

SUMMARY OF DES MOINES CITY COUNCIL MEETING

March 23, 1998 4:30 P.M.

INVOCATION: Father Robert Elfin, St. Lukes Episcopal Church

98-832 1. ROLL CALL: **Present: Daniels, Coleman, Flagg, Hensley, Phillips and Vlassis. Absent: McPherson.**

98-833 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-834 3. APPROVING CONSENT AGENDA - items 3 through 56: **Moved by Hensley to adopt the balance of the consent agenda. Motion Carried 6-1. Absent: McPherson.**

LICENSES AND PERMITS:

Approving

98-835 4. Communication from Legal Department regarding March 23, 1998 License and Permit Agenda. **Moved by Hensley to receive and file. Motion Carried 6-1. Absent: McPherson.**

Class "B" Beer Licenses

98-836 5. City of Des Moines dba Grandview Golf Course, 2401 East 29th Street; Renewal - Expires 3-31-98 (With Sunday Sales and Beer Garden) - Application submitted 2-5-98. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-837 6. Sommani Vongxay dba Nut Pob Restaurant, 3318 Indianola Road; Renewal - Expires 3-28-98 (With Sunday Sales) - Application submitted 3-6-98. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-838 7. George Davis dba Davis Concessions, Savage Softball Complex, 2601 Hubbell; New Application (With Sunday Sales and Beer Garden) - Application submitted 2-23-98. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

Class "C" Beer Licenses

98-839 8. William Tegeler Inc., Robert F. Tegeler, President dba Army Post Amoco, 849 Army Post Road; Renewal - Expires 4-19-98 (With Sunday Sales) - Application submitted 3-2-98. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-840 9. Kelly Bell dba Kelly's Texaco, 105 Southwest 63rd Street; Renewal - Expires 3-28-98 (With Sunday Sales) - Application submitted 3-5-98. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

Class "E" Beer Licenses

98-841 10. Git N Go Convenience Stores, Inc., Dennis Flora, President dba Git N Go Store #5, 2716 Indianola Avenue; Renewal - Expires 4-24-98 (With Sunday Sales) - Application submitted 2-25-98. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-842 11. Hy Vee, Inc., Ronald D. Pearson, President dba Hy Vee Store #3, 3221 Southeast 14th Street; Renewal - Expires 3-31-98 (With Sunday Sales) - Application submitted 2-27-98. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-843 12. Mick Trier dba Oasis Wine and Spirits, 1401 Buchanan; Renewal - Expires 3-31-98 (With Sunday Sales) - Application submitted 2-25-98. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-844 13. QuikTrip Corporation, Chester Cadieux, President dba QuikTrip #515, 1421 Ingersoll; Renewal - Expires 5-11-98 (With Sunday Sales) - Application submitted 3-9-98. **Moved by Flagg to adopt. City Manager to provide an analysis of police calls to all convenience stores for review by the Police Sub-Committee. Motion Carried 6-1. Absent: McPherson.**

Class "C" Liquor Licenses

98-845 14. Ronald G. Jaeger dba Chicago Speakeasy, 1520 Euclid Avenue; Renewal - Expires 4-5-98 - Application submitted 3-2-98. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-846 15. Flanagan Corporation, Timothy J. Flanagan, President dba Tim Flanagan's Restaurant; 2100 Ingersoll; Renewal - Expires 4-30-98 (With Sunday Sales and Beer Garden) - Application submitted 3-6-98. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-847 16. Joan Erickson dba Highland Park Country Club, 518 Euclid Avenue; Renewal - Expires 3-28-98 (With Sunday Sales) - Application submitted 2-27-98. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-848 17. LC's Inc., Connie L. Bales, President dba LC's Corner, 344 East Jackson; Renewal - Expires 4-4-98 - Application submitted 2-25-98. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-849 18. Diann Lynn Robbins dba One More Time, 204 Indianola Avenue; New Application (With Sunday Sales) - Application submitted 2-24-98. **Moved by Hensley to adopt. Motion**

Carried 6-1. Absent: McPherson.

