

SUMMARY OF DES MOINES CITY COUNCIL MEETING

August 4, 1997 4:30 P.M.

PROCLAMATIONS - 4:00 P.M.:

(a) Knights of Columbus Tootsie Roll Month

(b) National Night Out

INVOCATION: Pastor Scott Kobur, Grace United Methodist Church

97-2685 1. ROLL CALL: **Present: Ray, Daniels, Flagg, Hensley, McPherson, Phillips and Vlassis.**

97-2686 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2687 3. APPROVING CONSENT AGENDA - items 3 through 54: **Moved by Hensley to adopt the balance of the Consent Agenda. Motion Carried 7-0.**

LICENSES AND PERMITS:

Approving

97-2688 4. Communication from Legal Department regarding August 4, 1997 License and Permit Agenda. **Moved by Hensley to receive and file. Motion Carried 6-1. Nays: McPherson.**

Class "B" Beer Licenses

97-2689 5. OakMoor Racquetball Health Center, Inc., Ronald O. Burns, President dba OakMoor Health Center, 4731 Merle Hay Road; Renewal - Expires 8-19-97 (With Sunday Sales) - Application submitted 7-18-97. **Moved by Hensley to receive and file. Motion Carried 6-1. Nays: McPherson.**

97-2690 6. Peggy's Corporation, James Scheetz, President dba Peggy's Cafe & Tavern, 3020 Forest Avenue; Renewal - Expires 8-15-97 (With Sunday Sales) - Application submitted 7-15-97. **Moved by Hensley to receive and file. Motion Carried 6-1. Nays: McPherson.**

97-2691 7. Sing Lem dba Vienlatry, 2457 East Grand; Renewal - Expires 8-10-97 (With Sunday Sales) - Application submitted 6-18-97. **Moved by Hensley to receive and file. Motion Carried 6-1. Nays: McPherson.**

Class "C" Beer Licenses

97-2692 8. Git N Go Convenience Stores, Inc., Dennis Flora, President dba Git N Go Convenience Store #26, 2140 Eat Park Avenue; Renewal - Expires 8-10-97 (With Sunday Sales) - Application submitted 6-10-97. **Moved by Hensley to receive and file. Motion Carried 6-1. Nays: McPherson.**

Class "E" Beer Licenses

97-2693 9. American Drug Stores, Inc, Richard L. Davis, General Manager dba Osco Drug Store #532, 3151 Southeast 14th Street; Renewal - Expires 9-24-1997 (With Sunday Sales) - Application submitted 7-11-97. **Moved by Hensley to receive and file. Motion Carried 6-1. Nays: McPherson.**

Class "C" Liquor Licenses

97-2694 10. Chi-Chi's, Inc., Roger K. Chamness, President dba Chi-Chi's, 1201 Army Post Road; Renewal - Expires 9-17-97 (With Sunday Sales) - Application submitted 7-21-97. **Moved by Hensley to receive and file. Motion Carried 5-2. Nays: Daniels and McPherson.**

97-2695 11. Croatian Fraternal Slavic Center, Ronald C. Streeter, President dba Croatian Fraternal Slavic Center, 6575 Indianola Road; Renewal - Expires 8-24-97 (With Sunday Sales) - Application submitted 6-10-97. **Moved by Hensley to receive and file. Motion Carried 5-2. Nays: Daniels and McPherson.**

97-2696 12. Brook L. Smith dba El Patio, 611 37th Street; Renewal - Expires 8-6-97 (With Sunday Sales and Beer Garden) - Application submitted 7-23-97. **Moved by Hensley to receive and file. Motion Carried 5-2. Nays: Daniels and McPherson.**

97-2697 13. The Grand Inc., Jerry Glenn, President dba The Grand, 1501 Grand Avenue; Renewal - Expires 8-4-97 - Application submitted 7-10-97. **Moved by Hensley to receive and file. Motion Carried 5-2. Nays: Daniels and McPherson.**

97-2698 14. Los Compadres, Inc., Raymond A. Quijano, President dba Los Compadres, 1440 Maury; Renewal - Expires 8-15-97 (With Sunday Sales) - Application submitted 7-7-97. **Moved by Hensley to receive and file. Motion Carried 5-2. Nays: Daniels and McPherson.**

