communication regarding demolition cost reserve being held by Auto-Owners Insurance for the fire-damaged structure located at 4020 E. 25th Street. Moved by Kiernan to receive and file and to direct that Corporation Counsel bring legal action within one hundred eighty days of receipt of notice if owners have not demolished or renovated the structure. Motion Carried 7-0.

06-582  MOTION TO ADJOURN. Moved by Coleman to adjourn at 5:59 P.M. Motion Carried 7-0.

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