

DES MOINES CITY COUNCIL MEETING

June 23, 2003 4:30 P.M.

SPECIAL PRESENTATIONS - 4:15 P.M.:

Recognition of new Drake Basketball Coaches

Amy Stevens - Women's Basketball

Dr. Tom Davis - Men's Basketball

INVOCATION: Rev. Susan Bowman, First United Methodist Church

1. ROLL CALL:

2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:

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***Note: These are routine items and will be enacted by one roll call vote without separate discussion unless someone, Council or public, requests an item be removed to be considered separately.**

3. APPROVING CONSENT AGENDA - items 3 through 71:

LICENSES AND PERMITS:

Approving

4. The following Beer/Liquor Applications:

RENEWAL APPLICATIONS

- (1) Dahls Foods, 4121 Fleur Drive, C Beer.
- (2) Fareway Store #975, 3000 SE 22nd Street, C Beer.
- (3) H & A Mini Mart, 145 University Avenue, C Beer.
- (4) Hy Vee Food Store #4, 4707 Fleur Drive, C Beer.

- (5) Hy Vee Food Store #5, 1107 E Army Post Rd., C Beer.
- (6) La Favorita, 1700 E Grand Avenue, C Beer.
- (7) QuikTrip #530, 2300 E 14th Street, C Beer.
- (8) QuikTrip #534, 2945 E University Avenue, C Beer.
- (9) Tavern South Pizza, 1106 Army Post Rd., C Beer/Wine.
- (10) Art House on Ingersoll, 2809 Ingersoll Avenue, C Liquor.
- (11) Generations, 319 Court Avenue, C Liquor.
- (12) Hickman Pub, 2335 Hickman Rd., C Liquor.
- (13) Hilltop Lounge and Restaurant, 2820 Hubbell Avenue, C Liquor.
- (14) House of Bricks, 3839 Merle Hay Rd., C Liquor.
- (15) Kelleys, 3606 Beaver Avenue, C Liquor.
- (16) Palmers Pub, 1030 E 9th Street, C Liquor.
- (17) Polk County Convention Center, 501 Grand Avenue, C Liquor.
- (18) Racing Corner, 2956 E Grand Avenue, C Liquor.
- (19) Splash Seafood Bar & Grill, 303 Locust Street, C Liquor.
- (20) Veterans Memorial Auditorium, 833 5th Avenue, C Liquor.
- (21) Wakonda Club, 3915 Fleur Drive, A Liquor.
- (22) Airport Holiday Inn, 6111 Fleur Drive, B Liquor.
- (23) Hotel Fort Des Moines, 1000 Walnut Street, B Liquor.
- (24) Dahls Foods, 4121 Fleur Drive, B Wine.
- (25) Fareway #975, 3000 SE 22nd Street, B Wine.
- (26) Hy Vee Food Store #4, 4707 Fleur Drive, B Wine.
- (27) Hy Vee Food Store #5, 1107 E Army Post Rd., B Wine.

(28) QuikTrip #530, 2300 E 14th Street, B Wine.

(29) QuikTrip #534, 2945 E University Avenue, B Wine.

SPECIAL EVENTS APPLICATIONS

(30) Chucks Restaurant, 3612 6th Avenue, B Beer. Five Day License for the Annual Chuck's Street Party on August 2, 2003.

(31) Chucks Restaurant, 3612 6th Avenue, B Beer. Five Day License for the Annual Highland Park Sweet Corn Feed on July 12, 2003.

(32) Concession Spot 23, 3000 E Grand Avenue, B Beer. Fourteen Day License from 8-7-03 thru 8-21-03 for Iowa State Fair.

(33) Seniom Sed, 25 E Court Avenue, B Beer. Five Day License for Booth A for Taste of Des Moines on July 18 and July 19, 2003. Pending Building, Electrical, Fire and Zoning inspections.

(34) Seniom Sed, 25 E Court Avenue, B Beer. Five Day License for Booth B for Taste of Des Moines on July 18 and July 19, 2003. Pending Building, Electrical, Fire and Zoning inspections.

