

SUMMARY OF DES MOINES CITY COUNCIL MEETING

January 6, 2003 4:30 P.M.

PROCLAMATIONS - 4:15 P.M.:

- (a) Hope Ministries Day
- (b) International Printing Week

INVOCATION: Pastor Tony Thurston, College Avenue Christian Church

03-004 1. ROLL CALL: **Present: Daniels, Brooks, Coleman, Cownie, Hensley, McPherson, and Vlassis.**

03-005 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley to adopt. Motion Carried 7-0.**

03-006 3. APPROVING CONSENT AGENDA - items 3 through 46: **Moved by Hensley to adopt the balance of the consent agenda. Motion Carried 7-0.**

LICENSES AND PERMITS:

Approving

03-007 4. The following Beer/Liquor Applications: **Moved by Hensley to adopt. Motion Carried 7-0.**

NEW APPLICATIONS

- (1) A Dong Restaurant, 1511 High Street, C Beer/Wine.

RENEWAL APPLICATIONS

- (2) Coney Island #2, 3700 SW 9th Street, B Beer.
- (3) El Rancho Alegre Restaurant, 3308 Indianola Avenue, B Beer.
- (4) Dahls Foods, 1819 Beaver Avenue, C Beer.
- (5) ~~Fareway Store #900, 100 E Euelid Avenue, C Beer.~~

- (6) Jiffy #924, 3718 SW 9th Street, C Beer.
- (7) Kum & Go #552, 4944 Douglas Avenue, C Beer.
- (8) Regal Liquors #1, 3424 Martin Luther King Jr Pkwy., C Beer.
- (9) Texaco Food Mart, 3732 Easton Blvd., C Beer.
- (10) Kwong Tung Restaurant, 2721 Ingersoll Avenue, C Beer/Wine.
- (11) Christophers Dining Room, 2816 Beaver Avenue, C Liquor.
- (12) Diamond Jacks, 3000 E Grand Avenue, C Liquor.
- (13) Jesses Embers, 3301 Ingersoll Avenue, C Liquor.
- (14) Johnny Macs Bar & Grill, 2279 Hubbell Avenue, C Liquor.
- (15) Des Moines Air National Guard, 3100 McKinley Avenue, A Liquor.
- (16) Highland Park Post #374, 3712 2nd Avenue, A Liquor.
- (17) Dahls Foods, 1819 Beaver Avenue, B Wine.
- (18) ~~Fareway Store #900, 100 E Euclid Avenue, B Wine.~~
- (19) Regal Liquors #1, 3424 Martin Luther King Jr Pkwy., B Wine.
- (20) Hy Vee Food Store #4, 4707 Fleur Drive, E Liquor.
- (21) Regal Liquors #1, 3424 Martin Luther King Jr Pkwy., E Liquor.

03-008 5. Tony's Touch of Class, 1016 University Avenue, C Liquor. (Recommendation from Zoning to **DENY** license). **Moved by Vlassis to defer to the January 27, 2003 Council Meeting. Motion Carried 7-0.**

03-009 6. City Clerk to issue Coin Operated Machine Licenses. **Moved by Hensley to adopt. Motion Carried 6-1. Nays: McPherson.**

PUBLIC IMPROVEMENTS

03-010 7. Authorization to proceed with the design process on four projects included in the 02-03/07-08 Capital Improvements Program. ([Council Communication No. 03-006](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

03-011 8. Approving Change Order No. 2 with Baker Electric, Inc. for additional work in

conjunction with the 11/12th Streets Connector Traffic Signals contract - \$13,600. ([Council Communication No. 03-010](#)). **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: Hensley.**

03-012 9. Approving Change Order No. 3 with Western Waterproofing Co., Inc. for caulking repair work at Sec Taylor Stadium to be completed by change order to the Court Avenue Bridge over Des Moines River Railing Repairs contract - \$22,644. ([Council Communication No. 03-011](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

03-013 10. Approving execution of Iowa Department of Transportation Preconstruction Agreement for Polk Boulevard Bridge Reconstruction. ([Council Communication No. 03-012](#)). **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Brooks.**

03-014 11. Approving Change Order No. 1 with Flexible Lifeline Systems for an extension of the contract completion date to November 30, 2002 in conjunction with the WRF Digester Fall Protection contract. ([Council Communication No. 03-013](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

