

***** 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

February 20, 2006

Reception for City Manager Richard A. Clark – 3:00 P.M. to 4:00 P.M.

Closed Session – 4:00 P.M.

Municipal Housing Agency Governing Board – 4:15 P.M.

Council Meeting - 4:30 P.M.

I. CLOSED SESSION – 4:00 P.M.

- 06-311 (A) Roll Call. **Present: Cownie, Coleman, Kiernan, Hensley, Brooks and Vlassis**
Absent: Mahaffey.
- 06-312 (B) Recess, and reconvene in closed session pursuant to Section 21.5, subsection 2, paragraph C of the Code of Iowa, to discuss as necessary strategy with counsel on legal matters that are presently in litigation or where litigation is imminent, where disclosure would be likely to prejudice or disadvantage the position of the City.
Moved by Hensley to adopt. Motion Carried 6-1.
- 06-313 (C) Closed Session. **Council Member Mahaffey entered the meeting during the closed session.**
- 06-314 (D) Terminate closed session and reconvene in open session. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- 06-315 (E) Motion to adjourn. **Moved by Vlassis to adjourn at 4:26 PM. Motion Carried 7-0.**

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INVOCATION: Chaplain John Harrell
Fire Department

06-323 1. ROLL CALL: **Present: Cownie, Brooks, Coleman, Hensley, Mahaffey, Kiernan and Vlassis.**

06-324 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley 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.**

06-325 3. APPROVING CONSENT AGENDA – items 3 through 42: **Moved by Hensley to adopt the balance of the consent agenda. Motion Carried 7-0.**

LICENSES AND PERMITS

06-326 4. Approving Alcoholic Beverage License applications for the following: **Moved by Hensley to adopt. Motion Carried 7-0.**

NEW APPLICATIONS

(A) MARS CAFE 2318 UNIVERSITY AVE C Beer/Wine

RENEWAL APPLICATIONS

(B) CENTRAL CITY LIQUOR 1460 2ND AVE E Liquor
(C) HY VEE FOOD STORE #1 3330 M. L. KING JR PKWY C Beer
(D) INGERSOLL LIQUOR & BEV. 3500 INGERSOLL AVENUE E Liquor
(E) J BENJAMINS 5800 FRANKLIN AVE C Liquor
(F) LINNS SUPER MARKET 3805 6TH AVE C Beer
(G) MANNINGS 2102 INDIANOLA AVE C Liquor
(H) QUIKTRIP #501 2221 E EUCLID AVE C Beer
(I) RACCOON RIVER BREWING CO. 200 10TH ST C Liquor
(J) RICCELLIS SUPPER CLUB 3803 INDIANOLA AVE C Liquor
(K) SOUTHPORT SPORTS BAR 1101 ARMY POST RD C Liquor
(L) THAI FLAVORS 1254 E 14TH ST C Beer/Wine

- 06-327 5. City Clerk to issue Cigarette Licenses. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 06-328 6. City Clerk to issue Coin Operated Machine Licenses. **Moved by Hensley to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

- 7. Resolution Ordering Construction of the following:
 - 06-329 (A) Closes Creek Watershed – 26th Street Detention and Storm Improvements-Receiving of Bids, (3-7-06), and Setting Date of Hearing, (3-20-06). (Construction Estimate -\$2,605,827). ([Council Communication No. 06-094](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
 - 06-330 (B) 2006 Expended Street Resurfacing Program – Arterial - Receiving of Bids, (3-7-06) and Setting Date of Hearing, (3-20-06). (Construction Estimate -\$1,490,000) ([Council Communication No. 06-095](#)) **Moved by Mahaffey to adopt. Motion Carried 6-1. Nays: Brooks.**
 - 06-331 (C) 2006 Expanded Street Resurfacing Program – Residential - Receiving of bids, (3-7-06), and Setting Date of Hearing, (3-20-06). (Construction Estimate -\$1,000,000) ([Council Communication No. 06-096](#)) **Moved by Mahaffey to adopt. Motion Carried 6-1. Nays: Brooks.**
- 06-332 8. Approving Professional Services Agreement with Veenstra & Kimm, Inc. to perform design and construction phase services in conjunction with 12th Street Storm Sewer Project. Total cost not to exceed \$230,466. ([Council Communication No. 06-091](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- 06-333 9. Approving execution of IDOT preconstruction agreement for noise wall construction and traffic signals from Easton Blvd. to Guthrie Avenue (east side). ([Council Communication No. 06-092](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- 06-334 10. Levying assessments for costs of nuisance abatement NAC-Emergency Ordinance (Community Development) Schedule No. 2005-22. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 06-335 11. Approving deletion of NAC-Emergency Assessments at various locations. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 06-336 12. Approving delinquent sewer rental and/or solid waste/stormwater utility fees for January 2006.