5. City Clerk to issue Cigarette Licenses.

PUBLIC IMPROVEMENTS

6. Resolution Ordering Construction of the following:

(A) Closes Creek Watershed-Bennett Avenue Storm Water Improvements, Receiving of Bids, (07-22-03), and Setting Date of Hearing, (07-28-03). (Construction Estimate - \$1,115,058).

(B) Fleur Drive Resurfacing McKinley Avenue to Army Post Road, Receiving of Bids, (IDOT), and Setting Date of Hearing, (07-28-03). (Construction Estimate - \$452,166.95).

7. Approving execution of Iowa Department of Transportation agreement for Merle Hay Road and Aurora Avenue Traffic Signal Upgrade, \$45,000.

[\(Council Communication No. 03-295\)](#)

8. Approving Professional Services Agreements with Veenstra & Kimm, for Corridor Preservation Study Services-WRA System Improvements:

(A) Southwest Area Diversion Facility, Southwest Equalization Basin to Norwalk, \$1,573,242.

[\(Council Communication No. 03-298\)](#)

(B) West Des Moines South Outfall, First Street to S. 16th Street, \$117,429.

[\(Council Communication No. 03-300\)](#)

9. Professional Services Agreement with Public Financial Management Inc., in conjunction with WRA Two-Tier Utility Proposal-Financing of WRA Improvements.

[\(Council Communication No. 03-299\)](#)

10. Communication regarding Highland Park Streetscape Improvements and Self-Supporting Municipal Improvement District (SSMID).

(A) Resolution ordering construction of the Arch and Historical Marker, Receiving of Bids, (7-8-03), and Setting Date of Hearing, (7-14-03).

[\(Council Communication No. 03-293\)](#)

(B) Receipt of Petition to Establish the Highland Park Self-Supported Municipal Improvement District and refer to the Plan & Zoning Commission for a report on the merit and feasibility of the petition.

11. Approving Change Order No. 3, in an amount not to exceed \$37,252.09, and Change Order No. 4, in an amount not to exceed \$11,825.08, for additional work in conjunction with the WRA Southwest Outfall Relief Sewer, Phase 12, Segment 1.

[\(Council Communication No. 03-297\)](#)

12. Approving the following Request For Extension Of Time:

(A) M. Peterson Construction Company, (Merlin Peterson, President, DSM, Contractor) for the 2002 Sidewalk Replacement Program Project for an extension of 31 days with completion date of July 31, 2003.

(B) Johnson Concrete & Petroleum Construction, Inc., (Robert Johnson, President, DSM, Contractor) for the 2002 Sidewalk Replacement Program-Designated Neighborhoods Project for an extension to August 31, 2003.

13. Communication from Hooyer Construction, Inc. requesting permission to sublet on public improvement project of Westchester Park Playground Improvements.

14. Accepting completed construction and approving final payment of the following:

(A) 4th and Grand Garage Renovation - Phase 2, \$5,615.10 is now due and remaining balance of \$40,122.03 to be paid at the end of thirty days.

(B) Parking Garage Elevator Renovation, \$41,358.86 is now due and remaining balance of \$18,139.85 to be paid at the end of thirty days.

15. Approving the following private construction contracts for Park Place Estates Plat 2, E. Park Avenue and SE 24th Ct.:

(A) Sanitary Sewer Improvements between McAninch Corporation (Douglas D. McAninch, President, WDM, Contractor) and Oaks Development (John C. Kline, Partner, WDM, Owner).

(B) Storm Sewer Improvements between McAninch Corporation (Douglas D. McAninch, President, WDM, Contractor) and Oaks Development (John C. Kline, Partner, WDM, Owner).

16. Approving private construction contract for construction of street improvements for parking modifications along SW 14th Street at 5001 SW 14th Street between Grimes Asphalt & Paving Corp. (Jerald M. Yonker, President, Grimes, Contractor) and Des Moines Independent Community School District (J. Marc Ward, President, DSM, Owner).

