

SUMMARY OF DES MOINES CITY COUNCIL MEETING

April 15, 1996 4:30 P.M.

INVOCATION: Donna Boetel-Baker

City Clerk

96-1322 1. ROLL CALL: **Present: Davis, Daniels, Flagg, Hensley, McPherson, Phillips and Vlassis.**

96-1323 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**

96-1324 3. APPROVING CONSENT AGENDA - items 3 through 91. **Moved by Vlassis to adopt the balance of the consent agenda. Motion Carried 7-0.**

LICENSES AND PERMITS:

Approving

96-1325 4. Communication from Legal Department regarding April 15, 1996 License and Permit Agenda. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

Class "B" Beer Licenses

96-1326 5. S & L Food Services, Inc., Ronald H. Smith, President dba Mustard's Restaurant, 2923 Southwest 9th Street; Renewal - Expires 5-13-96 (With Sunday Sales) - Application submitted 3-29-96. **Moved by Vlassis to adopt. Motion Carried 6-0. Mayor Davis declares a conflict of interest, and abstains from voting.**

LICENSES AND PERMITS (continued):

Class "E" Beer Licenses

96-1327 6. Quik Trip Corporation, Chester Cadieux, President dba Quik Trip #515, 1421 Ingersoll; Renewal - Expires 5-11-96 (With Sunday Sales) - Application submitted 3-7-96. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Class "C" Beer-Wine Licenses

96-1328 7. Limitless, Inc., Dawn Thorpe, President dba Bistro Internazionale, 216 6th Avenue; Renewal - Expires 4-24-96 (With Sunday Sales) - Application submitted 3-21-96. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1329 8. Java Joe Coffee House, Inc. Joe Coppola, Jr., CEO dba Java Joe's, 214 - 216 4th Street; New Application (With Sunday Sales) - Application submitted 3-18-96. **Moved by Vlassis to adopt. Motion Carried 6-0. Mayor Davis declares a conflict of interest, and abstains from voting.**

Class "C" Liquor Licenses

96-1330 9. All In The Family Lounge, Inc., Helen L. Gordon, President dba All In The Family Lounge, 4413 Fleur Drive; Renewal - Expires 5-1-96 (With Sunday Sales) - Application submitted 3-25-96. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Daniels.**

96-1331 10. FBM, Inc., Frank A. Bae Daro, President dba Alpine Tap Room, 2720 Ingersoll; Renewal - Expires 4-20-96 - Application submitted 3-14-96. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Daniels.**

96-1332 11. Brook L. Smith dba El Patio Restaurant, 611 37th Street;

WITHDRAWN Renewal - Expired 4-14-96 (With Sunday Sales and Beer Garden) - Application submitted 3-27-96.

96-1333 12. PLK Corporation, Michael E. Hines, President dba Greenwood Lounge, 3707 Ingersoll; Renewal - Expires 4-23-96 - Application submitted 4-23-96. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Daniels.**

96-1334 13. M & R Investments Inc., Randall J. Bradley, President dba Sudsuckers, 1511 East Army Post Road; New Application (With Sunday Sales) - Application submitted 3-18-96. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Daniels.**

96-1335 14. Thirsty Fish, Inc., Deborah S. Heathcote, President dba Thirsty Fish, 2114 Southeast 14th Street; Renewal - Expires 5-15-96 (With Sunday Sales) - Application submitted 4-2-96. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Daniels.**

LICENSES AND PERMITS (continued):

Class "E" Liquor Licenses

96-1336 15. Hy Vee Inc., Ronald D. Pearson, President dba Hy Vee Store #2, 2540 East Euclid; Renewal - Expires 5-4-96 - Application submitted 3-29-96. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Daniels.**

Authorizing

96-1337 16. City Clerk to issue Cigarette Licenses. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Daniels.**

96-1338 17. City Clerk to issue Coin-Operated Machines License. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Daniels.**

Beer Gardens

96-1339 18. Approving deviation from Council policy regarding temporary (tent) beer garden application from Peggy's Corporation, James Scheetz, President dba Peggy's Cafe & Tavern, 3020 Forest; Application submitted 3-21-96 for events to be held April 21, thru April 27, 1996. Subject to submission of acceptable fire inspection. **Moved by Hensley to approve subject to submission of acceptable fire inspection. Motion Carried 7-0.**

96-1340 19. Approving deviation from Council policy regarding temporary (tent) beer garden application from Peggy's Corporation, James Scheetz, President dba Peggy's Cafe & Tavern, 3020 Forest; Application submitted 3-21-96 for events to be held May 8, thru May 12, 1996. Subject to submission of acceptable fire inspection. **Moved by Hensley to approve subject to submission of acceptable fire inspection. Motion Carried 7-0.**

96-1341 20. Approving temporary beer garden application from Lowell M. Coil dba University Library Cafe, 3506 University; Application submitted 3-25-96 for events to be held April 25, thru April 28, 1996. **Moved by Hensley to adopt. Motion Carried 7-0.**

Gamerrooms

96-1342 21. Mary Linn Coenen dba Holidays, 3900 Northeast 14th Street; New Application. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Refunds

96-1343 22. City Treasurer to issue refunds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

