

**\*\*\* DES MOINES CITY COUNCIL MEETING REPORT \*\*\***

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 '07-' 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 12, 2007  
4:30 P.M.**

**INVOCATION:** Council Member Chris Coleman

[07-425](#) 1. ROLL CALL: **Present: Cownie, Coleman, Hensley, Kiernan, Mahaffey and Meyer**  
**Motion Carried 6-1. Absent: Vlassis. Council Members Hensley and Kiernan participated in the meeting by telephone.**

[07-426](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Mahaffey to adopt. Motion Carried 6-1.**

\* \* \* \* \*

**\*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.**

[07-427](#) 3. APPROVING CONSENT AGENDA – items 3 through 39: **Moved by Mahaffey to adopt the balance of the consent agenda. Motion Carried 6-1.**

## LICENSES AND PERMITS

[07-428](#)

4. [Approving](#) Alcoholic Beverage License Applications for the following: **Moved Mahaffey to adopt. Motion Carried 6-1.**

### NEW APPLICATIONS

(A)	INPLAY DES MOINES	615 3RD ST	C Liquor
(B)	KUM & GO #120	101 ARMY POST RD	B Wine
(C)	LIARS CLUB	216 COURT AVE	C Liquor
(D)	MDG CUSTOM FURNITURE	333 E GRAND AVE	B Native Win
(E)	VILLAGE BEAN	400 E LOCUST ST	C Beer/Wine

### RENEWAL APPLICATIONS

(F)	DAHLS FOODS	3425 INGERSOLL AV	E Liquor
(G)	GIT N GO STORE #5	2700 INDIANOLA AVE	C Beer
(H)	GRANDVIEW GOLF COURSE	2401 E 29TH STREET	B Beer
(I)	HAIRY MARYS	2307 UNIVERSITY AVE	C Liquor
<del>(J)</del>	<del>HAWKEYE ELKS LODGE #160</del>	<del>1401 WALKER ST</del>	<del>C Liquor</del>
(K)	HIGHLAND PARK COUNTRY CLUB	518 EUCLID AVENUE	C Liquor
(L)	KUM & GO #194	4001 SW 9TH ST	C Beer
(M)	QUIKTRIP #559	4024 FLEUR DR	C Beer
(N)	SHIE CONCESSION	3000 E GRAND AVE	B Beer
(O)	SUNRISE TAP	4155 EASTON BLVD	C Liquor
(P)	WAVELAND GOLF COURSE	4908 UNIVERSITY AVE	C Liquor
(Q)	WEST END LOUNGE	2309 FOREST AVE	C Liquor

### OUTDOOR SERVICE APPLICATIONS

- (R) 101 LOUNGE 102 3RD ST C Liquor  
Temporary outdoor service area for St. Patrick's Day celebration on March 14-18, 2007. Pending approval of Building, Electrical, Fire and Zoning Departments.

### SPECIAL EVENTS APPLICATIONS

- (S) AK OCONNORS 216 COURT AVE Five (5) Day License  
Class B Beer License for St. Patrick's Day celebration on 3<sup>rd</sup> Street. Pending approval of Building, Electrical, Fire and Zoning Departments.
- (T) LIARS CLUB 216 COURT AVE Five (5) Day License  
Class C Liquor License for St. Patrick's Day celebration on Court Avenue. Pending approval of Building, Electrical, and Fire Departments.

- [07-429](#) 5. [City](#) Clerk to issue Cigarette Licenses. **Moved by Mahaffey to adopt. Motion Carried 5-1-1. Nays: Cownie. Absent: Vlassis.**
- [07-430](#) 6. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Mahaffey to adopt. Motion Carried 6-1.**

