

SUMMARY OF DES MOINES CITY COUNCIL MEETING

December 21, 1998, 4:30 P.M.

*******CLOSED SESSION*****
3:00 P.M.**

98-3781 1. ROLL CALL: Present: Daniels, Coleman, Hensley, and Phillips. Council Members Flagg, McPherson and Vlassis entered the meeting at 4:30 P.M.

98-3782 I. (a) Recess, and reconvene in closed session pursuant to Section 21.5, subsection 1, paragraph C of the Iowa Code, to discuss as necessary strategy with counsel in matters that are presently in litigation or where litigation is imminent, where its disclosure would be likely to prejudice or disadvantage the position of the City. **Moved by Phillips to adopt. Motion Carried 4-3. Absent: Flagg, McPherson, and Vlassis.**

98-3783 (b) Closed Session to discuss matters of pending litigation.

98-3784 (c) Terminate this closed session and reconvene in open session. **Moved by Hensley to adopt. Motion Carried 4-3. Absent: Flagg, McPherson and Vlassis.**

98-3785 (d) Approving payment of \$50,655, to Doris V. Clark, regarding Compensation Commissioners award for property at 4650 Pine Avenue, for the relocated Iowa 28, Iowa Highway 5, Army Post Road. **Moved by Hensley to adopt. Motion Carried 4-3. Absent: Flagg, McPherson and Vlassis.**

98-3786 (e) Approving payment of \$175,000 to Paul G. Irving, Colleen L. Irving, individually and as trustees, and their attorney Daniel Manning, regarding Compensation Commissioners award for 8.76 acres bounded on the north of Easton Blvd, for a detention basin. **Moved by Hensley to adopt. Motion Carried 4-3. Absent: Flagg, McPherson and Vlassis.**

98-3787 (f) Motion to recess and reconvene at 4:30 P.M. **Moved by Hensley to adopt. Motion Carried 4-3. Absent: Flagg, McPherson and Vlassis.**

PROCLAMATIONS - 4:00 P.M.:

International Printing Week

CULTURAL CONNECTION - 4:15-4:30 P.M.:

The Diversity Group

INVOCATION: Rev. John Dodds

Simpson United Methodist Church

98-3788 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3789 3. APPROVING CONSENT AGENDA - items 3 through 90: **Moved by Vlassis to adopt the balance of the consent agenda. Motion Carried 7-0.**

LICENSES AND PERMITS:

Approving

98-3790 4. Communication from Legal Department regarding December 21, 1998 License and Permit Agenda. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

Class "B" Beer Licenses

98-3791 5. Ailien Nguyen dba A Dong Restaurant, 1905-07 Cottage Grove; Renewal - Expires 1-10-99 (With Sunday Sales) - Application submitted 11-24-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3792 6. Allen Investments, LLC, Matthew R. Allen, President dba Happy Joe's Pizza & Ice Cream, 1311 East Euclid; New Application (With Sunday Sales) - Application submitted 11-30-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3793 7. Allen Investments, LLC, Matthew R. Allen, President dba Happy Joe's Pizza & Ice Cream, 1402 E. McKinley; New Application (With Sunday Sales) - Application submitted 11-30-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3794 8. Mark's American Grill, L.C., Mark R. Monroe, Member dba Mark's American Grill, 4411 Southwest 9th Street; New Application (With Sunday Sales) - Application submitted 10-23-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Class "C" Beer Licenses

98-3795 9. Fareway Stores, Inc., Robert L. Cramer, President dba Fareway, 100 Euclid Avenue; Renewal - Expires 1-21-99 - Application submitted 10-14-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3796 10. Git N Go Convenience Stores, Inc., Dennis Flora, President dba Git N Go Convenience Store #2, 1307 Army Post Road; Renewal - Expires 1-7-99 (With Sunday Sales) - Application submitted 11-2-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3797 11. Git N Go Convenience Stores, Inc., Dennis Flora, President dba Git N Go Convenience Store #29, 4900 Urbandale; Renewal - Expires 1-29-99 (With Sunday Sales) - Application submitted 11-2-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3798 12. Git N Go Convenience Stores, Inc., Dennis Flora, President dba Git N Go Convenience Store #24, 1142 42nd Street; Renewal - Expires 1-17-99 (With Sunday Sales) - Application submitted 11-2-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3799 13. Gary Kudrna dba Gary's Amoco #2, 145 University; Renewal - Expires 1-2-99 (With Sunday Sales) - Application submitted 12-2-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3800 14. Kum & Go, L.C., Kyle J. Krause, President dba Kum & Go #552, 4944 Douglas; Renewal - Expires 1-26-99 (With Sunday Sales) - Application submitted 10-09-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3801 15. Pinder Singh dba Top Food Mart, 2701 Ingersoll; Renewal - Expires 12-31-98 (With Sunday Sales) - Application submitted 12-1-98. **Moved by Vlassis to adopt. Motion Carried 6-1. Pass: Flagg.**

Class "E" Beer Licenses

98-3802 16. American Drug Stores, Inc., Kevin H. Tripp, General Manager dba Osco Drug Store #534, 3501 Ingersoll; New Application (With Sunday Sales) - Application submitted 9-14-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Class "C" Liquor Licenses