Class "E" Liquor Licenses

98-850 19. Mick Trier dba Oasis Wine and Spirits, 1401 Buchanan; Renewal - Expires 3-31-98 - Application submitted 2-25-98. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-851 20. Service America Corporation, John T. Dee, President dba Service America, 350 Southwest 1st, Sec Taylor Stadium; Renewal - Expires 4-2-98 - Application submitted 2-3-98. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

Class "F" Liquor Licenses

98-852 21. Service America Corporation, John T. Dee, President dba Service America, 350 Southwest 1st, Sec Taylor Stadium; Renewal - Expires 4-4-98 (With Sunday Sales and Beer Garden) - Application submitted 2-3-98. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

Authorizing

98-853 22. City Clerk to issue Cigarette Licenses. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-854 23. City Clerk to issue Coin-Operated Amusement Machine Licenses. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

Gamerrooms

98-855 24. Leticia Ortiz dba Salon Mexico, 3328 Indianola Road; New Application submitted 2-17-98. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

PUBLIC IMPROVEMENTS

98-856 25. Authorization to proceed with design on various City projects included in the 1998-99 Capital Improvements Program. ([Council Communication No. 98-096](#)). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-857 26. Approving assignment of contract for SW 30th Street Sanitary Relief Sewer from Hydro Group, Inc., (Robert Charles, CEO, Sunbury, Ohio) to Layne Christensen Company, (A.B. Schmitt, President, Mission Woods, Kansas) - \$1,182,388. **Moved by Hensley to adopt, subject to receipt of appropriate documents, review and approval by the Legal Department. Motion Carried 6-1. Absent: McPherson.**

27. Approving contract and bond for the following:

98-858 (A) 1995 Paving Program No. 1, Contract No. 4, Eco Tech Contractors, Inc., (Steve Gillotti, President, WDM) - \$499,434. **Moved by Phillips to defer action to 4-6-98 meeting. Motion Carried 6-1. Absent: McPherson.**

98-859 (B) Sidewalk Ramps on Primary Highway Routes, P.G. Construction, Inc., (Kenneth Purdy, President) - \$68,848.20. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-860 28. Report of the Chief Civil Engineer showing construction progress, amounts due and funding availability of the ICA Digester Mixers and Primary Scum Modifications, Baker Mechanical, Inc., \$7,073.70 is now due and \$42,460 remaining balance is due and payable at the end of 30 days. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-861 29. Approving partial payments on E. Army Post Road at E. Indianola Avenue Intersection Improvements and EMC Welding Shop Relocation & Overhead Door Replacement public improvement projects. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-862 30. Communications from Big Boy's Construction requesting to sublet certain items on Union Park Shelter Improvements and Cramer & Associates, Inc. on the SW 5th Street Bridge Rehabilitation public improvement projects. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

LAND/PROPERTY TRANSACTIONS

98-863 31. Condemnation Commissioners' award of \$200,000 plus Sheriff's fees and jury expenses in conjunction with Easton Boulevard Detention Basin - Southern Seventh Ward Ditch Improvements, to Paul G. and Colleen L. Irving, Trustees of the Paul G. Irving Trust and Colleen L. Irving Trust. **Moved by Flagg to adopt. Motion Carried 6-1. Absent: McPherson.**

98-864 32. Disclaimer of Interest from James E. and Shirley Jacobsen, 4215 Northwest Drive, for General Storm Sewer Work. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-865 33. Approving Noise and Avigation Easement for property at 7300 SW 17th St, from Eric R. Turnquist, in conjunction with the Airport Noise Compatibility Program, Phase II. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

STREET CLOSINGS

98-866 34. J. Austin Ryan, representing The Des Moines Register, 7400 Register Drive, requesting permission to close Register Drive from driveway of 7401 Register Drive to 300 feet north and to dead end of Register Drive and Army Post Road on Tuesday, April 7, 1998 from

1:30 P.M. until 5:00 P.M. for a ground breaking ceremony. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