## **PUBLIC IMPROVEMENTS**

7. Ordering construction of the following:
- [07-431](#) (A) [2007](#) PCC Overlay Program – Receiving of bids, (3-27-07), and Setting date of hearing, (4-9-07). (Construction Estimate - \$321,000.) ([Council Communication No. 07-133](#)) **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-432](#) (B) [5<sup>th</sup>](#) & Keo Parking Garage Rehabilitation-Phase 2 – Receiving of bids, (3-27-07), and Setting date of hearing, (4-9-07). (Construction Estimate - \$864,500.) ([Council Communication No. 07-134](#)) **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-433](#) (C) [Blank](#) Park Zoo Snow Monkey Holding and Safari Grill Building – Receiving of bids, (3-29-07), and Setting date of hearing, (4-9-07). (Construction Estimate - \$950,470.) ([Council Communication No. 07-136](#)) **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-434](#) 8. [Approving](#) Private Construction Contract between Eco-Tech Construction, LLC and Savannah Homes for Paving and Storm Sewer Improvements in Sawyer’s Landing Phase 2. **Moved by Mahaffey to adopt. Motion Carried 6-1.**
9. Approving completion and recommending acceptance of private construction contracts of the following:
- [07-435](#) (A) [Sanitary](#) Sewer Improvements, Sterling Trace Plat 2, between McAninch Corporation and Sterling Trace Development, L.L.C. **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-436](#) (B) [Storm](#) Sewer Improvements, Sterling Trace Plat 2, between McAninch Corporation and Sterling Trace Development, L.L.C. **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-437](#) (C) [Paving](#) Improvements, Carman Estates Plat 5, between Manatts, Inc. and Silver Oak, Inc. **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-438](#) (D) [Sanitary](#) Sewer Improvements, Carman Estates Plat 5, between McAninch Corporation and Silver Oak, LLC. **Moved by Mahaffey to adopt. Motion Carried 6-1.**

**6-1.**

- [07-439](#) (E) [Storm](#) Sewer Improvements, Carman Estates Plat 5 between McAninch Corporation and Silver Oak, LLC. **Moved by Mahaffey to adopt. Motion Carried 6-1.**
10. Accepting completed construction and approving final payment for the following:
- [07-440](#) (A) [M.A.](#) Mortenson Company – Skywalk Bridges 8C-8D, over Walnut Street between 8<sup>th</sup> and 9<sup>th</sup> Streets and 8Da, within the block bounded by 8<sup>th</sup>, 9<sup>th</sup>, Walnut and Locust Streets, at the Wells Fargo Building. **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-441](#) (B) [Corell](#) Contractor, Inc. – Foster Drive Sanitary and Storm Sewer Repair, 600 Block Foster Drive. **Moved by Mahaffey to adopt. Motion Carried 6-1.**

**SPECIAL ASSESSMENTS**

- [07-442](#) 11. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Public Works) Schedule No. 2007-05. **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-443](#) 12. [Approving](#) deletion of NAC-Emergency Assessments at 1711 24<sup>th</sup> St. **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-444](#) 13. [Approving](#) deletion of NAC-Emergency Assessments at various locations. **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-445](#) 14. [Approving](#) Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility Fees for February 2007. **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-446](#) (A) [Approving](#) Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility Credits for February 2007. **Moved by Mahaffey to adopt. Motion Carried 6-1.**

**LAND/PROPERTY TRANSACTIONS**

- [07-447](#) 15. [Authorization](#) to proceed with acquisition of necessary right-of-way and easements for Ingersoll Avenue Streetscape Project. ([Council Communication No. 07-131](#)) **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-448](#) 16. [Authorization](#) to proceed with acquisition of necessary right-of-way and easements for 2006 Pedestrian Crossing Control Improvements Project. ([Council Communication No. 07-132](#)) **Moved by Mahaffey to adopt. Motion Carried 6-1.**

## BOARDS/COMMISSIONS/NEIGHBORHOODS

17. NUMBER NOT USED.

[07-449](#)

18. [Communication](#) from Lawrence James submitting his resignation from the Board of Works Trustees, Seat 2, effective immediately. **Moved by Mahaffey to receive and accept resignation with appreciation for service. Motion Carried 6-1.**

## COMMUNICATIONS FROM PLANNING AND ZONING

[07-450](#)

19. [Regarding](#) request from Employers Mutual Casualty Company, 106 SW 7<sup>th</sup>, for vacation and conveyance of an excess portion of Market Street between SW 7<sup>th</sup> and SW 8<sup>th</sup> adjoining the north side of West ML King Jr. Parkway, subject to conditions. **Moved by Mahaffey to receive and file, and to refer to the City Manager for further processing in accordance with standard City property disposition procedures. Motion Carried 6-1.**