2006. **Moved by Hensley to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- 06-337 13. Real estate documents for 4425 NE 46th Street for Delaware Elementary School Addition Project. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 06-338 14. Approving 435 tax abatement applications for improvements made to property during 2005. ([Council Communication No. 06-088](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Pass: Kiernan.**
- 06-339 15. Conditionally approving tax abatement application for 2120 E Army Post Rd. for improvements completed in 2005. ([Council Communication No. 06-083](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- 06-340 16. Approving nine late-filed tax abatement applications for additional value added improvements made between 2000 and 2002. ([Council Communication No. 06-080](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
17. NUMBER NOT USED.
- 06-341 18. Denying tax abatement application for 400 E Burnham Avenue, (no improvements have been made to the property). ([Council Communication No. 06-087](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- 06-342 19. Approving Revised Rules and Regulations for the Des Moines Human Rights Commission. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 06-343 20. Recommendation from Mayor Frank Cownie to appoint Mike Matthes, Assistant City Manager, as the City's representative to the Polk County Housing Continuum Board, effective February 20, 2006. **Moved by Hensley to adopt. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

- 06-344 21. Regarding proposed 12th Amendment to the Central Place Industrial Park Redevelopment Program Urban Renewal Plan. **Moved by Hensley to receive and file. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- 06-345 22. On 2005 HUD Consolidated Annual Performance and Evaluation Report (CAPER), (3-06). **Moved by Hensley to adopt. Motion Carried 7-0.**
- 06-346 23. On Lease Agreement with Des Moines Rowing Club (DMRC) to lease a portion of Overlook Terrace located in Gray's Lake Park to store DMRC equipment and boats, (3-06), \$3,375 annually. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 06-347 24. On vacation and conveyance of multiple paper (non-constructed) streets and alleys in vicinity of SW 31st Street and Muskogee Avenue, along with ten City-owned parcels fronting such right-of-way to Barton A. Hicklin, \$20,000, (3-6-06). **Moved by Hensley to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT – CLAIM SETTLEMENTS & BILLINGS

- 06-348 25. Approving payment of \$2,049.68 to Enterprise Rent-A-Car for rental car expense incurred by Carla and Jeff Forcier as the result of an auto accident. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 06-349 26. Approving payment of \$4,193.75 to Ahlers & Cooney, P.C. for general matters. **Moved by Hensley to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- 06-350 27. Submitting out-of-state travel requests for Bill McCarthy, Thomas Turner, Scott Ralston, Richard Zimmerman, Anthony Gomez, Kelly Drane, David Lillard, Joe Gonzalez and Michael D. Gonzalez. ([Council Communication No. 06-099](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

