

SUMMARY OF DES MOINES CITY COUNCIL MEETING

CITY COUNCIL CHAMBERS - CITY HALL

September 14, 1998

*** * * * * CLOSED SESSION * * * * ***

3:15 P.M.

98-2758 1. ROLL CALL: **Present: Daniels, Coleman, Flagg, Hensley, McPherson, Phillips and Vlassis. Council Member Flagg entered the meeting at 4:02 P.M.**

98-2759 I. (a) Recess, and reconvene in closed session pursuant to Section 21.5, subsection 1, paragraph C of the Iowa Code, to discuss as necessary strategy with counsel in matters that are presently in litigation or where litigation is imminent, where its disclosure would be likely to prejudice or disadvantage the position of the City. **Moved by McPherson to adopt. Motion Carried 6-1. Absent: Flagg.**

98-2760 (b) Closed Session to discuss matters of pending litigation.

98-2761 (c) Terminate this closed session and reconvene in open session. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-2762 (d) Approving recommendation made in closed session, and Corporation Counsel is directed to proceed pursuant to that recommendation. **Moved by Hensley to adopt. Motion Carried 7-0.**

98-2763 (e) Motion to recess and reconvene at 4:30 P.M. **Moved by Hensley to adopt. Motion Carried 7-0.**

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98-2764 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by McPherson to adopt. Motion Carried 7-0.**

PROCLAMATIONS - 4:00 P.M.:

(a) Appreciation Day

(b) Heritage Carousel of Des Moines Day

4:30 P.M.

INVOCATION Pastor Bernie Colorado, Union Park United Methodist Church

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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.**

98-2765 3. APPROVING CONSENT AGENDA - items 3 through 108: **Moved by McPherson to adopt the balance of the Consent Agenda. Motion Carried 7-0.**

LICENSES AND PERMITS:

Approving

98-2766 4. Communication from Legal Department regarding September 14, 1998 License and Permit Agenda. **Moved by McPherson to receive and file. Motion Carried 7-0.**

Class "B" Beer Licenses

98-2767 5. Fall Foods, Inc., Peter M. Harding, President dba Godfather's Pizza, 3022 Southeast 14th Street: Renewal - Expires 9-30-98 (With Sunday Sales) - Application submitted 8-14-98. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2768 6. Fall Foods, Inc., Peter M. Harding, President dba Godfather's Pizza, 4119 University; Renewal - Expires 9-30-98 (With Sunday Sales) - Application submitted 8-14-98. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2769 7. Happy Joe's Pizza & Ice Cream Parlor, Inc., Larry J. Whitty, President dba Happy Joe's, 1402 East McKinley; Renewal - Expires 9-30-98 (With Sunday Sales) - Application submitted 8-24-98. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2770 8. Happy Joe's Pizza & Ice Cream Parlor, Inc., Larry J. Whitty, President dba Happy Joe's, 1313 East Euclid: Renewal - Expires 9-30-98 (With Sunday Sales) - Application submitted 8-24-98. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2771 9. Long John Silver's, Inc., Nana Mensah, President dba Long John Silver's Seafood Shop, 3514 East 14th Street: Renewal - Expires 9-30-98 (With Sunday Sales) - Application submitted 8-17-98. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2772 10. Long John Silver's, Inc., Nana Mensah, President dba Long John Silver's Seafood Shop, 4500 Fleur Drive; Renewal - Expires 9-30-98 (With Sunday Sales) - Application submitted 8-17-98. **Moved by McPherson to adopt. Motion Carried 7-0.**

Class "C" Beer Licenses

11. NUMBER NOT USED

98-2773 12. Kwik Shop, Inc., Steve Mostrom, District Manager dba Kwik Shop #538, 1930 Indianola Road; Renewal - Expires 10-02-98 (With Sunday Sales) - Application submitted 8-17-98. **Moved by McPherson to adopt. Motion Carried 7-0.**

Class "E" Beer Licenses

98-2774 13. QuikTrip Corp., Chester Cadieux, President dba QuikTrip #527, 1215 - 6th Avenue; Renewal - Expires 9-20-98 (With Sunday Sales) - Application submitted 7-13-98. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2775 14. American Drug Store, Inc., Kevin H. Tripp, General Manager dba Osco Drug Store #532, 3151 Southeast 14th Street; Renewal - Expires 9-24-98 (With Sunday Sales) - Application submitted 7-14-98. **Moved by McPherson to adopt. Motion Carried 7-0.**

Class "B" Wine Licenses

98-2776 15. WGK Investments, Michael D. Wormley, Member dba Cigar Source, 3305 Ingersoll; New Application submitted 8-10-98. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2777 16. Des Moines Club Management, Inc., James M. Hinckley, President dba Des Moines Club, 666 Grand Avenue; New Application submitted 8-14-98. **Moved by McPherson to adopt. Motion Carried 7-0.**

Class "B" Liquor Licenses

98-2778 17. Marriott Hotel Services, Inc., Todd Clist, President dba Des Moines Marriott Hotel, 700 Grand Avenue; Renewal - Expires 9-30-98 (With Sunday Sales) - Application submitted 7-14-98. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2779 18. River Catering Company, Inc., John Q. Hammons, President dba Embassy Suites Des Moines, 101 East Locust; Renewal - Expires 9-26-98 (With Sunday Sales and Beer Garden) - Application submitted 8-11-98. **Moved by McPherson to adopt. Motion Carried 7-0.**

Class "C" Liquor Licenses

98-2780 19. Des Moines Club Management, Inc., James M. Hinckley, President dba Des Moines Club, 666 Grand Avenue; New Application (With Sunday Sales) - Application submitted 8-14-98. **Moved by McPherson to adopt. Motion Carried 7-0.**

WITHDRAWN

98-2781 20. Recommendation of Vice Control Unit to **DENY** application submitted by B. L. Willson, Inc., Blake L. Willson, President dba The Edge, 3800 Army Post Road; New

Application (With Sunday Sales and Beer Garden) - Application submitted 7-27-98; also building, electrical, and fire are **not** in compliance.