[07-451](#)

20. [Regarding](#) Council-initiated request for vacation and conveyance of street rights-of-way pursuant to the Second Amendment to the SE AgriBusiness Urban Renewal Plan for the following: **Moved by Mahaffey to receive and file, and refer to the City Manager for further processing in accordance with standard City property disposition procedures. Motion Carried 6-1.**

- (A) E. Granger Avenue from SE 34<sup>th</sup> to SE 37<sup>th</sup> Streets.
- (B) SE 34<sup>th</sup> Street from E. Granger to Vandalia.
- (C) SE 35<sup>th</sup> Street from E. Granger to Vandalia.
- (D) SE 37<sup>th</sup> Street from vacated Wasbash Railroad to Vandalia.

[07-452](#)

21. [Regarding](#) request from United Properties Investment Company, LC for approval of preliminary subdivision plat for 2100 Echo Valley, located southwest of 85<sup>th</sup> Avenue (extension of Fleur Drive) and Echo Valley Drive, and north of Iowa Highway 5. **Moved by Mahaffey to receive and file. Motion Carried 6-1.**

## SETTING DATE OF HEARINGS

[07-453](#)

22. [On](#) vacation and conveyance of the west 16.5 feet of South Union Street adjoining 5<sup>th</sup> E. Parkway Avenue to John Eidbo and Paul Eidbo in exchange for easements needed for Crawford Creek Watershed Improvement Project, (3-26-07). **Moved by Mahaffey to adopt. Motion Carried 6-1.**

[07-454](#)

23. [On](#) proposed vacation and sale of portions of 13<sup>th</sup> and Cherry Streets, to Nationwide Mutual Insurance Company, (\$40,318 plus exchange for other Nationwide property), (3-26-07). ([Council Communication No. 07-130](#)) **Moved by Mahaffey to adopt. Motion Carried 6-1.**

- [07-455](#) 24. [On](#) request from Joe's Square, LLC, to rezone property at 4049 Fagen Drive from "C (General Retail and Highway Oriented Commercial) to "NPC" (Neighborhood Pedestrian Commercial) to allow for mixed-use pedestrian-oriented redevelopment, (3-26-07) **Moved by Mahaffey to adopt. Motion Carried 6-1.**
25. On Amendments to Lease Agreements with United Parcel Service Inc., for the following (3-26-07):
- [07-456](#) (A) [First](#) Amendment, 2601 Army Post Road. **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-457](#) (B) [Second](#) Amendment, 3251 Army Post Road. **Moved by Mahaffey to adopt. Motion Carried 6-1.**

#### LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [07-458](#) 26. [Approving](#) payment of \$2,996 to Myers & Jenkins for representation in UAL Corporation, ATA Holdings Corp., Delta Air Lines, Inc. et. al. (COMAIR, INC.) and Northwest Airlines Corporation, et. al. Bankruptcies. **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-459](#) 27. [Approving](#) payment of \$8,806.83 to Keith Warne for a worker's compensation claim. **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-460](#) 28. [Approving](#) additional payment of \$390.44 to Brad's Collision Center, \$1,888.81 to Enterprise Rent-A-Car Company, and \$40 to Property Damage Appraisers for damage claim of Ron Evison as the result of an auto accident. **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-461](#) 29. [Approving](#) payment of \$5,645.81 to Bob Brown Chevrolet and additional payment to Enterprise Rent-A-Car, when received, for damage claim as the result of an auto accident. **Moved by Mahaffey to adopt. Motion Carried 6-1.**

#### CITY MANAGER COMMUNICATIONS

- [07-462](#) 30. [Submitting](#) out-of-state travel requests for Robert Crouse, Stewart Drake, Linda M. Allen McKinley and Eric Nevins. ([Council Communication No. 07-135](#)) **Moved by Mahaffey to adopt. Motion Carried 6-1.**