03-015 12. Ordering construction of Police Dispatch Center Renovation, Receiving of Bids, (1-28-03), and Setting Date of Hearing, (2-10-03). (Construction Estimate \$290,000). **Moved by Hensley to adopt. Motion Carried 7-0.**

03-016 13. Professional Services Agreement with Snyder & Associates, Inc., for design services for Easter Lake Retention Basins, Basin No. 9, not to exceed \$38,500. ([Council Communication No. 03-014](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

03-017 (A) Authorization for acquisition of necessary right-of-way and easements. **Moved by Hensley to adopt. Motion Carried 7-0.**

03-018 14. Approving execution of Supplemental Agreement No. 3 with RDG Crose Gardner Shukert, Inc. for design and construction phase services for softball complex in northeast Des Moines, \$57,484. ([Council Communication No. 03-019](#)). **Moved by McPherson to adopt. City Manager to report on proposed usage and revenue from the softball fields. Motion Carried 6-1. Nays: Cownie.**

15. Accepting completed construction and approving final payment for the following:

03-019 (A) WRF Biosolids Storage Facility Landscape, \$1,704.30 is now due and \$2,611.30 at the end of thirty days. **Moved by Hensley to adopt. Motion Carried 7-0.**

03-020 (B) SW 8th and 9th Street Viaducts over ML King Jr. Parkway Repairs, \$5,361.91 at the end of thirty days. **Moved by Hensley to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

03-021 16. Approving delinquent Sewer Rental and/or Solid Waste/Stormwater Utility Fees for the month of December 2002 for certification to the Polk County Treasurer. **Moved by Hensley**

to adopt. Motion Carried 7-0.

17. Authorizing deletion of the following NAC-Emergency Order Special Assessments:

03-022 (A) Schedule No. 2002-79, Certificate No. 00-09506-00, 2021 38th Street, \$430.96, payment was already received in full. **Moved by Hensley to adopt. Motion Carried 7-0.**

03-023 (B) Schedule No. 2002-56, Certificate No. 00-09326-00, 1135 28th Street, \$95, payment was already received in full. **Moved by Hensley to adopt. Motion Carried 7-0.**

03-024 (C) Schedule No. 2001-14, Certificate No. 00-08277-00, 3421 Thompson Avenue, \$599.34, an administrative hearing was held and the charges were waived. **Moved by Hensley to adopt. Motion Carried 7-0.**

03-025 (D) Schedule No. 2002-02, Certificate No. 00-08277-00, 1727 13th Street, \$867.10, an administrative hearing was held and the charges were waived. **Moved by Hensley to adopt. Motion Carried 7-0.**

03-026 18. Authorizing Engineering Department Staff to correct delinquent Solid Waste/Stormwater Utility and/or Sewer Rental Credits Schedule for December 2002. **Moved by Hensley to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

03-027 19. Establishing Fair Market Value and authorizing acquisition of property at 3740 Vandalia Road, 1817 SE 36th Street and 1500 Block of SE 38th Street in conjunction with the Agrimergent Technology Park Project - \$158,500 plus closing costs. **Moved by Hensley to adopt. Motion Carried 7-0.**

03-028 20. Approve and accept real estate documents for 2508 and 2808 East 35th Street for the Gay Lea Wilson Recreational Trail Project, \$670 plus closing costs. **Moved by Hensley to adopt. Motion Carried 7-0.**

03-029 21. Approve and accept real estate documents for property located at 5413 and 5403 SW 9th Street for the SW 9th Street Widening at Porter Avenue Project, \$755 plus closing costs. **Moved by Hensley to adopt. Motion Carried 7-0.**

03-030 22. Authorization to proceed with right-of-way acquisition for Bennett Avenue, Nierob Court and 26th Street Closes Creek Storm Water Improvement Projects. ([Council Communication No. 03-008](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

03-031 23. Appointment of Des Moines' Primary and Alternate Representatives to the Des Moines Area Metropolitan Planning Organization (MPO), and the Primary and Alternate Representatives to the MPO Transportation Technical Committee (TTC), for 2003. **Moved by**

Hensley to adopt. Motion Carried 7-0.