SPECIAL ASSESSMENTS

17. Levying assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development) for the following:

(A) Schedule No. 2003-06.

(B) Schedule No. 2003-55.

LAND/PROPERTY TRANSACTIONS

18. Approving final subdivision plat entitled THE MEADOWLANDS PLAT 2 in vicinity of 7400 Indianola Avenue.

[\(Council Communication No. 03-282\)](#)

19. Authorization to proceed with right-of-way acquisition for the Des Moines River Outfall and Overflow Project, \$500,000.

20. Authorization to proceed with Professional Appraisal Services for the Western Gateway Project between 10th and 13th and between Grand and Locust, not to exceed \$45,000.

21. Approve and accept real estate documents for property at 2301 Hickman Road for the Good Samaritan Urban Ministries Youth Center Storm Sewer Project, \$1 plus closing costs.
22. Authorize payment of Condemnation Award for property at 200 SW 16th Street (DICO, Inc.) for the Martin Luther King Jr. Parkway Project, \$181,000 plus Sheriff's fees and jury expenses.
23. Approve and accept real estate documents for property for the SW 9th Street Bridge over Yeader Creek Project, (902 Hackley Avenue & 5015 SW 9th Street), \$7,488 plus closing costs.
24. Approve and accept real estate documents for property at 2514 Sheridan Avenue for the Closes Creek Storm Water Improvement Project, \$151 plus closing costs.
25. Approving Replacement Special Warranty Deed to Nationwide Mutual Insurance Company for the block bounded by 12th, 13th, Locust and Walnut Streets to correct an error in the legal description of the original deed.

BOARDS/COMMISSIONS/NEIGHBORHOODS

26. Recommendations for reappointment of the following to the Des Moines International Airport Board:
 - (A) Council Member Mike McPherson for John Fitzgibbon (Seat 5) for a four year term commencing June 30, 2003 to expire June 30, 2007.
 - (B) Council Member Christine Hensley for Sam Kalainov (Seat 6) for a four year term commencing June 30, 2003 to expire June 30, 2007.
27. Recommendation of Council Member Christine Hensley to appoint Jennifer Smyser to Seat 13 on the Sister Cities Commission for a five year term commencing April 28, 2001 to expire April 28, 2006.
28. Recommendations from Council Member Frank Cownie for appointment of the following to the Neighborhood Revitalization Board:
 - (A) Michael E. Gibson (Seat 1) for a three year term commencing June 30, 2002 to expire June 30, 2005.
 - (B) Mike L. Kinter (Seat 12) for a three year term commencing June 30, 2002 to expire June 30, 2005.

STREET CLOSURES

29. Approving recommendation of Street Use Team (SUT) to close the following streets:
 - (1) Linda Bisignano, representing Parks Area Foundation, requesting permission to close 6th

Avenue from Euclid Avenue to Douglas Avenue on Saturday, August 2, 2003 from 3 PM to 9 PM for Annual Car Show and Celebration.

(2) Bill Wheeler, representing Highland & Oak Park Neighborhood, requesting permission to close 6th Avenue from Euclid Avenue to Douglas Avenue on Saturday, July 12, 2003 from 1 PM to 9 PM for 4th Annual Parks Area Sweet Corn Feed.

(3) Cathy Erickson requesting permission to close E 1st-Walnut Bridge to South side of Court Bridge; Court-E 1st to 1st thru intersection; Walnut-E 1st to 1st; 1st-Walnut to south side of Court and south 100 ft. of Riverside Drive From Thursday, July 17 at 6 PM to Sunday, July 20, 2003 at Noon for Taste of Des Moines Festival.

(4) Kelly Logan representing 33rd Street Block Party, requesting permission to close 33rd Street from Hickman Road to Sheridan on Friday July 4, 2003 from 8 AM to 1 PM for neighborhood childrens parade.

(5) Carol Kuehnhoff, representing Children and Family Urban Ministries, requesting permission to close College Avenue from 8th Street to 9th Street on Saturday, July 12, 2003 from 1 PM to 5:30 PM for Back to School Health Fair.