97-2699 15. Nana Leone, Inc., Peter J. Leone, President dba Nana Leone's, 2301 Southwest 9th Street; Renewal - Expires 8-9-97 (With Sunday Sales) - Application submitted 7-16-97. **Moved by Hensley to receive and file. Motion Carried 5-2. Nays: Daniels and McPherson.**

Class "E" Liquor Licenses

97-2700 16. American Drug Stores, Richard L. Davis, General Manager dba Osco Drug Store #532, 3151 Southeast 14th Street; Renewal - Expires 9-24-97 - Application submitted 7-11-97. **Moved by Hensley to receive and file. Motion Carried 6-1. Nays: McPherson.**

Authorizing

97-2701 17. City Clerk to issue Cigarette Licenses. **Moved by Hensley to receive and file. Motion Carried 5-2. Nays: Daniels and McPherson.**

Change Of Name

97-2702 18. Communication from Thomas V. Ellis Inc., Thomas Ellis, President dba Rose Bowl Tap, 1833 Hubbell, advising of dba name change to Ellis Island effective June 1, 1997. **Moved by Hensley to receive and file. Motion Carried 6-1. Nays: McPherson.**

Beer Gardens

97-2703 19. Approving temporary beer garden for Norma J. Brodersen dba Hickman Pub, 2335 Hickman Road for event to be held on August 9, 1997 (Grand Opening) - Application submitted 7-30-97. Subject to submission of acceptable building, electrical, zoning, and fire inspections. **Moved by Hensley to receive and file. Motion Carried 6-1. Nays: McPherson.**

PUBLIC IMPROVEMENTS

97-2704 20. Approving Agreement between the Cities of Des Moines, Johnston, Urbandale, Polk County, and the Iowa Department of Transportation for reconstruction of interchange of Merle Hay Road at I-35/80. (Council Communication No. 97-410). **Moved by Flagg to adopt. Motion Carried 7-0.**

21. Approving for following agreements with Iowa Department of Transportation:

97-2705 (A) SE 14th Street and Army Post Road Intersection Modification Project for addition of right-turn acceleration lane for southbound traffic turning west and reconstruction of existing traffic signals at intersection - \$20,000. (Council Communication No. 97-406). **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2706 (B) SE 14th Street and Maury Street Traffic Signal Upgrading Project for replacement of existing traffic signals at intersection - \$13,000. (Council Communication No. 97-407). **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2707 (C) Traffic signal upgrading at eight locations in Downtown area - \$40,000. (Council Communication No. 97-409) **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2708 (D) Installation of signals at SE 14th Street and the Southridge Mall South Entrance. (Council Communication No. 97-408). **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2709 22. Approving professional services agreement with EMA Services, Inc., George Mathes, President (St. Paul MN) to perform study of computerized process control system at WRA Wastewater Treatment Facilities - \$96,500. (Council Communication No. 97-412), **Moved by Hensley to adopt. Motion Carried 7-0.**

23. Resolution Ordering Construction of the following:

97-2710 (A) 1997 Sanitary Sewer Relining Contract No. 2, Receiving of Bids, (8-19-97), and Setting Date of Hearing, (8-25-97), (Construction Estimate - \$567,000). **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2711 (B) 2100 Block of Woodland Avenue Excavation of Lead Bearing Soil, Receiving of Bids, (8-19-97), and Setting Date of Hearing (8-25-97), (Construction Estimate - \$23,375). **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2712 24. Authorizing City Engineer to repair, replace or reconstruct sidewalks at 60 locations, (call City Clerk's Office for listing). **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2713 25. Approving partial payments on five public improvement projects. (call City Clerk's Office for listing). **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2714 26. Communication from various Contractors, Eco-Tech Contractors, Inc. and Des Moines Asphalt and Paving, (East 14th Street and E. Aurora Avenue Intersection Improvements), McAninch Corporation (Easter Lake Retention Basins-Phase 1), and Cramer and Associates, Inc. (SW 7th Street Bridge over Raccoon River Rehabilitation) requesting permission to sublet certain items on three public improvement projects. **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2715 27. (A) Approving completion of private construction contract for Sanitary Sewer improvements starting south of property at end of SE 15th Street Cud-de-sac running west approximately 135 feet, then north approximately 146 feet to service Holub Garden Center at 4109 SE 14th Street, between R.G. Elder & Son Company, Contractors and Eva M. Smith (Trust), Eva M. Smith, Owner - \$27,442. **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2716 (B) Approving private construction contract for PCC Street Improvements for Easter Lake Estates Plan No. 3 located at SE 31st Street and Easter Lake Drive between Eco-Tech Contractors, Inc., Contractors and The Legacy Group, Owners - \$179,466.24. **Moved by Hensley to adopt. Motion Carried 7-0.**