03-032 24. Communication from Carol Olson advising of her resignation from the Access Advisory Board (Seat 14) effective December 4, 2002. **Moved by Hensley to receive, file, and accept resignation with appreciation for service. Motion Carried 7-0.**

03-033 25. Recommendation of Council Member Chris Coleman to reappoint Mark Barkley on the Traffic and Safety Committee (Seat 3) for a three year term commencing December 31, 2002 to expire December 31, 2005. **Moved by Hensley to adopt. Motion Carried 7-0.**

26. Recommendations for appointments to the Urban Design Review Board.

03-034 (A) Mayor Preston Daniels to appoint William Dikis to Seat 1, term to expire June 30, 2005. **Moved by Hensley to adopt. Motion Carried 7-0.**

03-035 (B) Council Member Archie Brooks to appoint Jeff Lewis to Seat 7, term to expire June 30, 2005. **Moved by Hensley to adopt. Motion Carried 7-0.**

03-036 (C) Council Member Christine Hensley to appoint Jacob Carl Christensen to Seat 10, term to expire June 30, 2005. **Moved by Hensley to adopt. Motion Carried 7-0.**

27. NUMBER NOT USED.

CITY PLAN COMMISSION RECOMMENDATIONS

03-037 28. Regarding approval of a request from Des Moines Independent Community School District, 1701 Lay Street, for vacation and conveyance of the east 10' of Lay Street, from Jefferson to a point 750' south, along the frontage for Phillips Elementary School. **Moved by Hensley to adopt and to refer to the City Manager and City Properties Administrator to implement. Motion Carried 6-0. Council Member McPherson declares a conflict of interest and abstains from voting.**

SETTING DATE OF HEARINGS

03-038 29. On conveyance of entire 19th Street right-of-way between Olive Street and I-235 to the State of Iowa for I-235 reconstruction, (1-27-03). **Moved by Hensley to adopt. Motion Carried 7-0.**

03-039 30. On proposed voluntary annexation of property west of Highway 69 and south of County Line Road, (2-24-03). **Moved by Hensley to adopt. Motion Carried 7-0.**

03-040 31. On continued lease of city-owned property in the vicinity of 6th Avenue and Holcomb, to Consolidated Supply of Des Moines, \$250 per year for 5 years, plus maintenance, (1-27-03). [\(Council Communication No. 03-015\)](#). **Moved by Hensley to adopt. Motion Carried 7-0.**

03-041 32. On continued lease of the parking lot at the Northwest corner of E. 33rd and Easton Blvd., to St. Joseph's Church, \$350/year for 5 years, (1-27-03). ([Council Communication No. 03-016](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

03-042 33. On lease of retail space W-5 in the 7th and Grand Parking Garage to Josefina Orozco and Wendee Griffin d/b/a Ray's Barbershop, (1-27-03). ([Council Communication No. 03-017](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

03-043 34. Approving payment of \$5000 to Allied Insurance as Subrogee and \$3000 to Marvin and Jo Ellen Johnson for property damage as the result of a sewer backup on October 24, 2002. **Moved by Hensley to adopt. Motion Carried 7-0.**

03-044 35. Approving payment of \$1075.50 to Nyemaster Law Firm for services relating to collective bargaining. **Moved by Hensley to adopt. Motion Carried 7-0.**

03-045 36. Approving payment of \$24.64 to Myers & Jenkins law firm for legal services in the Trans World Airlines, Inc. bankruptcy. **Moved by Hensley to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

03-046 37. Submitting out-of-state travel for Tom Vlassis, Emily Gould Chafa, Carol Moser, Tony Knox and Cynthia Donahue. ([Council Communication No. 03-001](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

03-047 38. Submitting various traffic regulation changes as follows: ([Council Communication No. 03-005](#)). **Moved by Hensley to receive, file, and refer to Legal Department for preparation of proper legislation. Motion Carried 7-0. Council Member Brooks Passes on Items (1) and (3).**

(1) Corner Clearance--North Side of Franklin Avenue, West of Beaver Avenue.

(2) New Intersection Parking Restrictions--Ingersoll Avenue and Martin Luther King Jr. Parkway.

(3) Corner Clearance--South Side of Elm Street, East of SW 2nd Street.