98-2782 21. Juan J. Guardiola dba El-Ganadero, 3211 Indianola; New Application (With Sunday Sales) - Application submitted 8-24-98. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2783 22. Izaak Walton League, John P. Huss, President dba Izaak Walton League, 4343 Valley Drive; Renewal - Expires 9-28-98 (With Sunday Sales and Beer Garden) - Application submitted 8-14-98. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2784 23. Fine Host Corporation, Gerald P. Buccino, President dba Polk County Convention Center - 501 Grand Avenue; Renewal - Expires 9-30-98 (With Sunday Sales) - Application submitted 8-11-98. **Moved by McPherson to adopt. Motion Carried 7-0.**

Class "E" Liquor Licenses

98-2785 24. Marriott Hotel Services, Inc., Todd Clist, President dba Des Moines Marriott Hotel, 700 Grand Avenue; Renewal - Expires 9-30-98 - Application submitted 7-14-98. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2786 25. American Drug Stores, Inc., Kevin H. Tripp, General Manager, dba Osco Drug Store #532, 3151 Southeast 14th Street; Renewal - Expires 9-24-98 - Application submitted 7-14-98. **Moved by McPherson to adopt. Motion Carried 7-0.**

Authorizing

98-2787 26. City Clerk to issue Cigarette Licenses. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2788 27. City Clerk to issue Coin-Operated Amusement Machine Licenses. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2789 28. Temporary beer garden for R. Mike Baier dba Michael's Restaurant & Lounge, 4041 Urbandale Avenue on Saturday September 19, 1998 from 8:00 A.M. to 12:00 Midnight for Beaverdale Fall Festival. Application submitted 8-17-98. **Moved by McPherson to adopt. Motion Carried 7-0.**

Sunday Sales

98-2790 29. Connie L. Bales dba LC's Corner Bar, 344 East Jackson; Application submitted 8-31-98. **Moved by McPherson to adopt. Motion Carried 7-0.**

Refunds

98-2791 30. City Treasurer to issue refunds. **Moved by McPherson to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

98-2792 31. Approval of Change Order No. 1 with Des Moines Asphalt and Paving Co., Robert G. Horner, President, for additional work in conjunction with 1998 ACC Pavement Milling & Resurfacing Contract, amount not to exceed \$48,500. ([Council Communication No. 98-389](#)). **Moved by McPherson to adopt. Motion Carried 6-1. Nay: Flagg.**

98-2793 32. Approval of Change Order No. 3 with McAninch Corporation, Dwayne McAninch, President for additional work in conjunction with the Easter Lake Retention Basin-Phase 1, amount not to exceed \$12,331.70. ([Council Communication No. 98-395](#)). **Moved by McPherson to adopt. Motion Carried 6-1. Nays: Flagg.**

98-2794 33. Approving Supplemental Agreement No. 2 with RDG Crose Gardner Shukert, Inc., John F. Crose Partner for Design and Construction Services in conjunction with Construction Contract No. 2 on Softball Complex - \$103,360. ([Council Communication No. 98-391](#)). **Moved by McPherson to adopt. Motion Carried 6-1. Nays: Flagg.**

98-2795 34. Approving Relocation and Reimbursement Agreement between Des Moines International Airport and Mid-American Energy for the relocation of two high pressure gas lines in conjunction with Runway 5-23 Grading, Phase 2, maximum cost of \$350,000. ([Council Communication No. 98-416](#)). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2796 35. Approving Agreement with IDOT, to allow use of relocated Army Post Road as a temporary detour route until completion of construction of Relocated Highway 5 from Highway 28 east to US 65/69. ([Council Communication No. 98-398](#)). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2797 36. Authorization to proceed on Stormwater Improvements for 6th and Holcomb Berm Project, E. 42nd Street and Washington Drainage Improvements and E. 37th and University-North Side Improvements. ([Council Communication No. 98-394](#)). **Moved by McPherson to adopt. Motion Carried 6-1. Pass: Vlassis.**

98-2798 37. Authorization from City Engineer to accept completed construction of Skywalk System Bridge 8E-9E across Ninth Street between Grand and Locust in accordance with Skywalk Agreement between The Graham Group, Inc., George D. Milligan, President, and Equitable Life Insurance Company of Iowa, Paul E. Larson, Executive Vice President and Chief Financial Officer, and approving final payment of \$10,039.60 now and \$19,788.95 at the end of thirty days.) **Moved by McPherson to adopt. Motion Carried 7-0.**