(6) Veronica Henderson, representing Thompson Avenue Neighbors, requesting permission to close Thompson Avenue from E 42nd Street to Dead End on Friday, July 4, 2003 from 4 PM to 10 PM for Neighborhood Block Party.

(7) Debby Snitkey, representing 8th Place Neighborhood, requesting permission to close 8th Place from Seneca to Douglas on Saturday, July 5, 2003 from 3 PM to 8:52 PM for neighborhood block party.

(8) Jim Wallace, representing Central Presbyterian Church, requesting permission to close 39th Street (South Half) from Grand to Ingersoll Avenue on Wednesday, July 16, 2003 from 6:30 PM to 8:30 PM for Jazz in July.

(9) Rod Ryan, representing Crestmoor Block Party, requesting permission to close 48th Street from Bel-Aire to Crestmoor Drive and Crestmoor Drive from 48th Street to 50th Street on Friday, July 4, 2003 from 10 AM to 11 AM for childrens parade.

CITY PLAN COMMISSION RECOMMENDATIONS

30. Regarding City Manager initiated request for vacation and conveyance of the dead end segment of Market Street running west of SW 5th Street, subject to the retention of necessary easements.

31. Regarding request from Tammy Ruby, 2423 SE 8th Street, for vacation and conveyance of the south 130' of a dead end segment of north/south alley, running south from E. Lacona Avenue, between SE 8th Street and SE 8th Court, subject to the retention of all necessary easements.

32. Regarding preliminary subdivision plat for Airport Crossroads, 7600 Fleur Drive, northwest of the intersection of Fleur Drive and County Line Road.

32-I Regarding request for amendment to the preliminary subdivision plat for "Carman Estates" Phase II revising the location of an east/west street between Indianola Avenue and SE 24th Street and conversion of 8 bi-attached townhome lots to be assembled with the future lot for row-type townhome subject to conditions.

SETTING DATE OF HEARINGS

33. On City Council initiated request to rezone several properties fronting Forest Avenue between M.L. King Jr. Parkway and 25th Street from the "C-2" General Retail and Highway Oriented Commercial District to the "NPC" Neighborhood Pedestrian Commercial District, (7-14-03).

34. On request from St. Andrew's Group for a second amendment to the "Carman Estates" PUD Concept Plan to allow for an additional 83 units of row-type townhomes with rear loading attached garages within a 6.9 acre area previously approved for residential density at 12 units per acre, subject to conditions, (7-14-03).

35. On vacation and conveyance of alley to the Massman Group for use in renovation of 110 and 112 10th Street into residential units, (7-14-03).

36. On sale of City owned property at 2103 Ingersoll Avenue, former Stew Hansen site, \$655,740, (7-14-03).

[\(Council Communication No. 03-304\)](#)

37. On Supplement No. 13 to the Governmental Lease-Purchase Master Agreement with Banc of America Leasing & Capital, LLC, not to exceed \$550,000, for acquiring 4 automated refuse trucks, (7-14-03).

[\(Council Communication No. 03-289\)](#)

38. On proposed Seventh Amendment to the Metro Center Urban Renewal Plan, incorporates design guidelines for Eastern Gateway, updates text regarding neighborhood organization located in the area and revises Financial Condition Report, (7-28-03).

[\(Council Communication No. 03-275\)](#)

39. On Tenth Amendment to the Omnibus Urban Renewal Plan Amendment to the Model City Prime Service Area for the City View Plaza Rehabilitation/Redevelopment Program, to terminate the Urban Renewal Plan, (7-28-03).

