



***** 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 '12-' 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

December 17, 2012 4:30 PM

SPECIAL PRESENTATIONS – 4:00 PM

2012 Excellence in Historic Preservation Awards

PROCLAMATIONS – 4:15 PM

Allen McKinley, Deputy City Manager

National Homeless Persons' Memorial Day

INVOCATION: Council Member Meyer

- [12-1906](#) 1. ROLL CALL: **Present: Cownie, Coleman, Griess, Hensley, Mahaffey, Meyer and Moore.**
- [12-1907](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-1908](#) 3. APPROVING CONSENT AGENDA * – items 3 through 40: **Moved by Hensley to adopt the balance of the Consent Agenda. Motion Carried 7-0.**

***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.**

LICENSES AND PERMITS

12-1909

4. Approving Alcoholic Beverage License applications for the following: **Moved by Hensley to adopt; Council Member Coleman votes No on items T (Lickety Liquor) and Z (Super Quick 2). Motion Carried 7-0.**

NEW APPLICATIONS

(A) FALBO BROS PIZZERIA	1246 E 14TH ST	C Beer/Wine
(B) PHO SAIGON	1454 2ND AVE	C Liquor
(C) WASABI TAO	400 WALNUT ST	C Liquor

RENEWAL APPLICATIONS

(D) 801 STEAK & CHOP HOUSE	801 GRAND AVE	C Liquor
(E) A DONG RESTAURANT	1511 HIGH ST	C Beer/Wine
(F) CHRISTOPHERS DINING ROOM	2816 BEAVER AVE	C Liquor
(G) CIVIC CENTER	1011 LOCUST ST	C Liquor
(H) DAHLS FOODS	1819 BEAVER AVE	E Liquor
(I) DAHLS FOODS	1320 E EUCLID AVE	E Liquor
(J) DES MOINES CLUB	666 GRAND AVE	A Liquor
(K) EL RANCHO ALEGRE	3308 INDIANOLA	B Beer
(L) GIT N GO STORE #2	1307 ARMY POST RD	C Beer
(M) GIT N GO STORE #24	1142 42ND ST	C Beer
(N) JOHNNY MACS BAR & GRILL	2279 HUBBELL AVE	C Liquor
(O) KUM & GO #2722	2211 UNIVERSITY	C Beer
(P) KUM & GO #2731	3104 UNIVERSITY	C Beer
(Q) LA PIZZA HOUSE	1013 SE 14TH ST	C Liquor
(R) LA TAPATIA	1440 DES MOINES ST	C Beer
(S) LA TAPATIA III	4007 SE 13TH ST	C Beer
* (T) LICKETY LIQUOR	2501 HUBBELL AVE	E Liquor
(U) LOVELY FOOD MART	4600 FLEUR DR	C Beer
(V) NOW OR LATER RESTAURANT	3750 E UNIVERSITY	C Liquor
(W) QUIK TRIP #544	3941 SE 14TH ST	E Liquor
(X) SCORES SPORTS BAR	2335 HICKMAN RD	C Liquor
(Y) SHOP N SAVE #2	1372 E 14TH ST	E Liquor
* (Z) SUPER QUICK 2	1824 HUBBELL AVE	E Liquor
(AA) TAVERN SOUTH PIZZA & PASTA	1106 ARMY POST RD	C Beer/Wine
(BB) UNIVERSITY LIBRARY	3506 UNIVERSITY	C Liquor
(CC) WEST END WINES	22 9TH ST	C Liquor

TRANSFER TO NEW LOCATION

(DD) ALL IN THE FAMILY 4249 FLEUR DRIVE C Liquor
Permanent transfer from 4413 Fleur Drive. Pending approval of Zoning Board of Adjustment and Building, Electrical, Fire and Zoning Departments.

SPECIAL EVENT APPLICATIONS

(EE) EMBASSY CLUB WEST LLC 909 ROBERT D RAY DR C Liquor
Fourteen Day License for various events. Pending approval of Building, Electrical, Fire and
Zoning Departments.