38. Resolution Ordering Construction of the following:

98-2799 (A) Asbestos Removal- 7th and Mulberry Parking Garage, Receiving of Bids, (9-22-98), and Setting Date of Hearing, (9-28-98), (Construction Estimate - \$7,500). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2800 (B) Parks Buildings Roof Replacement, Receiving of Bids, (9-22-98), and Setting Date of Hearing, (9-28-98), (Construction Estimate - \$18,000). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2801 (C) 1998 ACC Pavement Resurfacing, Receiving of Bids, (9-22-98), and Setting Date of Hearing, (9-28-98), (Construction Estimate - \$236,200). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2802 (D) 1998 Storm Water Intake Replacement, Receiving of Bids, (9-22-98), and Setting Date of Hearing, (9-28-98), (Construction Estimate - \$41,250). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2803 (E) Cemetery Storm Sewers Rehabilitation, Receiving of Bids, (9-29-98), and Setting Date of Hearing, (10-5-98), (Construction Estimate - \$73,950). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2804 (F) Waveland Golf Course Storm Repair, Receiving of Bids, (9-29-98), and Setting Date of Hearing, (10-5-98), (Construction Estimate - \$58,900). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2805 (G) Blank Park Zoo Fencing of Fort Des Moines Property, Receiving of Bids, (9-29-98), and Setting Date of Hearing, (10-5-98), (Construction Estimate - \$50,315). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2806 (H) 1998 Flood Storm Sewer Repair Contract 1, Receiving of Bids, (9-29-98), and Setting Date of Hearing, (10-5-98), (Construction Estimate - \$81,919). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2807 (I) WRA Raw Sewage Pump Station Improvements, Receiving of Bids, (10-13-98), and Setting Date of Hearing, (10-19-98), (Construction Estimate - \$7,872,146). **Moved by Hensley to adopt. City Manager to provide a detailed report on the W.R.A. at time of hearing, including a copy of the existing 28E Agreement. Motion Carried 6-1. Absent: Vlassis.**

98-2808 39. Approving Annual Financial Report for City Streets and Parking for 1998, to be submitted to Iowa Department of Transportation to allow eligibility for Road Use Tax allotments. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2809 40. Approving contract and bond for SE 14th Street and E. Diehl Avenue Intersection Improvements, R. S. Gillotti, President, West Des Moines. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2810 41. Private Construction Contract for street and sanitary sewer improvements related to Grandview Terrace on E 30th Street between Sheridan and Grandview Avenues, between Baker Mechanical, Inc., B. J. Baker, III, President-Contractor and Henry Haines and Janice Haines, Soon Hee Lee and Intaik Lee, Joseph Nesvedt and Mary Nesvedt, Bernard J. Baker, III and Karen L. Baker, Owners - \$79,788. **Moved by McPherson to defer to 9-28-98 to allow staff to**

discuss alternatives relating to access to the property; communicating with Council Member McPherson. Motion Carried 7-0.

****Council considered Hearing Items 119 through 123 next****

98-2811 42. Private Construction Contract for Street Improvements on the proposed Easter Bay Colony Plat No. 2, between Sternquist Construction, Inc., Britt Sternquist, President-Contractor, and Clarke Company, Ltd., John J. Clarke, Managing Partner-Owner - \$140,910.25. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2812 43. Approving Private Construction Contract for Sanitary Improvements for 49th Street Sanitary Sewer Project, between Corell Contractor, Inc., Steve Corell, President-Contractor, and Jean LemMon, Peter Rhines and Jerry Church, Owners - \$30,325. **Moved by McPherson to adopt. Motion Carried 7-0.**

44. Report of Chief Civil Engineer showing construction progress, amounts due and funding availability of the following:

98-2813 (A) Des Moines Skywalk System Bridge 7B-7C South Support & Vertical Access Node, \$899.65 is now due and remaining balance of \$49,232.15 is to be paid at the end of 30 days. **Moved by Coleman to adopt. Motion Carried 7-0.**

98-2814 (B) Valley Gardens Emergency Access Road from SW 28th Street to SW 30th Street, \$237.50 is now due and remaining balance of \$579.50 is to be paid at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2815 (C) Waveland Lodge Restroom Renovation, \$187.15 is now due and remaining balance of \$2,786.25 is to be paid at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2816 (D) SW 7th Street Bridge over Raccoon River Rehabilitation, \$40,203.15 remaining balance is now due and payable at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 7-0.**

WITHDRAWN

98-2817 (E) E. Gray Street, 400 Block Emergency Sanitary Sewer Repair, \$16,482.50 is now due and remaining balance of \$867.50 is to be paid at the end of 30 days.

98-2818 (F) Sidewalk Ramps on Primary Highway Routes, \$3,827.48 remaining balance is now due and payable at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2819 45. Approving Agreement with Iowa Department of Transportation for maintenance of primary road extension (state highways) for period July 1, 1998 through June 30, 1999 - \$133,794.42. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2820 46. Approving partial payments on twenty-one (21) public improvement projects. (Call City Clerk's Office for listing). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2821 47. Communications from various contractors requesting permission to sublet certain items on four public improvement projects. (Call City Clerk's Office for listing). **Moved by McPherson to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

98-2822 48. Resolution Levying Assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development), Schedule No. 1998-46, and providing for payment. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2823 49. Approving Delinquent Sewer Rental and/or Solid Waste/ Stormwater Utility Fees for the month of August, 1998, for Certification to Polk County Treasurer (call City Clerk's Office for various amounts). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2824 50. Authorizing Assessment Clerk to correct Delinquent Solid Waste/Stormwater Utility and/or Sewer Rental Credits Schedule for August, 1998. **Moved by McPherson to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

98-2825 51. Authorizing City Manager to acquire the necessary right-of-way and easements for East 42nd Street and Washington Drainage Improvements Projects. **Moved by McPherson to adopt. Motion Carried 6-1. Pass: Vlassis.**

98-2826 52. Authorizing City Manager to acquire the necessary right-of-way and easements for 6th Avenue and Holcomb Berm Project. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2827 53. Authorizing City Manager to acquire the necessary right-of-way and easements for East 37th and University -North Side Improvements Project. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2828 54. Approving Final Subdivision Plat entitled Grandview Terrace in vicinity of East 30th Street South of Grandview Avenue. **Moved by McPherson to defer to 9-28-98. Motion Carried 7-0.**