23. Designating lowest responsible bidder and Contracts for the following:

96-1344 (a) Des Moines Skywalk System Bridge 1C-2C--Court Avenue Parking Garage to Polk County Administration Building, Neumann Brothers, Inc., C. Arthur Wittmack, President, 1435 Ohio Street, \$799,400. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1345 (b) Des Moines Skywalk System Bridge 2C-2D--Court Avenue Parking Garage, north past Federal Building, across Walnut to Civic Center, and Bridge 2C-3C--Federal Building west

across Third Street to Plaza Condominiums, Neumann Brothers, Inc., C. Arthur Wittmack, President, 1435 Ohio Street, \$2,973,000. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1346 (c) Supplemental Agreement No. 2 for Professional Services for Construction-Phase Services and Special Inspection on Skywalk Bridge 1C-2C between Polk County Office Building and Court Avenue Garage, Brooks Borg & Skiles Architects-Engineers, not to exceed \$41,400. **Moved by McPherson to adopt. Motion Carried 7-0.**

24. Resolution Ordering Construction of the following:

96-1347 (a) Demolition Contract No. 163 for 16 addresses, (See roll call for list). Receiving of Bids, (4-30-96), and Setting Date of Hearing, (5-6-96), (Construction Estimate - \$126,975). **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1348 (b) Asbestos Removal - Martin Luther King, Jr., Parkway, Phase 1, for 4 addresses, (See roll call for list). Receiving of Bids, (4-30-96), and Setting Date of Hearing, (5-6-96), (Construction Estimate - \$245,000). **Moved by Hensley to adopt. Motion Carried 7-0.**

96-1349 (c) Asbestos Removal - Martin Luther King, Jr., Parkway, Phase 2, Receiving of Bids, (4-30-96), and Setting Date of Hearing, (5-6-96), (Construction Estimate - \$33,500). **Moved by Hensley to adopt. Motion Carried 7-0.**

96-1350 (d) Arlington Avenue Pavement Repair, College Avenue to Franklin Avenue, Receiving of Bids, (4-30-96), and Setting Date of Hearing, (5-6-96), (Construction Estimate - \$92,460). **Moved by Hensley to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS (continued)

96-1351 25. Approving Official Street Construction Program Report for July 1, 1996, thru June 30, 2001 and submission to Iowa Department of Transportation on or before May 1, 1996 to continue City's eligibility for Road Use Tax (RUT) allotments. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1352 26. Authorizing City Engineer to proceed with sidewalk construction, waivers signed by two property owners, (see roll call for list). **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1353 27. Appointing L. E. Calvert, Joseph J. Bell and Rebecca K. Orr as the Valuation Committee for the 1996 Intermediate Paving Program and 1995 Paving Program No. 1--1996-42. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1354 28. Communications from various contractors requesting permission to sublet certain items on three public improvement projects. (See roll call for list). **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1355 29. Report of Chief Civil Engineer showing construction progress, amount due and funding availability for Fire Station No. 1 Remodeling - Phase 3, Big Boy's Construction Company, \$5,596.45 is now due and \$5,569.35 the remaining balance to be paid at the end of 30 days. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1356 30. Approving partial payments on seven public improvement projects, (See roll call for list). **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1357 31. Approving agreement for installation of three-phase overhead electrical service at Birdland Park Tennis Courts with MidAmerican Energy, in an amount not to exceed \$10,975. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1358 32. Private Construction contract for median modifications on Euclid Avenue to provide access to Osco Drug #488, 2821 E. Euclid Avenue, Dearborn Construction, Inc., Contractors, and American Stores Properties, Inc., Owners. **Moved by Vlassis to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

96-1359 33. Resolution levying assessments for cost of Nuisance Abatement-NAC-Emergency Orders, Schedule No. 1996-44 and providing for payment thereof. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1360 34. Authorizing Assessment Clerk to correct Delinquent Sewer Rental and Solid Waste charges, on Schedule No. 1995-21, which were charged to 721 Euclid Avenue and upon investigation by the Public Works Department should be deleted. **Moved by Vlassis to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

96-1361 35. Fair Market Value for property at 4131 E. 14th Street, from Benjamin F. Sorensen, Jr., in conjunction with US 69(East 14th Street) and Aurora Avenue Intersection Improvement - \$190,000. **Moved by McPherson to adopt. Motion Carried 7-0.**

96-1362 36. Issuance of replacement Quit Claim Deed to Roland D. and Beverly J. Hayes, conveying a portion of alley right-of-way south of 3200 block of Mahaska. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1363 37. Issuance of replacement Quit Claim Deeds to Lionnie L. and Julie L. Lawler, and to Normal J. and Darlene Petersen, conveying of alley right-of-way north of the 3200 block of State Street. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1364 38. Subdivision Plat entitled TORI'S ADDITION, vicinity of SE 17th Street and Glenwood Drive, developed by R.M. Madden, see map. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1365 39. Temporary Easement for Construction, Backslope and Property Adjustment Easement and Release, Temporary Access Easement, in conjunction with Iowa 6(East Euclid Avenue) and Delaware Avenue Intersection Improvement, from Delaware Development Company, 3801 Delaware Avenue - \$27. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1366 40. Backslope and Property Adjustment Easements and Releases, in conjunction with Iowa 5(Army Post Road) and South Union Intersection Improvement, from Ronald P. and Beatrice J. Hensel, 18 E. Army Post Road - \$50, Lois L. Stech, 114 E. Army Post Road - \$50. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1367 41. Temporary Easement for Construction and Temporary Access Easement, in conjunction with Southern Hills Ditch Improvement, from The Park at Southern Hills Owners Association, Incorporated, the Park at Southern Hills - \$2. **Moved by Vlassis to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

42. Communications from various Board and Commission Members submitting their resignations effective immediately:

96-1368 (a) Evelyn Murphy from the Greater Des Moines Sister City Commission. **Moved by Vlassis to receive, file and accept with deep regret. Motion Carried 7-0.**

