

★ Roll Call Number

14.0808

Agenda Item Number

44 B

Date May 19, 2014

**RESOLUTION APPROVING AGREEMENT BETWEEN THE DES MOINES METRO WASTE AGENCY D/B/A METRO WASTE AUTHORITY AND THE CITY OF DES MOINES, IOWA REGARDING DISPOSAL OF WASTE FROM 1422 SCOTT AVENUE**

**WHEREAS**, property at 1422 Scott Avenue (hereinafter the "Property") within the City of Des Moines (City) is the site of a former mixed construction and demolition recycling facility; and

**WHEREAS**, the owner/operator stopped operating and closed the recycling facility without properly disposing of materials remaining on the Property; and

**WHEREAS**, the facility suffered extensive fire damage beginning on August 29, 2013; and

**WHEREAS**, the Iowa Department of Natural Resources (DNR) and the City both desire that the facility be demolished through the removal of concrete and metals for recycling and the removal of other materials for disposal; and

**WHEREAS**, the DNR and the City have negotiated an Agreement relating to the funding of the removal of debris, demolition of the structures and removal of structure rubble, recovery of scrap metal and concrete for recycling from the Property as a pilot project and are entering into an Agreement to serve as a demonstration project for the recovery of recyclables from fire damaged sites in the state, to facilitate recovery of scrap metal and concrete for recycling in an effort to minimize materials sent to the landfill to the extent determined feasible by the City; and

**WHEREAS**, the project will involve removal of all debris, loading and hauling of debris and rubble to a landfill, demolition of structure(s) on the Property, removal of paving, footings and the 80 ton truck scale, loading and hauling of concrete and scrap metal to recyclers; and

**WHEREAS**, the Metro Waste Authority (MWA) and the City have negotiated an Agreement for the MWA to assist the DNR and the City in this pilot project by agreeing to accept the debris/rubble that cannot be recycled at MWA's as special waste.



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NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, as follows:

That the Agreement between the Des Moines Metropolitan Area Solid Waste Agency, d/b/a Metro Waste Authority, and the City of Des Moines, Iowa regarding the disposal of waste from property at 1422 Scott Avenue is accepted and approved and the Mayor is hereby authorized and directed to sign said Agreement on behalf of the City, and the City Clerk is directed to attest the Mayor's signature.

Moved by Gatto to adopt.

APPROVED AS TO FORM:

Kathleen Vanderpool

Deputy City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	1			
COLEMAN				1
GATTO	1			
GRAY	1			
HENSLEY	1			
MAHAFFEY	1			
MOORE	1			
TOTAL	6			1
MOTION CARRIED		APPROVED		
T. M. Franklin Council Mayor				

CERTIFICATE

I, DIANE RAUH, 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.

Diane Rauh

City Clerk