

\*\*\* DES MOINES CITY COUNCIL MEETING REPORT \*\*\*

The City Council took the following action on items listed in the attached meeting agenda summary. Copies of ordinances, resolutions and other Council action may be obtained from the City Clerk's Office (515) 283-4209. The six-digit number beginning with '09-' preceding each item on the agenda is a roll call number assigned by the City Clerk. Please refer to this number when requesting information or copies.

**SUMMARY OF DES MOINES CITY COUNCIL MEETING**

**March 9, 2009 4:30 PM**

**SPECIAL PRESENTATION – 4:00 PM**

Proclamation and Presentation of Key to the City in honor of Bob Mickle

**INVOCATION:** Chaplain John Harrell - Fire Department

[09-360](#)

1. ROLL CALL: **Present: Cownie, Coleman, Hensley, Kiernan, Mahaffey, Meyer and Vlassis.**

[09-361](#)

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

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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.

[09-362](#)

3. APPROVING CONSENT AGENDA – items 3 through 33: **Moved by Vlassis to adopt the balance of the consent agenda. Motion Carried 7-0.**

**LICENSES AND PERMITS**

09-363

- 4. Approving Alcoholic Beverage License Applications for the following: **Moved by Vlassis to adopt. Motion Carried 7-0.**

**NEW APPLICATIONS**

~~(A) FAT TUESDAY 6112 SW 9TH St C Liquor~~

**RENEWAL APPLICATIONS**

(B)	BOWLERAMA LANES	1313 E DIEHL AVE	C Liquor
(C)	DAHLS FOODS	3425 INGERSOLL	E Liquor
(D)	FRANCIES	2100 WAKONDA VIEW	C Liquor
(E)	HY VEE FOOD STORE #3	3221 SE 14TH ST	E Liquor
(F)	HY VEE WINE & SPIRITS	2310 HUBBELL AVE	E Liquor
(G)	IOWA BEEF STEAK HOUSE	1201 E EUCLID AVE	C Liquor
(H)	KELLYS LITTLE NIPPER	1701 E GRAND AVE	C Liquor
(I)	LIARS CLUB	216 COURT AVE	C Liquor
(J)	NAT FOOD MART #1	3804 HUBBELL AVE	C Beer
(K)	OVATIONS FOOD SERVICES	233 CENTER ST	C Liquor
(L)	PAESANOS PIZZERIA	2804 SW 9TH ST	C Beer/Wine
(M)	QUIKTRIP #544	3941 SE 14TH ST	C Beer
(N)	RICCELLIS SUPPER CLUB	3803 INDIANOLA	C Liquor
(O)	SUPER QUICK	303 SE 30TH ST	E Liquor
(P)	WAVELAND GOLF COURSE	4908 UNIVERSITY	C Liquor
(Q)	WINSTONS PUB AND GRILLE	601 LOCUST ST	C Liquor

**SPECIAL EVENT APPLICATION**

- (R) LIARS CLUB 216 COURT Five (5) Day License Class C Liquor License for St. Patricks Day Celecetration on Court Aveune. Pending approval of Electrical and Fire Departments.

**PUBLIC IMPROVEMENTS**

- 5. Ordering construction of the following:

09-364

- (A) High Street Realignment – 10<sup>th</sup> Street to 14<sup>th</sup> Street – Phase 2: Receiving of bids, (3-24-09), and Setting date of hearing, (4-6-09). (Construction Estimate - \$680,000). (Council Communication No. 09-148) **Moved by Vlassis to adopt. Motion Carried 7-0.**

09-365

- (B) Trestle to Trestle Trail Realignment: Receiving of bids (3-24-09), and Setting date of hearing, (4-6-09). (Construction Estimate - \$277,750). (Council Communication No. 09-149) **Moved by Vlassis to adopt. Motion Carried 7-0.**

- [09-366](#) 6. [Approving](#) execution of Iowa Department of Transportation Agreement for S.W. 7<sup>th</sup> Street over Raccoon River Bridge Rehabilitation. ([Council Communication No. 09-143](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-367](#) 7. [Approving](#) Professional Services Agreement with Genus Landscape Architects, P.C. for professional services for the Beaver Avenue Streetscape, not to exceed \$169,885. ([Council Communication No. 09-140](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-368](#) 8. [Approving](#) Professional Services Agreement with Snyder & Associates for Design and Construction Phase services for the SE 6<sup>th</sup> Street Widening-Court Avenue to the Des Moines River, not to exceed \$297,500. ([Council Communication No. 09-141](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-369](#) 9. [Approving](#) Change Order No. 6 with Christensen Bros., Inc. for additional work on SW 9<sup>th</sup> Street Viaduct over M. L. King Jr. Parkway Rehabilitation Project, not to exceed \$94,116.10. ([Council Communication No. 09-137](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
10. Accepting completed construction and approving final payment for the following:
- [09-370](#) (A) [Jensen](#) Construction Co. and United Contractors, Inc., A Joint Venture – M. L. King Jr. Parkway and Fleur Drive Intersection/Bridges Combined Project. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-371](#) (B) [Grimes](#) Asphalt & Paving Corp. - Union Park Parking Lot – Phase 1. **Moved by Vlassis to adopt. Motion Carried 7-0.**