(FF) EMBASSY CLUB WEST LLC 909 ROBERT D RAY DR C Liquor
Fourteen Day License for various events. Pending approval of Building, Electrical, Fire and
Zoning Departments.

(GG) LAO AMERICAN ASSOC 3000 E GRAND AVE Five (5) Day License
Class B Beer License with Class B Native Wine for private social event on December 31, 2012.

[12-1910](#) 4-I [Consideration](#) of Class C Liquor License for Ingersoll, 3711 Ingersoll Avenue. (Zoning
Department recommends DENIAL.) **Moved by Hensley to deny the renewal for the
following reasons: 1. The property in question lacks the required parking for the
business on the property and is in violation of Section 134-1377(a) (23) of the
Municipal Code. 2. The property is also in violation of additional zoning ordinances in
Chapter 134 of the Municipal Code concerning but not limited to: (a) Failure to screen
existing parking from residential uses. (b) Failure to enclose the dumpster. (c) Failure
to provide a site plan for review. 3. Applicant has also failed to show that its food
sales are at least 50% of its gross receipts and therefore applicant is in violation of
Section 134-954 of the Municipal Code. Motion Carried 7-0.**

[12-1911](#) 5. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Hensley to adopt.
Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

[12-1912](#) 6. [Approving](#) Burlington Northern Santa Fe Railway Grade Crossing Construction and
Maintenance Agreements and Easement Agreement for the Southeast Connector Project.
([Council Communication No. 12-631](#)) **Moved by Hensley to adopt. Motion Carried 6-
1. Nays: Moore.**

[12-1913](#) 7. [Approving](#) Norfolk Southern Railway Company Construction and Flagging Agreement for
the Southeast Connector Project. ([Council Communication No. 12-628](#)) **Moved by
Hensley to adopt. Motion Carried 7-0.**

[12-1914](#) 7-I [Approving](#) contract of purchase with Norfolk Southern Railway Company for the
Southeast Connector Project, \$756,879. ([Council Communication No. 12-634](#)) **Moved by
Hensley to adopt. Motion Carried 7-0.**

- [12-1915](#) 8. [Authorizing](#) the purchase of 6.45 acres of wetland mitigation credit from Dallas County, Iowa Voas Mitigation Bank for the Southeast Connector Project, \$225,750. ([Council Communication No. 12-622](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-1916](#) 9. [Approving](#) Iowa Department of Transportation Standard Title VI Assurances, Agreement and City of Des Moines Title VI Policy Statement and Implementation Procedures. ([Council Communication No. 12-629](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
10. Accepting completed construction and approving final payment for the following:
- [12-1917](#) (A) [2012](#) Expanded Street Resurfacing Program – Contract 2, OMG Midwest, Inc. d/b/a Des Moines Asphalt & Paving. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-1918](#) (B) [Woodland](#) Cemetery Entrance Arch, Jensen Construction Company. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-1919](#) (C) [City](#) Hall Window Replacement, Strong Tower Construction, LLC d/b/a Koch Corporation. **Moved by Moore to adopt. Motion Carried 6-1. Nays: Cownie.**
- [12-1920](#) (D) [Police](#) Station Window Replacement, Strong Tower Construction, LLC d/b/a Koch Corporation. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-1921](#) (E) [Court](#) Avenue and Water Street Sewer Separation, H & W Contracting, LLC. **Moved by Hensley to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

- [12-1922](#) 11. [Levying](#) Assessments for costs of Nuisance Abatement – NAC Emergency Orders (Community Development) Schedule No. 2012-08. **Moved by Hensley to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

- [12-1923](#) 12. [Approving](#) release of PUD Restoration for Airport Business Park Plat 3. ([Council Communication No. 12-609](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-1924](#) 13. [Approving](#) acquisition of 1101 Raccoon Street from Robert F. Etzel for the Southeast Connector Project, \$40,000. **Moved by Hensley to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