[\(Council Communication No. 03-274\)](#)

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

40. Approving payment of \$31,973.40 to Cynthia Clark for settlement of workers' compensation claim from an injury during course and scope of employment.
41. Approving payment of \$8,581.92 to James C. Wine for claim as the result of an auto accident on May 9, 2003.
42. Approving Settlement Agreement and Covenant Not To Sue with Black & Veatch Corporation and Howard R. Green Company in settlement of a claim made in connection with the Biosolid Storage Facility, \$275,000.
43. Retention of William Bartine and the Belin Law Firm to perform legal services in connection with acquisition of railroad property for various City Projects not to exceed \$1,000 plus out of pocket expenses.
44. Approving payment of \$21,496.70 to Ahlers Law Firm regarding legal services in connection with Series 2003A general obligation bonds; Series 1993B and 1994A refunding bonds; and Series 2003B revenue bonds.

CITY MANAGER COMMUNICATIONS

45. Submitting out-of-state travel for Eric A. Anderson, Dani Stookey, Larry Rogers, Tony Knox, Stewart Drake, and Eric Nevins.

[\(Council Communication No. 03-270\)](#)

46. Requesting Council-initiated amendment to the comprehensive plan and rezoning of a portion of the Riverpoint West area to facilitate reuse for residential and commercial uses, and the DICO Superfund site be rezoned to "SO" (Study Overlay) on an interim basis.

[\(Council Communication No. 03-285\)](#)

47. Submitting various traffic regulation changes as follows:

- (1) Corner Clearance--East Side of 28th Street, North of Grand Avenue.
- (2) Designation of Des Moines Street as a Through Street.
- (3) Move Parking Restriction from South Side to North Side of Thornton Court from SE 20th Street to a point 350 feet West.

[\(Council Communication No. 03-294\)](#)

APPROVING

48. Resolution of support for the Iowa State University COPC Community Futures Demonstration Planning Proposal to HUD for development of a long range regional plan.

[\(Council Communication No. 03-305\)](#)

49. HUD Certifications regarding compliance with the City EZ/EC Strategic Plan and 2003 HUD Consolidated Plan for the DMACC HUD Community Outreach Partnership Grant.

50. Continuum of Care Program application to HUD for Supportive Housing Program (SHP) and Shelter Plus Care (S+C) supplemental funding for local homeless programs to address service gaps, \$3,109,004.

[\(Council Communication No. 03-272\)](#)

51. Additional Grant Agreements with HUD for full funding of 2003 HUD Consolidated Plan allocation (CDBG, HOME and ESG) for period of January 1, 2003 to December 31, 2003, \$4,656,102.

[\(Council Communication No. 03-269\)](#)

52. Emergency Shelter Grant (ESG) Program Grant contract with the Iowa Department of Economic Development for period of July 1, 2003 to June 30, 2004, \$386,837.

[\(Council Communication No. 03-268\)](#)

53. Supportive Housing Program (SHP) Grant Agreement for supplemental funding for homeless programs to address service gaps and implementation of the Primary Health Care Enhancement Program, \$768,327.

[\(Council Communication No. 03-271\)](#)

(A) SHP Grant Agreement for implementation of the WDM Transitional Housing Program, \$261,975.

[\(Council Communication No. 03-306\)](#)

54. Form of agreement with Polk County Housing Trust Fund for the Dispersal of the Affordable Housing Program Grant for \$250,000.

[\(Council Communication No. 03-287\)](#)

55. Amendment #1 to the 28E Agreement regarding the Polk County Human Services Planning Alliance effective January 1, 2003 to June 30, 2010.

[\(Council Communication No. 03-279\)](#)

56. Grant application to the US Department of Justice Office of Community Oriented Policing Services (COPS) for a Homeland Security Overtime Grant, \$250,000.

[\(Council Communication No. 03-288\)](#)

57. Selection of HOME, Inc. as the developer for the East Walnut Street Residential Redevelopment Project and authorization for Community Development and Legal Departments to negotiate a development agreement, \$909,232.14.

[\(Council Communication No. 03-286\)](#)

58. Subordination of City mortgage for Scott Street Enterprises, L.C., 500 E. Scott Street and 501 SE Allen.

[\(Council Communication No. 03-281\)](#)

59. Annual Insurance Renewals for July 1, 2003:

(A) Property and Casualty Insurance.

[\(Council Communication No. 03-307\)](#)

(B) Airport Liability Insurance.