96-1369 (b) T. M. Cownie from the Des Moines Convention Center Advisory Board. **Moved by Vlassis to receive, file and accept with deep regret. Motion Carried 7-0.**

96-1370 (c) City Plan Commission requesting Council to declare Jennifer Tyler's seat vacant. **Moved by Vlassis to receive, file and declare seat vacant. Motion Carried 7-0.**

96-1371 (d) Electrical Board of Examiners requesting Council to declare Steven Cook's seat vacant. **Moved by Vlassis to receive, file and declare seat vacant. Motion Carried 7-0.**

96-1372 (e) Communication from Steve Addy, Model City Task Force, submitting his resignation effective April 8, 1996. **Moved by Vlassis to receive and file and accept with deep regret. Motion Carried 7-0.**

96-1373 43. Nomination recommendation of Council Member Tom Vlassis, Ward I for appointment of Reginald Jackson to the Human Rights Commission for three-year term to expire April 5, 1999. **Moved by Vlassis to adopt. Motion Carried 7-0.**

44. Nomination recommendations from Council Member Chris Hensley, Ward III to various City Boards and Commissions:

96-1374 (a) Appointment of T.M. Franklin Cownie to the City Plan Commission for a five-year term to expire July 5, 2000. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1375 (b) Reappointment of Christine Manbeck to the Neighborhood Advisory Board for a three-year term to expire April 5, 1999. **Moved by Vlassis to adopt. Motion Carried 7-0.**

45. Nomination recommendations from Council Member Mike McPherson to various City Boards and Commissions:

96-1376 (a) Reappointment of John Pulley to the Building Code Board of Appeals for two-year term to expire April 6, 1998. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1377 (b) Reappointment of Robert A. Smith to the Skywalk Commission for three-year term to expire April 5, 1999. **Moved by Vlassis to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS (continued)

96-1378 46. Approving receipt of Attendance Reports for Board and Commissions governed by Section 2-48 of the Municipal Code. **Moved by Vlassis to adopt. Motion Carried 7-0.**

BLOCK PARTIES

96-1379 47. EC5 Neighborhood Association/P&R/Americorps/Nash Park, Janice Cochran, 1171 - 13th Street, requesting permission to close University Court from 9th Street to 10th Street, Saturday, May 11, 1996 from 11:00 A.M. to 6:00 P.M., Nash Park Celebration. **Moved by Vlassis to adopt. Motion Carried 7-0.**

CITY PLAN COMMISSION RECOMMENDATIONS

96-1380 48. Regarding request from Wayne L. Simmer, for vacation of surface rights and lease of a portion of the Guthrie Avenue right-of-way under the Guthrie Avenue Viaduct and east of Delaware Avenue. **Moved by Vlassis to adopt and to refer to City Manager and Legal Department for implementation. Motion Carried 7-0.**

96-1381 (a) Setting Date of Hearing on vacation and lease of above property, to Wayne L. Simmer Trust I and Wayne L. Simmer Trust II, 15-year term, annual rental of \$500 for first 5 years and \$750 for last 10 year, (4-22-96). **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1382 49. Regarding request from Donald G. Stewart, for vacation and conveyance of east/west alley right-of-way in the 2800 block of E. Washington. **Moved by Vlassis to adopt and refer to City Manager and Legal Department for implementation. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

96-1383 50. On proposed 12th Amendment to the Omnibus Urban Renewal Plan (an Original Urban Renewal Plan for the Logan Prime Service Area), to provide extension of boundaries for the Capitol East Neighborhood Project, and update the Acquisition and Disposition Maps, (5-20-96). **Moved by Vlassis to approve. Motion Carried 7-0.**

96-1384 51. On Lease Agreement with Norwest Investment Services, Inc., \$91,558, to pay costs for acquisition and equipping for a recycling truck for the city-Wide recycling program. (5-6-96). **Moved by Hensley to adopt. City Manager to provide a report on City's recycling efforts, by July. Motion Carried 7-0.**

SETTING DATE OF HEARINGS (continued)

96-1385 52. On conveyance of an easement, to the Savery Hotel L.C., for encroachment of the Savery Hotel building to the north into the adjoining vacated alley, (4-22-96). **Moved by Vlassis to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

96-1386 53. Approving payment in amount of \$8,889.09 to Ahlers, Cooney, Dorweiler, Haynie, Smith & Allbee, P.C. for consultation and legal services to the City on a variety of airport-related issues. **Moved by Flagg to defer action to April 22. Legal to report further on billing as to City's contracted hourly rate. Motion Carried 7-0.**

****Council considered Item 115 and Hearing Items 95 thru 106 next****

96-1387 54. Approving payment in amount of \$3,580.85 to Nyemaster, Goode, McLaughlin, Voights, West, Hansell & O'Brien for representation of City of Des Moines in labor and personnel matters. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1388 55. Approving payment in amount of \$2,232.97 to Hopkins and Huebner, P.C. for representation of William Moulder in lawsuit Thomas Simms VanBaale vs. City of Des Moines, et al. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1389 56. Approving payment in amount of \$78.50 to Davis, Hockenber, Wine, Brown, Koehn & Shors, P.C. for representation of Preston Daniels in case of Jerry Thompson v. City. **Moved by Vlassis to adopt. Motion Carried 6-0. Mayor Davis declares a conflict of interest, and abstains from voting.**

96-1390 57. Approving payment in amount of \$166.45 to Davis, Hockenber, Wine, Brown, Koehn & Shors, P.C. for representation of Kayne Robinson in lawsuit Thomas Simms Van Baale vs. City of Des Moines, et al. **Moved by Vlassis to adopt. Motion Carried 6-0. Mayor Davis declares a conflict of interest, and abstains from voting.**