SETTING DATE OF HEARINGS

98-867 35. Approval of Assignment of Redeveloper's Interests in Right to Purchase Disposition Parcel No. 11A/Guthrie Avenue Business Park Urban Renewal Area from JJF Partners to JJFPBI, L.C. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-868 (A) Setting Date of Hearing on Proposed Sale of City Property to JJFPBI, L.C. pursuant to proposed agreement to purchase land for private redevelopment, (4-6-98). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-869 36. On application from Ed Fallon and Peggy Jester to designate Esther Hall (Hawthorn Hill) at 921 Pleasant as a City Landmark (4-20-98). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-870 37. On sale of City-owned property in vicinity of 401 Payton Avenue to Shari S. Sawder, \$100 plus costs, (4-6-98). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

CITY MANAGER COMMUNICATIONS

98-871 38. Submitting various traffic regulation changes as follows. ([Council Communication No. 98-098](#)). **Moved by Hensley to receive, file, and refer to Legal Department for preparation of proper legislation. Motion Carried 6-1. Absent: McPherson.**

(1) Request to Lengthen Handicapped Parking area-East Side of East Thirteenth Street South of Grandview Avenue.

(2) Request for One-Sided Parking Restriction-East Side of Southwest Sixtieth Street South of Leland Avenue to the Dead End.

(3) Request for Corner Clearance-South Side of Leyden Avenue East of East Thirty-eighth Street.

(4) Request for No Parking Any Time-North Side of Locust Street West of Fourth Street to Fifth Street.

(5) Request for Corner Clearance-East Side of Fifty-seventh Street North of Madison Avenue.

98-872 39. Submitting out-of-state travel request for Donna Boetel-Baker. ([Council Communication No. 98-094](#)). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

APPROVING

98-873 40. Communication from Abraham Lincoln High School, Dr. Michael J. Loffredo, Principal to hang eight (8) banners around and in front of Lincoln High School to announce celebration of 75 years as a distinguished Des Moines High School from August 10, 1998 through November 2, 1998. **Moved by Hensley to receive, file and approve banner design as submitted. Motion Carried 6-1. Absent: McPherson.**

98-874 41. Submitting City Manager's Monthly Financial Report for January, 1998. **Moved by Hensley to receive and file. Motion Carried 6-1. Absent: McPherson.**

98-875 42. Weed & Seed contract with John R. Grubb YMCA for December 31, 1997 to September 30, 1998 for Weed & Seed Youth Basketball League project - \$4,000. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-876 43. Application for \$175,000 in Executive Office for Weed and Seed (EOWS) funds. ([Council Communication No. 98-106](#)). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-877 44. Grant Agreements with Housing and Urban Development (HUD) for funding of 1998 Consolidated Plan awarding the City \$5,047,000 of 1998 CDBG funds, \$1,186,000 of 1998 HOME funds and \$199,000 of 1998 ESG funds, for the period January 1 to December 31, 1998. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-878 45. 1996 Annual/Final Emergency Shelter Grant (ESG) Report. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-879 (A) 1997 Annual Emergency Shelter Grant (ESG) Report. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

46. Bids for the following:

98-880 (A) Primary and secondary suppliers for portland cement concrete to be used by the Public Works Department (Street Maintenance), A-1 Ready Mix, (Johnston, IA, Max VanRess, President), Norwalk Ready Mix, (Norwalk, IA, Jack Bohler, President), and American Concrete, (Johnston, IA, Scott Temple, President). (Five bids mailed-four received). (Call City Clerk's Office for specifications and prices). **Moved by Hensley to adopt and request City Manager to work with contractor to voluntarily comply and cease use of Beaver Avenue and Lower Beaver Avenue as a truck route within ninety (90) days. Motion Carried 6-1. Absent: McPherson.**