98-3803 17. Christopher's Inc., Evelyn Giudicessi, President dba Christopher's Dining Room & Lounge, 2816 Beaver; New Application (With Sunday Sales) - Application submitted 12-9-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3804 18. Big Dog Enterprises, Kris Greiner, Owner dba Fish Bowl, 3029 Merle Hay Road; Renewal - Expires 1-4-99 (With Sunday Sales and Beer Garden) - Application submitted 11-30-98. **Moved by Vlassis to defer to 1-4-99 Council meeting; staff to prepare a list of police calls to this establishment. Motion Carried 7-0.**

98-3805 19. Richard Roush dba Jesse's Embers, 3301 Ingersoll; Renewal - Expires 1-4-99 - Application submitted 12-7-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3806 20. John McCaughey dba Johnny Mac's Lounge, 2301 Hubbell; Renewal - Expires 1-5-

99 (With Sunday Sales) - Application submitted 11-25-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3807 21. United Mexican-American Community Center, Mary Campos, President dba United Mexican-American Community Center, 828 Southeast Scott; Renewal - Expires 12-29-98 (With Sunday Sales) - Application submitted 11-25-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Class "E" Liquor Licenses

98-3808 22. American Stores, Inc., Kevin H. Tripp, General Manager dba Osco Drug Store #534, 3501 Ingersoll; New Application submitted 9-14-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Authorizing

98-3809 23. City Clerk to issue Coin-Operated Amusement Machine Licenses. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3810 (A) City Clerk to issue Cigarette Licenses. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Change Of Location

98-3811 24. Class "C" Beer-Wine License to Parents Without Partners, Wynell Kisner, President dba Parents Without Partners from 100 E. Euclid, Suite #103 to 100 E. Euclid, Suite #153 effective 12-21-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Gamerrooms

98-3812 25. ABV Management, Inc., Robert C. Marler, President dba Adult Emporium, 1401 Southeast Army Post Road; Renewal - Expires 12-31-98 - Application submitted 12-1-98. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Coleman.**

98-3813 26. ABV Management, Inc., Robert C. Marler, President dba Bachelor's Library, 2020 East Euclid; Renewal - Expires 12-31-98 - Application submitted 12-1-98. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Coleman**

98-3814 27. Robert Porter dba East Gate Cinema III, 1550 East Euclid; Renewal - Expires 12-31-98 - Application submitted 11-12-98. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Coleman**

98-3815 28. Kenneth Phipps dba Phoenix Adult Bookstore, 1410 Grand; Renewal - Expires 12-31-98 - Application submitted 12-2-98. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Coleman.**

98-3816 29. Discovery Zone, Inc., Scott W. Bernstein, President dba Discovery Zone, 4365 Merle Hay Road; Renewal - Expires 12-31-98 - Application submitted 11-23-98. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Refunds

98-3817 30. City Treasurer to issue Refunds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Transfers

98-3818 31. Temporary transfer of Class "C" Beer-Wine License for Parents Without Partners, Wynell Kisner, President dba Parents Without Partners, from 100 E. Euclid, Suite #153 to 100 E. Euclid, Suite #103 for one day event on December 26, 1998. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3819 (A) Temporary transfer of Class "C" Beer-Wine License for Parents Without Partners, Wynell Kisner, President dba Parents Without Partners, from 100 E. Euclid, Suite #153 to 100 E. Euclid, Suite #103 for one day event on December 31, 1998. **Moved by Vlassis to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

98-3820 32. Approving Professional Services Agreement with Snyder and Associates, Inc., (Dennis Snyder, Pres., Ankeny) for design and construction phase services for Easter Lake Basin Stormwater Master Plan, Priority 1, Phase 2 - \$17,991.49. ([Council Communication No. 98-561](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3821 33. Approving Professional Services Agreement with Snyder and Associates, Inc., (Dennis Snyder, Pres., Ankeny) for design and right-of-way services for Northeast Four Mile Sanitary Sewer Area, F.M. Hubbell Avenue Trunk Sanitary Sewer and East Broadway Avenue Trunk Sanitary Sewer - \$265,350. ([Council Communication No. 98-571](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3822 34. Authorizing City Manager to proceed on various library improvements included in the 1998-99 Capital Improvement Program. ([Council Communication No. 98-557](#)). **Moved by Coleman to adopt. Motion Carried 7-0.**

98-3823 35. Approving Supplemental Agreement No. Two with Herbert/ Lewis/Kruse/Blunck in conjunction with Civic Center/Federal Building/Plaza Condominium Skywalk Connection for extra work - \$51,948.04. ([Council Communication No. 98-560](#)). **Moved by Hensley to defer action to 1-4-99. Motion Carried 7-0.**

98-3824 36. Approving private construction contract between Shryock Excavating, Inc. (Mark Shryock, Pres., Grimes), Contractor and Iowa Stores LLC, (David V. Nordstrom, Mgr., Cedar Rapids), Owner, for construction of Sanitary Sewer Improvements for relocation of sanitary

sewer main across property at 4151 Merle Hay Road from Aurora to south approximately 250 feet - \$11,000. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3825 37. Communications from Corell Contractor, Inc. and Jensen Road Company requesting permission to sublet certain items on two public improvements projects - (E. 14th Street (U.S. 69) and Guthrie Avenue Intersection, and SW 7th Street Viaduct Demolition. **Moved by Vlassis to adopt. Motion Carried 7-0.**

38. Report of the Chief Civil Engineer showing construction progress, amounts due and funding availability of the following:

98-3826 (A) Branch Library Parking Lot Lighting Improvements, \$1,100.78 is now due and remaining balance of \$1,712.45 to be paid at the end of 30 days. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3827 (B) 1998 Pavement Milling, \$2,683.84 remaining balance is to be paid at the end of 30 days. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3828 (C) Lower Bloomfield Trunk Emergency Sewer Repair, \$6,508.84 remaining balance is to be paid at the end of 30 days. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3829 (D) John R. Grubb Community YMCA Handball & Basketball Courts, \$18,723.55 is now due and remaining balance of \$6,515.21 is to be paid at the end of 30 days. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3830 (E) Archie Brooks Community Center Parking Lot Restoration, \$2,632.45 is now due and remaining balance of \$1,795.05 is to be paid at the end of 30 days. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3831 (F) SW 5th Street Bridge Rehabilitation, \$1,170.40 is now due and remaining balance of \$7,194.20 is to be paid at the end of 30 days. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3832 (G) 1998 ACC Pavement Milling & Resurfacing, \$16,228.67 remaining balance is to be paid at the end of 30 days. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3833 (H) Walnut Street Sanitary Sewer Televising, \$4,896.30 is now due and remaining balance of \$257.70 is to be paid at the end of 30 days. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3834 (I) 2625 Easton Boulevard Demolition & Asbestos Removal, \$10,355.00 is now due and remaining balance of \$545.00 is to be paid at the end of 30 days. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3835 39. Approving partial payments on eleven public improvement projects. (Call City Clerk's Office for listing). **Moved by Vlassis to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

WITHDRAWN98-3836 40. Fair Market Value for property located at 100 7th Street, in conjunction with Mulberry Street Parking Garage, from Equitable Life Insurance Company of Iowa - \$720,000.

98-3837 41. Approving payment of Settlement of Condemnation of property owned by Army Post Development, L.C. in conjunction with relocation of Army Post Road - \$396,351. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Flagg.**

98-3838 42. Release of Subdivision Bond No. IAC 21284 from Merchants Bonding Company (Mutual) in amount of \$19,080 as security for completion of required erosion control measures for AIRPORT INDUSTRIAL PARK PLAT 1. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3839 43. Offer to Purchase and Warranty Deed in conjunction with Airport Expansion (Haverhill), from Daniel T. McReynolds and Cynthia A. McReynolds, 6520 SW 28th Court - \$95,000. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3840 44. Offer to Purchase Real Estate and Acceptance and Warranty Deed in conjunction with 7th Ward Ditch Wooden Box Replacement-Phase 1, from Wanda Mae Ortiz and Irene Cozad, 2935 Mahaska Ave. - \$25,000. **Moved by Vlassis to adopt. Motion Carried 7-0.**

WITHDRAWN98-3841 45. Permanent Easement for Traffic Signal and Street Lighting Systems and Future Title Work Compensation in conjunction with Martin Luther King, Jr. Parkway at Hickman Road Traffic Signal, from Michael H. Simmonds and Linda G. Simmonds, 2222 Martin Luther King, Jr. Parkway - \$1,750.

98-3842 46. Temporary Easement for Construction in conjunction with Martin Luther King, Jr. Parkway (CBD Loop), 6th/7th Street North of Main Line Intersection, from Employers Mutual Casualty Company, 106 SW 7th Street - \$1,265. **Moved by Vlassis to adopt. Motion Carried 6-1. Pass: Flagg.**

98-3843 47. Temporary Easement for Construction, Warranty Deed to City and Future Title Work Compensation in conjunction with Martin Luther King, Jr. Parkway (CBD Loop), 6th/7th Street North of Main Line Intersection, from Hubbell Realty Company, 330 SW 7th Street and Vacant Land - \$5,896. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Flagg.**

98-3844 48. Approving Noise and Avigation Easements for nine properties in conjunction with Airport Noise Compatibility Program, Phase II. **Moved by Vlassis to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

98-3845 49. Approving recognition of East Village in accordance with City's Neighborhood Recognition Policy. **Moved by Coleman to receive, file and refer back to Neighborhood Revitalization Board. Motion Carried 7-0.**

50. Various items regarding membership of the Des Moines Enterprise Community Steering Committee:

98-3846 (A) Resignation of Don Graves, Tony Gales, and Richard Thomas. **Moved by Vlassis to receive, file and accept with regret. Motion Carried 7-0.**

98-3847 (B) Appointment of Robin Robinson, Cynthia Bergman, and Don Graves. **Moved by Vlassis to receive, file and approve. Motion Carried 7-0.**

98-3848 51. Appointment recommendation of Mayor Preston A. Daniels to the Greater Des Moines Sister City Commission for Therese Patricia (Pat) Civitate to fill the unexpired term of Julie Livers to expire April 28, 2000. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3849 (A) Appointment recommendation of Mayor Preston A. Daniels, of Carl McPherson, to the Traffic Safety Committee, three-year term to expire December 31, 2001. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3850 52. Appointment recommendation of Council Member Ward III Chris Hensley to the Historic District Commission of Joe E. Smith, to fill the unexpired term of John Beard to expire October 18, 2000. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3851 52-I Communication from Jeanette Borich, submitting her resignation from the Greater Des Moines Sister City Commission as a representative of Ankeny, effective immediately. **Moved by Vlassis to receive, file and accept the resignation with appreciation for service. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

