

***** 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 '06-' preceding each item on the agenda is a roll call number assigned by the City Clerk. Please refer to this number when requesting information or copies.

SUMMARY OF DES MOINES CITY COUNCIL MEETING

**March 20, 2006
4:30 P.M.**

PROCLAMATIONS – 4:15 PM

Young Professionals Day

SPECIAL PRESENTATIONS – 4:15 PM

[Iowa](#) Special Olympics/Cessna Airlift Presentation – Craig Smith, Director, Des Moines International Airport

INVOCATION: Pastor Loren Strait
Glen Echo Christian Church

- [06-490](#) 1. ROLL CALL: **Present: Cownie, Brooks, Coleman, Hensley, Kiernan, Mahaffey and Vlassis.**
- [06-491](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Vlassis to adopt. Motion Carried 7-0.**

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***Note: These are routine items and will be enacted by one roll call vote without separate discussion unless someone, Council or public, requests an item be removed to be considered separately.**

[06-492](#)

3. APPROVING CONSENT AGENDA – items 3 through 50: **Moved by Brooks to adopt the balance of the consent agenda. Motion Carried 7-0.**

LICENSES AND PERMITS

[06-493](#)

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

NEW APPLICATIONS

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

RENEWAL APPLICATIONS

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

OUTDOOR SERVICE APPLICATIONS

(BB)	COURT AVENUE BREWING	309 COURT AVE	C Liquor
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- [06-501](#) (C) [Paving](#) Improvements between Nuckolls Concrete Services, Inc. and Sterling TR Development LLC in Sterling Trace Plat 2. **Moved by Brooks to adopt. Motion Carried 7-0.**
- [06-502](#) (D) [Paving](#) Improvements between Hansen Company and Striggles Legacy II, LLC Ingersoll Avenue, 17th – 18th Streets. **Moved by Brooks to adopt. Motion Carried 7-0.**
- [06-503](#) 11. [Approving](#) permission to sublet from various contractors certain items on Public Improvement Projects. **Moved by Brooks to adopt. Motion Carried 7-0.**
12. Accepting completed construction and approving final payment for the following:
- [06-504](#) (A) [Jensen](#) Construction Co. – BNSF Railroad Bridge Removal. **Moved by Brooks to adopt. Motion Carried 7-0.**
- [06-505](#) (B) [Van Hauen](#) & Associates, Inc. – Four Mile Trunk Replacement Sewer. **Moved by Brooks to adopt. Motion Carried 7-0.**
- [06-506](#) (C) [Spring](#) Lake Construction – Easter Lake Retention Basins Wetland Mitigation. **Moved by Brooks to adopt. Motion Carried 7-0.**
- [06-507](#) (D) [Reilly](#) Construction Co., Inc. & Affiliates – Easter Lake Retention Basins – Phase II. **Moved by Brooks to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [06-508](#) 13. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Ordinance (Community Development) for Schedule No. 2005-24. **Moved by Brooks to adopt. Motion Carried 7-0.**
- [06-509](#) 14. [Approving](#) deletion of NAC-Emergency Assessments at 2906 Des Moines Street. **Moved by Brooks to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [06-510](#) 15. [Approving](#) final plat for Woodside Estates West Plat No. 3 in Polk County, located in a 2-mile review area, north of NW 54th Avenue and south of NW 57th Place. ([Council Communication No. 06-138](#)) **Moved by Brooks to adopt. Motion Carried 7-0.**
- [06-511](#) 16. [Approving](#) tax abatement application from 2003 for property at 2600 Bent Ridge Court. **Moved by Brooks to adopt. Motion Carried 7-0.**

[\(Council Communication No. 06-137\)](#) **Moved by Brooks to adopt, and to request the County Assessor apply the application retroactively as if the application had been timely processed by the City and forwarded to the County Assessor prior to March 2004. Motion Carried 7-0.**

[06-512](#) 17. [Approval](#) of two additional tax abatement applications from 2005 for property located at 5105 S.E. 27th Street and 2411 Hart Avenue. [\(Council Communication No. 06-137\)](#) **Moved by Brooks to adopt. Motion Carried 7-0.**

[06-513](#) 18. [Approving](#) payment of Condemnation Award for acquisition of property at 4600 F.W. Drive for McKinley Avenue Reconstruction Project, \$2,000. [\(Council Communication No. 06-157\)](#) **Moved by Brooks to adopt. Motion Carried 7-0.**

[06-514](#) 19. [Authorization](#) to proceed with acquisition of the necessary right-of-way and easements for the Twana Bel-Aire Relief Storm Sewer project. **Moved by Brooks to adopt. Motion Carried 7-0.**