## APPROVING

- [07-463](#) 31. [Authorizing](#) issuance of \$4,635,000 General Obligation Refunding Bonds, Taxable Series 2007A. ([Council Communication No. 07-146](#)) **Moved by Coleman to adopt. Motion Carried 6-1.**
- [07-464](#) 31. (A) [Authorizing](#) redemption of outstanding General Obligation Bonds, Taxable Series 1999B, and directing notice of redemption. **Moved by Coleman to adopt. Motion Carried 6-1.**
32. Communications from Downtown Community Alliance for the following banner design:
- [07-465](#) (A) [On](#) behalf of the Meredith Corporation, for 14 banners in downtown Des Moines on Locust Street to be displayed in Spring 2007. **Moved by Mahaffey to receive, and approve banner design. Motion Carried 6-1.**
- [07-466](#) (B) [On](#) behalf of the Principal Charity Classic, for 26 banners in downtown Des Moines to be displayed in April, May and June 2007. **Moved by Mahaffey to receive, file, and approve banner design. Motion Carried 6-1.**
33. Bids from the following:
- [07-467](#) (A) [Waste](#) Management of Iowa for annual contract with two (2) additional one-year options to furnish trash removal services for the SCRUB program as requested by the Public Works Department, annual fee of \$110,000. (Four bids mailed, three received). **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-468](#) (B) [Peterbilt](#) of Des Moines for four (4) replacement automated side loading refuse trucks to be used by the Public Works Department, \$691,936. (Eleven bids mailed, three received). ([Council Communication No. 07-144](#)) **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-469](#) 34. [Receipt](#) of the Legislative Update for the 82nd Iowa General Assembly. **Moved by Mahaffey to receive and file the report. Motion Carried 6-1.**
- [07-470](#) 35. [Civil](#) Service Entrance Lists for Departmental Systems Coordinator, Deputy Zoning Enforcement Officer and Fleet Services Serviceperson. **Moved by Mahaffey to receive and file. Motion Carried 6-1.**
- [07-471](#) 36. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of March 12

March 19, 2007; to draw checks for the bills of the [Des Moines Municipal Housing Agency](#) for the weeks of March 12 and March 19, 2007; and to draw checks for bi-weekly payments due March 16, 2007. **Moved by Mahaffey to adopt. Motion Carried 6-1.**

#### ORDINANCES - FINAL CONSIDERATION

- [07-472](#) 37. [Amending](#) Chapter 74 of the Municipal Code regarding ball diamond fees. **Moved by Mahaffey that this ordinance do now pass, [#14,633](#). Motion Carried 6-1.**
- [07-473](#) 38. [Amending](#) Chapter 114 of the Municipal Code submitting traffic regulation changes as follows: **Moved by Mahaffey that this ordinance do now pass, [#14,634](#). Motion Carried 6-1.**
- (A) Parking Restriction to facilitate Movement of Solid Waste Vehicle – south and west sides of Parmer Drive within the cul-de-sac at Fairlane Drive.
  - (B) Parking Restrictions within the Meredith Neighborhood Association Boundaries.
  - (C) Snow Route Changes due to street changes within I-235 Construction.
  - (D) One-sided Parking Restrictions – Summersfield Plat 1.
  - (E) One-sided Parking Restrictions – Brook Run Village Plat 12.

#### ORDINANCES - SECOND CONSIDERATION

- [07-474](#) 39. [Amending](#) Chapter 114 of the Municipal Code submitting traffic regulation changes as follows: **Moved by Coleman that this ordinance be considered and given second reading for passage. Motion Carried 6-1.**
- (A) Code Updates for Street Configuration Changes.
  - (B) Designated School Loading and Unloading Area – Downtown School.
  - (C) Municipal Employee Permit Parking On-Street.
- [07-475](#) (D) Final consideration of ordinance above. **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, [#14,635](#). Motion Carried 6-1.**



\*\*Council considered Items 40 and 41 next\*\*

**ORDINANCES - FIRST CONSIDERATION**

- [07-476](#) 40. Amending Chapter 74 of the Municipal Code regarding rental fees at the park between and 15<sup>th</sup> Streets and Grand and Locust. ([Council Communication No. 07-148](#)) **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**

