



Roll Call Number

Agenda Item Number

17

Date January 13, 2020

RESOLUTION LEVYING ASSESSMENTS FOR COSTS OF
PUBLIC WORKS SEWER REPAIR
SCHEDULE NO. 2020-02, ACTIVITY ID 20-1111-000,
AND PROVIDING FOR THE PAYMENT THEREOF

WHEREAS, pursuant to its powers and duties as set out in Chapter 364, Code of Iowa, the City had given notice to the property owner and an opportunity to cure, and where the property owner failed to cure and instead requested the City complete the abatement action, and where the City performed the required action to abate the public nuisance, and now the City seeks, as provided in 364.12, Code of Iowa, to assess the costs of such action against the property set out on the attached Public Works Sewer Repair, Schedule No. 2020-02, Activity ID 20-1111-000, for collection in the same manner as a property tax.

NOW, THEREFORE BE IT RESOLVED BY THIS CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the attached Public Works Sewer Repair, Schedule No. 2020-02, Activity ID 20-1111-000, is hereby approved and adopted with the amounts shown thereon assessed and levied against such property for collection in the same manner as a property tax.

BE IT FURTHER RESOLVED: That said assessment shall be payable in five equal annual installments and shall bear interest at the rate of 3.88% percent per annum, from the date of the acceptance of this assessment schedule; the one installment of each assessment with interest on the whole assessment from date of acceptance of this schedule by the Council, shall become due and payable on July 1, 2020, and shall be paid at the same time and in the same manner as the September semiannual payment of ordinary taxes. Said assessment shall be payable at the office of the County Treasurer of Polk County, Iowa, in full or in part and without interest within thirty days after first date of publication of the Notice to Property Owners of filing of the schedule of assessments.

BE IT FURTHER RESOLVED, that the Clerk be and is hereby directed to certify said schedule to the County Treasurer of Polk County, Iowa, and to publish notice of said certification once each week for two consecutive weeks in the Des Moines Register, a newspaper printed wholly in the English language, published in Des Moines, Iowa, and of general circulation in Des Moines, Iowa, the first publication of said notice to be made within fifteen days from the date of the filing of said schedule with the County Treasurer, the City Engineer shall send by regular mail to all property owners whose property is subject to assessment a copy of said notice, said mailing to be on or before the date of the second publication of the notice, all as provided and directed by Code Section 384.60, Code of Iowa.



Roll Call Number

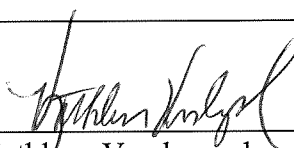
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17

Date January 13, 2020

Moved by _____ to adopt.

FORM APPROVED:


Kathleen Vanderpool
Deputy City Attorney

SLN

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, P. Kay Cmelik, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk

ASSESSMENT SCHEDULE NO 2020-02

Public Works Sewer Repair ACT 526070 PW071001

PAGE 1
DATE 1/7/2020

DESCRIPTION OF PROPERTY	CERTIFICATE NUMBER	PROPERTY ADDRESS OWNERS NAME	DATE AND TYPE	COST	INCID	TO BE ASSESSED
080/03117-001-000 N 62F LOTS 4 & 5 HEDGES ADDITION	40-00014-00	1410 6TH ST T1 URBAN DREAMS 1410 6TH AVE DES MOINES, IA 50314	1/7/2020	\$ 14,700.00	\$ 100.00	\$ 14,800.00
TOTALS				\$ 14,700.00	\$ 100.00	\$ 14,800.00



OFFICIAL NOTICE TO ABATE PUBLIC NUISANCE

RE: 1410 6th Ave.
Des Moines, IA 50314

VIA REGULAR AND CERTIFIED MAIL

TO: Property Owner(s):

Please be advised that the City of Des Moines' Department of Public Works has inspected your property locally known as **1410 6th Ave.**, Des Moines, Iowa, and legally described as (**N 62F LOTS 4 & 5 HEDGES ADDITION**). Upon inspection, the Public Works Department has determined that a public nuisance exists on your property adjacent to the City right-of-way by reason of a faulty sewer service, which is creating a hazardous condition in the public roadway which is undermining or will undermine the street and sidewalk, pursuant to Des Moines Municipal Code Sections 42-347, "Nuisance Construed", and 42-348, "Specifically Identified Nuisances", subsection (16), which identifies as a nuisance "discharging sewage...into or any public or private real property."