APPROVING

03-048 39. Community Services Block Grant (CSBG) Program Contract with Iowa Department of Human Rights/Division of Community Action Agencies for provision of community services to low-income persons from October 1, 2002 to September 30, 2003. **Moved by Hensley to adopt. Motion Carried 7-0.**

03-049 40. Certificate of Completion, Minimum Assessment Agreement and Parking Agreement

for the Wells Fargo Office Building and Garage. ([Council Communication No. 03-004](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

03-050 41. Issuance of a Certificate of Completion for dwellings on ten parcels to R.M. Madden Construction. ([Council Communication No. 03-009](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

03-051 42. Partial Release of Declaration of Covenants granted in error by Snag, L.L.C. **Moved by Hensley to adopt. Motion Carried 7-0.**

03-052 43. Civil Service Entrance List for Custodial Worker and Promotional Lists for Senior Fire Medic and Senior Building Equipment Operator. **Moved by Hensley to receive and file Motion Carried 7-0.**

44. Bids for the following:

03-053 (A) Access Control Technologies, (Elizabeth Loffredo, President) sole area wide distributor for Federal APD parking control equipment to be used by the Traffic and Transportation Department at various parking garages, \$58,185. **Moved by Hensley to adopt. Motion Carried 7-0.**

03-054 (B) Vessco, Inc., (Dick Corbett, President, Eden Prairie, MN) for disinfection equipment to be used by the Wastewater Reclamation Facility, \$104,600. (Eleven bids mailed, four received). **Moved by Hensley to adopt. Motion Carried 7-0.**

03-055 (C) Sandry Fire Supply, (Mary Sandry, President, DeWitt, IA) for MSA self contained breathing apparatus (SCBA) equipment to be used by the Fire Department, \$245,029. (Two bids mailed, two received). **Moved by Hensley to adopt. Motion Carried 7-0.**

03-056 (D) O'Halloran International, (Jim O'Halloran, President) for three 56,000 GVW trucks to be used by the Street Maintenance Division, \$321,864. (Seven bids mailed, four bids received). **Moved by Hensley to adopt. Motion Carried 7-0.**

03-057 (E) Compaq Computer Corporation, Western States Contract Alliance (WSCA) price agreement #90-00151, for Compaq computer equipment for a storage area network to be used by the Wastewater Reclamation Facility, \$70,285. **Moved by Hensley to adopt. Motion Carried 7-0.**

03-058 (F) Pat Clemons, State of Iowa Contract number CT2748, for two passenger vehicles to be used by the Police Department, \$35,358.83. **Moved by Hensley to adopt. Motion Carried 7-0.**

03-059 (G) Clapper Corporation, (Ted Clapper, President, Ankeny) for non-competitive procurement of repair to high speed centrifuge gearbox at the Wastewater Reclamation Facility, not to exceed \$29,500. ([Council Communication No. 03-022](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

03-060 45. Authorizing the Finance Director to draw checks on the register of January 10, 2003; to draw checks for the bills of the Des Moines Municipal Housing Agency for the week of January 6, 2003 and to draw checks for biweekly payroll due on January 10, 2003. **Moved by Hensley to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

03-061 46. Amending Chapter 114 of the Municipal Code regarding various traffic regulations as follows. **Moved by Hensley that this ordinance do now pass, #14,196. Motion Carried 7-0. Council Member Brooks Passes on the Loading Zone--West side of 38th Street, North of Ingersoll.**

(1) Petition to Restrict Parking--Both Sides of Morton Avenue from Idaho Street east to the Dead End.

(2) Loading Zone--West Side of 38th Street, North of Ingersoll Avenue.

***** END CONSENT AGENDA *****
Council considered Item 52 next

ORDINANCES - FIRST CONSIDERATION

03-062 47. Amending Chapter 114 of the Municipal Code regarding traffic regulation changes as follows. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0. Council Member Brooks Passes on the Corner Clearance--West side of Lyndale, North of Hillcrest (Item 1).**

(1) Corner Clearance--West Side of Lyndale, North of Hillcrest Drive.

(2) Rush Hour Parking Restriction--East Side of 5th Avenue, North of Grand Avenue.

03-063 (A) Final consideration of ordinance above, (waiver requested by Council Member Hensley), requires 6 votes. **Moved by Hensley that the rule requiring that ordinances must be considered, and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #14,197. Motion Carried 7-0. Council Member Brooks Passes on the Corner Clearance--West side of Lyndale, North of Hillcrest (Item 1).**

03-064 48. Amending Chapter 114 of the Municipal Code regarding various traffic regulations as follows. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

(1) Four-Way Stop--58th Street and Kingman Avenue

(2) Four-Way Stop--44th Street and College Avenue

(3) Traffic Control Changes--Cottage Grove Avenue between 19th Street and 29th Street (due to street reconfiguration as part of I-235 project).