98-3852 53. On application from Ronald F. Gottl, for G.V. & W. Partnership, to rezone property north of 6223 University from "R1-60" (One Family, Low Density Residential) to a Ltd "C-1" (Neighborhood Retail Commercial), (1-4-99). **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3853 54. On Council-initiated request to rezone five (5) properties - 4301, 4525 4609, and 4619 Grand and 500-44th Street between 43rd and Polk Blvd, from "R-3" (Multiple Family Residential) to Ltd. "R-3", subject to limitations in staff recommendations, and further that in the event any property owner does not consent to such condition, the Council will initiate the rezoning of the non-consenting property to the R1-80 District Classification, (1-4-99). **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3854 55. On vacation and conveyance of East/West and North/South alleys in the south 1/2 of the block bounded by Grand, E. Fifth, E. Sixth and Des Moines Streets, to James O. Boyt, \$2,500, (1-4-99). **Moved by Vlassis to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

98-3855 56. Approving payment of \$17,660 to David L. Cox for workers' compensation benefits for injury in course and scope of his employment. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3856 57. Approving payment of \$4,124.10 to Gerald W. Kutchen for settlement of his claim subject to the approval of the Industrial Commissioner for injuries in course and scope of his employment. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3857 58. Approving payment of \$1,542.00 to Harry Perkins, III of Patterson, Lorentzen, Duffield, Timmons, Irish, Becker & Ordway, L.L.P. law firm for representation of Officer Thomas Heller in case of Leverett, et al. v. Heller, et al., Case No. 4-97-CV-80749. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3858 59. Approving payment of \$202.50 to Jane McAllister of Ahlers, Cooney, Dorweiler, Haynie, Smith & Allbee, P.C. for assistance in conjunction with development of Kiwanis Nature Island at Riverview Park. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3859 60. Approving payment of \$237.12 to Hopkins & Huebner, P.C. for representation of Ken Huntley in case of Terry Kemp v. City of Des Moines and Ken Huntley. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3860 61. Approving payment of \$19.00 to Austin, Gaudineer, & Comito, L.L.P. for representation of John Leporte in case of Robert Rissman, Jr., et al. v. City of Des Moines, et al., No. 4-95-cv-70724. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3861 62. Approving payment of \$399.00 to Thomas H. Burke of Whitfield & Eddy, P.L.C. for representation of Officer Michael Stueckrath in case of Gales v. Huffman, et al., 4-97-CV-10605. **Moved by Vlassis to approve payment. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

98-3862 63. Submitting out-of-state travel requests for Tom Vlassis and Harold Smith. ([Council Communication No. 98-553](#)). **Moved by Vlassis to adopt and include preliminary approval for Chris Coleman to NLC meeting. Staff will prepare necessary TR-1. Motion Carried 6-1. Absent: Phillips.**

98-3863 64. From City Manager submitting an application to Iowa Department of Transportation for traffic safety funds to cover a portion of construction costs for the following projects, ([Council Communication No. 98-576](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

(1) University Avenue Pavement Restriping Project - 31st Street to 48th Street, including signal modifications at 42nd and University.

(2) University Avenue Bridge at East 6th Street-Relocation of Bridge Railing.

(3) Iowa 28 and McKinley Avenue/Browns Woods Drive-addition of Southbound right-turn lane.

(4) Arterial Traffic Signal Visibility Improvement Project - Army Post Road, East University Avenue and Douglas/Euclid Avenues.

APPROVING

98-3864 65. Communication from Downtown Partnership on behalf of Vilsack/Pederson Inaugural Committee to hang banners throughout the core of downtown and along Locust Street leading to Capitol in January 1999, to announce the upcoming inaugural activities and celebrate the future of Iowa. **Moved by Vlassis to receive, file and approve banner design as submitted. Motion Carried 7-0.**

98-3865 66. Submittal of 1997-98 Equal Opportunity Report and Affirmative Action Annual Work Plan by the Human Resources Department. ([Council Communication No. 98-559](#)). **Moved by Vlassis to receive, file and adopt. Motion Carried 7-0.**

98-3866 67. First Amendment to the I-CARE Fund Administration Agreement with MidAmerican Energy regarding address notification. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3867 68. Amendment Two to Contract No. LIHEAP-2299-07J, increasing the contract budget by \$718,942. **Moved by Coleman to adopt. Staff to provide a 10-year analysis of funding and staff, at an appropriate Budget Workshop. Motion Carried 6-1. Absent: McPherson.**

98-3868 69. Preliminary approval for City Loan, \$200,000 from Des Moines Action Loan Fund, to Mercury Plastic Engineering, Inc., 300 SE Allen. ([Council Communication No. 98-556](#)). **Moved by Vlassis to approve. Motion Carried 7-0.**

98-3869 70. First Amendment to Loan Agreement and Third Supplemental Indenture-- \$4,800,000 Industrial Development Refunding Revenue Bonds, (The Printer Inc., Project), Series 1992. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Flagg.**

98-3870 71. Assignment of interest in Urban Renewal Contract for redevelopment of Disposition Parcel No. 10A/Guthrie Avenue Business Park Urban Renewal Area from Houghton Properties to HTJ Inc. for tax purposes. **Moved by Vlassis to approve. Motion Carried 7-0.**