96-1391 58. Approving payment in amount of \$760 to Austin, Gaudineer, Austin, Salmons & Swanson for representation of John Leporte in case of Robert Rissman, Jr., et al. v. City of Des Moines, et al. **Moved by Vlassis to approve payment. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS (continued)

96-1392 59. Approving payment in amount of \$4,409.50 to Harry Perkins III and law firm of Patterson, Lorentzen, Duffield, Timmons and Irish for representation of the City of Des Moines in lawsuits Keystone Electrical Manufacturing Co. v. City of Des Moines and Merchants White Line Warehousing, Inc., Reppert Transfer and Storage Co., and Ackerman Auto Parts Co., Inc. v. City of Des Moines. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1393 60. Approving payment of \$234.70 to Robert Jester of Ensz and Jester, P.C. for representation of Robert DePugh v. Sutton et al., U.S. District Court, Civil No. 95-0394-cv-w-8. **Moved by Vlassis to approve payment. Motion Carried 7-0.**

96-1394 61. Authorizing Legal Department to retain Chester C. Woodburn III of Hansen, McClintock and Riley for defense of Stephen Strawser, and Guy R. Cook of Grefe and Sidney in defense of Roger Stiles at an hourly rate of \$95 per hour or lesser hourly rate for their staff attorneys for action pending in Federal District Court entitled Darby Smith v. City of Des Moines, et al. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1395 62. Approving payment in amount of \$6,284.62 to Cassandra Colosimo, Christina Colosimo, Charles Colosimo, Sr., Carolyn Colosimo and their Attorney, Mary S. Bernabe in settlement of Lawsuit No. CL 000 68449 against the City of Des Moines and Jack Christie. **Moved by Vlassis to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

96-1396 63. Letter of Credit Agreement with FAA, and change to Federal Transit Administration's Electronic Clearing House Operation (ECHO) System, to allow staff to draw down federal grant funds for direct wire transfer deposits. (Council Communication No. 96-157). **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1397 64. Renewal of Lease agreement with Electronic Information Corporation of Iowa (EIC) for installation of electronic sign at the Convention Center, one year term ending

December 31, 1996, \$2,000 per year. (Council Communication No. 96-148). **Moved by Vlassis to defer one week, to April 22. City Manager to report on lease arrangements. Motion Carried 7-0.**

96-1398 65. Intergovernmental 28E Agreement with City of Windsor Heights,

WITHDRAWN to provide limited animal control services, effective through July 1, 1999. (Council Communication No. 96-152).

96-1399 66. Reinstatement of Intergovernmental 28E Agreement with American Red Cross, for non-emergency transport of Medical Patients. (Council Communication No. 96-149). **Moved by Phillips to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS (continued)

96-1400 67. Pre-Design project Agreement with IDOT, for relocation of Iowa 5, near the existing Interstate 35/Iowa 5 interchange and extending east to the proposed relocated US 65/69 interchange. (Council Communication No. 96-154). **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1401 68. Establishing Fair Market Value and authorizing acquisition of Four Properties; 2020 Dixon (garage and shed)--\$6,000, 2006 Dixon (house, garage, 2 lots)--\$30,000, 2014 Dixon (house)--\$8,225 and 2010 Dixon Street (house)--\$1,600, Guthrie Avenue Urban Renewal Area. (Council Communication No. 96-164). **Moved by Vlassis to approve. Motion Carried 7-0.**

96-1402 69. Contract with International Jet Sport Boating Association (IJSBA) to host a national jet ski race at Gray's Lake Park, July 12-14, 1996. (Council Communication No. 96-165). **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1403 70. Submitting out-of-state travel requests for David Hernandez, Kenneth Danley, Margaret Chrismore, Camden Moran, and Michael Moody. (Council Communication No. 96-153). **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1404 71. Submitting traffic regulation changes at various locations, (see roll call for list). (Council Communication No. 96-151). **Moved by Vlassis to receive, file and refer to Legal Department for preparation of proper legislation. Motion Carried 7-0.**

96-1405 72. Regarding City of Des Moines Legislative Update of Seventh-Sixth Iowa General Assembly. **Moved by Vlassis to receive and file attached report. Motion Carried 7-0.**

APPROVING

96-1406 73. Competitive bid process to contract for beverage and food concessions at Ashworth Swimming Pool. **Moved by Vlassis to adopt. Motion Carried 7-0.**

74. Execution of Section 8 Existing Consolidated Annual Contributions Contract Renewal Projects, for the following Municipal Housing Agency Projects:

96-1407 (a) IA020VO0026. **Moved by Vlassis to adopt. Motion Carried 5-1-1. Nays: McPherson, Pass: Flagg.**

96-1408 (b) IA020CE0038. **Moved by Vlassis to adopt. Motion Carried 5-1-1. Nays: McPherson. Pass: Flagg.**

96-1409 (c) IA020CE0039. **Moved by Vlassis to adopt. Motion Carried 5-1-1. Nays: McPherson. Pass: Flagg.**

APPROVING (continued)

96-1410 75. Amendment to commitment amount, of HOME Investment Partnership Funds, for the Indianola at Eighth Rental Rehabilitation Project, (additional \$12,000, due to additional plumbing requirements). **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1411 76. Amendment One to the 1995 CDBG Summer Youth Employment Project, to reallocate \$4,446 of unexpended 1995 CDBG funds from the Grubb YMCA Youth and Family Scholarships Project to the 1996 Summer Youth Employment Project. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1412 77. Amendment Two to the 1994 CDBG Contract for Economic

WITHDRAWN Development Office Forest Avenue Corridor Revitalization Project, extending the project period to December 31, 1996, and decreasing the budget by \$43,647 to be available for reprogramming.