28. Approving completion and recommending acceptance of the following:

97-2717 (A) Storm Sewer extension in West border area of Dixon Street, South of Thompson Avenue to North approximately 52 feet to service Van Meter Supply Company at 2108 Dixon between C.I. Carlisle Mechanical, Inc., Contractors and J.J.F. Partners Limited Partnership, Owners - \$8,723. **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2718 (B) Storm Sewer improvements in SE 4th Court, south of E. Park Avenue to serve Claudia Heights Subdivision between Douglas Construction, Contractors, and Universal Realty, Owners - \$7,792. **Moved by Hensley to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

97-2719 29. Resolution levying assessments for costs of Nuisance Abatement-NAC (1996 Sidewalk Replacement), Schedule No. 1997-54, and providing for payment. **Moved by Flagg to adopt. Assessment Clerk to send literature regarding Assessment Subsidy Program to affected property owners. Motion Carried 7-0.**

97-2720 30. Authorizing Assessment Clerk to correct Delinquent Solid Waste/Stormwater Utility and/or Sewer Rental Credit Schedule for July, 1997. **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2721 31. Approving Delinquent Sewer Rental and/or Solid Waste/ Stormwater Utility Fees for the month of July, 1997, Schedule No. 1997-27, for certification to Polk County Treasurer (Sewer Rental--\$6,690.93, Stormwater Utility Fees--\$480, Solid Waste/Stormwater Utility Fees--\$4,079.48). **Moved by Hensley to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

97-2722 32. Approving Noise and Avigation Easements for sixteen properties, in conjunction with the Airport Noise Compatibility Program, Phase II. **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2723 33. Backslope and Property Adjustment Easement and Release, Warranty Deed and Tenant Contract, in conjunction with Fleur Drive Paving-Army Post Road to County Line Road, Army Post Road to 3400' South, from Angelina Gorsche, 7101 Fleur Drive - \$11,929.00. **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2724 34. Backslope and Property Adjustment Easement and Release, Permanent Easement for Storm Sewer Right-of-Way, Warranty Deed and Tenant Contract, in conjunction with Fleur Drive Paving-Army Post Road to County Line Road, Army Post Road to 3400' South, from GFP Investment Company, L.C., 7103 Fleur Drive - \$14,281.00. **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2725 35. Purchase of 835 Martin Luther King, Jr. Parkway, in conjunction with Martin Luther King, Jr Parkway-Central Business District Arterial Loop By-Pass (CBD Loop), from Merlin Kosht, and Tom Crosier, 4141 E. 28th St,-\$64,143.60. **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2726 36. Purchase of 2402 Littell Avenue, in conjunction with Runway 5/23 Extension and Army Post and Highway 28 relocation, from Anthony Palladino-\$71,214.80. **Moved by Hensley to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

37. Approving recommendation of Mayor Robert D Ray for appointments to various City Boards and Commissions: (Names available by Monday, 8-4-97)

WITHDRAWN (A) Civil Service Commission

WITHDRAWN (B) Neighborhood Revitalization Board

WITHDRAWN (C) Strategic Planning Commission

97-2727 (D) Reappointment of Louise Moon and Marilyn Spina, to the Water Works Board of Trustees, six year term to expire April 1, 2003. **Moved by McPherson to adopt. Motion Carried 7-0.**

STREET CLOSINGS

97-2728 38. Approving closure of the following city streets, **Moved by Hensley to adopt. Motion Carried 7-0.**

(1) Robert E. Cochran, 4034 Ardmore Road, requesting permission to close Ardmore Road from Aurora Avenue to Shawnee Place on Saturday, August 16, 1997 from 4:00 until 10:00 P.M. for a neighborhood block party.

(2) Mary E. Swanson, 2918 45th Street, requesting permission to close 45th Street from Urbandale Avenue to New York Avenue on Sunday, August 31, 1997 from 6:00 until 11:00 P.M. for a neighborhood block party.