****Council Member McPherson left the meeting at 5:40 P.m.****

98-2829 55. Release of City Liens against Polk County Tax Sale Properties, 1319 10th Street, to clear title objection. ([Council Communication No. 98-403](#)). **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: McPherson.**

98-2830 56. Warranty Deed, Backslope and Property Adjustment Easement and Release and Future Title Work Compensation in conjunction with East University Avenue and East 9th Street

Intersection Improvement, from James Douglas Brown, 1107 East University Avenue - \$2,000 plus closing costs. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2831 57. Approving conveyance of remaining portion of Disposition Parcel No. 4 (1440 E. Grand Avenue)/Capitol East Urban Renewal Area, to Bloomsbury Associates, L.P. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2832 58. Warranty Deed, Backslope and Property Adjustment and Release and Future Title Work Compensation in conjunction with E University Avenue and E 9th Street Intersection Improvement, from Des Moines, Iowa Local APWU Postal Union, 1118 E University, - \$3,500 plus closing costs. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2833 59. Resolution Authorizing Acceptance of Offer to Sell Property located at 1503 E. Walnut St., from Larry Benson, in conjunction with Capital East Urban Renewal Area - \$12,000 plus closing costs. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2834 60. Approving resolution authorizing Subordination of Mortgage given by 3915 Delaware, Ltd., and Iowa Limited Partnership, to the City of Des Moines. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2835 61. Structure Removal Contract to remove a mobile home from 5256 Pine Avenue, in conjunction with Airport Expansion and Relocation of Army Post Road and Iowa Highway 28 - \$18,000. ([Council Communication No. 98-402](#)). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2836 62. Approving replacement deed for vacated north/south alley right-of-way in vicinity of 724-42nd Street, Patrich and Tracy Lynch, (original deed was not recorded and has been lost). **Moved by McPherson to adopt. Motion Carried 7-0.**

WITHDRAWN

98-2837 63. Approving Tax Abatement application for additional value added by improvements made during 1996 that was timely filed, but not processed with other applications received at that time.

98-2838 64. Approving Noise and Avigation Easements for eight properties in conjunction with the Airport Noise Compatibility Program, Phase II. **Moved by McPherson to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

98-2839 65. Approving appointments of additional Des Moines Enterprise Zone Commission Members to administer State of Iowa Certified Des Moines Agribusiness Park and Des Moines Enterprise Community Enterprise Zones. ([Council Communication No. 98-414](#)). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2840 66. Appointment recommendation from Mayor Preston A. Daniels of Phillip O. Tindrell to the Public Housing Board to fill the unexpired term of Sue Luthens to expire June 30, 1999. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2841 67. Appointment recommendation from Chris Hensley, Ward III Council Member, of Paulette Wiley to the Neighborhood Revitalization Board to fill the unexpired term of Linda Goeldner to expire June 30, 1999. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2842 68. Reappointment recommendation of At Large Council Member George E. Flagg for Elaine Estes to the Historic District Commission for a three-year term to expire October 18, 2001. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2843 69. Communication from Chair Fred Wegner informing Council of resignations of Ben Allers and Brian Phillips from the Access Advisory Board effective immediately. **Moved by McPherson to receive, file and accept with deep regret. Motion Carried 7-0.**

STREET CLOSINGS

98-2844 70. Approving closure of the following City Streets. **Moved by McPherson to adopt. Motion Carried 7-0.**

(1) Carolyn Giancola, 861 40th Place, requesting permission to close 40th Place from Crocker to Rollins Avenue, on Saturday, September 26, 1998 from 4:00 P.M. until 10:00 P.M. for a block party.

(2) Sonia Johnson, 2805 45th Street, requesting permission to close 45th Street from Beaver Crest to New York, on Saturday, September 19, 1998 from 4:00 P.M. until 8:00 P.M. for a block party.

(3) Martha Schmitt, 2406 Kingman Blvd., requesting permission to close Kingman Blvd. from 24th Street to 25th Street, on Saturday, September 19, 1998 from 1:00 P.M. until 7:00 P.M. for a block party.

(4) Michael P. Juskelis, 3315 Beaver, requesting permission to close Ovid Street from the 4000 block to 4028 block, on Sunday, September 27, 1998 from 3:00 P.M. until 8:00 P.M. for a block party.

(5) Lester L. Brewer, representing Kelly's Little Nipper, 1701 E. Grand, requesting permission to close East 17th (1/2 block) from south curb of Grand Avenue to north edge of alley to the south, on Saturday, September 26, 1998 from 12:00 noon until 6:00 P.M. for a block party.

(6) Ann Sokolowski, 1306 40th, requesting permission to close 40th Street from 1245 40th to Forest Avenue, on Saturday, October 3, 1998 from 8:30 A.M. until 12:00 noon for a block party.