98-881 (B) Primary and secondary suppliers for construction materials to be used by the Public Works Department (Street Maintenance). Example: Fill Sand, Road Gravel, Road Stone, and Masonry Mix. (Eleven bids mailed-seven received). (Call City Clerk's Office for prices and vendors). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-882 (C) Bid awarded to Parkson Corporation, (Ft. Lauderdale, FL., G. Parks Souther, President) for Belt Press Rollers to be used by the Engineering Department (Wastewater Reclamation Facility), \$10,650. Bids from Petco, Inc. and Filter Belts, Inc. did not meet specifications, therefore non-compliant. (Four bids mailed-three received). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-883 (D) Des Moines Carousel Foundation, (400 Locust Street, J. C. Brenton, Principal) for a Carousel Concession to be used by the Park and Recreation Department (Union Park), (\$1.00 per ride) and City providing parking, benches, water fountain and landscaping not to exceed \$3,000. (Eleven bids mailed-one received). ([Council Communication No. 98-104](#)). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-884 47. Receipt of Insurance for various City projects and functions for recording by the City Clerk. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-885 48. Report of Civil Service Commission submitting Promotional Lists for Street Maintenance Worker and Sewer Maintenance Worker. **Moved by Hensley to receive and file. Motion Carried 6-1. Absent: McPherson.**

98-886 49. Authorizing Finance Director to draw warrants on register of March 27, 1998, and the bills of the Des Moines Municipal Housing Agency for the weeks beginning March 23, 1998 and March 30, 1998. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

ORDINANCES - FINAL CONSIDERATION

98-887 50. Amending Chapter 17 of the Municipal Code regarding discharge of firearms, to allow discharge of pyrotechnics for controlling birds and mammals. **Moved by Hensley that this ordinance do now pass, [#13,586](#). Motion Carried 6-1. Absent: McPherson.**

98-888 51. On amendment to Chapter 17 of the Municipal Code-Nuisance Regulations, regarding businesses which constitute a nuisance. **Moved by Hensley that this ordinance do now pass, [#13,587](#). Motion Carried 6-1. Absent: McPherson.**

98-889 52. On amendment to Sections 2A-8 and 2A-17 of the Zoning Ordinance, regarding permitted location of, and alterations to, businesses holding a liquor license or beer or wine permit. **Moved by Hensley that this ordinance do now pass, [#13,588](#). Motion Carried 6-1. Absent: McPherson.**

98-890 53. On rezoning of five properties in the Four Mile Creek Area, from "U-1" (Flood Plain" to "R1-60" (One Family, Low Density District). **Moved by Hensley that this ordinance do now pass, [#13,589](#). Motion Carried 6-1. Absent: McPherson.**

98-891 54. On amendment to the Zoning Ordinance to modify the regulations pertaining to allowed location and maximum size of accessory buildings. **Moved by Hensley that this ordinance do now pass, [#13,590](#). Motion Carried 6-1. Absent: McPherson.**

98-892 55. Amending Chapter 27 of the Municipal Code to prohibit parking between 8:00 A.M. and 5:00 P.M. Monday through Saturday--East Side of Williams Street from E. Euclid to E. Douglas, to facilitate mail delivery. **Moved by Hensley that this ordinance do now pass, [#13,591](#). Motion Carried 6-1. Absent: McPherson.**

ORDINANCES - SECOND CONSIDERATION

98-893 56. Amending Chapter 27 of the Municipal Code regarding various traffic regulation changes as follows. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 6-1. Absent: McPherson.**

- (1) Request for Corner Clearance--West side of 44th Street south of University.
- (2) Request for Corner Clearance--West side of Williams Street north of University
- (3) Request for removal of Loading Zone and placement of two parking meters in its place--North side of Pleasant Street between Ninth and Tenth Street.
- (4) Request for Commercial Loading Zone by Principal Mutual Life Insurance Company--North side of Maple Street west of E. Fourth Street.
- (5) Request for additional parking in the vicinity of Sec Taylor Stadium
- (6) Request for Commercial Loading Zone--300 Block of E. Grand Avenue.

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

ORDINANCES - FIRST CONSIDERATION

98-894 57. Providing prior approval for partial exemption from property taxation on property at 303 New York Avenue --Bonded Fiber and Quilting Inc., in accordance with Chapter 427B of the Iowa Code and Chapter 10A of the Municipal Code. **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: McPherson.**

98-895 58. Amending Chapter 15 of the Municipal Code amending fees for Blank Park Zoo. ([Council Communication No. 98-099](#)). **Moved by Hensley that this ordinance be considered and given first vote for passage. City Manager to provide impact of this fee change on revenue needed from Hotel/Motel Tax Revenue. Motion Carried 6-1. Absent: McPherson.**