#### **SPECIAL ASSESSMENTS**

- [09-372](#) 11. [Levying](#) assessments for costs of Nuisance Abatement – NAC Emergency Orders (Community Development) Schedule No. 2009-05. **Moved by Vlassis to adopt. Motion Carried 7-0.**

#### **LAND/PROPERTY TRANSACTIONS**

- [09-373](#) 12. [Establishing](#) Fair Market Value of 1213 Scott Avenue for the Southeast Connector Project – SE 6<sup>th</sup> Street to SE 14<sup>th</sup> Street Phase. ([Council Communication No. 09-145](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-374](#) 13. [Release](#) of Irrevocable Letter of Credit No. 12012006A in amount of \$56,128 from First National Bank as security for completion of a portion of the required improvements which have been satisfactorily completed and recommend that security for such improvements be reduced and partially released to a new balance with Irrevocable Letter of Credit No. 02192009A in the amount of \$14,032 for Sawyer's Landing Plat 1. ([Council Communication No. 09-136](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[09-375](#) 14. [Release](#) of PUD Restoration Bond #IAC73839 from Merchants Bonding Company in amount of \$41,287 as security for completion of required grading and site restoration improvements for Drake-Hubbell Housing development. ([Council Communication No. 09-135](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[09-376](#) 15. [Approving](#) seven Tax Abatement applications for additional value added by improvements made in 2008. ([Council Communication No. 09-131](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

#### **BOARDS/COMMISSIONS/NEIGHBORHOODS**

[09-377](#) 16. [Recommendation](#) from Mayor Frank Cownie to appoint Jay Lettow to the Access Advisory Board, Seat 8, for a four-year term to expire June 15, 2009 and to an additional four-year term to expire June 15, 2013. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[09-378](#) 16I [Recommendation](#) from Council Member Michael Kiernan to reappoint Richard Thornton to the Park and Recreation Board, Seat 4, for a four-year term commencing June 30, 2007 to expire June 30, 2011. **Moved by Vlassis to adopt. Motion Carried 7-0.**

#### **COMMUNICATIONS FROM PLANNING AND ZONING**

[09-379](#) 17. [Regarding](#) vacation of a segment of east/west alley between E. Locust and E. Walnut Streets running 88 feet west of E. 3<sup>rd</sup> Street. **Moved by Vlassis to receive and file and refer to the Engineering Department, Real Estate Division. Motion Carried 7-0.**

#### **SETTING DATE OF HEARINGS**

[09-380](#) 18. [On](#) request from Menard, Inc. to rezone property at 1201 E. Diehl Avenue from “R1-60” (One-Family Low-Density Residential) and “C-2” (General Retail and Highway Oriented Commercial) to Ltd. “C-2” (General Retail and Highway Oriented Commercial) to allow expansion of existing outdoor merchandise area and roofed garden center to north side of existing Menard’s store, subject to conditions, (3-23-09). **Moved by Vlassis to adopt. Motion Carried 7-0.**

#### **LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS**

[09-381](#) 19. [Payment](#) of billings from Hall & Associates for service related to Combined Sewer System and Combined Sewer Overflows related to NPDES Permit and additional work on proposed rules by IDNR. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[09-382](#) 20. [Approving](#) payment of \$8,985.77 to Randy Banks for a workers’ compensation claim. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[09-383](#) 21. [Approving](#) payment of \$14,959.27 to Sally Woodard for a workers' compensation claim. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[09-384](#) 22. [Approving](#) payment of \$8,900 to Bajro Karic for property damage as the result of an auto accident. **Moved by Vlassis to adopt. Motion Carried 7-0.**

#### CITY MANAGER COMMUNICATIONS

[09-385](#) 23. [Submitting](#) training requests for Bruce Bergman, Angela Dierenfeld, Andrea Hauer, Jennifer Huisman, Dani Lisk, Dave Lockard, Rex Sparks, and Paul Stout. ([Council Communication No. 09-158](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