03-065 (A) Final consideration of ordinance above, (waiver requested by Council Member Hensley), requires 6 votes. **Moved by Hensley that the rule requiring that ordinances must be considered, and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#14,198](#). Motion Carried 7-0.**

03-066 49. Amending Chapter 26 of the Municipal Code regarding real estate installment contract sales inspections. **Moved by Brooks that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Coleman.**

COMMUNICATIONS/REPORTS

03-067 50. Request from Michael Kiernan, 750 16th Street, to speak regarding recently levied fees. **Moved by Hensley to grant the request to speak. Motion Carried 6-1. Absent: Brooks.**

** Council Considered Hearing Items 54 thru 56 next **

03-068 51. From Beverly Jean Helsing, 1909 Mondamin, requesting to speak regarding the noise ordinance. **Moved by Vlassis to receive, file and grant the request to speak; refer to Police Department to assist Ms. Helsing in finding a resolution to this issue. Motion Carried 7-0.**

03-069 52. From Reverend Sue Schneider, Iowa State Senator Jack Holveck and Jeffrey J. Weiss, 4211 Grand, to speak regarding a resolution opposing war against Iraq. **Moved by Vlassis to receive file and grant the request to speak; approve the alternate resolution presented by Council Member Vlassis and forward a copy to the Iowa Congressional Delegation and the President of the United States. Motion Carried 5-2. Nays: Cownie and Hensley. Previous motion by Council Member Cownie to amend the resolution by deleting the word "Military" in the title and substitute "American Way of Life" Failed. 1 Yea - Cownie 6 Nays.**

** Council Considered Items 47 thru 50 next **

03-070 53. Petition for the construction of curb and gutter along Urbandale Avenue from Merle Hay Road west to City limits. **Moved by Vlassis to receive, file and refer to City manager and City Engineer for review and recommendation. Motion Carried 7-0.**

** Council Considered Item 57 thru end of agenda next **

HEARINGS (Opened at 5:36 P.M.) (Items 54 thru 56)

03-071 54. On request from The Metro Market, L.L.C. to rezone property at 2001 High Street, from "R-4" (Multiple Family Residential) and "C-1" (Neighborhood Retail Commercial) to Limited "C-2" (General Retail and Highway-Oriented Commercial), to develop a year-round farmers market retail operation with auction house in the lower level, subject to conditions. **Moved by Hensley to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 7-0.**

03-072 (A) First consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

03-073 (B) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by Hensley that the rule requiring that ordinances must be considered, and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#14,199](#). Motion Carried 7-0.**

03-074 55. On vacation and conveyance of a portion of North/South alley between 24th and 25th Streets, south of Kingman Boulevard to abutting property owners. **Moved by Hensley to adopt. Motion Carried 6-0. Mayor Daniels declares a conflict of interest and abstains from voting.**

03-075 (A) First consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-0. Mayor Daniels declares a conflict of interest and abstains from voting.**

03-076 (B) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by Hensley that the rule requiring that ordinances must be considered, and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#14,200](#). Motion Carried 6-0. Mayor Daniels declares a conflict of interest and abstains from voting.**

03-077 56. On vacation and conveyance of property north and west of Hartford Avenue and SE 16th Street to CYRANO L.C., \$56,088. ([Council Communication No. 03-023](#)). **Moved by Brooks to adopt. Motion Carried 7-0.**

03-078 (A) First consideration of ordinance above. **Moved by Brooks that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

03-079 (B) Final consideration of ordinance above. **Moved by Brooks that the rule requiring that ordinances must be considered, and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#14,201](#). Motion Carried 7-0.**

* * END HEARINGS at 5:46 P.M. * *

**** Council Considered Items 51 and 53 next ****

APPROVING

03-080 57. Recommendation of Mayor Daniels for appointment of Mayor Pro Tem for the year 2003. **Moved by Vlassis to appoint Council Member Coleman as Mayor Pro Tem for the 2003 Calendar Year, effective January 6, 2003. Motion Carried 7-0.**

03-081 58. Recommendation from City Clerk regarding appointment of Chief Deputy City Clerk. **Moved by Vlassis to adopt. Motion Carried 7-0.**