98-896 (A) Final consideration of ordinance above, (waiver requested by Parks Department). **Moved by Hensley that the rule requiring that ordinances 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, [#13,592](#). Motion Carried 6-1. Absent: McPherson.**

COUNCIL REQUESTS

98-897 59. Communication from Council Member George Flagg to discuss a presentation from the Humane Society regarding the deer population. **Moved by Flagg to receive, file and discuss; request City Manager to contact the Humane Society regarding their suggestions to control deer population. Motion Carried 6-1. Absent: McPherson.**

COMMUNICATIONS/REPORTS

98-898 60. From Teri Toye, requesting deletion of assessments against 1808 Seventh Street, (former five-unit apartment house to be rehabilitated into as single family home), continued from 3-16-98. **Moved by Flagg to approve recommendation of City Manager and Legal. Motion Carried 6-1. Absent: McPherson.**

61. Request to speak from the following:

98-899 (A) Terri Cole, of Des Moines, regarding stereotype activity at a Junior High School in Des Moines. **Moved by Vlassis to receive, file and grant request to speak. The City Council suggested that the Cole's contact the Human Rights Commission to discuss their concerns. Motion Carried 6-1. Absent: McPherson.**

98-900 (B) Jelani Cole, of Des Moines, regarding Des Moines schools requiring African-American History as a mandatory course. **Moved by Vlassis to receive, file and grant request to speak. Motion Carried 6-1. Absent: McPherson.**

HEARINGS (Opened at 5:35 P.M.) (Items 62 thru 64)

98-901 62. On Grantee Performance Report for 1997 Consolidated Plan Program year (on file in Clerk's Office). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-902 63. On vacation and conveyance of City right-of-way in vicinity of Carpenter and 62nd Street, to abutting property owners. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: McPherson.**

98-903 (A) First consideration of ordinance above. **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: McPherson.**

98-904 64. On sale of two City-owned lots at E. 40th and Four Mile Drive, to Michelle and Galen Fast, \$1,500 plus costs. **Moved by Flagg to adopt. Motion Carried 6-1. Absent: McPherson.**

* * END HEARINGS at 5:40 P.M. * *

APPROVING

98-905 65. Recommendation from City Manager on Revision of Special Assessment Policy for Nuisance Abatement Assessments levied under Chapter 364 Code of Iowa. ([Council Communication No. 98-097](#)). **Moved by Vlassis to approve the recommendation of the City Manager as contained in Council Communication No. 98-097. Motion Carried 6-1.**

98-906 (A) Resolution levying assessments for costs of Nuisance Abatement-NAC Emergency Orders, Schedule 1998-34. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: McPherson.**

98-907 66. Award Contract and Bond for City Council Chambers Renovation, Bergstrom Construction, Inc., (Martin Gorgas, President, 1719 Hull Avenue, DM), \$115,900. **Moved by Phillips to adopt. Motion Carried 5-1-1.**

Nays: Coleman. Absent: McPherson.

98-908 (A) Communication from Bergstrom Construction, Inc. requesting permission to sublet certain items on City Council Chambers Renovation. **Moved by Phillips to adopt. Motion Carried 5-1-1. Nays: Coleman. Absent: McPherson.**

98-909 67. Form of Offering Documentation for Issue of not to exceed \$45,000,000 in Aviation System Revenue Bonds, Series 1998 A-C. ([Council Communication No. 98-102](#)). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-910 (A) Communication from Chairperson of Des Moines International Airport Board. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-911 68. Contract with KPMG Peat Marwick LLP to perform auditing services for the fiscal year ending June 30, 1998 for a fee not to exceed \$70,000. ([Council Communication No. 98-105](#)). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-912 69. Agreement with Iowa Department of Transportation for the Beaverdale Recreational Trail Phase 2 Improvements. ([Council Communication No. 98-095](#)). **Moved by Vlassis to adopt. Motion Carried 5-2. Absent: Phillips and McPherson.**

98-913 70. Intergovernmental 28E Agreement between City of Des Moines, West Des Moines and Windsor Heights for the Westside Trail Design and Development Services. ([Council Communication No. 98-100](#)). **Moved by Hensley to adopt. Motion Carried 5-2. Absent: Phillips and McPherson.**