98-3871 72. Facility Use Agreement with Dowling High School, to facilitate instruction and training and competition for the Iowa Special Olympic Games. ([Council Communication No. 98-551](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3872 73. Grant Application to Iowa Arts Council, to fund the Firststar Nitefall on the River Concert Series. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3873 74. Lease Agreement with Orchard Place-Child Guidance Center, for use of space at Logan Community Center, \$542.70 per month, through December 31, 1999. ([Council Communication No. 98-577](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3874 75. Grant Application to Prairie Meadows Racetrack and Casino, for funding for development of the Greater Des Moines Softball Park. ([Council Communication No. 98-575](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3875 76. First amendment to Federal Aviation Administration (FAA) Grant 22 to include Raccoon Valley Partnership settlement, Mike Coppola, SW 42nd Street and Army Post Road, for Runway 5 Extension - \$1,936,561.32 - Airport Noise Compatibility Program - Phase II. ([Council Communication No. 98-572](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3876 77. Receipt of proposed regulation change to make adjustment to hourly rate in Airport's long term parking areas effective February 15, 1999. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3877 78. Tax Abatement applications for additional value added by improvements made during 1998. (288 applications on file in Clerk's Office). ([Council Communication No. 98-554](#)). **Moved by Vlassis to adopt. Motion Carried 6-0. Council Member Vlassis declares a conflict of interest, and abstains from voting.**

98-3878 79. Custodial Trust Agreement with Norwest Bank for provision of services in holding plan participants investment assets, (Deferred Compensation Plan - Section 457 Compliance Issues). ([Council Communication No. 98-570](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3879 80. Amendment to Employees' Deferred Compensation Plan to retain eligibility requirements due to Internal Revenue Code changes, (Communication from Legal Department). **Moved by Vlassis to adopt. Motion Carried 7-0.**

81. Consulting Services Agreement with PeopleSoft, Inc. for the following:

98-3880 (A) Assistance with the PeopleSoft Application Software Implementation - \$18,000. **Moved by Coleman to adopt. Motion Carried 5-1-1. Nays: Flagg. Absent: McPherson.**

98-3881 (B) Assistance with the PeopleSoft Public Sector Financial Application Software Upgrade - \$55,000. **Moved by Coleman to adopt. Motion Carried 5-1-1. Nays: Flagg. Absent: McPherson.**

98-3882 (C) Assistance with the PeopleSoft Public Sector Human Resources Management System (HRMS) Application Software Upgrade - \$50,000. **Moved by Coleman to adopt. Motion Carried 5-1-1. Nays: Flagg. Absent: McPherson.**

[\(Council Communication No. 98-568\)](#)

****Council Member Flagg left the meeting at 8:50****

98-3883 82. Low compliant response for printing of 500 plans and maps for Fairgrounds and North of Grand Neighborhood, submitted by Holm Graphic Services, Inc., \$11,794. ([Council Communication No. 98-573](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

83. Bids for the following:

98-3884 (A) Duick's TLC Tree Service, (Crescent, IA, Louis Duick, President), \$45,000, Wright Tree Care Co., (Clive, IA, Linda Wright, President), \$55,000 for storm damaged trees and removal of tree branches and hanging limbs to be used by the Public Works Department. (23 bids mailed-9 received). **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3885 (B) Primary and secondary suppliers for an annual contract renewal for two (2) additional twelve (12) month periods to furnish tree work, Wright Tree Care, (Clive, IA, Linda Wright, President) and John's Tree Service, (Dennis Modde, President) to be used by the Public Works Department (Forestry), Grand Total - \$5,000. (11 bids mailed-5 received). **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3886 (C) Charles Gabus Ford, (4545 Merle Hay Road, Charles Gabus, President), State of Iowa Contract, (Municipal Code Section 2-86(c) for two (2) Ford Escorts to be used by the Fire Department, \$25,040.36. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Flagg.**

98-3887 (D) Dr. Dennis Riordan, (4418 Douglas) for veterinary services for an annual contract renewable for two (2) additional years to be used by the Park and Recreation Department (Blank Park Zoo), \$15,000. (Thirteen bids mailed-one received). ([Council Communication No. 98-579](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3888 84. Receipt of insurance for various City projects and functions for recording by the City Clerk. **Moved by Vlassis to adopt. Motion Carried 7-0.**

98-3889 85. Report of Civil Service Commission submitting Entrance Lists for Senior Public Safety Dispatcher, System Administrator, Network Technician, Application Support Technician, and User Support Technician, and Promotional Lists for Parks Technician and Senior Police Officer. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

98-3890 86. Authorizing Finance Director to draw warrants on registers of December 18, 1998 and December 25, 1998 for bills of the Des Moines Municipal Housing Agency for the weeks beginning December 21, 1998 and December 28, 1998, and biweekly payroll due employees on December 18, 1998. **Moved by Vlassis to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

98-3891 87. Amending Chapter 17 of the Municipal code regarding specified crime property. **Moved by Vlassis that this ordinance do now pass. that this ordinance do now pass, #13,663. Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

98-3892 88. Amending Chapter 23 of the Municipal Code reducing the length of time allowed for snow and ice removal from sidewalks, from 48 hours to 24 hours. **Moved by Vlassis to receive and file. Staff to report next Spring, on 1998-99 snow season. Motion Carried 5-2. Absent: Flagg and McPherson.**

98-3893 89. Amending Chapter 14 of the Municipal Code regarding procedures for rental unit inspections--fees to be legally assessed against the property. **Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

98-3894 90. Amending Chapter 27 of the Municipal Code regarding the following traffic regulation changes as follows. **Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

- (1) Corner Clearance No Parking Restriction -- North Side of Crocker Street East of 41st Street.
- (2) Four-way Stop -- Sixth Avenue and Aurora Avenue.
- (3) Two-Sided Parking Restriction -- S.E. 10th between Rose and Watrous Avenues.