(3) Connie Kauzlarich, 2407 46th Street, requesting permission to close 46th Street from Hickman Road to Holcomb Avenue on Saturday, August 23, 1997 from 4:30 P.M. until 10:30 P.M. for a neighborhood block party.

(4) Cathy Pagel, 3206 Garden Avenue, requesting permission to close Garden Avenue from Lower Beaver Road to Lawnwood on Saturday, August 23, 1997 from 2:00 until 8:00 P.M. for a neighborhood block party.

(5) Ferol H. Wegner, representing the Waterbury Neighborhood Association, 6215 Pleasant Drive, requesting permission to close Country Club Boulevard from Ingersoll Avenue to Grand Avenue on Monday, September 1, 1997 from 3:00 until 8:30 P.M. for a Labor Day picnic.

(6) Maribel Slinde, representing Generations Incorporated, 944 18th Street, requesting permission to close Olive Street from 18th Street to 19th Street and School Street from 18th Street to 19th Street on Tuesday, September 9, 1997 from 2:00 until 6:00 P.M. for a children's block party.

(7) Brenda Geier, representing the Beaverdale Fall Festival, 3608 Urbandale, requesting permission to close Fagan Drive from Beaver Avenue to the Brenton Bank Drive on Saturday, September 13, 1997 from 12:00 Noon until 4:00 P.M. for street painting.

(8) R. Pat McGoldrick, representing the Ovid Avenue Residents, 4106 Ovid Avenue, requesting permission to close Ovid Avenue starting at the 4000 block and ending at 4160 Ovid Avenue on Sunday, September 14, 1997 from 2:00 until 8:00 P.M. for a neighborhood block party.

39. Approving exception regarding length of time request for the following:

97-2729 (A) Christy Holleran, 855 40th Place, requesting permission to close 40th Place from Rollins to Crocker, Saturday, August 23, 1997 from 4:00 to 11:00 P.M. for a neighborhood block party. **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2730 (B) Martha Schmitt, representing the Drake Neighborhood Association, 2406 Kingman Boulevard, requesting permission to close Kingman Boulevard from 35th Street to 36th Street, Saturday, August 16, 1997 from 1:00 P.M. until 9:00 P.M. for a neighborhood block party. **Moved by Hensley to adopt. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

97-2731 40. On sale of excess City property at 1013 S.E. Ninth Street and adjoining alley, (Proposal from Clarke Company Limited), and Agreement for sale of property for construction of two houses using financial assistance from Single Family Affordable Housing Program, (8-18-97). (Council Communication No. 97-411). **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2732 41. On vacation and conveyance of the North/South alley right-of-way south of Walnut Street between 8th and 9th Street, to Norwest Financial, Inc., \$19,600, and to Central College \$19,600, (8-18-97). **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2733 42. On vacation and conveyance of the SW 38th Street right-of-way north of SW Thornton, to Randall A. and Barbara J. Bach, and John V. and Mary F. Cardamone, \$150, plus costs, (8-18-97). **Moved by Hensley to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

97-2734 43. Approving payment of \$17,892.90 to Gary Rebel for worker's compensation claim for injuries suffered during the course of employment. **Moved by Hensley to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

97-2735 44. Submitting traffic regulation changes to establish loading zone in front of 219 New York, and to add three ten-hour meters on the south side of Woodland west of 10th Street.

(Council Communication No. 97-413). **Moved by Hensley to receive, file and refer to Legal Department for preparation of proper legislation. Motion Carried 7-0.**

97-2736 45. Submitting out-of-state travel requests for Annette Graeve, Susan Low, Tom Vlassis, Bruce Bergman and Larry McDowell. (Council Communication No. 97-404). **Moved by Hensley to adopt. Motion Carried 7-0.**

APPROVING

97-2737 46. Extension of contract with the State Historical Society of Iowa, for \$12,110 from Historical Resource Development Program funds for the SW Fifth Street Bridge Rehabilitation Project (REAP/HRDP Grant). (Council Communication No. 97-405). **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2738 47. Amendment One to 1995 Neighborhood Housing Services of Des

WITHDRAWN Moines Inc. Home Purchase Rehabilitation Project for reduction/correction of units of service and extension of project until June 30, 1998.