[06-515](#) 20. [Authorization](#) to proceed with acquisition of the necessary right-of-way and easements for the Leetown Creekway Wood Box replacement project. **Moved by Brooks to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

[06-516](#) 21. [Approving](#) appointment of additional member, Marian Gelb from the Park and Recreation Board to the Highway 5 and North River Master Plan Steering Committee. **Moved by Brooks to adopt. Motion Carried 7-0.**

[06-517](#) 22. [Approving](#) appointments of District Chief Kenneth Danley and Captain William Jones as voting and alternate members to the Warren County E911 Joint Service Board. **Moved by Brooks to approve. Motion Carried 7-0.**

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

[06-518](#) (A) [John](#) A. Brooks to the Civil Service Commission, Seat 3, for a four-year term commencing April 1, 2006 to expire April 1, 2010. **Moved by Brooks to adopt. Motion Carried 7-0.**

[06-519](#) (B) [Jeffrey](#) Hall to the Civil Service Commission, Seat 4, for a four-year term commencing April 1, 2006 to expire April 1, 2010. **Moved by Brooks to adopt. Motion Carried 7-0.**

[06-520](#) (C) [James](#) E. O'Daye, II to the Human Rights Commission, Seat 1, for a three-year term commencing April 1, 2006 to expire April 1, 2009. **Moved by Brooks to adopt.**

Motion Carried 7-0.

- [06-521](#) 24. [Communication](#) from Phillip James advising of his resignation from the Des Moines Parks and Recreation Board effective immediately. **Moved by Brooks to receive, file and accept this resignation with our appreciation for Mr. James' service. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [06-522](#) 25. [Regarding](#) City initiated request to vacate a segment of S.E. 27th Court between E. Railroad Avenue and the Norfolk Southern Railway. **Moved by Brooks to receive and file, and to refer to the City Manager for further processing in accordance with standard City property disposition procedures. Motion Carried 7-0.**

- [06-523](#) 26. [Regarding](#) request from Imperial III Partnership for approval of a preliminary subdivision plat for "Ellis Heights Plat 2" located at 5049 N.E. 14th Street in unincorporated Polk County, for subdivision review to allow division of the property into two parcels for a freestanding restaurant and for the primary commercial center. **Moved by Brooks to receive and file. Motion Carried 7-0.**

- [06-524](#) 27. [Regarding](#) request from ST Investments for vacation and conveyance of air rights of southern portion of East Court Avenue right-of-way adjoining 301 E. Court Avenue to allow for second floor balcony; and vacation and conveyance of segment of north/south alley adjoining 301 E. Court Avenue on the east, in the block bounded by E. Court Avenue, E. 3rd and E. 4th Streets. **Moved by Brooks to receive and file, and to refer to the City Manager for further processing in accordance with standard City property disposition procedures. Motion Carried 7-0.**

- [06-525](#) 28. [Regarding](#) request from Rumely, LLC for vacation and conveyance of air rights of north/south alley, west of 104 SW 4th Street and over north portion of Market, south of 104 SW 4th Street to allow for balconies; and vacation and conveyance of southern portion of Vine adjoining 104 SW 4th Street extending north to line 15' south of centerline of railroad track. **Moved by Brooks to receive and file, and to refer to the City Manager for further processing in accordance with standard City property disposition procedures. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [06-526](#) 29. [On](#) conveyance of remaining vacated east/west alley between 27th and 28th Streets, south of Cottage Grove, to Terri A. Fristo, \$50 and Pablo Cerda-Fernandez and Sara R. Cerda, \$50 (4-10-06). **Moved by Brooks to adopt. Motion Carried 7-0.**

- [06-527](#) 30. [On](#) conveyance of permanent easement for water main right-of-way and temporary