98-914 71. Fairground Neighborhood Action Plan, and approving it as amendment to the Des Moines 2000 Land Use Plan. ([Council Communication No. 98-101](#)). **Moved by Phillips to adopt. Motion Carried 6-1. Absent: McPherson.**

98-915 (A) Communication from Neighborhood Revitalization Board regarding adoption of the Fairground Neighborhood Action Plan as part of the City's Neighborhood Revitalization Program. **Moved by Phillips to receive and file. Motion Carried 6-1. Absent: McPherson.**

98-916 72. North of Grand Neighborhood Action Plan, and approving it as amendment to the Des Moines 2000 Land Use Plan. ([Council Communication No. 98-103](#)). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-917 (A) Communication from Neighborhood Revitalization Board regarding adoption of the North of Grand Neighborhood Action Plan as part of the City's Neighborhood Revitalization Program. **Moved by Hensley to receive and file. Motion Carried 6-1. Absent: McPherson.**

98-918 73. Urban Renewal Purchase Agreement with Des Moines Habitat for Humanity, Inc. for 107 Astor in the Capitol East Urban Renewal Area. ([Council Communication No. 98-107](#)). **Moved by Phillips to approve. Motion Carried 6-1. Absent: McPherson.**

98-919 (A) Approving Final Design Plans provided by Des Moines Habitat for Humanity, Inc. **Moved by Phillips to approve. Motion Carried 6-1. Absent: McPherson.**

98-920 (B) Special Warranty Deed for 107 Astor. **Moved by Phillips to approve. Motion Carried 6-1. Absent: McPherson.**

98-921 74. City of Des Moines Legislative Update for the 77th Iowa General Assembly. (Available on Monday). **Moved by Hensley to receive and file the attached report. Motion Carried 6-1. Absent: McPherson.**

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EXTRA ITEMS

These extra items are filed after 5:00 P.M. on the Wednesday preceding a Council meeting and have been included upon the Amended Agenda by the City Clerk, with sponsorship of the Mayor or a City Council Member who shall deem the item of sufficient urgency to warrant immediate Council action - said statement of urgency from the City Manager and/or appropriate Department Director shall be placed on file with the City Clerk.

98-922 1. Resolution Approving Dataline Conduit System License Agreement in Skywalk System (Saddlery Building-Plaza Condominiums). **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-923 2. Recommendation of Council Member Chris Hensley, Ward III, for reappointment of Steve Oberbroeckling to the Skywalk Commission for a three-year term to expire April 2, 2001. SPONSOR: Hensley. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-924 3. Correction to Roll Call 95-4765 to correct scrivener's error in the term limit for James W. Erickson of Des Moines International Airport Board from June 30, 1999 to June 30, 2000. SPONSOR: Vlassis. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-925 4. Approving Fair Market Value for property located at 2301 E. 14th Street in conjunction with reconstruction of US 65/69 (E. 14th Street) and Guthrie Avenue intersection, from Gregg C. Moyer - \$133,000 plus relocation and closing costs. SPONSOR: Vlassis. **Moved by Hensley to defer action to 4-6-98 meeting. Motion Carried 6-1. Absent: McPherson.**

98-926 5. Recommendation of Mayor Preston A. Daniels, for appointment of Michael W. Simonson to Housing Appeals Board for a three-year term to expire March 16, 2000. SPONSOR: Daniels. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

A G E N D A

BOARD OF HEALTH March 23, 1998

98-927 MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene as a Board of Health. Motion Carried 6-1. Absent: McPherson.**

AUTHORIZING

1. Court authority to abate the public nuisance at the following locations:

98-928 (A) 2343 E. Grand, vacant, Titleholders: Dale A. Johnson, Patricia E. Johnson; Legal Interest Holder: Polk County, Iowa. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: McPherson.**

98-929 (B) 2110 E. 13th, vacant, Titleholder: Marie A. Lowe, Deceased; Heirs of Titleholder: Jean Dunn, Jim Lowe; Legal Interest Holder: Transamerica Home Loan Corporation. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: McPherson.**

98-930 MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 6:15 P.M.**