

★ Roll Call Number
15-1894

Agenda Item Number
47 A+B ✓

Date November 9, 2015

HEARING ON ADOPTION OF THE PROPOSED RESOLUTION
OF NECESSITY FOR SIDEWALK IMPROVEMENTS

WHEREAS, on October 12, 2015, under Roll Call No. 15-100, the City Council set this time and place for a hearing to receive and consider both written and oral objections and endorsements to the adoption of the proposed Resolution of Necessity for the construction of the following sidewalk improvements:

- SE 14th Street sidewalk construction at various locations from Indianola Avenue to Army Post Road, Activity ID 09-2015-002, Schedule No. 2015-01;
- Garfield Avenue sidewalk construction from E. 32nd Street to E. 33rd Street, Activity ID 09-2015-003, Schedule No. 2015-02

and authorized notice of this hearing be duly published and mailed to property owners and other persons having an interest in the matter as required by law; and

WHEREAS, this City Council now meets as specified in the published notice to receive and consider all field, written and oral objections and endorsements to the proposed Resolution of Necessity.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That all filed, written and oral objections and endorsements having been fully reviewed and considered, the hearing on the adoption of the proposed Resolution of Necessity for the construction of said sidewalk improvements is now concluded and closed.

BE IT FURTHER RESOLVED: That the special assessments have been prepared in accordance with Council policy approved on June 26, 2000, under Roll Call No. 00-1876; therefore, Default Fund was not included in these special assessments.

BE IT FURTHER RESOLVED: That the proposed Resolution of Necessity described above for construction of the following sidewalk improvement:

- SE 14th Street sidewalk construction at various locations from Indianola Avenue to Army Post Road, Activity ID 09-2015-002, Schedule No. 2015-01;

~~•~~ Garfield Avenue sidewalk construction from E. 32nd Street to E. 33rd Street, Activity ID 09-2015-003, Schedule No. 2015-02

is hereby:

06-2015-010
06-2016-010

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- X Adopted, without further amendment, and all objections filed or made having been duly considered are overruled.
- X Adopted, as amended. All objections filed or made having been duly considered are overruled.
- Closed regarding the Hearing and Action Deferred for later consideration to a Council meeting to be held on _____, 2015, next at 5:00 o'clock P.M., at this meeting place, with jurisdiction retained for further consideration and action at the adjourned meeting.
- Abandoned.

Moved by Gatto to adopt as amended, to abandon the sidewalk project on Garfield.

FORM APPROVED: Kathleen Vanderpool (Council Communication No. 15-596)
 Kathleen Vanderpool
 Deputy City Attorney

psl Funding:

- S.E. 14th Street from Indianola Avenue to Army Post Road: 2015-2016 CIP, Page Street-32, Sidewalks School and Priority Routes, SW081, being \$37,250 from Special Assessment against benefited property owners, and \$87,750 in G.O. Bonds.
- Garfield Avenue from E. 32nd Street to E. 33rd Street: 2015-2016 CIP, Page Street-32, Sidewalks – School and Priority Routes, SW081, being \$16,007.09 from Special Assessment against benefited property owners, and \$38,992.91 in G.O. Bonds.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	7			

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.

T. M. Franklin Mayor

Diane Rauh City Clerk