97-2739 48. Acceptance of General Contractor Lien Waiver and Indemnification for construction of replacement Skywalk Bridges 7C-6C--7th Street, 7B-7C--Mulberry Street and 7C-7D--Walnut Street, Employers Mutual Casualty Company. **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2740 49. Bid for three (3) Gateway computer workstations and one (1) twenty-one inch monitor to be used by the Engineering Department (Graphic Design) from Government Computer Sales, Inc., (Issaquah, WA) State of Iowa competitively bid contract 2433, at a total cost of \$14,524.70. **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2741 50. Receipt of Insurance for various City projects and functions for recording by the City Clerk. **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2742 51. Authorizing Finance Director to draw warrants on registers of August 8, 1997 and August 15, 1997; and the bills of the Des Moines Municipal Housing Agency for the weeks beginning August 4, 1997 and August 11, 1997, and the biweekly payroll due employees on August 15, 1997. **Moved by Hensley to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

97-2743 52. Amending Chapter 2 of the Municipal Code regarding contracts exempt from bidding. **Moved by Hensley that this ordinance do now pass, [#13,512](#). Motion Carried 7-0.**

ORDINANCES - SECOND CONSIDERATION

97-2744 53. Amending Chapter 27 of the Municipal Code regarding traffic regulation changes for the following: Removal of controls on Lyon Street from E. 12th to E. 14th; Removal of loading zone on the south side of Woodland west of 10th; Extension of loading zone at 104 SW 4th Street and removal of meter; Corner clearance on both sides of Pioneer Road at SE 6th and at the intersection of E. Locust Street and E. 5th; additional handicapped meter on Mulberry at 6th Avenue; stop sign on Colfax/E. 33rd Street intersection at E. Douglas; stop sign on E. Tiffin at North Union, and on Winegardner Road at Timber Lane. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

97-2745 54. On vacation of the north/south and east/west alley rights-of-way in the block south of Railroad between SE 9th and SE 10th. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

97-2746 (A) Final consideration of ordinance above, (waiver requested by City Manager), requires 6 votes. **Moved by Hensley 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, [#13,513](#). Motion Carried 7-0.**

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

****Council considered Item 60 through 64 next****

HEARINGS (Opened at 5:45 P.M.) (Items 55 thru 59)

97-2747 55. On application from Des Moines General Hospital to rezone property at 1022 Des Moines Street from "R-4" (Multiple Family Residential) to a "C-0" (Commercial Residential District). **Moved by Daniels to adopt. Motion Carried 7-0.**

97-2748 (A) First consideration of ordinance above. **Moved by Daniels that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

97-2749 (B) Final consideration of ordinance above, (wavier requested by Des Moines General Hospital), requires 6 votes. **Moved by Daniels 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, [#13,514](#). Motion Carried 7-0.**

97-2750 56. On application from Paul Hedquist, Employee and Family Resources, to rezone 1449 Martin Luther King Jr. Parkway, from a "C-0" (Commercial Residential) to a "C-1" (Neighborhood Commercial Retail). **Moved by Vlassis to adopt. Motion Carried 6-0. Council Member Daniels declares a conflict of interest, and abstains from voting.**

97-2751 (A) First consideration of ordinance above. **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 6-0. Council Member Daniels declares a conflict of interest, and abstains from voting.**

97-2752 (B) Final consideration of ordinance above. **Moved by Hensley 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, [#13,515](#). Motion Carried 6-0. Council Member Daniels declares a conflict of interest, and abstains from voting.**

97-2753 57. On Lease Agreement with Iowa School of Men's Hairstyling, \$2,583.33 a month, through July 31, 2000, for rent of space at 610 Des Moines Street, for the City's Employee Health Clinic. **Moved by Phillips to adopt. Motion Carried 7-0.**

97-2754 58. On disposition of excess Municipal Housing Agency properties, (vacant lots), to R.M. Madden Construction, Inc., \$21,000, and to continue hearing to 8-18-97 at 5:30 P.M. to allow for a neighborhood meeting. **Moved by McPherson to continue to 8-18-97 at 5:30 P.M. Motion Carried 7-0.**

97-2755 59. On SW 30th Street Sanitary Relief Sewer: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Hydro Group, Inc., (Robert Charles, Chief Executive Officer, Sunbury, OH), \$1,182,388. **Moved by Hensley to adopt. Motion Carried 7-0.**