CITY PLAN COMMISSION RECOMMENDATIONS

98-2845 71. Communication regarding Plan and Zoning Recommendations for CIP Project Identification, Prioritization and Implementation. **Moved by McPherson to receive and file. Motion Carried 7-0.**

98-2846 72. Regarding request from William J. Lillis and David I. Hansen, attorneys for J. Doug Brown, for vacation and conveyance of E. 22nd Street and a portion of Milton Avenue rights-of-way. **Moved by McPherson to adopt and refer to the City Manager and Legal Department for implementation. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

98-2847 73. On application from Robert L. Mahaffey, Anderson Erickson Dairy, to rezone property at 2230 Hubbell from "R1-60" (One Family Low Density Residential) and "M-1" Light Industrial), to PUD (Planned Unit Development), and to amend Des Moines 2000 land Use Plan by revising classification from Commercial to Industrial, to allow for a 24,000 square foot automated refrigerated warehouse building, (9-28-98). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2848 74. On application from Ronald Karnowski, to rezone property at 505 E. Euclid from "R1-60" (One Family Low Density Residential) to "C-0" (Commercial-Residential), (9-28-98). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2849 75. On application from Gene Stanbrough, Brook Run L.C., for amendment to the Brook Run Village PUD Concept Plan, to provide for a 2800 sq. ft. daycare center with monument signage at southwest corner of proposed new Brook Ridge Court and E. Douglas, (9-28-98). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2850 76. On conveyance of alley right-of-way in vicinity of 1319 Ure Street to Gladys J. Mauk, \$25 plus costs, (9-28-98). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2851 77. On conveyance of alley right-of-way in vicinity of 1215 Hutton Street, to Donell Colosimo, \$25 plus costs, (9-28-98). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2852 78. On vacation and conveyance of north/south alley right-of-way between SE 4th and SE 5th, south of E. Court Avenue, to Charold Realty Co., \$1,673 plus costs. (9-28-98). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2853 79. On conveyance of City-owned property east of S.W. 42nd Street and north of County Line Road, to IDOT for Relocated Iowa Highway 5, (9-28-98). **Moved by McPherson to adopt. Motion Carried 7-0.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

98-2854 80. Approving settlement of Des Moines Service Corporation v. City of Des Moines, et al. by dismissal of City's counterclaim for damage to its vehicle from accident on March 5, 1997

in return for dismissal of plaintiff's lawsuit for damage to its vehicle in same accident. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2855 81. Approving settlements made by Corporation Counsel, not exceeding \$5,000. **Moved by McPherson to receive, file and affirm settlements made by Corporation Counsel. Motion Carried 7-0.**

98-2856 82. Approving outside legal services from Ahlers, Cooney, Dorweiler, Haynie, Smith & Allbee, P.C. in the amount of \$60,407.25 for bond counsel services for the Des Moines International Airport. **Moved by McPherson to adopt. Motion Carried 6-1. Pass: Flag.**

98-2857 83. Approving outside legal services from Larry McLellan of Bradshaw, Fowler, Proctor & Fairgrave in the amount of \$5,561.98 to assist and participation in negotiations with Iowa Department of Natural Resources for National Pollution Discharge Elimination System Permit (NPDES) for Des Moines International Airport. **Moved by McPherson to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

98-2858 84. Submitting out-of-state travel request for Preston Daniels, Daniel Lamb, Rick Zimmerman, Nancy Welsh, Stephen Waymire and Paul Stout. ([Council Communication No. 98-392](#)). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2859 85. Submitting various traffic regulation changes as follows, ([Council Communication No. 98-399](#)). **Moved by McPherson to receive, file and refer to Legal Department for preparation of proper legislation. Motion Carried 7-0.**

(1) Extension of Corner Clearance No Parking Restriction-North Side of Garfield Avenue from Avenue F.M. Hubbell to 120 feet East of East twenty-fifth Street.

(2) Corner Clearance No Parking Restriction-South Side of East Douglas Avenue East and West of East Twenty-sixth Street.

(3) Establish Traffic Regulations for New Relocated Army Post Road and Extension of Southwest Twenty-eighth Street.

APPROVING

98-2860 86. Cooperative Agreement with U.S. Department of Housing and Urban Development, Fair Housing Assistance Program for allocation to process fair housing complaints, attend mandatory training, provide outreach activities, and data and information services beginning October 1, 1998 - \$67,200. **Moved by McPherson to adopt. Motion Carried 6-1. Pass: Flag.**

87. Community Development Block Grant Flood Relief final Grantee Performance Report, authorization for public notice and authorization to submit report to HUD for the following:

98-2861 (A) 1993 Report for period 9-1-97 to 6-30-98. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2862 (B) 1994 Report for period 9-1-97 to 6-30-98. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2863 88. Request for Budget Amendment for Community Service Block Grant (CSBG) Contract No. 98-07-CJ with Iowa Department of Human Rights/Division of Community Action Agencies to reduce Equipment Costs and increase Personnel Costs and Indirect Costs. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2864 89. Amendment One to Grant Agreement with Iowa Department of Economic Development (IDED) for development and implementation of business driven training center in Enterprise Community. **Moved by Hensley to adopt. Motion Carried 4-1-1. Pass: Flagg. Absent: McPherson. Council Member Phillips declares a conflict of interest, and abstains from voting.**

98-2865 90. Form of documents and contract with Iowa Department of Economic Development for administration of Oakridge Neighborhood Project using \$200,000 in City HOME funds. ([Council Communication No. 98-390](#)). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2866 91. Contract with Governor's Traffic Safety Bureau for second year funding of "Looking Beyond the Ticket" community traffic safety program. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2867 92. Authorization to submit FY 1998 Federal Equitable Sharing Agreement and Annual Certification Report to U.S. Department of Justice. ([Council Communication No. 98-401](#)). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2868 93. Lease Agreement with St. Joseph's Church, for use of a parking lot in Grandview Park, northwest corner of E. 33rd and Easton, \$300 per year for three years. ([Council Communication No. 98-407](#)). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2869 94. Lease Agreement with Greater Des Moines Soap Box Derby Association, for use of a portion of Ewing Park for maintenance and use of a soap box derby track, \$15/year for three years. ([Council Communication No. 98-408](#)). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2870 95. Historic Site Preservation Grant Request for repair of "Birthplace Cabin" and interpretation of Fort Des Moines #2 Archaeological Site - \$40,000. ([Council Communication No. 98-404](#)). **Moved by Vlassis to adopt. Motion Carried 6-1. Absent McPherson.**

