

**CITY COUNCIL  
COMMUNICATION:**

**ITEM \_\_\_\_\_**

**OFFICE OF THE CITY MANAGER  
CITY OF DES MOINES, IOWA**

**99-432**

**SYNOPSIS -**

**AGENDA:**

SEPTEMBER 27, 1999

**SUBJECT:**

PUBLIC NUISANCE  
ACTION AT 939  
MARTIN LUTHER  
KING, JR.  
PARKWAY

This property contains a building damaged by an apparent vehicle impact. Neglect and failure to repair the damage has allowed the wall to deteriorate further, culminating in partial failure of a masonry wall located at the northwest corner of the structure. The damage is such that further collapse of the wall and roof is likely, with the immediately adjacent public sidewalk and street at risk. The threat is sufficient that, in the opinion of the Building Official, the building is structurally unsound and constitutes a public nuisance.

**FISCAL IMPACT -**

**TYPE:**

**RESOLUTION**  
ORDINANCE  
RECEIVE/FILE

Estimated demolition costs are \$12,000. All costs associated with this action are intended to be collected from the owner by means of a personal judgment or assessed against the property.

**RECOMMENDATION -**

**SUBMITTED BY:**

JAMES GRANT  
COMMUNITY  
DEVELOPMENT  
DIRECTOR

**Approval.**

**BACKGROUND -**

The owner of this property, Brown Construction (Mr. Pinnell Brown, registered agent), and the Tax Certificate Holders (Mr. Ryan White and Mr. Jacob Shnurman), have been served with notice dated August 9, 1999 to repair or demolish this building within 30 days. A written request for a time extension dated August 16, 1999 was received from Mr. Brown, requesting time to demolish, design, and construct a new building. A phone call from a disinterested party (Mr. Picray, contractor) requested approval to board-up the openings. There was no indicated intent to immediately repair or otherwise stabilize the building. The Permit and Development Center responded that

the repair or demolition within the specified time frame must abate the hazards. An inspection conducted September 21, 1999 found that no improvements have been made.

Attached to the roll call is a copy of the August 9, 1999 notice, a current property condition report prepared by the Permit and Development Center, Mr. Brown's extension request, and copy of the response to the same.