[\(Council Communication No. 03-308\)](#)

60. Communication from Downtown Community Alliance on behalf of Iowa Health Systems, to display 40 banners in Downtown on Locust Street and Grand Avenue starting in July 2003.

61. Service fee to provide emergency medical technician students' field experience.

[\(Council Communication No. 03-277\)](#)

62. Employment of Spiegel & McDiarmid to consult and perform services to facilitate economic development, community revitalization, homeland security and related projects, \$20,000.

[\(Council Communication No. 03-301\)](#)

63. Acceptance of contributions from three non-profit foundations, Mary Nelson Foundation, Des Moines Park and Recreation Foundation and Greater Des Moines Community Foundation for wages of Junior Counselors for the 2003 Evelyn K. Davis Summer Day Camp Program.

[\(Council Communication No. 03-302\)](#)

(A) Ratification and confirmation of Grant Agreement for acceptance of grant to benefit Evelyn K. Davis Summer Day Camp Program, 2003.

64. Request for Proposals for the redevelopment of the former Dewey Ford Showroom in vicinity of E. 4th and Grand Avenue as part of the Metro Center Urban Renewal Project Area.

[\(Council Communication No. 03-273\)](#)

(A) Communication from Urban Design Review Board regarding the redevelopment.

65. Authorization for one-year renewal of the Service Vendor Agreement (Team Two, Inc.) for Ambulance Billing Services provided to Des Moines Fire Department.

[\(Council Communication No. 03-276\)](#)

66. Twelve month renewal of current contract for Long Term Disability Insurance with Principal Financial Group.

[\(Council Communication No. 03-291\)](#)

67. Renewal of HMO coverage with Coventry Health Care for the Police and Fire Bargaining Units.

[\(Council Communication No. 03-292\)](#)

68. Bid from Polydyne Inc. for annual contract with two additional one year renewal options to furnish liquid and dry polymer for use by the Wastewater Reclamation Facility, \$194,250. (Four bids mailed, four bids received.)

69. Civil Service Entrance List for Climate Control Technician and Promotional Lists for Cement Finisher and Senior Building Equipment Operator.

70. Authorizing Finance Director to issue checks on the registers of June 27, July 7, and July 11, 2003; and to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of June 23, June 30, and July 2, 2003; and to draw checks for biweekly payroll due on June 27 and July 11, 2003.

ORDINANCES - SECOND CONSIDERATION

71. Amending Chapter 114 of the Municipal Code regarding traffic regulation changes as follows:

- (1) Two-Way Traffic Operation--Locust Street between 2nd Avenue and E. 7th Street.
- (2) Parking Restriction--North Side of E. Washington Avenue from East of E. 33rd Street.
- (3) Corner Clearance--West Side of E. 21st Street, south of Maple Street.
- (4) Corner Clearance--South Side of Ingersoll Avenue, East and West of 29th Street.
- (5) Corner Clearance--North Side of East Shawnee Avenue, West of Cornell Street.
- (6) Corner Clearance--East Side of 4th Street, South of Aurora Avenue.
- (7) Corner Clearance--West Side of 21st Street, South of Franklin Avenue.
- (8) Corner Clearance--East Side of E. 9th street, South of Buchanan Street.
- (9) Removal of Loading Zone on the East Side of 9th Street, North of Walnut Street.
- (10) Corner Clearance--North Side of Ingersoll Avenue, East and West of 19th Street.

***** END CONSENT AGENDA *****

ORDINANCES - FIRST CONSIDERATION

72. Items regarding the Youth Advisory Board:

- (A) First consideration of ordinance amending Chapter 2, regarding creation, composition and appointment.
- (B) Final consideration of ordinance above, (waiver requested by Council Member Vlassis), requires 6 votes.
- (C) Approving amended Procedural Rules.

73. Amending Chapter 10 of the Municipal Code regarding penalties, fees, refunds and transfers of liquor licenses and permits.

74. Amending Chapters 22 and 114 of the Municipal Code regarding parking fines.

- (A) Final consideration of ordinance above, (waiver requested by City Manager), requires 6 votes.