You are hereby **ORDERED** to abate this nuisance by the repair of your sewer service within **14** days of the date of this Notice. If you fail to take this action within 14 days of the date of this Notice, as required by Des Moines Municipal Code Chapter 42, Article VI, you shall be deemed liable for the nuisance and the City of Des Moines Public Works Department may enter upon your property and may make or cause to be made the necessary sewer repairs within your property and assess the cost and repairs thereof to you and against your property, which expenses shall be certified as a lien against your property and collected in the same manner as a property tax, following administrative hearing if requested and in accordance with Iowa Code Section 364.12(3)(a) and (h) and Des Moines Municipal Code Chapter 42, Article VI.

If you have any questions about this Notice, please contact our Deputy Public Works Director, Adam Smith at (515) 283-4079. Please contact the City's Permit and Development Center, located at City Armory Building, 602 Robert D. Ray Drive, Des Moines, Iowa 50309, or by phone at (515) 283-4200, prior to beginning work to abate the nuisance in order to determine if any permits are required for the corrective work.

You or your duly authorized agent, as identified in a notarized statement provided by you, may file a written request for an administrative hearing regarding this determination of a public nuisance. If you decide to make a request for an administrative hearing, you are required to either hand-deliver such request or send such request via regular mail (postmarked by official U.S. postal service cancellation and not by postage meter) within seven (7) calendar days of the date of this Notice to: City Clerk, City of Des Moines, Iowa, 400 Robert D. Ray Drive, Des Moines, Iowa 50309. Such request for administrative hearing must be in writing and must include your name, address, electronic mail (e-mail) address, and daytime telephone number, and must include

the same contact information for any attorney and/or agent duly authorized by you to represent you at the administrative hearing, and must include the basis for your appeal of the determination in this Notice. If you request an administrative hearing, you and your attorney or agent, if identified, will receive notice of the date and time of the hearing at either the address, e-mail address or phone number provided in your request for hearing at least three (3) business days in advance of the hearing. Failure to request a hearing within seven (7) calendar days from the date of this Notice shall be deemed a waiver of your right to contest the validity of the determination of nuisance, and abatement by the City may proceed as indicated herein. For further information, please see Des Moines Municipal Code Section 42-358.02.

Dated this 29nd day of April, 2019, at Des Moines, Iowa.

Jonathan Gano
Public Works Director
City of Des Moines, Iowa

BY: _____



OFFICIAL NOTICE TO ABATE PUBLIC NUISANCE

RE: 1410 6th Ave.
Des Moines, IA 50314

VIA REGULAR AND CERTIFIED MAIL

TO: Urban Dreams,

You have already received notice that an inspection by the Public Works Department of the City of Des Moines found that a nuisance exists in front of your property locally known as **1410 6th Ave.**, Des Moines, Iowa, and legally described as **(N 62F LOTS 4 & 5 HEDGES ADDITION)** by reason of a faulty sewer service which is creating a hazardous condition in the public roadway by possible undermining of the street and sidewalk, pursuant to Des Moines Municipal Code Sections 42-347, "Nuisance Construed", and 42-348, "Specifically Identified Nuisances", subsection (16), which identifies as a nuisance "discharging sewage...into or any public or private real property."

I have now received three estimates and have included copies for your review. The low bid is from Torgerson Excavating for \$14,700.00. This is an estimate and the costs are subject to change based upon the conditions of the repair.

Prior to proceeding, I wanted you to be aware of the competitive bid costs of the repairs. Unless we hear from you by July 30th, 2019, we will plan to award the project to Torgerson Excavating, with all costs to be assessed against your property. If you have any questions, please contact me at (515)283-4968.

Dated this 16th day of July 2019, at Des Moines, Iowa.

Jonathan Gano
Public Works Director
City of Des Moines, Iowa

BY: Jason Underwood

Digitally signed by Jason Underwood
DN: cn = Jason Underwood email = junderwood@dm.gov,
ou = US City of Des Moines, ou = Public Works Dept,
date = 2019.07.16 15:11:33 -0500



Estimate

17

1714 NE 61st PL
Des Moines, IA 50313

Name/Address

City of Des Moines
Department of Public Works
ATTN: Jason Underwood
216 SE 5th St
Des Moines, IA 50309