14. Notification from the Neighborhood Development Corporation, Executive Director, Heidi Wessels to appoint the following for a three-year term commencing January 1, 2013 to expire December 31, 2015:

[12-1925](#) (A) [Shane](#) Greenleaf to Director Position 7. **Moved by Hensley to adopt. Motion Carried 7-0.**

[12-1926](#) (B) [Glen](#) Lyons to Director Position 13. **Moved by Hensley to adopt. Motion Carried 7-0.**

[12-1927](#) 15. [Communication](#) from Jeanette Astor advising of her resignation from the Neighborhood Revitalization Board, Seat 4, effective immediately. **Moved by Hensley to receive, file and accept resignation with appreciation for her service. Motion Carried 7-0.**

[12-1928](#) 16. [Approving](#) appointments to the Metropolitan Planning Organization, (MPO) and to the Transportation Technical Committee (TTC). **Moved by Hensley to adopt. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

[12-1929](#) 17. [On](#) application of Executive Express Airport Shuttle to increase the number of limousines operated under their Certificate of Public Convenience and Necessity to operate a limousine service from three to five limousines, (1-14-13). **Moved by Hensley to adopt. Motion Carried 7-0.**

[12-1930](#) 18. [On](#) request from Smith Home Restorations, LLC to rezone 2040 E. Walnut Street from "R1-60" (One-Family Low-Density Residential) to Ltd. "C-2" (General Retail and Highway-Oriented Commercial) to allow reuse as building contractor's office, small engine repair shop, carpenter shop and hobby/craft shop uses, (1-14-13). **Moved by Hensley to adopt. Motion Carried 7-0.**

[12-1931](#) 19. [On](#) Land Exchange Agreement with Jerry Jay Miller Family Trust for comparable parcels in the Central Place Business Park between Ohio Street and the Des Moines River Levee, (1-14-13). **Moved by Hensley to adopt. Motion Carried 7-0.**

[12-1932](#) 20. [On](#) vacation, conveyance and lease of a portion of E. Gratis Avenue and SE 14th Street right-of-way to Katning, Inc., \$2,580 and \$1,245 lease, (1-14-13). **Moved by Hensley to adopt. Motion Carried 7-0.**

[12-1933](#) 21. [On](#) conveyance of a permanent underground electric easement at 1 Line Drive to MidAmerican Energy Company, \$1, (1-14-13). **Moved by Hensley to adopt. Motion Carried 7-0.**

- [12-1934](#) 22. On appeal by Kenneth Downing from the decision of the Historic Preservation Commission regarding property at 1308 9th Street, (River Bend Historic District), (1-14-13). **Moved by Hensley to adopt. Motion Carried 7-0.**
23. Number Not Used.

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [12-1935](#) 24. Approving payment to Faegre Baker Daniels for advice and representation on railroad matters for the SE Connector Project between SE 14th and SE 30th Streets, \$3,629.24. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-1936](#) 25. Approving payment to Angellina Chase-Sitzman for workers' compensation claim, \$7,992.25 initial payment and \$551.65 weekly payments. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-1937](#) 26. Approving settlement agreement with Sivi Properties, LLC and Real Optics, Inc. for damages caused to City trees, \$10,000. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-1938](#) 27. Approving payment to Belin McCormick for consulting and legal services in conjunction with Kragnes v. City of Des Moines, \$4,125.05. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-1939](#) 28. Approving payment to Ahlers & Cooney, PC for consultation services in conjunction with collective bargaining, \$869.50. **Moved by Hensley to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

- [12-1940](#) 29. Submitting travel and training request for T. M. Franklin Cownie. ([Council Communication No. 12-632](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