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

- [06-528](#) 31. **To** correct scrivener's error on vacation and conveyance of City-owned street and a rights-of-way located adjacent to 1101 E. 6th Street to Des Moines Independent School District, (4-10-06). **Moved by Brooks to adopt. Motion Carried 7-0.**
- [06-529](#) 32. **On** request from Dominic Formaro to rezone property located at 3004 E. 38th Street from "RI-70" (One-Family Low-Density Residential) to "C-1" (Neighborhood Retail Commercial), subject to conditions, (4-10-06). **Moved by Brooks to adopt. Motion Carried 7-0.**
- [06-530](#) 33. **On** request from Frank and Christine Holt for voluntary annexation of approx 10.5 acres in the vicinity of 4250 Grandview Avenue, (5-8-06). **Moved by Brooks to adopt. Motion Carried 7-0.**
- [06-531](#) 34. **On** request from Fleur Properties, LLC for an amendment to the design standards of an approved PUD conceptual plan "Airport Crossroads Conceptual Plan" located west of Fleur Drive, north of County Line Rd., **Plan and Zoning Commission recommends DENIAL**, (4-10-06). **Moved by Brooks to adopt. Motion Carried 7-0.**
- [06-532](#) 35. **On** the 17th Amendment to the Restated Urban Revitalization Plan for the City-wide Urban Revitalization Area to encourage redevelopment and revitalization of the Eastgate Commercial Center, Downtown and Neighborhood Retail Districts by providing an abatement for improvements, (4-10-06). **Moved by Brooks to adopt. Motion Carried 7-0.**
- [06-533](#) 36. **On** long term lease agreement with Federal Express Corporation for occupancy of newly constructed Cargo Building No. 32, ten-year term with two five-year options, \$204,000 annually plus maintenance and parking fees, (4-10-06). **Moved by Brooks to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [06-534](#) 37. **Approving** payment of \$652 to Tishler & Wald, Ltd. for representation in the U.S. Corporation bankruptcy and payment of \$337.23 to Barnes & Thornburg, LLP for representation in the ATA Holding Corporation bankruptcy. **Moved by Brooks to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

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

APPROVING

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

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

- [06-538](#) 41. [The](#) East Village Court, LLC application for Enterprise Zone Benefits for a project at 100 E. Court Avenue in the Des Moines Gateway Enterprise Zone. ([Council Communication No. 06-132](#)) **Moved by Brooks to approve. Motion Carried 7-0.**

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

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

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

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

46. Bids from the following:

- [06-543](#) (A) [Mario's](#) Lawn Services, for an annual contract with two additional one-year renewals.

options to furnish mowing and trimming services for Woodland, Simms and Grove Cemeteries. (Ten bids mailed, four received.) **Moved by Brooks to adopt. Motion Carried 7-0.**

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

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

[06-546](#) 47. [Receipt](#) of the Legislative Update for the 81st Iowa General Assembly. **Moved by Henry to receive and file the report. Motion Carried 7-0.**

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

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

ORDINANCES - FINAL CONSIDERATION

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

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

ORDINANCES - FIRST CONSIDERATION

[06-550](#)

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

- (A) Maximum load limit revision-East Payton Avenue Bridge over the creek, south of Easter Lake.
- (B) Greenwood School area parking revisions-38th Place/Greenwood Drive.
- (C) Stop signs at uncontrolled intersections in the area bounded by SE 6th Street on the West, Scott Avenue on the North, SE 14th Street on the East, and the Des Moines River on the South.
- (D) Parking meter time limit change-E. 4th Street from E. Walnut Street to E. Locust Street.
- (E) Parking restriction to facilitate movement of solid waste vehicles-West side of 38th Place, south of Urbandale Avenue.
- (F) Updating parking regulations-Western Gateway area between 13th Street and Grand Street from Grand Avenue to Locust Street.
- (G) Parking restriction adjacent to Events Center-West side of 2nd Avenue between Crocker and Crocker Streets.

[06-551](#)

(H) Final consideration of ordinance above. **Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended so that the ordinance be placed upon its final passage and that the ordinance be now pass, [#14,550](#). Motion Carried 7-0.**

COUNCIL REQUESTS

[06-552](#)

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

Council considered Item 60 next

HEARINGS (OPEN AT 5:05 P.M.) (ITEMS 53 THRU 59)

- [06-553](#) 53. [On](#) 2005 HUD Consolidated Annual Performance and Evaluation Report (CAPER), file in the City Clerk's Office). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [06-554](#) 54. [On](#) Voluntary Annexation of approximately 10 acres of land in Warren County, located west of County Highway R63 between Blue and Carpenter Streets, LeMar Koetsch. **Moved by Hensley to continue the public hearing until April 10, 2006 at 5:00 P.M. Motion Carried 7-0.**
- [06-555](#) 55. [On](#) City-initiated proposal to annex the north half of NE 40th Avenue, adjoining the City boundary. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [06-556](#) 56. [On](#) Lease Agreement with E-Z-Go Division of Textron, Inc., for rental of golf carts for one year period and allowing for one 3-year extension, \$74,194.38 annually. ([Council Communication No. 06-146](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-557](#) (A) [Authorizing](#) execution of lease agreement. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-558](#) 57. [On](#) 2006 Expanded Street Resurfacing Program – Arterial: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Des Moines Asphalt & Paving Co., (Jim Gauger, President), \$1,457,903.75. ([Council Communication No. 06-159](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [06-559](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [06-560](#) 58. [On](#) 2006 Expanded Street Resurfacing Program - Residential: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Des Moines Asphalt & Paving Co., (Jim Gauger, President), \$943,497.50. ([Council Communication No. 06-160](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [06-561](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- [06-562](#) 59. [On](#) Closes Creek Watershed-26th Street Detention and Storm Improvements: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Elder Corporation, (Jared R. Elder, President), \$2,836,999.99. ([Council Communication No. 06-161](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

Motion Carried 7-0.