Job Address

1410 6th Ave
Des Moines, IA

Date

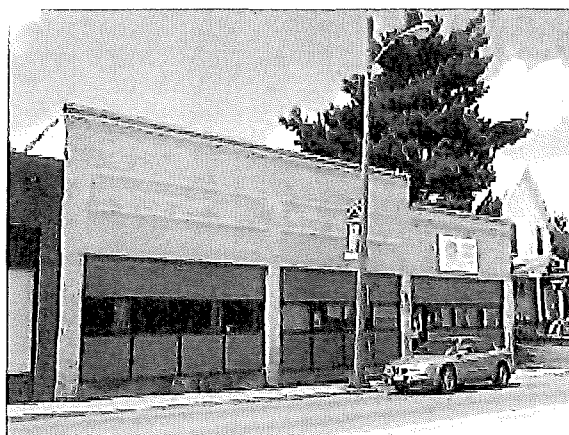
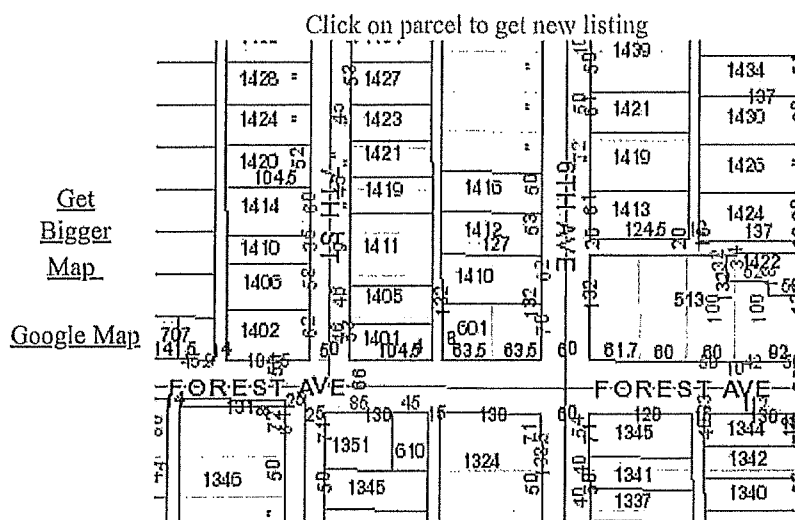
07/12/19

Description	Quantity	Cost	Total
Repair sanitary sewer service from area under sidewalk to 1st lane of traffic in street (12' repair, 8' into street, 14' deep).	1	14,700.00	14,700.00
Thank you for the opportunity		Total	\$14,700.00

Polk County Assessor

[[Home](#)] [[General Query](#)] [[Legal Query](#)] [[HomeOwner Query](#)] [[Book/Page Query](#)] [[Commercial Query](#)] [[Res Sales Query](#)] [[Comm Sales Query](#)] [[Help](#)]

District/Parcel	GeoParcel	Map	Nbhd	Jurisdiction	Status
080/03117-001-000	7924-34-407-021	0135	DM79/Z	DES MOINES	ACTIVE
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines	62/Des Moines Metro Center Merged UR				
Street Address			City State Zipcode		
1410 6TH AVE			DES MOINES IA 50314-2801		



Approximate date of photo 07/16/2013

Mailing Address

URBAN DREAMS
1410 6TH AVE
DES MOINES, IA 50314-2801

Legal Description

N 62F LOTS 4 & 5 HEDGES ADDITION

Ownership	Name	Recorded	Book/Page	RevStamps
Title Holder #1	URBAN DREAMS	1999-01-29	8128/700	

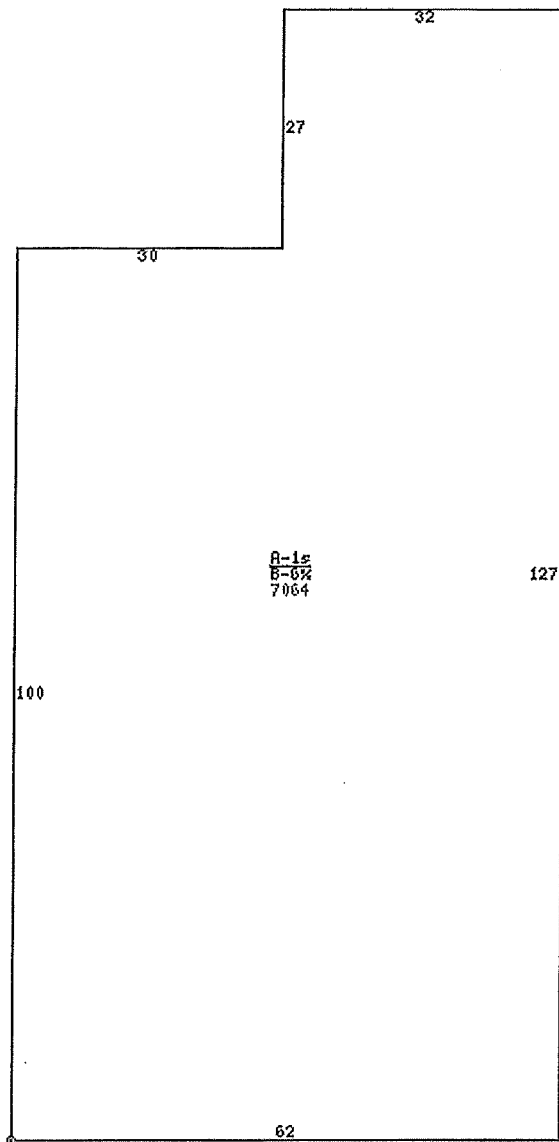
Assessment	Class	Kind	Land	Bldg	AgBd	Total
Current	Commercial Exempt	Full	19,000	69,100	0	88,100
		Adj	0	0	0	0
Exemption	E6/Charitable Others	F/Full	19,000	69,100	0	Year 1999
Assessment Roll Notice						