#### APPROVING

[09-386](#) 24. [Fiscal](#) Year 2006 Continuum of Care (COC) Closeout Certification Documents. **Moved by Vlassis to adopt. Motion Carried 7-0.**

[09-387](#) 25. [CSBG](#) Contract (Community Action Plan) with Iowa Department of Human Rights for 2008-2009 CSBG Program Year. ([Council Communication No. 09-142](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

[09-388](#) 26. [IDOT](#) Agreement - Air Service Development Enhancement Grant Program for air service development at the Des Moines International Airport, \$25,000. ([Council Communication No. 09-154](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

27. Communication from Downtown Community Alliance for banner designs for the following:

[09-389](#) (A) [Principal](#) Charity Classic to be displayed in downtown Des Moines on 8<sup>th</sup> Street in April and May. **Moved by Vlassis to receive, file and approve banner design. Motion Carried 7-0.**

[09-390](#) (B) [Prairie](#) Meadows to be displayed in downtown Des Moines. **Moved by Vlassis to receive, file and approve banner design. Motion Carried 7-0.**

28. Bids from the following:

[09-391](#) (A) [Acme](#) Printing for exception to procurement ordinance for good cause of printing services for January City Source Newsletter, \$39,443. ([Council Communication No. 09-132](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**

- [09-392](#) (B) [Swifts](#) Auto Salvage for annual contract with two (2) additional one-year renewal options to furnish junk vehicle towing services to be used by the Neighborhood Inspection Division, \$126,500. (Eights bids mailed, three received). **Moved by Hensley to defer to the March 23, 2009 meeting; refer to the City Manager for additional information regarding details of the bid. Motion Carried 7-0.**
- [09-393](#) (C) [Jim's](#) Johns for annual contract with two (2) additional one-year renewal options to furnish portable toilet rental services to be used by the Park and Recreation Department, \$30,000. (Four bids mailed, two received). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-394](#) (D) [Intergraph](#) Corporation (sole area wide distributor) for procurement of software upgrade to the city's I/LEADS Records Management System and Jail Management System (RMS/JMS), \$117,115. ([Council Communication No. 09-153](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-395](#) (E) [Proctor](#) Mechanical Corporation and Air-Con Mechanical Corporation for annual contract with two (2) additional one-year renewal options to furnish plumbing services related to construction and/or maintenance of City owned sanitary sewer mains to be used by the Public Works Department, \$50,000. (Eight bids mailed, two received). **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-396](#) (F) [Deeter](#) Foundry for manhole castings for use by the Public Works Department (Sewer Division), \$153,200. (Ten bids mailed, four received). ([Council Communication No. 09-133](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-397](#) (G) [POM](#) Incorporated (sole area wide distributor) for parking meters and parking meter equipment to be used by the Engineering Department (Traffic & Transportation), \$119,191.25. ([Council Communication No. 09-144](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-398](#) 29. [Renewal](#) Addendum with Constellation NewEnergy – Gas Division, LLC (formerly Cornerstone Energy) for Natural Gas Supply until March 31, 2010 and authorizing Finance Director to execute renewal addendum and implementing agreements. ([Council Communication No. 09-160](#)) **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-399](#) 30. [Civil](#) Service Promotional Lists for Park Maintenance Worker, Horticulture Inspector, and Plumbing Inspector. **Moved by Vlassis to receive and file. Motion Carried 7-0.**
- [09-400](#) 31. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of March 9 and March 16, 2009; to draw checks for [bills](#) of the Des Moines Municipal Housing agency for the weeks of March 9 and March 16, 2009, and to draw checks for bi-weekly payroll due March 13, 2009. **Moved by Vlassis to adopt. Motion Carried 7-0.**

**ORDINANCES - FINAL CONSIDERATION**

- [09-401](#) 32. On request from Hubbell Realty Company to rezone 921 Murphy Street from “C-3B” (Central Business District Mixed Residential) to “PUD” (Planned Unit Development) to allow development of single-story flex office park. **Moved by Vlassis that this ordinance do now pass, #14,840. Motion Carried 7-0.**

**ORDINANCES - SECOND CONSIDERATION**

- [09-402](#) 33. Amending Chapter 74 of the Municipal Code establishing rental fees for the Martin Luther King Jr. Park Shelter. **Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

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

**ORDINANCES - FIRST CONSIDERATION**

- [09-403](#) 34. Amending Chapter 114 of the Municipal Code regarding traffic regulation changes as follows: (Council Communication No. 09-157) **Moved by Meyer that this ordinance be considered and given first vote for passage. Motion Carried 6-1. Absent: Coleman.**
- (A) One-side parking restrictions – Carman Estates Plat 6.
  - (B) Designation of Stop Control – Sterling Trace Plat II.
  - (C) Various minor Code corrections.