98-2871 96. Polk County use of various City facilities as poll sites for precincts 31, 36, 60, 64, 82 and 83 for General Election to be held on Tuesday, November 3, 1998. **Moved by McPherson to approve. Motion Carried 7-0.**

98-2872 97. Resolution dedicating portion of skywalk system including Skywalk Bridges 1C-2C, 2C-3C, 2C-2D and corridor through Civic Center, The Plaza, Federal Building Third Street and Court Avenue Parking Garage and Polk County Administrative Office Building. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2873 98. Communication from City Clerk, submitting report on City Council meeting/meal expenses for August, 1998. **Moved by McPherson to receive and file. Motion Carried 7-0.**

98-2874 99. Receipt of Insurance for various City projects and functions for recording by the City Clerk. **Moved by McPherson to adopt. Motion Carried 7-0.**

100. Bids for the following:

98-2875 (A) McKenna Motors, (5325 NE 14th Street, William McKenna, President) for a one-ton truck with service body to be used by the Public Works Department (Sidewalks Division), \$21,932. (Eleven bids mailed-three received). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2876 (B) Aramark Uniform, Inc., (2500 Delaware Avenue, Mike Fadden, General Manager) for annual agreement with two (2) twelve (12) month renewal options for uniform rental to be used by the Engineering Department (Wastewater Reclamation Facility), \$40,765.40. (Five bids mailed-two received). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2877 (C) GE Capital IT Solutions, (11180 Aurora Street, Urbandale, IA), State of Iowa Contract No. 01-021-99 (Municipal Code Section 2-86(c) for Microsoft Select Software to be used by the Information Technology Department, \$32,046.26. **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2878 (D) Bid awarded to Aggregate Equipment Co., (5137 NW 2nd Street, Steve Michelletti, President) for three (3) air compressors to be used by the Public Works Department (Bridge and Street Maintenance Divisions), \$25,450. Bids from Logan Contractors Supply, Inc. did not meet specifications, therefore non-compliant. (Twelve bids mailed-five received). **Moved by McPherson to adopt. Motion Carried 7-0.**

98-2879 101. Report of Civil Service Commission submitting Entrance List for Security Assistant and Promotional List for Police Captain. **Moved by McPherson to receive and file. Motion Carried 7-0.**

98-2880 102. Authorizing Finance Director to draw warrants on registers of September 4, 1998, September 11, 1998, and September 18, 1998, and the bills of the Des Moines Municipal Housing Agency for the weeks beginning September 14, 1998 and September 21, 1998, and the biweekly payroll due employees on August 28, 1998 and September 11, 1998. **Moved by McPherson to adopt. Motion Carried 7-0.**

ORDINANCES - FINAL CONSIDERATION

98-2881 103. Amending Chapter 26 of the Municipal Code regarding licensing of communications systems within public right-of-way (Telecommunications Licensing Ordinance). **Moved by McPherson that this ordinance do now pass, [#13,637](#). Motion Carried 7-0.**

104. Approving the following regarding Right-of-way Management Ordinance.

98-2882 (A) Amendment to ordinance. **Moved by McPherson to amend Section 23-53.15 of the ordinance by deleting the strike through language as shown in redraft presented by the Legal Department. Motion Carried 7-0.**

98-2883 (B) Final consideration of ordinance amending Chapter 23 of the Municipal Code regarding regulation and management of private use of public rights-of-way, to include amendment above. **Moved by McPherson that this ordinance do now pass, [#13,638](#). Motion Carried 7-0.**

98-2884 105. Amending Chapter 27 of the Municipal Code regarding the following traffic regulation changes. **Moved by McPherson that this ordinance do now pass, [#13,639](#). Motion Carried 7-0.**

(1) Corner Clearance Parking Restriction-East side of 41st Street north of Ingersoll Avenue and the north side of Ingersoll Avenue east and west of 41st Street.

(2) Corner Clearance Parking Restriction-East side of 40th Place south of Sheridan Avenue.

98-2885 106. Amending Chapter 27 of the Municipal Code regarding the following traffic regulation changes. **Moved by McPherson that this ordinance do now pass, [#13,640](#). Motion Carried 7-0.**

(1) Parking restriction revisions on the West side of 1st Street South of New York Avenue.

(2) Corner clearance on the North side of E. Olinda Avenue west of Indianola Avenue.

(3) Corner Clearance on the North side of Thompson Avenue East and West of E. 23rd Street.

ORDINANCES - SECOND CONSIDERATION

98-2886 107. On Ordinance regarding renewal of Cable Television Franchise. **Moved by McPherson that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

98-2887 108. On vacation of the S.E. Third Street right-of-way between E. Marion and E. Leach **Moved by McPherson that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

98-2888 (A) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by McPherson 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, #13,641. Motion Carried 7-0.**

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

ORDINANCES - FIRST CONSIDERATION

WITHDRAWN

98-2889 109. Recommendation from City Manager regarding changes to the taxicab ordinance as follows: dress code/, appearance and conduct standards; redefinition of application requirements and procedures; and change reference from Traffic and Transportation Department, to Traffic and Transportation Division.[\(Council Communication No. 98-400\)](#)

WITHDRAWN 98-2890 (A) First consideration of ordinance above.