[06-563](#)

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

[06-564](#)

- (B) [Approving](#) Professional Services Supplemental Agreement No. 3 with Snyder Associates, Inc., not to exceed \$92,800. ([Council Communication No. 06-136](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

END HEARINGS AT 5:12 PM

Council considered Items 62 thru Board of Health next

CITY MANAGER RECOMMENDATIONS

[06-565](#)

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

Council considered Hearing Items 53 thru 59 next

APPROVING

WITHDRAWN

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

[06-566](#)

62. [Second](#) Consideration of ordinance on vacation and conveyance of multiple (not constructed) streets and alleys in vicinity of SW 31st Street and Muskogee Avenue, all with ten City-owned parcels fronting such right-of-way to Barton A. Hicklin, \$20,000. **Moved by Hensley that this ordinance be considered and given second vote passage. Motion Carried 7-0.**

[06-567](#)

- (A) [Final](#) consideration of ordinance above, (waiver requested by applicant), requires 75% votes. ([Council Communication No. 06-163](#)) **Moved by Hensley that the ordinance requiring that an ordinance must be considered and voted on for passage at all Council meetings prior to the meeting at which it is to be finally passed and that if suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #14,551. Motion Carried 7-0.**

- [06-568](#) 63. Maintenance Agreement with Greater Des Moines Baseball Co. (Iowa Cubs) for custodial care and horticultural maintenance at James W. Cownie Soccer Park, not to exceed \$275,000 per year. ([Council Communication No. 06-147](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [06-569](#) 64. Adoption of new policies and procedures for administration of the HOME Investment Partnership Act (HOME PROGRAM). ([Council Communication No. 06-140](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [06-570](#) 65. Contract between the City Youth Advisory Board and Sheslow Auditorium on the Drake University Campus for the annual Metro Star Event scheduled for March 31, 2006 at 7 P.M. ([Council Communication No. 06-156](#)) **Moved by Vlassis to approve. Motion Carried 7-0.**

BOARD OF HEALTH

- [06-571](#) MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene at the Board of Health. Motion Carried 7-0.**

AUTHORIZING

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

- [06-572](#) (A) 2117 Delaware Avenue, Titleholder: Michael Woods. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-573](#) (B) 820 Grandview Avenue, Titleholder: Neighborhood Finance Corporation. **Moved by Mahaffey to defer for 6 months; at that time, present a status report to Council. Motion Carried 7-0.**

WITHDRAWN

- [05-574](#) (C) ~~1108 E. 8th Street, Titleholder: Antonio Navarro Flores; Mortgage Holders: Neighborhood Finance Corporation.~~
- [06-575](#) (D) 1512 23rd Street, Titleholder: Rick Prettyman d/b/a Forest Renewal, Inc. **Moved by Vlassis to defer to April 10, 2006 Council meeting; property owner will submit a work plan and proof of financial capability. Motion Carried 7-0.**
- [06-576](#) (E) 1548 23rd Street (garage), Titleholder: Nathan Amadeo. **Moved by Kiernan to defer to April 10, 2006 Council meeting; property owner will submit a work plan and proof of financial capability. Motion Carried 7-0.**
- [06-577](#) (F) 3721 SE 24th Court, Titleholder: Sara A. Cowger and Michael G. Fuller; Mortgage Holders: CitiMortgage, Inc. and Wells Fargo Bank, N.A. **Moved by Vlassis to adopt. Motion Carried 7-0.**

adopt. Motion Carried 7-0.

- [06-578](#) (G) [124](#) E. 35th Court, Titleholders: Brian H. Ehlert and Janice R. Ehlert; Mortgage Holders: Bank of America, N.A. and Iowa State Bank. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [06-579](#) 2. [The](#) Engineering Department to cause the removal of the structure located at 1210 York. Titleholder: Adams Broderick a/k/a Adam Broderick; Mortgage Holder: Polk County Bank. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [06-580](#) 3. [Release](#) of demolition costs reserve held by Allied Insurance regarding property known as 1610 E. 9th Street held under claim number 14R43188 insured by MarySue McMulin with no claim being made for enforcement costs. **Moved by Hensley to adopt. Motion Carried 7-0.**

COMMUNICATION

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

[06-582](#) MOTION TO ADJOURN. **Moved by Coleman to adjourn at 5:59 P.M. Motion Carried 7-0.**

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