96-1413 78. Amendment Three to the 1995/96 Emergency Shelter Grant Contract for Community Voice Mail Project, changing the designated operating agency from Des Moines Coalition for the Homeless to Community Voice Mail, Inc. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Flagg.**

96-1414 79. Amendment Five to LIHEAP Contract, which adds \$56,000 to contract budget, total of \$1,227,610. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1415 80. Community Development Block Grant contract for Polk County Attorney officer, for the Victim/Offender Reconciliation Program/Neighborhood Mediation, \$40,000, January 1 through December 31, 1996. **Moved by Flagg to adopt. City Manager to work with Polk County to possibly assume full responsibility in the future, for this project, at County expense. Motion Carried 7-0.**

96-1416 81. Amendment One to the DMALF Loan Agreement with Accent Holding Company, L.C., to allow distribution to members of the Company, in equal amount of actual tax liability incurred. **Moved by Hensley to deny. Motion Carried 6-1. Pass: Flagg.**

96-1417 82. Amendment No. One for CEBA Loan for Signs of Distinction Inc. allowing an extension of time to June 30, 1996. **Moved by Vlassis to approve. Motion Carried 7-0.**

96-1418 83. Release of Cashier's Check, in the amount of \$23,168, as Surety for the Des Moines Playhouse PUD Conceptual Master Plan at 42nd and Rollins. **Moved by Vlassis to adopt. Motion Carried 7-0.**

APPROVING (continued)

96-1419 84. Issuance of \$26,000,000 City of Des Moines Hospital Revenue Refunding Bonds (Des Moines General Hospital Project), Series 1996. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1420 85. Polk County use of various City facilities as poll sites for precincts 31, 36, 60, 64, 82, and 83 for primary election to be held Tuesday, June 4, 1996. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1421 86. Correction to Roll Call 96-1047, to correct scrivener's error in the minimum qualifications for Jail Security Officer, Class Code 9730. **Moved by Vlassis to adopt. Motion Carried 7-0.**

87. Bids for the following:

96-1422 (a) Gilcrest/Jewett Lumber Company, (107 S.W. 4th Street, Summer Worth, President) for an annual contract for furnishing carpeting for City of Des Moines remodeling projects to be used by the Engineering Department, price per square yard, \$13.25 to \$14.90. (Four bids mailed-two received). **Moved by Vlassis to adopt. Motion Carried 6-0. Mayor Davis declares a conflict of interest, and abstains from voting.**

96-1423 (b) Environmental Resource Associates, (Arvada, Colorado), for an annual contract for environmental quality control standards for testing organic and inorganic materials to be used by the Engineering Department (Wastewater Reclamation Facility). (Three bids mailed-one received). (See roll call for specifications and price breakdown). **Moved by Vlassis to adopt. Motion Carried 5-2. Nays: Flagg and Hensley.**

96-1424 (c) Bond and Associates, Inc., (2820 School Street, David E. Bond, President) for seven Air Cylinder Assist Assemblies for air operated diaphragm pumps to be used by the Engineering Department (Wastewater Reclamation Facility), \$25,179. (Seven bids mailed-one received). **Moved by Vlassis to adopt. Motion Carried 5-2. Nays: Flagg and Hensley.**

96-1425 (d) Guardrail Systems, (Ralston, Nebraska, Kenny Garris, President) for guardrails and posts to be used by the Public Works Department (Street Maintenance). (Twelve bids mailed-five received). (See roll call for specifications and price breakdown). **Moved by Vlassis to adopt. Motion Carried 7-0.**

APPROVING (continued)

96-1426 87. (e) Mario's Company, (4010 - 41st Street, Mario Rodriguez, President) for mowing and trimming services twelve times per year for Woodland Cemetery, Simms Cemetery, and Oak Grove Cemetery to be used by the Park and Recreation Department. (Nine bids mailed-four received). (See roll call for price breakdown). **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1427 (f) Heg Painting Co., Inc., (Cherokee, IA., Virg Harrison, President), for sandblasting and painting Ashworth swimming pool to be used by the Park and Recreation Department, \$ 26,110. (Nine bids mailed-one received). **Moved by Vlassis to adopt. Motion Carried 5-2.**
Nays: Flagg and Hensley.

96-1428 (g) Clarke Mosquito Control Products, Inc., (Roselle, IL, John L. Clarke, Jr., President) for aerial spraying of mosquito larvicide and adult mosquito of two (2) 280 acre treatments to be used by the Community Development Department, (Environmental Health), \$25.96 per acre for larvicide and \$1,920. per acre for adulticide. (Two bids mailed-one received). **Moved by Vlassis to adopt. subject to receipt of insurance and approval by Legal department. Motion Carried 5-1. Nays: Flagg. Mayor Davis declares a conflict of interest, and abstains from voting.**

96-1429 (h) Category I to Category IV computer equipment to be used in the Police Department (Criminal Investigation) from four vendors. (Ten bids mailed-seven received). (See roll call for vendors and price breakdown). **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1430 88. Receipt of Insurance for various City projects and functions for recording by the City Clerk. **Moved by Vlassis to adopt. Motion Carried 7-0.**

96-1431 89. Authorizing Finance Director to draw warrants on register of April 19, 1996 and bills of the Des Moines Municipal Housing Agency for the week beginning April 15, 1996. **Moved by Vlassis to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