98-2891 110. Amending Chapter 7 of the Municipal Code regarding traffic regulation changes as follows. **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: McPherson.**

(1) Handicapped Parking Only in Public Border Area Parking Inset in from of 2121 Grand Avenue.

(2) Corner Clearance on East side of 57th Street south of Aurora Avenue.

(3) Truck Route Designation-Searle Street from Avenue F.M. Hubbell to State Street.

98-2892 111. Amending Chapter 27 of the Municipal regarding traffic regulation changes as follows. **Moved by Phillips that this ordinance be considered and given first vote for passage Motion Carried 6-1. Absent: McPherson.**

(1) Four-Way Stop, 11th Street and Seneca Avenue.

(2) Four-Way Stop, SE 34th Street and Evergreen Avenue.

(3) Short-Term metered parking in vicinity of Hotel Fort Des Moines.

COUNCIL REQUESTS

98-2893 112. Request from Council Member Mike McPherson to discuss the need for fencing in Union Park to protect the safety of young children. **Moved by McPherson to receive, file and**

refer to City Manager and Parks Department for review and recommendation. Motion Carried 7-0.

98-2894 113. Request of Council Member Tom Vlassis to allow Beaverdale Fall Festival Committee to place temporary "Burma Shave" type signs to promote the Fall Festival in the Urbandale medians. **Moved by Vlassis to receive, file and approve the request. Motion Carried 7-0.**

COMMUNICATIONS/REPORTS

98-2895 114. From Finance Director regarding update of City's General Obligation Bonds. ([Council Communication No. 98-411](#)). **Moved by Hensley to receive and file. City Manager to provide recommended alternatives at second meeting in November. Motion Carried 6-1. Absent: McPherson.**

98-2896 115. Report and recommendation from City Manager regarding errant golf balls at Blank Golf Course. **Moved by Hensley to receive and file. Motion Carried 5-1-1 Nays: Flagg Absent: McPherson.**

98-2897 116. From various citizens submitting petitions regarding Chuck Garrison Antique Gasoline Show and Auction to be held at Holiday Inn Airport, 6111 Fleur Drive. **Moved by Phillips to receive, file and discuss; refer to City Manager for review and recommendation. Motion Carried 6-1. Absent: McPherson.**

WITHDRAWN98-2898 117. From Ed Conlow representing West Central Coalition of Neighborhoods regarding transportation study and commercial development moratorium along Ingersoll Avenue.

98-2899 118. Request from Mrs. Una Ray, 1315 E. 16th Street, Des Moines, to speak regarding Logan Neighborhood, Logan Neighborhood Center, MLK Park, and MLK Neighborhood Association. **Moved by Coleman to receive, file and grant the request to speak; refer to City Manager to report on issues raised by next Monday, (9-21-98). Motion Carried 6-1. Absent: McPherson.**

****Council considered Item 124 through end of agenda next****

INFORMAL HEARINGS (Opened at 5:42 P.M.) (Items 119 thru 120)

98-2900 119. On recommendation of Park Board regarding Grays Lake Master Plan and related items. **Moved by Hensley to adopt. Motion Carried 5-1-1. Nays: Flagg. Absent: McPherson.**

98-2901 (A) Recommendation from City Plan Commission. ([Council Communication No. 98-396](#)). **Moved by Hensley to receive and file. Motion Carried 5-1-1. Nays: Flagg. Absent: McPherson.**

98-2902 (B) Communication from Alice Rodine, 2328 Amherst, regarding proposed Grays Lake Master Plan. **Moved by Flagg to receive and file. Motion Carried 6-1. Absent: McPherson.**

WITHDRAWN98-2903 120. On vacation of east/west and north/south alley rights-of-way in vicinity of E. 6th and Grand Avenue; recommendation of City Manager for conveyance to Mr. James Boyt, subject to restriction limiting its use to landscaping and pedestrian access, prohibiting its use for parking or buildings and reserving a maintenance easement for benefit of other adjoining owners or occupants.[\(Council Communication No. 98-413\).](#)

* * END INFORMAL HEARINGS at 6:14 P.M. * *

HEARINGS (Opened at 6:15 P.M.) (Items 121 thru 123)

98-2904 121. On 2625 Easton Blvd Demolition & Asbestos Removal: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as L.A. Company, (Linda L. Wicker, Owner, 1266 Adams Street, DM), \$10,900. **Moved by Coleman to adopt. Motion Carried 6-1. Absent: McPherson.**

98-2905 122. On 1403-1407 Forest Avenue Demolition and Asbestos Removal: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as D&F Trucking, (Mae Dillard, owner, Indianola), \$74,497. **Moved by Coleman to adopt. Motion Carried 6-1. Absent: McPherson.**

98-2906 123. On Martin Luther King, Jr., Parkway Demolition, Contract No. 6: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Corell Contractor, Inc., (Steve Corell, President, 1805 Euclid Avenue, DM), \$35,050. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: McPherson.**

98-2907 (A) Approving contract and bond. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: McPherson.**

* * END HEARINGS at 6:17 P.M. * *

Council considered balance of Consent and Items 109 thru 118 next

CITY MANAGER RECOMMENDATIONS

98-2908 124. Communication from City Manager regarding Court Avenue Entertainment Center. [\(Council Communication No. 98-393\).](#) **Moved by Vlassis to approve the general goals as outlined in Council Communication No. 98-393 as a guide for preparation of the development agreement between the City of Des Moines and AMC/Centertainment, Inc. for the Court Avenue Entertainment Center. Motion Carried 5-1-1. Pass: Flagg. Absent: McPherson.**