APPROVING

- [12-1941](#) 30. FY 2012-2013 Community Impact Investment Agreement with United Way of Central Iowa. ([Council Communication No. 12-610](#)) **Moved by Hensley to approve. Motion Carried 7-0.**
- [12-1942](#) 31. Submission of an application to the Iowa Economic Development Authority (IEDA) for direct financial assistance to Mortgage Compliance Advisors, LLC. ([Council Communication No. 12-623](#)) **Moved by Hensley to approve. Motion Carried 7-0.**

- [12-1943](#) 32. [Second](#) Amendment to the Economic Development loan with Protocol Driven Healthcare, Inc. (PDHI). ([Council Communication No. 12-626](#)) **Moved by Hensley to adopt; refer to the City Manager to report back at a workshop regarding compliance of payback provisions of this and similar projects. Motion Carried 7-0.**
- [12-1944](#) 33. [Conceptual](#) Development Plan for the restoration and renovation of Central Fire Station No. 1 by Des Moines Social Club. ([Council Communication No. 12-615](#)) **Moved by Hensley to adopt; refer to the City Manager to set up a meeting with the Des Moines Social Club to discuss landmark designation options. Motion Carried 7-0.**
- [12-1945](#) 34. [Acceptance](#) of proposal from The Active Network, Inc. for online park and recreation registration, reservation and payment services and approving contact. ([Council Communication No. 12-630](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [12-1946](#) 35. [Grant](#) agreement with Iowa Homeland Security and Energy Management Division (IHSEMD) and Iowa Department of Administrative Services (DAS) for Cyber Risk Reduction. ([Council Communication No. 12-627](#)) **Moved by Coleman to approve. Motion Carried 7-0.**
- [12-1947](#) (A) Council discussion regarding community safety in our public buildings and public spaces. **Moved by Coleman to receive and file comments; refer to the City Manager for review and recommendation regarding collaboration with other local governments on options for enhanced safety in public spaces. Motion Carried 7-0.**
- [12-1948](#) 36. [Letter](#) of support for the Italian American Cultural Center of Iowa's project. **Moved by Hensley to receive, file and authorize the Mayor to sign a letter of support for the Italian Cultural Center of Iowa's project on behalf of the City Council. Motion Carried 7-0.**
37. Bids from the following:
- [12-1949](#) (A) [Edwards](#) Graphic Arts (Jim Edwards III, President) for an annual contract with four additional one-year renewal options to furnish City Manager Newsletter printing services and postage for the Public Information Office, \$130,000 annual estimate. (Ten bids mailed, two received) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-1950](#) (B) [MVP](#) Fence Company (Rich Van Pelt, Owner) for fencing services for spring installation of the new East Side Dog Park at 3520 Hubbell Avenue, \$25,958. (Six bids mailed, three received) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-1951](#) (C) [Precision](#) Midwest (Rich Fisher, Owner/President) sole area-wide distributor for Trimble S6 Robotic Total Station survey equipment to be used by the Survey Section, \$39,894. ([Council Communication No. 12-617](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[12-1952](#) (D) [East](#) Jordan Iron Works, Inc. (Frederick Malpass, President) and Deeter Foundry (Bob Ostendorf, President) for manhole castings to be used by the Sewer Division, \$212,790. (Seven bids mailed, three received) **Moved by Hensley to adopt. Motion Carried 7-0.**

[12-1953](#) (E) [Rosenbauer](#) South Dakota (Harold Boer, President) for one replacement Hazardous Materials Emergency Response Vehicle to be used by the Fire Department, \$490,523. (Six bids mailed, two received) **Moved by Hensley to adopt. Motion Carried 7-0.**

[12-1954](#) 38. [Civil](#) Service Entrance Lists for Park Maintenance Worker, Park and Recreation Customer Service Representative and Painter, and Promotional List for Street Maintenance Worker. **Moved by Hensley to receive and file. Motion Carried 7-0.**

[12-1955](#) 39. [Authorizing](#) Finance Director to draw checks on [registers](#) for weeks of December 17, December 24, December 31, 2012 and January 7, 2013; and to draw checks for [bills](#) of the Des Moines Municipal Housing Agency for the weeks of December 17, December 31, 2012, and January 7, 2013; and to draw checks for biweekly payroll due on December 28, 2012 and January 11, 2013. **Moved by Hensley to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