APPROVING

- 06-351 28. Revised HOME Agreements for buyers of homes in New Construction Program. ([Council Communication No. 06-081](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- 06-352 29. Fiscal Year 2001 Supportive Housing Program (SHP) Closeout Documents. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 06-353 30. First Amendment to City Loan Agreement with Beckley Properties, LLC and Beckley Imports, Inc. to defer loan repayment beginning date and changing the jobs created deadline date to April 30, 2008. ([Council Communication No. 06-110](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- 06-354 31. Application for Enterprise Zone Benefits from Highland Company, LLC for construction of 138 condominiums at 2019 Ingersoll Avenue in the Des Moines Ingersoll Enterprise Zone. ([Council Communication No. 06-080](#)) **Moved by Hensley to approve. Motion Carried 7-0.**
32. Application for Enterprise Zone Certification for the following: ([Council Communication No. 06-076](#))
- 06-355 (A) Proposed Forest Avenue - 5.59 acres generally between the vacated alley, east of Street and 23rd Street on the north and south sides of Forest Avenue. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 06-356 (B) Proposed High Street – 5.08 acres generally between High and Ingersoll from 17th and 19th Street. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 06-357 (C) Proposed River South One – 23.84 acres generally between Indianola Avenue and 4th and north of Jackson Avenue and E. Livingston. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 06-358 (D) Proposed River South Two – 4.88 acres generally between Indianola Avenue, SE Jackson and Granger. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 06-359 33. Assignment of Tax Sale Certificates for six properties -- three to Greater Des Moines Habitat for Humanity and three to Community Housing Development Corporation. ([Council Communication No. 06-089](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- 06-360 34. Assignment of Embassy Suites Parking Lot Lease, Pledge of Tenant’s Interest in Lease and Parking Lease Estoppel. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 06-361 35. Justice Assistance Grant award from the Office of Justice, \$101,323. ([Council Communication No. 06-079](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- 06-362 36. Contract closure with Siemens VDO Automotive Corporation for the Public Safety Information System, \$500,000. **Moved by Hensley to adopt. Motion Carried 7-0.**
- 06-363 37. Receipt of Airport Board Regulation No. 06-51 regarding general safety rules. **Moved by Hensley to adopt. Motion Carried 7-0.**

38. Bids from the following:

- 06-364 (A) Sun Badge Company for uniform badges and cap shields to be used by the Police Department, \$25,270. (Eleven bids mailed, seven received.) ([Council Communication No. 06-100](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- 06-365 (B) Taylor Made Ambulances for three (3) replacement ambulances and accessories, sale or trade-in of two (2) existing ambulances to be used by the Fire Department, \$350,260. (Ten bids mailed, three received.) ([Council Communication No. 06-074](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- 06-366 (C) Toyne Inc. for one (1) replacement fire pumper truck to be used by the Fire Department, \$397,821. (Eleven bids mailed, three received.) ([Council Communication No. 06-075](#)) **Moved by Vlassis to adopt. Motion Carried 6-0. Nays: Hensley.**
- 06-367 (D) Neenah Foundry Company for manhole castings to be used by the Sewers Operation Division, \$41,250. (Eleven bids mailed, three received.) **Moved by Hensley to adopt. Motion Carried 7-0.**
- 06-368 (E) Comiskey Glass for window and door replacement services at Chesterfield Community Center, \$28,236. (Seven bids mailed, four received.) **Moved by Hensley to adopt. Motion Carried 7-0.**
- 06-369 (F) A and Z Enterprises annual contract with two (2) additional one year renewal options for sound, light and stagehand services to be used by the Park & Recreation Department for Nitefall on the River concert series. (Six bids mailed, one received.) ([Council Communication No. 06-103](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- 06-370 39. Receipt of Legislative Update for the 81st Iowa General Assembly. **Moved by Hensley to receive and file. Motion Carried 7-0.**
- 06-371 40. Civil Service Entrance Lists for Airport Operations Assistant, Street Maintenance Worker and Operator Helper and Promotional Lists for Housing Services Maintenance Mechanic and Fleet Service Mechanic Team Leader. **Moved by Hensley to receive and file. Motion Carried 7-0.**
- 06-372 41. Authorizing Finance Director to draw checks on the registers for the weeks of February 13 and February 27, 2006 and to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of February 20 and February 27, 2006; and to draw checks for biweekly payroll due March 3, 2006. **Moved by Hensley to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

- 06-373 42. Amending Chapter 74 of the Municipal Code regarding fees for golf courses. **Moved by Hensley that this ordinance do now pass, [#14,543](#). Motion Carried 7-0.**

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

ORDINANCES - FIRST CONSIDERATION

- 06-374 43. Amending Chapter 22 of the Municipal Code regarding FAA standards for vehicles operate on open runways and taxiways at the Airport. ([Council Communication No. 108](#)) **Moved by Hensley that this ordinance be considered and given first vote passage. Motion Carried 7-0.**