96-1432 90. On vacation of public right-of-way in vicinity of E. 29th and Easton Boulevard. **Moved by Vlassis that this ordinance do now pass. #13,324. Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

96-1433 91. On application from Aviation Department, to rezone property at 2305 McKinley from "R1-80" (One Family Residential) and "C-2" (General Retail and Highway Oriented Commercial) and Ltd."M-3" (Limited Industrial District), to Ltd. "M-3". **Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

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

ORDINANCES - FIRST CONSIDERATION

96-1434 92. Amending Chapter 2 of the Municipal Code regarding the Des Moines Access Advisory Board, (amending definitions and various code updates). **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Daniels.**

96-1435 (a) Final consideration of ordinance above, (waiver requested by Legal Department). **Moved by Vlassis 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, #13,325. Motion Carried 6-1. Absent: Daniels.**

96-1436 93. Amending Chapter 27 of the Municipal Code regarding the following traffic regulation changes: Extension of No Parking on North Side of University between 28th and 30th; Corner Clearances on the East side of 34th north of Franklin, on the East side of SE 2nd north and south of Raccoon, on the West side of 48th Place north of Urbandale; request for parking meters adjacent to Des Moines Iron & Supply Co.--south side of Market from SW 1st to SW 3rd. **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Daniels.**

96-1437 94. Amending Chapter 27 of the Municipal Code regarding traffic regulation changes for installation of stop signs at intersection of Lincoln Place Drive and John Lynde Road; and restoration of parking during evening hours adjacent to 112 SE 4th Street. **Moved by Phillips that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Daniels.**

****Council considered item 107 thru end of agenda next****

HEARINGS (Opened at 6:06 P.M.) (Items 95 thru 106)

95. On issuance of General Obligation bonds for the following:

96-1438 (a) \$950,000, General Corporate Purpose-provide funds to pay costs of reconstruction, improvement and equipping various municipal buildings. **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Flagg.**

96-1439 (1) Authorization for additional action. **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Flagg.**

96-1440 (b) \$980,000, General Corporate Purpose-provide funds for reconstruction, improvements and equipping of various municipal buildings. **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Flagg.**

96-1441 (1) Authorization for additional action. **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Flagg.**

96-1442 (c) \$285,000, General Corporate Purpose-provide funds for reconstruction and improvements of swimming pools; acquisition and construction of a sports and athletic complex and recreational ground. **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Flagg.**

96-1443 (1) Authorization for additional action. **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Flagg.**

96-1444 95. (d) \$1,000,000, General Corporate Purpose-provide funds for computer hardware and software for City operations. **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Flagg and McPherson.**

96-1445 (1) Authorization for additional action. **Moved by Hensley to adopt. Motion Carried 5-2. Nays: Flagg and McPherson.**

96-1446 (e) \$61,000,000, Essential Corporate Purpose-to pay costs of refunding certain outstanding bonds. **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Flagg.**

96-1447 (1) Authorization for additional action. **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Flagg.**

96-1448 96. On Amendment/Supplement No. 16 to FAA Master Site Lease, for installation of a Precision Approach Path Indicator Facility to replace existing Visual Approach Slope Indicator Site, for Runway 31R. (Council Communication No. 96-158) **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Vlassis.**

HEARINGS (continued)

96-1449 97. On sale of city property to Clarke Company, Ltd, for Private Development, Blank Park Development Area, 9.05 acres adjacent to the Police Academy. (Council Communication No. 96-155) **Moved by Vlassis to continue the Hearing to 4-22-96 at 5:30 P.M. Motion Carried 6-0. Mayor Davis declares a conflict of interest, and abstains from voting.**

96-1450 98. On ground lease agreement with YMCA of Greater Des Moines for 11.22 acre parcel adjoining Police Academy. **Moved by Vlassis to continue the Hearing to 4-22-96 at 5:30 P.M. Motion Carried 5-1. Absent: Flagg. Mayor Davis declares a conflict of interest, and abstains from voting.**

96-1451 99. On vacation and conveyance of public park property in Ashby Park, vicinity of 4001 Ashby, to Stephen L. M. Swan, \$2,322 plus costs. **Moved by Vlassis to adopt. Proceeds from sale are to be utilized to benefit Ashby Park. Motion Carried 6-1. Absent: Flagg.**

96-1452 (a) First consideration of ordinance above. **Moved by Vlassis to that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Flagg.**

96-1453 (b) Final consideration of ordinance above, (waiver requested by applicant). **Moved by Vlassis that the rule requiring that ordinances which have been published, or summaries of which have been published, prior to consideration must be voted upon at one meeting for passage by the City Council prior to the meeting at which it is to be finally passed be suspended, that the first consideration be waived, that the ordinance be placed upon its final passage and that the ordinance do now pass, #13,326. Motion Carried 6-1. Absent: Flagg.**

96-1454 (c) Communication from Park and Recreation Board recommending approval. **Moved by Vlassis to receive and file communication. Motion Carried 6-1. Absent: Flagg.**

96-1455 100. On application from Richard Hurd, Hurd Real Estate Services, Inc., to rezone property in the 7501 block of U.S. Highway 65/69 (Southglen Village Shopping Center, Phase 2) from a "C-1" (Neighborhood Retail Commercial) to a Limited "C-2" (General Retail and Highway-Oriented Commercial). **Moved by Phillips to adopt. Motion Carried 6-0. Mayor Davis declares a conflict of interest, and abstains from voting.**

96-1456 (a) First consideration of ordinance above. **Moved by Phillips that this ordinance be considered and given first vote for passage. Motion Carried 6-0. Mayor Davis declares a conflict of interest, and abstains from voting.**