[12-1956](#) 40. [On](#) rezoning of 2419 SE 14th Street removing the VDL (Vehicle Display Lot Overlay) to allow expansion of the RV sales lot, subject to conditions. **Moved by Hensley that this ordinance do now pass, [#15,151](#). Motion Carried 7-0.**

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

ORDINANCES - FIRST CONSIDERATION

[12-1957](#) 41. [Amending](#) Chapter 78 of the Municipal Code regarding licensing and regulation of peddlers. ([Council Communication No. 12-614](#)) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

WITHDRAWN

[12-1958](#) (A) ~~[Final](#) consideration of ordinance above, (waiver requested by the City Clerk), requires 6 votes.~~

42. Number Not Used.

[12-1959](#) 43. [Amending](#) Chapter 126 of the Municipal Code to establish a 1-year waiting period on reapplication after denial of a certificate of public convenience and necessity to conduct a taxicab or limousine service. ([Council Communication No. 12-621](#)) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

- [12-1960](#) 44. [Receipt](#) of 2011-2012 Annual Report of the Greater Des Moines Public Art Foundation. **Moved by Hensley to receive and file. Motion Carried 7-0.**
- [12-1961](#) 44-I [Receipt](#) of Des Moines Water Works adopted budget for calendar year ending December 31, 2013. **Moved by Coleman to receive and file. Motion Carried 7-0.**
- [12-1962](#) 45. [From](#) Steven Bishop, 1305 Locust Street #1, to speak regarding issues related to residential parking Permit "A" for parking adjacent to Arlington-Hallett Buildings, Sculpture Garden and Nationwide. **Moved by Hensley to receive and file comments; refer to the City Manager to review the issues regarding Residential Parking Permits. Motion Carried 5-2. Nays: Cownie and Mahaffey.**

HEARINGS (OPEN AT 5:26 P.M.) (ITEMS 46 THRU 52)

- [12-1963](#) 46. [On](#) application of Majestic Limousine & Coach to increase the number of limousines operated under their Certificate of Public Convenience and Necessity to operate a Limousine Service from 12 to 22 limousines. ([Council Communication No. 12-618](#)) **Moved by Hensley to adopt; refer to the City Manager to provide a report on all currently licensed limousines in Des Moines. Motion Carried 7-0.**
- [12-1964](#) 47. [On](#) request from Available Materials Handling, LLC to rezone 607 SE 21st Street from "M-1" (Light Industrial) to Ltd. "M-2" (Heavy Industrial), subject to conditions. **Moved by Meyer to adopt and deny the rezoning. The City Manager will notify the Zoning Board of Adjustment that the City Council has no objection to this applicant seeking a use variance. Motion Carried 7-0.**

WITHDRAWN

- [12-1965](#) (A) [First](#) consideration of ordinance above.
- [12-1966](#) 48. [On](#) request from Wakonda Living, LLC to amend the Wakonda Living PUD Conceptual Plan in the vicinity of 1430 Park Avenue, subject to conditions. **Moved by Hensley to adopt and to approve the amended PUD Conceptual Plan. Motion Carried 6-1. Nays: Cownie.**
- [12-1967](#) (A) [Recommendation](#) from Plan & Zoning Commission. **Moved by Hensley to receive and file. Motion Carried 6-1. Nays: Cownie.**
- [12-1968](#) 49. [On](#) proposed Urban Renewal Agreement for the sale and redevelopment of 30 acres south of the 3600 block of Vandalia Road to Helena Industries, Inc. ([Council Communication No. 12-624](#)) **Moved by Meyer to continue the public hearing until January 14, 2013 at 5:00 PM. Motion Carried 7-0.**

