

Date February 6, 2017

RESOLUTION APPROVING DEMOLITION PERMIT FOR THE IMPLOSION
OF THREE MERCY PARK APARTMENT BUILDINGS AT 1121 3RD STREET

WHEREAS, Mercy Medical Center- Des Moines is requesting City Council approval of a demolition permit allowing the use of explosives for the implosion of three apartments buildings at 1121 3rd Street, at sunrise, on Sunday, March 12th or 19th, 2017, by DW Zinser Company and Dykon Explosive Demolition Corporation; and,

WHEREAS, demolition of the building by implosion is preferred over typical demolition procedures because of the reduced demolition timeframe, duration of dust and noise production, and the duration of the negative impacts to the proper functioning of the adjoining hospital; and,

WHEREAS, Mercy Medical Center and its demolition contractors have worked with Des Moines Police, Fire, and Community Development Department staff to develop an implosion plan that will be safe for the hospital and neighboring areas; and,

WHEREAS, the proposed demolition plan complies with the conditions set forth in Section 26-303(b)(9) for the issuance of a permit for the demolition of a building by the use of explosives, all as further described in the accompanying Council Communication.

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

1. The issuance of a permit for the demolition of the three apartment buildings by the use of explosives is hereby approved, subject to the following conditions being satisfied to the satisfaction of the City Manager and the Legal Department.
 - a) The demolition contractor has satisfied all of the standard conditions for issuance of a standard demolition permit.
 - b) The demolition contractor has provide a certificate of liability insurance in an acceptable form demonstrating insurance coverage of not less than \$1,000,000.
 - c) The demolition contractor has agreed in an acceptable form to indemnify and hold harmless the City from all losses resulting from damages or injuries caused by the demolition.
 - d) The demolition contractor has agreed in an acceptable form to reimburse the City for all City expenses incurred for security and police protection services required for the demolition process.
 - e) The demolition contractor observes all federal, state, and local laws during the demolition process.

★ Roll Call Number

17-0215

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2. Upon satisfaction of the conditions set forth above, the Community Development Director is hereby authorized to issue a permit for the demolition of the three apartment buildings by the use of explosives.
3. The Community Development Director and the Chief of Police, or their designees in their absence, are hereby individually authorized to withdraw and cancel the permit at any time if Mercy Medical Center and its contractors fail to comply with all federal, state, and local laws during the demolition process, or fail to comply with any additional requirements and safety precautions imposed by the Community Development Director, the Chief of Police or their designees, in their reasonable discretion in the interest of the public health, safety and welfare.

(Council Communication No. 17-049)

MOVED by Hensley to adopt.

FORM APPROVED:

Roger K. Brown

Roger K. Brown

Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
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.

Y. M. Franklin Council
Mayor

Diane Rauh
City Clerk