HEARINGS (continued)

96-1457 101. On application from John Clarke of Clarke Company, to rezone property in the 2800 block of Druid Hill Drive, from "R-1" and Ltd. "C-0" and "PUD", to a "PUD", and amendment to PUD Conceptual Plan entitled Druid Hill Townhomes. **Moved by Hensley to adopt. Motion Carried 6-0. Mayor Davis declares a conflict of interest, and abstains from voting.**

96-1458 (a) First consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-0. Mayor Davis declares a conflict of interest, and abstains from voting.**

96-1459 102. On application from Rick Kading, to rezone property in the vicinity of 1820 Williams Court, from a "U-1" (Flood Plain District to a Limited "R-2" (One and Two Family Residential District). **Moved by McPherson to deny the request for rezoning. Motion Carried 4-1-2. Nays: Hensley. Pass: Davis and Flagg.**

96-1460 (a) First consideration of ordinance above.

WITHDRAWN

96-1461 103. On application from John Clarke of Clarke Companies, to rezone property at 2801 Fleur Drive from Ltd. "C-0", to an amended Limited "C-0". **Moved by Hensley to adopt. Motion Carried 6-0. Mayor Davis declares a conflict of interest, and abstains from voting.**

96-1462 (a) First consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-0. Mayor Davis declares a conflict of interest, and abstains from voting.**

96-1463 104. On Water Line Easement across City-owned property, Guthrie Avenue Business Park Urban Renewal Area, to Pace Company, 1901 Guthrie, \$300. (Council Communication No. 96-160). **Moved by McPherson to adopt. Motion Carried 7-0.**

96-1464 105. On Blank Park Zoo Pinniped Pool Painting: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Specialty Construction Services, Inc. (John Wade, Pres., Madrid), \$30,667.50. **Moved by Vlassis to adopt. Motion Carried 7-0.**

HEARINGS (continued)

96-1465 106. On ICA Digester Mixers and Primary Scum Modifications: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Baker Mechanical, Inc., (B.J. Baker III, Pres, 2911 Hubbell), \$841,754. **Moved by Phillips to adopt. Motion Carried 6-0. Mayor Davis declares a conflict of interest, and abstains from voting.**

* * END HEARINGS at 7:01 P.M. * *

****Council considered Item 54 thru 94 next****

CITY MANAGER RECOMMENDATIONS

96-1466 107. Presentation regarding sanitary sewer fund balances. **Moved by Flagg to defer one week to 4-22-96. Motion Carried 6-1. Absent: Daniels.**

96-1467 108. Regarding hosting 1997 RAGBRAI event. (Council Communication No. 96-156). **Moved by Vlassis to receive, file and adopt recommendation as outlined in Council Communication No. 96-156. Motion Carried 6-1. Absent: Daniels.**

96-1468 109. Regarding Industrial Revenue Bond Fees. (Council Communication No. 96-150). **Moved by Flagg to receive, file and adopt recommendation as outlined in Council Communication No. 96-150. Motion Carried 7-0.**

96-1469 110. Regarding vacation and possible lease of Lyon Street, to Des Moines General Hospital (Lyon Street between E. 12th and E. 14th).(Council Communication No. 96-163). **Moved by Flagg to adopt recommendation contained in Council Communication No. 96-163. City Manager authorized to file vacation request with Plan and Zoning Commission, and negotiate with Des Moines General Hospital on lease terms and possible future sale after completion of I-235. Motion Carried 7-0.**

APPROVING

96-1470 111. Final Construction Plans and Evidence of Financing submitted by Water Tower Development--Younkers Warehouse Rehabilitation Project, and execution of Special Warranty Deed. (Council Communication No. 96-162). **Moved by Vlassis to approve. Motion Carried 5-1. Absent: Phillips. Mayor Davis declares a conflict of interest, and abstains from voting.**

96-1471 112. Final construction Plans submitted by The Graham Group, Inc., for Office Redevelopment Project in the Riverpoint Capitol-Center Development Area Urban Renewal Project (Equitable Office Project--901 Locust). (Council Communication No. 96-161). **Moved by Hensley to approve. Motion Carried 5-1. Absent: Phillips. Mayor Davis declares a conflict of interest, and abstains from voting.**

APPROVING (continued)

96-1472 113. Repayment of Polk County Loan for advance on construction costs for Downtown Riverfront/Amphitheater Project, (funding from the tax increment financing for Capitol-Center Development Area Urban Renewal Project). (Council Communication No. 96-159). **Moved by Flagg to defer to 4-22-96. City Manager to provide additional background information on this item; also, information on funding Skywalk connection to the Civic Center. Motion Carried 7-0.**

96-1473 (a) Communication from Alice Rodine, regarding funding and repayment schedule for the Amphitheater. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

96-1474 114. Appointment of Douglas P. Philip, as Assistant City Attorney III, Step 3, at a biweekly rate of \$2,166.47 to fill vacancy, (effective April 15, 1996). **Moved by McPherson to adopt. Motion Carried 7-0.**

COUNCIL REQUESTS

96-1475 115. Request of Mayor Arthur Davis, for consideration of a resolution regarding violence in the City. **Moved by Flagg to grant request. Motion Carried 7-0.**

96-1476 (a) Resolution for Council consideration. **Moved by Flagg to adopt. Motion Carried 7-0.**

96-1477 (b) Oral request of Ms. Donna Stuhr, to read a letter from Senator Tom Harkin. (SPONSOR: Mayor Davis) **Moved by Flagg to receive, file and grant the request. Motion Carried 7-0.**