98-2909 125. Communication from the City Manager regarding Gateway implementation actions. ([Council Communication No. 98-412](#)). **Moved by Coleman to adopt the recommendation as outlined in Council Communication No. 98-412. Motion Carried 5-1-1. Nays: Flagg. Absent: McPherson.**

98-2910 126. Regarding City's Enterprise Community Program, analysis of HUD report and recommendation for Enterprise Community Program. ([Council Communication No. 98-406](#)). **Moved by Vlassis to receive and file. Motion Carried 6-1. Pass: Flagg. Absent: McPherson.**

98-2911 (A) Communication from Neila Seaman, Chair of the Enterprise Community Steering Committee. **Moved by Vlassis to receive and file. Motion Carried 6-1. Absent: McPherson.**

98-2912 127. Communication from City Manager regarding allocation of newly available funds. ([Council Communication No. 98-415](#)). **Moved by Hensley to receive, file and adopt recommendations as contained in Council Communication No. 98-415. Motion Carried 6-1. Absent: McPherson.**

APPROVING

128. Items regarding Downtown Self-Supported Municipal Improvement District (SSMID):

98-2913 (A) Agreement with Downtown Partnership, Inc. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-2914 (B) Parking Garage Service Agreement with Downtown Partnership. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

98-2915 (C) Budget for Downtown SSMID. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

[\(Council Communication No. 98-397\)](#)

98-2916 129. Supplemental Intergovernmental 28E Agreement with other participant cities for development and continuing update of design standards and standard specifications for construction of public improvements. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

130. The following items regarding Agreement to purchase land for private redevelopment, Disposition Parcel No. 18A/South of Thompson Avenue between Dixon and DeWolf Streets, 1901 Dixon) Guthrie Avenue Business Park Urban Renewal Area:

98-2917 (A) Accepting Developer-initiated Redevelopment Proposal from Frederick C. James. **Moved by Vlassis to approve. Motion Carried 6-1. Absent: McPherson.**

98-2918 (B) Authorizing Advertisement for Competing Redevelopment Proposals. **Moved by Vlassis to approve. Motion Carried 6-1. Absent: McPherson.**

(Council Communication No. 98-388)

98-2919 131. Application to State of Iowa, Community Economic Betterment Account (CEBA) for \$65,000 and preliminary approval for Des Moines Action Loan Fund for \$65,000 to Prime Plating, Inc. (Council Communication No. 98-405). **Moved by Vlassis to approve. Motion Carried 6-1. Absent: McPherson**

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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.

98-2920 1. Approving recommendation of Mayor Daniels, for appointment of Kevin W. Techau, to the Board of Library Trustees, to fill unexpired term of Donald Swim, to expire July 1, 2000. SPONSOR: Mayor Daniels. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: McPherson.**

98-2921 2. Approving contract and bond with Van Hauen & Associates, Inc., \$49,000, for emergency sewer repair in vicinity of Terrace Drive, south of 2700 block, subject to review and approval by the Legal Department. SPONSOR: Hensley. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: McPherson.**

A G E N D A

BOARD OF HEALTH

September 14, 1998

98-2922 MOTION TO CONVENE. **Moved by Vlassis that this City Council Adjourn and Convene as a Board of Health. Motion Carried 6-1. Absent: McPherson.**

AUTHORIZING

1. Court authority to abate the public nuisance at the following location(s):

98-2923 (A) 219 College, vacant, Titleholder: Pyramid Group, Inc.; Contract Buyers: Martin Aguilar, Mark Zaragoesza, Jose Martinez; Legal Interest Holder: Jaime Foster. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: McPherson.**

98-2924 (B) 3016 State, vacant, Titleholders: Susan Charlson, Darrin Charlson; Legal Interest Holder: United Companies Lending Corporation. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: McPherson.**

98-2925 (C) 1511 7th, vacant, Titleholder: Ronald Lee Burton, Alan B. Moyle, Linda Moyle, Ronald A Moyle, Jackie Moyle, Fred J. Trujillo, Jr. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: McPherson.**

98-2926 (D) 1088 27th, vacant, Titleholder: Margaret Levy; Contract Buyers: Rosli Bin Othman a/k/a Roshi Bin Othman, Zahari Bin Man. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: McPherson.**

98-2927 (E) 801 SE 28th, vacant, Titleholder: Odella Daniels, DECEASED, Vernon Daniels, Administrator of Odella E. Daniels Estates. **Moved by Vlassis to adopt. Motion Carried 5-1. Absent: McPherson. Mayor Daniels declares a conflict of interest, and abstains from voting.**

98-2928 (F) 808 SE 28th, vacant, Titleholder: Elizabeth V. Bates, Martin E. Britt, Jr. **Moved by Vlassis to adopt. Motion Carried 5-1. Absent: McPherson. Mayor Daniels declares a conflict of interest, and abstains from voting.**

98-2929 (G) 820 SE 28th, vacant, Titleholder: Odella Daniels, DECEASED, Vernon Daniels, Administrator of Odella E. Daniels Estate. **Moved by Vlassis to adopt. Motion Carried 5-1. Absent: McPherson. Mayor Daniels declares a conflict of interest, and abstains from voting.**

98-2930 2. Demand for payment from insurance costs reserve to the City of Des Moines for renovation of the structure at 3118 Columbia, owned by Sharon M. Hergenrader. **Moved by Vlassis to adopt. Motion Carried 6-1. Absent: McPherson.**

98-2931 MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 8:17 P.M. Motion Carried 6-1. Absent: McPherson.**