**COMMUNICATIONS/REPORTS**

- [07-477](#) 41. From Dr. James H. Sutton, 4324 Kingman Blvd., to speak regarding suspension and enforcement of sidewalk snow removal ordinance. **Moved by Hensley to receive and comments. Motion Carried 6-1.**

\*\*Council considered Item 50 next\*\*

**HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 42 THRU 48)**

- [07-478](#) 42. On issuance of not to exceed \$40,000,000 Aviation System Revenue Refunding Capital Loan Notes. ([Council Communication No. 07-142](#)) **Moved by Hensley to adopt. Motion Carried 6-1.**

- [07-479](#) (A) Resolution for additional actions. **Moved by Hensley to adopt. Motion Carried 6-1.**

- [07-480](#) 43. On conveyance of previously vacated west 30 feet of 59<sup>th</sup> Street and the north 30 feet of Ingersoll Avenue, between Walnut Hill Avenue and 56<sup>th</sup> Street to adjoining property owners, \$2,250. ([Council Communication No. 07-129](#)) **Moved by Hensley to adopt. Motion Carried 6-1.**

44. Items regarding property at 1703 and 1707 E. Madison Avenue:

- [07-481](#) (A) To amend the Des Moines 2020 Community Character Land Use Plan future land use designation from General Industrial to Low Density Residential. **Moved by Mahaffey to approve the proposed amendment. Motion Carried 6-1.**

- [07-482](#) (B) Hearing on rezoning of the property from “M-1” (Light Industrial) to “R1-60” (Single-Family Residential) to bring existing single-family use of the property into conformation with the Zoning Ordinance. **Moved by Mahaffey to adopt.**

**approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 6-1.**

- [07-483](#) (C) [First](#) consideration of ordinance above. **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**
- [07-484](#) 44. (D) Final consideration of ordinance above. **Moved by Mahaffey 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 not pass, [#14,636](#). Motion Carried 6-1.**
- [07-485](#) 45. [On](#) Center Street Pedestrian Bridge (Riverwalk): Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designating lowest responsible bidder as Cramer and Associates, Inc., (Robert Cramer, President), \$9,466,017.50. ([Council Communication No. 07-140](#)) **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-486](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-487](#) (B) [Approving](#) MidAmerican Energy proposal for electric service necessary for Center Street Pedestrian Bridge (Riverwalk), \$55,087.79. ([Council Communication No. 07-141](#)) **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-488](#) (C) [Recommendation](#) from Plan and Zoning Commission. **Moved by Mahaffey to receive and file. Motion Carried 6-1.**
- [07-489](#) (D) [Resolution](#) regarding closure of a portion of West River Drive. **Moved by Mahaffey to refer to the City Manager to review the need for a permanent street closure. Motion Carried 6-1.**
- [07-490](#) 46. [On](#) McKinley Avenue Widening & Signalization at SE 5<sup>th</sup> Street: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designating lowest responsible bidder as Cedar Valley Corp., (Stephen R. Jackson, President), \$1,097,339.60. ([Council Communication No. 07-137](#)) **Moved by Meyer to adopt. Motion Carried 6-1.**
- [07-491](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Meyer to adopt. Motion Carried 6-1.**
- [07-492](#) 47. [On](#) Northwest Community Center Park Shelter: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designating lowest responsible bidder as Legacy Construction Associates, Inc., (Randall D. Trabasso, President), \$98,575. ([Council Communication No. 07-138](#)) **Moved by Coleman to adopt. Motion Carried 6-1.**

**adopt. Motion Carried 6-1.**

[07-493](#)

(A) [Approving](#) contract and bond and permission to sublet. **Moved by Coleman to adopt. Motion Carried 6-1.**

[07-494](#)

48. [On](#) 2007 Aquatic Center Shade Structures: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designating lowest responsible bidder as P.G. Construction Inc., (Keith Purdy, President), \$36,100. ([Council Communication No. 07-139](#)) **Moved by Mahaffey to adopt. Motion Carried 6-1.**

[07-495](#)

(A) [Approving](#) contract and bond. **Moved by Mahaffey to adopt. Motion Carried 6-1.**