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

ORDINANCES - FIRST CONSIDERATION

98-3895 91. Amending Chapter 15 of the Municipal Code regarding burial receptacles in City cemeteries--Islamic Cemetery burial request. ([Council Communication No. 98-574](#)). **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 5-2. Absent: Flagg and McPherson.**

WITHDRAWN98-3896 (A) Final consideration of ordinance above, (waiver requested by Legal Department), requires 6 votes.

98-3897 (B) Addendum to License Agreement with the Islamic Center, regarding use of Glendale Cemetery. **Moved by Coleman to adopt. Motion Carried 5-2. Absent: Flagg and McPherson.**

98-3898 92. Amending Section 15-174 of the Municipal Code increasing Tournament Rental Fee for Soccer Fields. ([Council Communication No. 98-578](#)). **Moved by Phillips that this ordinance be considered and given first vote for passage. Motion Carried 5-2. Absent: Flagg and McPherson.**

98-3899 93. Amending Chapter 27 of the Municipal Code regarding traffic regulation changes for the Center Street Park and Ride Facility. **Moved by Coleman that this ordinance be**

considered and given first vote for passage. Motion Carried 4-3. Absent: Flagg, McPherson and Vlassis.

98-3900 94. Amending Chapter 27 of the Municipal Code regarding traffic regulations changes for the following. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 4-3. Absent: Flagg, McPherson and Vlassis.**

(1) Corner Clearance No Parking Restriction -- West Side of East Thirty-seventh street North of Dubuque Avenue.

(2) Loading Zone -- Adjacent to LS & W Productions (1024 Walnut Street).

(3) Allow Parking on East Side of Sixth Avenue from Walnut Street to Locust Street after 6:00 pm and until 7:00 am.

COMMUNICATIONS/REPORTS

98-3901 95. Request to speak from Dr. James Blessman, Health Care Access Network, Inc., regarding funding of free Medical Clinics in the Des Moines area. **Moved by Hensley to receive, file and grant the request to speak; refer to City manager to consider as part of the budget process. Motion Carried 5-2. Absent: Flagg and McPherson.**

98-3902 96. From Dennis Clemens, 1030 Williams request to speak regarding stop signs at intersections of Maple and Timberline and parking and speeding enforcement on Williams. **Moved by Phillips to receive, file, grant the request to speak and refer to City Manager for review and recommendation, as well as the Traffic Safety Committee. Motion Carried 5-2. Absent: Flagg and McPherson.**

98-3903 97. From Kurt Just, representing City Lights Night Club, 508 Clifton, requesting to speak regarding the hiring of off duty Police Officers. **Moved by Vlassis to receive, file and grant the request to speak. Motion Carried 5-2. Absent: Flagg and McPherson.**

WITHDRAWN98-3904 98. Communication and Presentation from Finance Director regarding updated projections of General Obligation Debt. ([Council Communication No. 98-564](#))

99. From Human Resources Director, regarding new position description for the following:

98-3905 (A) Surveyor II.. **Moved by Phillips to receive and file. Motion Carried 5-2. Absent: Flagg and McPherson.**

[\(Council Communication No. 98-558\)](#)

98-3906 (B) Deputy City Engineer (Environmental Services). ([Council Communication No. 98-542 of 12-7-98](#)) **Moved by Phillips to receive and file. Motion Carried 5-2. Absent: Flagg and McPherson.**

****Council Considered Item 115 through end of agenda next****

HEARINGS (Opened at 5:32 P.M.) (Items 100 thru 114)

****Council considered Item 110 next****

98-3907 100. On Sale of excess City property to Victor Coleman, Jr., 1140-9th Street, (former Grassroots-Iowa R-40 Urban Renewal Area).([Council Communication No. 98-555](#)). **Moved by Vlassis to approve. Motion Carried 6-1. Absent: McPherson.**

98-3908 101. On application from Steven Gillotti, of RAS Properties, L.C., to rezone property generally at 2901 Maury Street from "R-3" (Multiple Family Residential) to a Limited "M-2" (Heavy Industrial). **Moved by Phillips to adopt. Motion Carried 6-1. Absent: McPherson.**

98-3909 (A) First consideration of ordinance above. **Moved by Phillips that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: McPherson.**

98-3910 (B) Final consideration of ordinance above, (wavier requested by applicant), requires 6 votes. **Moved by Phillips 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, #13,664. Motion Carried 6-1. Absent: McPherson.**

98-3911 102. On application from James H. Cooper, Cooper Homes, to rezone property in vicinity of SW 31st Street and Stanton Avenue from "R1-80" to a Limited "R1-70", and to find conformance with the Des Moines 2000 Land Use Plan. **Moved by Hensley to continue the Hearing to 1-4-99 at 5:30 P.M. Motion Carried 6-1. Absent: McPherson. Previous motion to approve failed on a 4-Yes, 2-No vote.**

WITHDRAWN 98-3912 (A) First consideration of ordinance above.