96-1478 (c) Communications from Council Member Vlassis, regarding criminal activity in our City. **Moved by Flagg to receive and file. Motion Carried 7-0.**

****Council considered Hearing Items 95 thru 106 next****

96-1479 116. Oral request of Council Members McPherson and Phillips, to discuss concentration of two-family dwellings in "R-2" Districts and the need for "R1-60" Zoning. **Moved by McPherson to receive, file discuss and refer to City Plan Commission and Neighborhoods to review and comment. Motion Carried 7-0.**

906-1480 117. Oral request of Council Member Chris Hensley, to discuss a Polk County Historical Society Project, (Des Moines Birthplace Memorial Cabin and possible Memorial Park). **Moved by Hensley to receive, file, discuss and refer to City Plan Commission to study options available, utilizing Historical Society Members for consultation. Motion Carried 7-0.**

****Council Member Flagg left the meeting at 8:15 P.M.****

COMMUNICATIONS/REPORTS

96-1481 118. From Gerard Neugent, President of Knapp Properties regarding proposed incentives for the Airport Commerce Park and Airport Industrial Park. **Moved by Hensley to receive, file and refer to City Manager for review and recommendation by April 22, 1996, if possible. Motion Carried 6-1. Absent: Flagg.**

96-1482 119. From American Stores Properties, (OSCO Drug), regarding acquisition of property at 1344 Fremont Street, for future store development. **Moved by McPherson to receive and file. Motion Carried 6-1. Absent: Flagg.**

96-1483 (a) Expressing support for the Redevelopment Proposal by American Stores Properties, Inc., and directing City Manager negotiate for a Developer-initiated Urban Renewal Offering. **Moved by McPherson to adopt. Motion Carried 6-1. Absent: Flagg.**

96-1484 120. From Lawrence Allen White, 1000-24th Street, #13, to speak regarding the "sexual identity status and associational preference proposal". **Moved by Vlassis to receive, file and grant the request to speak. Motion Carried 6-1. Absent: Flagg.**

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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.

96-1485 1. Negotiate and Execute a License Agreement with Quality Wine Company, to conduct geotechnical and Environmental Testing, surveying, and Civil Engineering work on City-owned land (Disposition Parcel No. 31A/Guthrie Avenue Business Park). (Council Communication No. 96-166) SPONSOR: McPherson. **Moved by Vlassis to approve. Motion Carried 5-1. Absent: Flagg. Mayor Davis declares a conflict of interest, and abstains from voting.**

96-1486 2. Approving recommendation of Council Member Preston Daniels, for appointment of John Schmacker to the Commission on Human Rights, three-year term to expire April 5, 1999. SPONSOR: Daniels. **Moved by Daniels to adopt. Motion Carried 5-1-1. Pass: McPherson. Absent: Flagg.**

A G E N D A

BOARD OF HEALTH

April 15, 1996

96-1487 MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and Convene as a Board of Health. Motion Carried 6-1. Absent: Flagg.**

COMMUNICATION

96-1488 1. Communication regarding demolition cost reserve escrowed for 1126 - 21st. **Moved by Vlassis to receive, 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 6-1. Absent: Flagg.**

AUTHORIZING

2. Court authority to abate the public nuisance at the following location(s):

96-1489 (a) 1236 - 4th (vacant) TITLEHOLDER: Western United Life Assurance Co., Attn: Lindalee Kershner, Vice President of Defaults, Western United Life Assurance Co., Attn: Alicia McCaughan, Loan Counselor; CONTRACT BUYERS/LANDLORDS: John and Trezina Lueth; LEGAL INTEREST HOLDERS: Western United Life Assurance Co. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: Flagg.**

96-1490 (b) 1110 E. 9th (vacant) TITLEHOLDER/LANDLORD: Ronda Spilman. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Flagg.**

96-1491 (c) 1064 - 14th (vacant) TITLEHOLDER: Terry L. Sims (Deceased); HEIRS/LANDLORDS: Matthew Lee Sims, Marlon Patrick Sims, Ann L. Harpin-Sims, as next best friend and guardian of Amanda Faye Sims, Terry Lee Sims, Jr., and Joyce Sims, Gregory A. Sims, David M. Sims, Barbara & Vijay C. Maharaj, Derry Sims; LEGAL INTEREST HOLDERS: James A. Farabi or Delores C. Farabi. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Flagg.**

96-1492 (d) 1070 - 14th (vacant) TITLEHOLDER: Terry L. Sims (Deceased); HEIRS/LANDLORDS: Matthew Lee Sims, Marlon Patrick Sims, Ann L. Harpin-Sims, as next best friend and guardian of Amanda Faye Sims, Terry Lee Sims, Jr., and Joyce Sims, Gregory A. Sims, David M. Sims, Barbara & Vijay C. Maharaj, Derry Sims; LEGAL INTEREST HOLDER: Vera Pearce. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Flagg.**

BOARD OF HEALTH (continued)

96-1493 2. (e) 107 E. 15th Ct. (vacant) TITLEHOLDER: Polk County, Iowa; CONTRACT BUYER/LANDLORD: Clifford Young; LEGAL INTEREST HOLDER: David L. Smith and Spouse. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Flagg.**

96-1494 (f) 904 E. 22nd (vacant) TITLEHOLDER: Steve J. Brassfield; CONTRACT BUYERS/LANDLORDS: Gloria Kern and Dan T. Kern, Sr. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Flagg.**

96-1495 3. Release of demolition cost reserve held under claim number 14-01004585 regarding property known as 1534 Army Post Rd., owned by Mark Loose. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Flagg.**

96-1496 MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 8:35 P.M.**