Zoning	Description	SF	Assessor Zoning
NPC	Neighborhood Pedestrian Commercial District		Commercial
*Condition	Docket_no 14209		
*Condition	Docket_no 14361		
Source: City of Des Moines Community Development Published: 2012-03-20 Contact: Planning and Urban Design 515 283-4182			

Land					
SQUARE FEET	7,874	FRONTAGE	62.0	DEPTH	127.0
ACRES	0.181	SHAPE	RC/Rectangle	TOPOGRAPHY	B/Blank

Commercial Summary					
OCCUPANCY	25C/Office & Warehouse	WEIGHTED AGE	1925	STORY HEIGHT	1
LAND AREA	7,874	GROSS AREA	7,064	FINISH AREA	2,472
BSMT UNFIN	400	BSMT FINISH	0	NUMBER UNITS	0

Csection # 101					
OCCUPANT	URBAN DREAMS				
SECT MULTIPL	1	OCCUPANCY	25C/Office & Warehouse	FOUNDATION	CB/Concrete Block or Tile
EXT WALL	BV/Brick Veneer	ROOF	F/Flat	ROOF MATERL	B/Built-up
AUT OVRHD SF	200	MAN OVRHD SF	100	WIRING	A/Adequate
PLUMBING	A/Adequate	TOTAL ST HT	1	FRAME TYPE	FR/Frame
FIREPRF CNST	N/No	BLDG CLASS	3/Brick Veneer	TOT SCT AREA	7,464
GRND FL AREA	7,064	PERIMETER	378	GRADE	4
GRADE ADJUST	+00	YEAR BUILT	1925	CONDITION	NM/Normal
COMMENT	OHD'S 2(ELECT)&1-MAN, CB WL'S 35%				



Cgroup # 101 1					
USE CODE	400/Office General	BASE STORY	1	NUM STORIES	1
TOT GRP AREA	2,472	BASE FL AREA	2,472	WALL HEIGHT	14
HEATING	C/Central	AIR COND	Y	EXHAUST SYS	N/No

Cgroup # 101 2					
USE CODE	320/Warehouse	BASE STORY	1	NUM STORIES	1
TOT GRP AREA	4,592	BASE FL AREA	4,592	WALL HEIGHT	14
HEATING	C/Central	AIR COND	N	EXHAUST SYS	N/No

Cgroup # 101 3					
USE CODE	005/Basement Entire	NUM STORIES	1	TOT GRP AREA	400

BASE FL AREA	400	WALL HEIGHT	8	HEATING	N/None
AIR COND	N	EXHAUST SYS	N/No		

<u>Seller</u>	<u>Buyer</u>	<u>Sale Date</u>	<u>Sale Price</u>	<u>Instrument</u>	<u>Book/Page</u>
LOZIER HEATING & COOLING, INC.	URBAN DREAMS	1999-01-18	125,000	D/Deed	8128/700 Multiple Parcels

<u>Year</u>	<u>Type</u>	<u>Status</u>	<u>Application</u>	<u>Permit/Pickup Description</u>
2015	P/Permit	NA/No Add	2014-07-28	AL/ROOF (384 sf)
2012	U/Pickup	NA/No Add	2011-07-20	RE/LISTING AUDIT