- 06-375 (A) Final consideration of ordinance above, (waiver requested by Airport Board), require 6 votes. **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, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#14,544](#). Motion Carried 7-0.**

- 06-376 44. Amending Chapter 118 of the Municipal Code regarding Regulation of Industrial Wastewater and Commercial Wastewater to provide for various fees that make Industrial Pretreatment Program self-funded and to add enforcement mechanisms required by the Iowa Department of Natural Resources. ([Council Communication No. 101](#)) **Moved by Kiernan that this ordinance be considered and given first vote passage. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

- 06-377 45. Receive and file the adopted budget of the Des Moines Water Works for calendar year ending December 31, 2006, (continued from January 9th). **Moved by Coleman to receive, file and authorize the City Clerk to forward the budget to the Polk County Auditor. Motion Carried 6-1. Pass: Vlassis.**

- 06-378 46. Receive and file the Financial Statements of the Des Moines International Airport for year ended June 30, 2005 and Independent Auditor's Report. ([Council Communication No. 107](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- 06-379 47. Receive and file the Annual Report of the Des Moines International Airport for year ended June 30, 2005. ([Council Communication No. 06-109](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**

***Note:If the City Council completes all items above before 5:00 PM, they will skip Hearing Items, and continue the agenda starting with the next item following the Hearing. At 5:00 PM, they will return to this point in the agenda to consider the Hearing Items and then continue with all the remaining items on the agenda.**

HEARINGS (OPEN AT 4:55 P.M.) (ITEMS 48 THRU 59)

- 06-380 48. On appeal from Stacey Sater-Johnson, 1447 Osceola Avenue, of the Administrative Hearing Officer's decision regarding her dog. **Moved by Brooks to reverse declaration and to allow the owners to remove the dog from Des Moines; and if it is returned to Des Moines it will be immediately destroyed. Motion Carried 5-2. Nays: Vlassis and Cownie.**
- 06-381 49. On appeal from Julie Miller, 5620 NE 12th Avenue, Altoona, IA, of the Administrative Hearing Officer's decision regarding vehicle impound. **Moved by Kiernan to reverse decision. Motion Carried 6-1. Nays:Vlassis.**
- 06-382 50. On appeal from Roger Wichlacz, 3808 John Lynde Road, of the Administrative Hearing Officer's decision regarding vehicle impound. **Moved by Hensley to reverse decision subject to the Police Department review of the area and determination that it was properly signed. Motion Carried 5-2. Nays: Coleman and Vlassis.**
- 06-383 51. On Sublease Agreement between Compass Group USA, Inc. d.b.a. Select Service Partners and Aero Service Partners, a subsidiary of Orient Restaurant Inc. to operate a "Friedrich World Coffee" concession at the airport. ([Council Communication No. 06-106](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- 06-384 52. On sale of City-owned property at 5712 Winona Avenue, to R. M. Madden Construction Company, \$25, 231, (continued from February 6th). ([Council Communication No. 06-104](#)) **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Brooks.**
- 06-385 53. On vacation and conveyance of City-owned street and alley rights-of-way adjacent to in vicinity of 1101 E. 6th Street to Des Moines Independent School District, \$3,200. ([Council Communication No. 06-093](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- 06-386 (A) First consideration of ordinance above. **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- 06-387 (B) Final consideration of ordinance above, (waiver requested by the Des Moines Independent School District), requires 6 votes. **Moved by Mahaffey 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 be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #14,545. Motion Carried 7-0.**