WITHDRAWN98-3913 (B) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes.

98-3914 103. On Blank Park Zoo Cats Exhibit Rock Work Enhancements: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and submission of bids. **Moved by Phillips to adopt. Motion Carried 6-1. Absent: McPherson.**

98-3915 104. On application from Gerald D. Neugent, Airport Commerce Park, L.C. and Richard Hurd, Hurd Real Estate Services, Inc., to rezone property in vicinity of 7300 Fleur Drive, from "R1-80", a portion of Airport Commerce Park "PUD" and "PBP", to a PUD entitled Airport Commerce Park South, to approve the PUD plan for the property and find conformance with the Des Moines 2000 land Use Plan. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-3916 (A) First consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: McPherson.**

98-3917 105. On application from Gerald D. Neugent, for Airport Commerce Park, L.C. to amend the Airport Commerce Park West Concept Plan PUD, to allow redesign of Outlot X of Airport Commerce Park Plat 2, providing a through street Caulder Avenue connection from SW 61st south to Thornton Avenue, and permitted uses of Support Commercial, Neighborhood Commercial and Professional Office uses within the northwest portion of the PUD Project. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-3918 (A) Resolution consenting to Amendment of Protective Covenants for Airport Commerce Park West. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-3919 106. On amendment to Section 2A-16 of the Zoning Ordinance, to permit gas stations with a maximum of 8 fueling stations to be located along Army Post Road, from Fleur Drive to East city limits within the areas zoned to the "C-1" Districts. **Moved by Coleman to adopt. Motion Carried 6-1. Absent: McPherson.**

98-3920 (A) First consideration of ordinance above. **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: McPherson.**

98-3921 107. On application from Les Knust, Casey's General Stores, Inc., to rezone property at 6320 Indianola Avenue from "R1-80" (One Family Residential), to Limited "C-1" (Gen. Retail and Highway Oriented Commercial). **Moved by Hensley to continue the Hearing to 1-4-99. Motion Carried 5-1-1. Nays: Flagg. Absent: McPherson. Previous motion to approve failed on a 5 yes, 1 no vote.**

WITHDRAWN98-3922 (A) First consideration of ordinance above, (requires 6 votes).

98-3923 108. On application from Bob Mills, to rezone property at 3350 Evergreen Avenue, from "R1-90" (Large Lot-One Family Residential), to a Ltd. "R1-80" (One Family Residential). **Moved by Phillips to adopt. Motion Carried 5-1-1. Nays: Vlassis. Absent: McPherson.**

98-3924 (A) First consideration of ordinance above. **Moved by Phillips that this ordinance be considered and given first vote for passage. Motion Carried 5-1-1. Nays: Vlassis. Absent: McPherson.**

98-3925 (B) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by Phillips 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. Motion Failed 5-1-1. Nays: Flagg. Absent: McPherson.

98-3926 109. On vacation and conveyance of alley rights-of-way in the block bounded by S.E. 8th, SE 9th and Vale Streets, and by Railroad Avenue, to Richard, R. Channon, Sr.-- \$50, William L. and Frances F. Aldini--\$25, Billy J. and Carolyn A. Wright--\$25, and Robert D. and Beverly J. Smith--\$50, (prior approval contained an error in publication). **Moved by Coleman to adopt. Motion Carried 6-1. Absent: McPherson.**

98-3927 (A) First consideration of ordinance above. **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: McPherson.**

98-3928 (B) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by Coleman 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, #13,665. Motion Carried 6-1. Absent: McPherson.**

98-3929 110. Recommendation of City Plan Commission regarding request from St. Augustin's Catholic Church and Plymouth Congregational Church, to vacate and convey 41st Street between Grand and Ingersoll. **Moved by Hensley to receive and file. Motion Carried 7-0.**

98-3930 (A) Hearing on vacation and sale of a portion of the 41st Street right-of-way. **Moved by Hensley to adopt the vacation of a portion of the 41st Street Right-of-way, and approve the concept of a long term lease; City Manager to coordinate appraisal, lease and right-of-way issues. Motion Carried 7-0.**

98-3931 (B) First consideration of vacation ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

98-3932 (C) Petition submitted in support of the proposed vacation (1,737 signatures on file in Clerk's Office). **Moved by Hensley to receive and file. Motion Carried 7-0.**

98-3933 (D) Communication from Bill Lillis, regarding vacation and conveyance of 41st Street, from Ingersoll to Grand. **Moved by Hensley to receive, file, approve and refer to City Manager to incorporate into lease negotiations as appropriate. Motion Carried 7-0.**

****Council Member McPherson left the meeting at 7:22****

98-3934 111. On Third Amendment to Airport East Leasehold Lease Agreement with Signature Flight Support Corporation, to allow for removal of existing facility and temporary above-ground storage until a consolidated aircraft fuel storage facility is completed. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-3935 112. On Building Official's determination that structure at 3009 E. 14th Street constitutes a public nuisance. ([Council Communication No. 98-565](#)). **Moved by Hensley to adopt. Motion Carried 5-2. Absent: McPherson and Phillips.**

113. On SW 7th Street Viaduct Demolition (part of the M.L. King Jr., Parkway IDOT Project):

98-3936 (A) Resolution on submission of bids and designating lowest responsible bidder as Jensen Road Company, (Jim Rasmussen, President, 5550 NE 22nd Street, DM), \$386,500. **Moved by Hensley to adopt. Motion Carried 4-1-2. Pass: Flagg. Absent: McPherson and Phillips.**