75. Amending Chapter 102 of the Municipal Code regarding moving of houses and heavy equipment.

[\(Council Communication No. 03-283\)](#)

76. Amending Chapter 114 of the Municipal Code creating a 4-way stop at 46th Street and Twana Drive.

(A) Final consideration of ordinance above, (waiver requested by Council Member Vlassis), requires 6 votes.

COMMUNICATIONS/REPORTS

77. From Beaverdale Business Coalition, to discuss the Beaverdale Village Conceptual Revitalization Plan.

78. From Peter Rose, 668 48th Street, requesting to speak regarding budget and campaign issues.

79. Petitions from area residents requesting paving 57th Place from Forest Avenue to Clark Boulevard.

HEARINGS (Opened at _____ P.M.) (Items 80 thru 93)

80. On proposed issuance of not to exceed \$9,800,000 General Obligation Refunding Bonds, (Essential Corporate Purpose), to refund Series 1996C.

(A) Resolution for additional actions.

(B) Directing advertisement for sale of bonds.

[\(Council Communication No. 03-290\)](#)

81. On License Agreement with Riteway Cleaners for City-owned property located east of Indianola Avenue and north of East Hillside Avenue.

82. On approval to enter into a five year agreement with additional five year renewal option with the Des Moines Metro BMX Club to maintain and operate a bicycle motto-cross track at Ewing Park.

83. On request from Harry Leopold to rezone property at 3009 SW 9th Street from "C-1" (Neighborhood Retail Commercial) to Limited "C-2" (General Retail and Highway-Oriented Commercial) allowing expansion of use d/b/a Mid-Iowa Environmental.

(A) First consideration of ordinance above.

(B) Final consideration of ordinance (waiver requested by applicant), requires six votes.

84. On Council-initiated request to rezone property at 1904 Forest from "C-2" (General Retail and Highway Oriented Commercial) to "NPC" (Neighborhood Pedestrian Commercial).

(A) First consideration of ordinance above.

(B) Final consideration of ordinance above, (waiver requested by Community Development Director), requires 6 votes.

85. On vacation and conveyance of the northern most east/west alley in the block bounded by Olinda and Davis Avenues and South Union and SW 1st Streets, to adjoining property owner.

(A) First consideration of ordinance above.

86. On proposed vacation and conveyance of a portion of east/west alley extending from E. 4th between E. Grand Avenue and E. Locust Street adjoining Betts Hardware site to SOHO Development, L.L.C., not to exceed \$31,200.

(A) City Plan Commission recommendation to deny.

(B) First consideration of ordinance above.

(C) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes.

(D) Communications regarding the project.

87. On conveyance of property at 1100 Cherry Street to Wells Fargo Financial, Inc., \$300,000.

88. On conveyance of a portion of the Hubbell Tract, by grant, to Iowa Primate Learning Sanctuary.

[\(Council Communication No. 03-303\)](#)

89. On request to approve an amended "R-5" Preliminary Plan for property on the west side of 6900 block of Indianola Avenue, and setting date of hearing on Final Development Plan, (7-28-03).

[\(Council Communication No. 03-284\)](#)

90. On construction of the Southeast Ridge Trunk Sanitary Sewer and to acquire agricultural

land for the project.

91. On connection fee ordinance for Northeast Four Mile Trunk Sanitary Sewer System Benefited District.

(A) First consideration of ordinance above, amending the Municipal Code to decrease the per acre connection fee imposed on all properties within the Northeast Four Mile Area Trunk Sanitary Sewer Benefited District, and providing for a slight reduction of lands included in the district.

[\(Council Communication No. 03-296\)](#)

92. On Central Place Sanitary Sewer Relining Program: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Insituform Technologies USA, Inc. (Boyd A. Hirtz, Vice President, Chesterfield, MO), \$468,800.

(A) Approving contract and bond and permission to sublet.