- [12-1969](#) 50. **On** petition to establish the Ingersoll Grand Self-Supported Municipal Improvement District, (SSMID). ([Council Communication No. 12-620](#)) **Moved by Hensley to adopt. Motion Carried 6-0. Mayor Cownie declares a conflict of interest and abstains from voting.**
- [12-1970](#) 51. **On** proposed 11th Amendment to the Metro Center Urban Renewal Plan. ([Council Communication No. 12-616](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
52. Items regarding the Greater Des Moines Botanical Garden: ([Council Communication No. 12-625](#))
- [12-1971](#) (A) **Hearing** on amendment to vacation Ordinance No. 15,014, regarding reservation of utility easements on vacated Botanical Center and adjacent grounds, and on amendment of lease of vacated property. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [12-1972](#) (B) **First** consideration of vacation ordinance to change the reservation of easements to only easements of record and reserving an easement for the “Metro Net” shared communication system fiber infrastructure. **Moved by Mahaffey that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [12-1973](#) (C) **Final** consideration of ordinance above (waiver requested by Parks and Recreation Department and Legal Department), 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, #15,152. Motion Carried 7-0.**
- [12-1974](#) (D) **Termination** of Intergovernmental 28E Agreement with Des Moines Water Works for operation and management of the Botanical Center. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

*** END OF HEARINGS AT 6:18 PM ***

APPROVING

- [12-1975](#) 53. [Budget](#) for the Downtown Self-Supported Municipal Improvement District (SSMID) for the Fiscal Year ending June 30, 2014. **Moved by Hensley to adopt. For future reports the City Manager will provide both budgeted and actual figures. Motion Carried 5-2. Nays: Cownie and Coleman.**
- [12-1976](#) 54. [Review](#) of Zoning Board of Adjustment decision to grant a variance of the principal permitted use to allow continued use of 4540 Lower Beaver Road as a garage for general motor vehicle repair, subject to conditions. (Roll Call contains alternative motions.) ([Council Communication No. 12-619](#)) **Moved by Griess to adopt. Motion Carried 7-0.**
- [12-1977](#) 55. [Settlement](#) Agreement and Amendment to Management Agreement with C Corporation for Bright Grandview and Waveland Golf Courses. ([Council Communication No. 12-633](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

EXTRA ITEM

- [12-1978](#) 1. [Approving](#) submittal of a Polk County Community Betterment Grant for Phase 2 of the Highland Park Streetscape Project, \$25,000. Sponsor: Council Member Mahaffey. ([Council Communication No. 12-635](#)) **Moved by Mahaffey to adopt. Motion Carried 6-1. Absent: Coleman.**

BOARD OF HEALTH

- [12-1979](#) MOTION TO CONVENE. **Moved by Griess that the City Council adjourn and convene as a Board of Health. Motion Carried 7-0.**
1. The Legal Department to proceed with court action seeking authority to abate the public nuisances at the following locations:
- [12-1980](#) (A) [2412](#) SW 9th Street, main structure, Titleholder: LBT Iowa 9140. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-1981](#) (B) [1921](#) 11th Street, main structure, Titleholder: Marilyn A. Reddick. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [12-1982](#) 2. [Communication](#) from American Modern Select Insurance Company, dated November 19, 2012 stating their insured, Ann Henrichs, 4146 E. 30th Street, sustained a total loss on October 29, 2012. American Modern Select Insurance Company is holding a fire escrow in the amount of \$10,000. **Moved by Coleman to receive and file and to direct that the City Attorney bring legal action within one hundred eighty days (180 days) of receipt of notice if owners have not demolished or renovated the structure. Motion Carried 7-0.**

[12-1983](#)

3. [Release](#) of the fire escrow account held for the garage structure located at 2711 S. Union Street. Date of loss: October 12, 2012. **Moved by Moore to adopt. Motion Carried 7-0.**

[12-1984](#)

MOTION TO ADJOURN. **Moved by Mahaffey to adjourn at 6:50 PM. Motion Carried 7-0.**

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All-America City
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