98-3937 (B) Approving contract and bond. **Moved by Hensley to adopt. Motion Carried 4-1-2. Pass: Flagg. Absent: McPherson and Phillips.**

114. On E. 14th Street (U.S. 69) and Guthrie Avenue Intersection Improvements (IDOT Project):

98-3938 (A) Resolution on submission of bids and designating lowest responsible bidder as Corell Contractor, (Steve Corell, President, 1805 Euclid, DM) \$1,098,604.85. **Moved by Hensley to adopt. Staff to report on City's cost participation policy for public improvement items. Motion Carried 5-1-1. Nays: Flagg. Absent: McPherson.**

98-3939 (B) Approving contract and bond. **Moved by Hensley to adopt. Motion Carried 5-1-1. Nays: Flagg. Absent: McPherson.**

* * END HEARINGS at 8:30 P.M. * *

Council considered balance of consent and Items 91 thru 99 next

APPROVING

****Mayor Daniels left the meeting at 9:50 P.M.****

98-3940 115. Receipt of Tax Increment Financing Committee Report presented to the Council on November 30, 1998. ([Council Communication No. 98-563](#)). **Moved by Hensley to adopt receipt of the report and undertake final consideration during budget deliberations. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

98-3941 (A) Resolution to adopt communication from City Manager on Tax Increment Needs for FY 1999/2000. ([Council Communication No. 98-580](#)). **Moved by Hensley to adopt the recommendations contained in Council Communication No. 98-580, and to direct the City Manager or his designee to notify the County Auditor of the City's need for \$6,165,200 of tax increment revenue for the 1999/2000 fiscal year. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

98-3942 (B) Communication from Alice Rodine, regarding Tax Increment Financing report. **Moved by Hensley to receive and file. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

98-3943 116. Authorization to enter negotiations with Drake University, formalizing the move of the Traffic Unit to Pizza Hut building, 3110 Forest Avenue(Community Based Policing). ([Council Communication No. 98-567](#)). **Moved by Coleman to adopt. Staff to prepare necessary documents to set date of hearing for 1-25-99. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

98-3944 117. Amended Agreement with Childtime Childcare, Inc., to operate and manage Child Care Center in the Intermodal Transportation Facility, for revised construction plans and responsibility of Childtime, to pay a portion of the increased construction costs. ([Council Communication No. 98-562](#)). **Moved by Hensley to adopt. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

98-3945 118. Implementation of Long Term Disability Plan, for SPM employees, effective January 1, 1999, and elimination of Longevity Pay Plan for SPM employees who are hired on or after January 1, 1999. ([Council Communication No. 98-569](#)). **Moved by Hensley to adopt. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

WITHDRAWN98-3946 119. Budget for Downtown Self-Supported Municipal Improvement District for fiscal year extending from July 1, 1999 to June 30, 2000.

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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.

98-3947 1. Resignation of Rolland Grefe from the Des Moines Board of Water Works Trustees effective December 31, 1998. **Moved by Hensley to receive, file and accept the resignation with appreciation for service. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

98-3948 2. Request of Council Member Tom Vlassis, to allow Chautauqua Neighbors to discuss Polk County/Broadlawns Hospital/ Juvenile Correction use of land for juvenile detention facility. SPONSOR: Vlassis. **Moved by Coleman to receive, file and grant the request to speak. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

98-3949 3. Agreement with West Group, for provision of CD-ROM Legal Library products and services. SPONSOR: Daniels. **Moved by Coleman to adopt. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

98-3950 4. Approving appointments to the Metropolitan Planning Organization (MPO), and to the Technical Committee of the MPO. SPONSOR: Daniels. **Moved by Coleman to adopt. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

98-3951 5. Resolution of intent to accept donation of Gray's Lake Property. SPONSOR: Hensley. **Moved by Hensley to adopt and refer to Parks Department to prepare master plan. Motion Carried 7-0. This item was considered earlier at 5:10 P.M.**

A G E N D A

BOARD OF HEALTH

December 21, 1998

98-3952 MOTION TO CONVENE. **Moved by Phillips that the City Council Adjourn and Convene as a Board of Health. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

AUTHORIZING

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

98-3953 (A) 1619 E. Walnut (vacant) Titleholder: SRS, Inc. **Moved by Phillips to adopt. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

98-3954 (B) 2524 E. Walnut (vacant) Titleholder: Norwest Bank Iowa, N.A. **Moved by Phillips to adopt. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

98-3955 (C) 2721 Raccoon (vacant) Titleholders: Jack Murray, Ruby Murray; Unrecorded Contract Buyers: Unknown Heirs of Carol I. Clauer Estate. **Moved by Phillips to adopt. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

98-3956 (D) 1241 12th (vacant) Titleholder: Polk County, Iowa. **Moved by Phillips to adopt. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

98-3957 (E) 834 19th (vacant) Titleholders: Michael R. LaValle, Lisa M. LaValle. **Moved by Phillips to adopt. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

98-3958 2. Release of demolition cost reserve held under claim number 98000248-P-06 regarding property known as 656 25th owned by June Hardy. **Moved by Phillips to adopt. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

98-3959 MOTION TO ADJOURN. **Moved by Phillips to adjourn at 10:14 P.M.**