03-082 59. Appointment of Council Member Tom Vlassis, to the Community and Economic Development Steering Committee, of the National League of Cities, and approving travel to four additional meetings, (sites and dates to be approved at a later date.) **Moved by McPherson to receive, file and approve. Motion Carried 6-0. Council Member Vlassis declares a conflict of interest and abstains from voting.**

60. Items regarding Right-of-Way Management:

03-083 (A) Final consideration of ordinance regarding right-of-way management. **Moved by Vlassis that this ordinance do now pass, [#14,202](#). Motion Carried 7-0.**

03-084 (B) Approving a schedule of restoration costs and a schedule of required insurance coverages for excavation activities in City right-of-way, and amending the schedule of fees and the schedule of administrative penalties to include fees and administrative penalties for the Right-of-Way Management Program. **Moved by Vlassis to adopt. Motion Carried 7-0.**

03-085 (C) Receive and file and authorize publication of Implementing Regulations for the Right-of-Way Management Program. ([Council Communication No. 02-647 of 12-16-02](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

03-086 61. Revised lease guidelines governing placement of telecommunications equipment on City-owned property. ([Council Communication No. 03-018](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

03-087 62. Execution of agreement and covenant regarding sanitary sewer service outside city limits for the MidAmerican Energy Company Power Generation Facility in Pleasant Hill. ([Council Communication No. 03-007](#)). **Moved by Brooks to adopt. Motion Carried 7-0.**

03-088 63. Agreement with the Iowa Department of Economic Development for the City to receive physical infrastructure assistance program funds for the Allied Gateway Campus and Western Gateway projects, \$750,000. ([Council Communication No. 03-002](#)). **Moved by Hensley to adopt. Motion Carried 7-0.**

03-089 64. Preliminary approval of \$200,000 Economic Development Loan to Diamond Animal Health, Inc. and recommendation of application to Des Moines Enterprise Zone Commission for

Enterprise Zone Benefits to be used for expansion of production at 2538 SE 43rd Street in the Agrimergent Technology Park. ([Council Communication No. 03-021](#)). **Moved by Brooks to approve. Motion Carried 7-0.**

03-090 65. Social Services Block Grant (SSBG) agreement with the Human Services Planning Alliance for the Enterprise Community Child Care Subsidy Project, \$163,993. ([Council Communication No. 03-020](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

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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 January 6, 2003

03-091 MOTION TO CONVENE. Moved by Vlassis that the City Council adjourn and convene as a Board of Health. Motion Carried 7-0.

AUTHORIZING

1. Court authority to abate the public nuisances at the following locations:

03-092 (A) 1444 4th Street (vacant) Titleholder: John Zajicek dba Z Fin 9. Moved by Vlassis to adopt. Motion Carried 7-0.

03-093 (B) 621 SE 11th Street (vacant) Titleholder: 3624 S. Union, LLC and Tax Certificate Holder: John Zajicek dba Z Fin 9. Moved by Vlassis to adopt. Motion Carried 7-0.

03-094 (C) 5830 SE 14th Street, north mobile home, (vacant) Titleholders: Waneta C. Van Patten and David F. Van Patten, Legal Interest Holder: Iowa State Bank. Moved by Vlassis to adopt. Motion Carried 7-0.

2. The Engineering Department to remove the following structures:

03-095 (A) 1915 Franklin, Titleholder: the Heirs of Paz Nolberto. Moved by Vlassis to adopt. Motion Carried 7-0.

03-096 (B) 1426 16th Street, Titleholder: Alberta Manning. **Moved by Vlassis to adopt. Motion Carried 7-0.**

3. Release of demolition cost reserve escrowed for the following structures:

03-097 (A) 3017 Carr, held under claim number 381-0064400459 owned by Sally Kesterson. **Moved by Vlassis to adopt. Motion Carried 7-0.**

03-098 (B) 1702 Glenwood, held under claim number 15-D064-679 owned by Betty Murphy. **Moved by Vlassis to adopt. Motion Carried 7-0.**

03-099 (C) 1362 Idaho, held under claim number 56018-45762 owned by Patricia Cason. **Moved by Vlassis to adopt. Motion Carried 7-0.**

03-100 MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 6:18 P.M. Motion Carried 7-0.**

Des Moines - City of Skywalks