**\*\*END HEARINGS AT 5:18 P.M.\*\***

**\*\*Council considered Item 49 next\*\***

#### **CITY MANAGER RECOMMENDATIONS**

[07-496](#)

49. [Recommending](#) that the City proceed with a Developer-Initiated Proposal from Hatch Development Group, for redevelopment of City-owned land at E. 4<sup>th</sup> and E. Locust Street ([Council Communication No. 07-127](#)) **Moved by Meyer to receive and file, and direct the City Manager to continue negotiations with Hatch Development Group on the terms of a developer initiated proposal for further consideration by the Council. Motion Carried 6-1.**

**\*\*Council considered Item 51 thru Board of Health next\*\***

#### **APPROVING**

[07-497](#)

50. [Resolution](#) regarding denial of application for Tax Abatement at 5680 SE 19<sup>th</sup> Street (continued from 2-26-07 meeting). ([Council Communication No. 07-128](#)) **Moved by Coleman to adopt denial of the application. Motion Carried 5-1-1. Nays: Meyer. Absent: Vlassis.**

[07-498](#)

51. [Principles](#) of an Agreement between the Polk County Conservation Board, the Polk County Board of Supervisors and the Blank Park Zoo Foundation regarding expansion of the Blank Park Zoo, and authorizing City Manager to negotiate the agreement. **Moved by Meyer to adopt; refer to the City Manager to review the conservation of the "Parade Grounds" and Fort Des Moines areas. Motion Carried 6-1.**

[07-499](#)

52. [Community](#) Attraction and Tourism (CAT) Program Agreement with Vision Iowa Board for acceptance of a \$130,000 award for the Evelyn K. Davis Park Improvements Project

[\(Council Communication No. 07-145\)](#) **Moved by Mahaffey to approve. Motion Carried 6-1.**

## 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.

- [07-500](#) 1. [Approving](#) recommendation from Mayor Frank Cownie to appoint Mary C. Gottschall to the Water Works Board of Trustees, Seat 2, to fill an unexpired term through April 1, 2010, effective immediately. **Moved by Hensley to adopt. Motion Carried 6-1.**

## BOARD OF HEALTH

- [07-501](#) MOTION TO CONVENE. **Moved by Mahaffey that the City Council adjourn and convene as a Board of Health. Motion Carried 6-1.**

## AUTHORIZING

1. The Legal Department to proceed with court action seeking authority to abate the public nuisance structures at the following addresses:
- [07-502](#) (A) [3018](#) Bowdoin Street, Titleholder: 1719 Street LLC. **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-503](#) (B) [919](#) Franklin Avenue (garage), Titleholders: James Marvin Brown and Joyce Brown. **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-504](#) (C) [1145](#) Oak Park Avenue (garage), Titleholders: William Scott and Nadine Scott, heirs of the titleholder Gladys Malone; Mortgage Holder: UM Acquisitions, LLC. **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-505](#) (D) [3309](#) University Avenue, Titleholders: Donald C. LePorte and Marjorie L. LePorte. **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-506](#) (E) [2910](#) 1<sup>st</sup> Street, Titleholder: Contract Finance, LC; Mortgage Holder: First Bank. **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-507](#) (F) [1262](#) E. 36<sup>th</sup> Court, Titleholder: DMA Enterprises; Mortgage Holder: Union Planters Bank, NA. **Moved by Mahaffey to adopt. Motion Carried 6-1.**
- [07-508](#) 2. [The](#) release of the fire escrow account held by Allied Insurance regarding the fire damage to the property at 1262 E. 36<sup>th</sup> Court.

of a garage structure located at 816 E. 25<sup>th</sup> Street. **Moved by Kiernan to adopt. Motion Carried 6-1.**

COMMUNICATION

[07-509](#)

3. [Regarding](#) demolition cost reserve held by GAB Robins for the structure located at 2 Saylor Road. **Moved by Coleman to receive and file and to direct that Corporate Counsel bring legal action within one hundred eighty days of receipt of notice if owners have not demolished or renovated the structure. Motion Carried 6-1.**

[07-510](#)

MOTION TO ADJOURN. **Moved by Mahaffey to adjourn at 5:51 P.M. Motion Carried 6-1.**

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