93. On assessment of \$1500 penalty and 30 day suspension to Krueger's Amoco #2, 630 SW 9th Street, for violation of Iowa's Cigarette laws, selling to minors.

* * END HEARINGS at _____ P.M. * *

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EXTRA ITEMS

These extra items are filed after 5:00 P.M. on the Wednesday preceding a Council meeting and have been included upon the Amended Agenda by the City Clerk, with sponsorship of the Mayor or a City Council Member who shall deem the item of sufficient urgency to warrant immediate Council action - said statement of urgency from the City Manager and/or appropriate Department Director shall be placed on file with the City Clerk.

A G E N D A

BOARD OF HEALTH

June 23, 2003

MOTION TO CONVENE

HEARINGS

1. On resolution to charge for enforcement costs incurred in bringing administrative removal action to cause the demolition and removal of dangerous fire damaged structure or to determine appropriate equitable action to be taken regarding 3350 Evergreen, Titleholder: Anthony Bradley.
2. On resolution to demolish and remove fire damaged structure or to determine appropriate equitable action to be taken at 3012 5th Avenue: Titleholder: 2221 Carpenter Ave., LLC, Contract Buyer: Cash Consultants, Legal Interest Holders: John Zajicek d/b/a Z Fin 32 and Dennis Blume d/b/a Tax 135.
3. On resolution to demolish and remove dangerous structure or to determine appropriate equitable action to be taken at 1822 11th Street, Titleholders: Emilio Alas and Maria Alas.
4. On resolution to demolish and remove dangerous garage structure or to determine appropriate equitable action to be taken at 1508 E. 21st Street: Titleholders: Margaret R. Violett and Joey D. Violett.

AUTHORIZING

5. Court authority to abate the public nuisance at the following locations:

(A) 911 E. Bell Avenue (vacant) Titleholder: Falcon Investments, LLC, Legal Interest Holders: Dennis Blume d/b/a Tax 119.

(B) 1405 Jefferson (vacant) Titleholders: Edward Moss and Susan Moss, Tax Certificate Holder: Mooring Tax Asset Group IV, LLC.

(C) 1422 Martin Luther King Jr. Parkway (garage) Titleholder: William A. Boswell, Mortgage Holder: Bank of America f/k/a Plaza State Bank.

(D) 1334 McCormick (vacant) Titleholder: H&F, LLC, Legal Interest Holder, Dennis Blume d/b/a Tax 114.

(E) 1415 University (vacant) Titleholder: Mary K. Fines, Contract Buyers: Augustine Akpan and Inie Clement, Legal Interest Holders: John Zajicek d/b/a Z Fin 7 and Larry West.

(F) 1300 2nd Avenue (vacant) Titleholder, 3624 S. Union, LLC, Contract Buyer: Natale M.

Chiodo, Legal Interest Holder, II/US Bank.

(G) 1603 13th Street (vacant) Titleholder: Camaletta G. Smart, Mortgage Holder: Bank of America.

(H) 1510 E. 16th Street, (vacant) Titleholder, Falcon Investments, LLC, Contract Buyers: Harold S. Hickman, Mortgage Holder: State Savings Bank.

(I) 1533 21st Street (vacant) Titleholder: the 1533 21st Land Trust, Legal Interest Holder, John Zajicek d/b/a Z Fin 30.

(J) 2216 E. 35th Street (vacant) Titleholder: Ruth Chase, Contract Buyer: Dorothea S. Leach n/k/a Dorothea S. Pyle and John Pyle, Legal Interest Holder: Christine Frank d/b/a Tax 212.

6. The Engineering Department to cause the removal of the following:

(A) 1339 Forest, Titleholder: 5914 Tonka, Tax Certificate Holder: Albert Wald.

(B) 3136 Raccoon Street, Titleholders: Larry Christensen and Jacklyn Christensen, Mortgage Holder: Commercial Federal Mortgage Corporation.

(C) 2716 SE 18th Street, Titleholder: Laurie Donaldson, Mortgage Holder: TMS Mortgage, Inc.

MOTION TO ADJOURN AT _____ P.M.