* * END HEARINGS at 5:50 P.M. * *

****Council considered Item 66 through end of agenda next****

APPROVING

97-2756 60. Resolution to reject all bids on the Sherman Hill Historic Lighting - Phase I (IDOT Project), - bids over estimate, and approve City Engineer's recommendation to reduce scope of project and resubmit to IDOT to reschedule bids at a later date, (continued from 7-28-97). **Moved by Hensley to adopt. Motion Carried 7-0.**

61. NUMBER NOT USED.

97-2757 62. City Plan Commission recommendations regarding Metro-I-235 Citizen Design Committee for the Cottage Grove and Easton Blvd. interchanges. **Moved by McPherson to receive, file and refer to City Manager for review and recommendation by the first meeting in September, (9-8-97). Motion Carried 7-0.**

97-2758 63. Acceptance of grant from Federal Aviation Administration (FAA), \$7,108,376 (90% funding), for Runway 5 extension and Army Post Road relocation, paving and noise mitigation

project. (Council Communication No. 97-414). **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2759 64. Submission of a Community Economic Betterment Account (CEBA) application to the State of Iowa and preliminary approval for a local contribution from the City, for Diamond Animal Health, Inc., a subsidiary of Heska Corporation, 2538 SE 43rd Street. (Council Communication No. 97-415). **Moved by Phillips to approve. Motion Carried 7-0.**

****Council considered Hearing Items 55 through 59 next****

65. NUMBER NOT USED.

COUNCIL REQUESTS

97-2760 66. From Council Member Tom Vlassis, regarding property north of Bennett Avenue, south of Prospect, east of 25th, and west of M.L. King Jr. Parkway. **Moved by Vlassis to receive, file and discuss; refer to City Manager for review and recommendation regarding survey work, grading and responsibility of property owner, Imperial Properties, Inc., Motion Carried 7-0.**

97-2761 67. From Council Member Tom Vlassis, to discuss possible ordinance change regarding display of banners City-wide. **Moved by Vlassis to receive, file and discuss; and allow banner sponsor's name to be printed on the banner, all to be approved by the City Council in the usual banner design approval process established. Motion Carried 7-0.**

97-2762 (A) Request of Beaverdale Fall Festival to place no more than six (6) signs along the median of Urbandale Avenue, no more than two weeks prior to the Festival, to promote same. **Moved by Vlassis to approve, so long as approval and agreement is obtained from the appropriate Neighborhood Association. Motion Carried 7-0.**

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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.

97-2763 1. Approving Minimum Assessment Agreement with Water Tower Development Corporation (Younkers and Tone buildings - mixed residential and commercial) - minimum actual taxable value for assessment purposes of not less than \$8,000,000, of which not less than

\$800,000 would be assessed as commercial property. SPONSOR: Hensley. **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2764 2. Approving Offer to Purchase and Acceptance, Warranty Deed, Storm Sewer Easement and Backslope and Property Adjustment Easement and Release for 7229-7301 Fleur Drive, Catherine Carson and Willem Labuschage, in conjunction with the Fleur Drive Paving - Army Post Road to County Line Road Project. SPONSOR: Hensley. **Moved by Hensley to adopt. Motion Carried 5-1-1. Nays: McPherson. Pass: Flagg.**

97-2765 3. Communication from Dale R. Lang, 2480 Easter Lake Drive regarding intersection of East Army Post Road and Indianola Avenue. **Moved by Phillips to receive, file and refer to the City Manager for review and response. Motion Carried 7-0.**

A G E N D A

BOARD OF HEALTH

August 4, 1997

97-2766 MOTION TO CONVENE. **Moved by Vlassis that the City Council Adjourn and Convene as a Board of Health. Motion Carried 7-0.**

COMMUNICATION

97-2767 1. Communication regarding demolition cost reserve escrowed for 810 E. Euclid. **Moved by Vlassis 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.**

AUTHORIZING

97-2768 2. Release of demolition cost reserve held under claim number 14K80082 regarding property known as 3812 Franklin owned by Delmar and Frances L. Hoffman. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2769 3. Release of demolition cost reserve held under claim number 56018-34797 regarding property known as 1769 Lyon owned by St. Peter's Church. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2770 MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 6:28 P.M.**