



Roll Call Number

19-1413

Agenda Item Number

46

Date September 9, 2019

RESOLUTION APPROVING THE TEMPORARY CLOSING OF EAST 40TH STREET FROM THE GAY LEA WILSON TRAIL TO OSCEOLA AVENUE, OSCEOLA AVENUE FROM EAST 40TH STREET TO EAST 41ST STREET, AND EAST 41ST STREET FROM INDIANAPOLIS AVENUE TO OSCEOLA AVENUE TO REGULAR VEHICULAR TRAVEL

WHEREAS, the Public Works Department is working with the Fourmile creek Watershed partners for ongoing planning of implementation of the Lower Fourmile Creek Greenbelt Master Plan which includes determining how to treat areas, such as street right-of-way, upon their anticipated vacation and abandonment to restore such land to natural resource areas; and

WHEREAS, Iowa State University (ISU) and the Public Works Department desire that ISU test various natural restoration options for partial and complete pavement removal on a section of East 41st Street which abuts only property which has been purchased in previous flood buyouts and transferred to the Polk County Conservation Board; and

WHEREAS, temporary closing of East 40th Street from the Gay Lea Wilson Trail to Osceola Avenue, Osceola Avenue from East 40th Street to East 41st Street, and East 41st Street from Indianapolis Avenue to Osceola Avenue to regular vehicular traffic until December 31, 2019, will enable the ISU restoration testing activities and allow the City to evaluate the outcomes of such tests and to determine when and where permanent vacation may be needed; and

WHEREAS, the Public Works Department recommends that exceptions to such closure to vehicular travel be made for continued use of these portions of East 40th Street, Osceola Avenue and East 41st Street by emergency vehicles, City work vehicles, utility maintenance vehicles, and ISU vehicles during natural restoration activities.

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

- 1. That the City Council hereby finds that the public interest would be served by temporarily closing of East 40th Street from the Gay Lea Wilson Trail to Osceola Avenue, Osceola Avenue from East 40th Street to East 41st Street, and East 41st Street from Indianapolis Avenue to Osceola Avenue until December 31, 2019, and restricting the use of said streets to pedestrian use and the above described vehicular travel only.



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2. That the City Manager is hereby authorized and directed to close East 40th Street from the Gay Lea Wilson Trail to Osceola Avenue, Osceola Avenue from East 40th Street to East 41st Street, and East 41st Street from Indianapolis Avenue to Osceola Avenue until December 31, 2019.

(Council Communication No. 19- 398)

Moved by Boesen to approve.

APPROVED AS TO FORM:

Ann DiDonato
Ann DiDonato
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED	APPROVED			

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.

J. M. Franklyn Cousins Mayor

Diane Rauh City Clerk