<u>Year</u>	<u>Type</u>	<u>Class</u>	<u>Kind</u>	<u>Land</u>	<u>Bldg</u>	<u>AgBd</u>	<u>Total</u>
2019	<u>Assessment Roll</u>	Commercial Exempt	Full	19,000	69,100	0	88,100
			Adj	0	0	0	0
2017	<u>Assessment Roll</u>	Commercial Exempt	Full	19,000	63,500	0	82,500
			Adj	0	0	0	0
2015	<u>Assessment Roll</u>	Commercial Exempt	Full	15,800	60,200	0	76,000
			Adj	0	0	0	0
2013	<u>Assessment Roll</u>	Commercial Exempt	Full	15,800	49,000	0	64,800
			Adj	0	0	0	0
2011	<u>Assessment Roll</u>	Commercial Exempt	Full	15,800	49,000	0	64,800
			Adj	0	0	0	0
2009	<u>Assessment Roll</u>	Commercial Exempt	Full	15,800	49,000	0	64,800
			Adj	0	0	0	0
2007	<u>Assessment Roll</u>	Commercial Exempt	Full	15,800	49,000	0	64,800
			Adj	0	0	0	0
2005	<u>Assessment Roll</u>	Commercial Exempt	Full	14,400	47,600	0	62,000
			Adj	0	0	0	0
2003	<u>Assessment Roll</u>	Commercial Exempt	Full	12,500	44,500	0	57,000
			Adj	0	0	0	0
2001	<u>Assessment Roll</u>	Commercial Exempt	Full	11,810	42,000	0	53,810
			Adj	0	0	0	0
2000	<u>Assessment Roll</u>	Commercial Exempt	Full	14,700	42,000	0	56,700
			Adj	0	0	0	0
1999	Correction	Commercial Exempt	Full	14,700	42,000	0	56,700
			Adj	0	0	0	0

1999	Assessment Roll	Commercial	Full	14,700	42,000	0	56,700
1993	Assessment Roll	Commercial	Full	14,300	40,800	0	55,100
1991	Assessment Roll	Commercial	Full	13,780	39,220	0	53,000
1991	Was Prior Year	Commercial	Full	13,780	33,890	0	47,670

email this page

Room 195, 111 Court Avenue, Des Moines, IA 50309
Phone 515 286-3140 / Fax 515 286-3386
polkweb@assess.co.polk.ia.us

Rhiner's Plumbing Co., Inc.
15201 Hickman Rd., Clive Iowa 50325

PROPOSAL

DATE: JULY 11, 2019

TO: CITY DM
ATTN: JASON
216 SE 5TH ST
DM IA 50309
515-283-4968
EMAIL: JMUNDERWOOD@DMGOV.ORG

PROJECT QUOTED: 1410 6TH AVE-URBAN DREAMS

WE PROPOSE TO SUPPLY, LABOR, EQUIPMENT AND MATERIAL TO PERFORM THE FOLLOWING:

REPAIR SEWER IN STREET

BID: \$25,835.00

BID INCLUDES: PERMITS, STREET RESTORATION, BARRICADES/TRAFFIC CONTROL, TRENCH BOXES, INSPECTIONS

THIS PRICE DOES NOT INCLUDE: ENGINEERING, BONDING, SOILS COMPACTION TESTING, IMPORT/EXPORT OF SOILS, REMOVAL OR REPLACEMENT OF ASPHALT OR CONCRETE EXCEPT WHERE NOTED.
NO SEEDING/SODDING, EROSION CONTROL, UTILITIES CONNECTION AND NO SYSTEMS DEVELOPMENT FEES.

ALL **PRIVATE** UTILITIES ARE THE OWNER'S RESPONSIBILITY TO HAVE LOCATED.
THIS QUOTE VALID FOR 30 DAYS ONLY.

Sign and return one copy to initiate work.

Bid includes shoring jacks and trench boxes needed for the safety of the workmen. This is for our protection as well as yours.

PROPOSAL

SIGNED BY

DON SMITH

Superintendent Site Utilities Dept.

PH: (515) 987-1800, FAX: (515) 987-1546

Cell: (515) 729-3458

ACCEPTANCE

SIGNED BY: _____

DATE: _____

Home Phone: _____

Work Phone: _____

Cell Phone: _____

Tracking Number: 70111150000153676950

Rem

Status



Delivered

Your item was delivered to an individual at the address at 3:20 pm on December 16, 2019 in DES MOINES, IA 50314.

December 16, 2019 at 3:20 pm
Delivered, Left with Individual
DES MOINES, IA 50314

[Get Updates](#)

Delivered

[Text & Email Updates](#)



[Tracking History](#)



[Product Information](#)



[See Less](#)