- 06-388 54. On request from American Fence Company to rezone property in vicinity of 1 Delaware Avenue from “C-2” (General Retail and Highway-Oriented Commercial) to “C-1” (Light Industrial) to allow an outdoor contractor equipment storage yard, subject to conditions. **Moved by Mahaffey to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 7-0.**
- 06-389 (A) First consideration of ordinance above. **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- 06-390 (B) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by Mahaffey 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, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#14,5](#). Motion Carried 7-0.**
- 06-391 55. On request from ST Investments to rezone property at 301 E. Court Avenue from “M-1” (Light Industrial) to “C-3” (Central Business) to allow renovation and expansion of structure for mixed-use residential and commercial use, subject to conditions. **Moved by Brooks to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 6-1. Absent: Coleman.**
- 06-392 (A) First consideration of ordinance above. **Moved by Brooks that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Coleman.**
- WITHDRAWN
- 06-393 (B) ~~Final consideration of ordinance above, (waiver requested by property owner) requires 6 votes.~~
- 06-394 56. On request from Wyckoff Industries to rezone a portion of the property at 1201 East D Street from “R1-60” (One-Family Low-Density Residential) to “C-2” (General Retail and Highway-Oriented Commercial) to allow construction of an accessory storage building, subject to conditions. **Moved by Brooks to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 7-0.**
- 06-395 (A) First consideration of ordinance above. **Moved by Brooks that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- 06-396 (B) Final consideration of ordinance above, (waiver requested by property owner) requires 6 votes. **Moved by Brooks 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, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#14,5](#). Motion Carried 7-0.**

- 06-397 57. On proposed permanent easement for ingress and egress at vacated 18th Street right-of-way between Olive Street and School Street to Olive Street Development Co., L.L.C. **Moved by Kiernan to adopt. Motion Carried 7-0.**
- 06-398 58. On Blank Park Zoo 2006 Walkway Replacement: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating low responsible bidder as Sheets Excavating, Ltd., (Charles Sheets, President, Montezuma, \$75,173.60. ([Council Communication No. 06-098](#)) **Moved by Brooks to adopt. Motion Carried 7-0.**
- 06-399 (A) Approving contract and bond and permission to sublet. **Moved by Brooks to adopt. Motion Carried 7-0.**
- 06-400 59. On 2006 Sidewalk Replacement Program – Contract 1: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating low responsible bidder as Universal Concrete, Ltd., (Timothy A. Talley, Sr., President, Clinton, \$92,126.50. ([Council Communication No. 06-097](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- 06-401 (A) Approving contract and bond. **Moved by Coleman to adopt. Motion Carried 7-0.**

END HEARINGS AT 5:42 P.M.

APPROVING

- 06-402 60. Bids for three (3) replacement refuse trucks (two front loading and one side loading), to be used by the Solid Waste Division from Peterbilt of Des Moines, \$300,759; McNeilus Truck and Manufacturing, \$170,000; and Eddy-Walker Equipment Company, \$80,689 for a total of \$551,448. (Twelve bids mailed, seven received.) ([Council Communication No. 082](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- 06-403 (A) Execution of Supplement No. B3 to the Governmental Lease-Purchase Master Agreement with Banc of America Leasing & Capital, LLC to acquire vehicles for the Public Works Solid Waste Division, \$400,000. ([Council Communication No. 078](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**
- 06-404 61. Court Avenue Two-Way Traffic Study – 2nd Avenue to 5th Avenue Final Report and Recommendations. ([Council Communication No. 06-090](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- 06-405 62. Statement of Intent and Understanding to Develop a Multijurisdictional Multi-hazard Mitigation Plan. ([Council Communication No. 06-102](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

06-406 63. Labor Agreement with the American Federation of State, County and Municipal Employees (AFSCME), Council 61 and its Affiliated Local 3673. ([Communication No. 06-077](#)) **Moved by Kiernan to adopt. Motion Carried 7-0.**

BOARD OF HEALTH

06-407 MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene a 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:

WITHDRAWN

06-408 (A) ~~19 E. Titus Avenue (garage), Titleholder: Centex Home Equity Company, LLC.~~

06-409 (B) 2936 E. Washington Avenue, Titleholder: David Farrell; Mortgage Holder: F Horizon Home Loan Corporation. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

06-410 2. The Engineering Department to cause the removal of the structure at 1222 12th St (garage), Titleholder: Mooring Tax Asset Group XXXIV, LLC. **Moved by Hensley to adopt. Motion Carried 7-0.**

06-411 Motion to adjourn. **Moved by Vlassis to adjourn at 5:42 PM. Motion Carried 7-0.**

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