**COUNCIL REQUESTS**

- [09-404](#) 35. Request from Council Member Brian Meyer to speak regarding potential development of property at 1670 E. County Line Road, and the likely application from the property owner to amend the 2020 Community Character Land Use Plan designation from “Low Density Residential” to “Auto-Oriented Small-Scale Strip Development” and to rezone the property from “R1-60” (One Family Low Density Residential) to Ltd. “C-2” (General Retail and Highway Oriented Commercial). **Moved by Meyer to receive, file and proceed through the normal application process. Motion Carried 7-0.**
- [09-405](#) 36. Request from Council Members Brian Meyer and Christine Hensley to refer renaming of Archie Brooks Community Center to the City Manager and to the Parks and Recreation Board for review and recommendation. **Moved by Meyer to refer to the City Manager and the Parks and Recreation Board the issue of renaming the Archie Brooks Community Center for review and recommendation, and to return to Council with a recommendation for the Community Center in conjunction with a recommended naming policy. Motion Carried 6-0. Council Member Vlassis declares a conflict of interest and abstains from voting.**



- [09-406](#) (A) [Petition](#) requesting renaming to Charles E. Harvey Community Center. **Moved by Meyer to receive and file. Motion Carried 6-0. Council Member Vlassis declares a conflict of interest and abstains from voting.**

#### COMMUNICATIONS/REPORTS

- [09-407](#) 37. [From](#) Bruce Glauberg, 4020 Crestmoor, to speak regarding dumpster enclosures. **Moved by Vlassis to refer to City Manager, Legal and Community Development for review and recommendation. Motion Carried 7-0.**

- [09-408](#) 38. [From](#) Sarah Oltrogge, Historic East Village Inc., to speak regarding move of gas station at 203 E Grand Avenue. **Moved by Meyer to direct the City Manager to negotiate and execute an agreement with Historic East Village Inc. for the temporary relocation of the East Village gas station to either Allen Park or to the vacant lot at E. 4<sup>th</sup> and Locust with a term not to exceed 180 days. Motion Carried 7-0.**

#### HEARINGS (OPEN AT 5:26 P.M.) (ITEMS 39 THRU 47)

39. Items regarding request from Central Iowa Shelter and Services for vacation and conveyance of property in the vicinity of 13<sup>th</sup> Street from Keosauqua Way to School Street:

- [09-409](#) (A) [Final](#) consideration of the vacation ordinance. **Moved by Coleman that this ordinance do now pass, #14,841. Motion Carried 5-2. Nays: Cownie and Vlassis.**

- [09-410](#) (B) [Hearing](#) on conveyance of the property to Central Iowa Shelter and Services, \$1,000, (continued from 2-23-09). ([Council Communication No. 09-146](#)) **Moved by Coleman to adopt. The City Manager will work with the neighborhoods and other stakeholders to create a committee to develop a strategy for neighborhood planning and implementing improvements in the Cheatom Park and River Bend neighborhoods, the development of a Good Neighbor Agreement, and discussions on Neighborhood Based Service Delivery. Motion Carried 5-2. Nays: Cownie and Vlassis.**

- [09-411](#) 40. [On](#) Proposed Tree Preservation and Mitigation Ordinance. ([Council Communication No. 09-159](#)) **Moved by Meyer to continue the hearing to the May 4<sup>th</sup> Council meeting at 5:00 PM to allow time for additional input and give an opportunity for the M.A.C. (Metro Advisory Council) to review. The City Manager will report back on the following: 1) Details of the permit process. 2) Fiscal impact. 3) Description of penalties. Motion Carried 4-3. Nays: Cownie, Mahaffey and Vlassis.**

WITHDRAWN

- [09-412](#) (A) [First](#) consideration of ordinance above.

WITHDRAWN

- [09-413](#) (B) [Final](#) consideration of ordinance above, (waiver requested by Community Development Director) requires 6 votes.



- [09-414](#) 41. [On](#) Request from Ronald Brenizer Jr. to rezone 4506 SW 9<sup>th</sup> Street from “C1-A” (Neighborhood Commercial Reuse) to Ltd. “C-2” (General Retail and Highway Oriented Commercial) to allow a construction contractors business. Plan and Zoning Commission recommends DENIAL, (continued from 2-9-09). ([Council Communication No. 09-139](#)) **Moved by Hensley to continue to the March 23<sup>rd</sup> Council meeting at 5:00 PM to allow time to create a comprehensive list of agreed-upon conditions for the property. Motion Carried 7-0.**
- [09-415](#) 42. [On](#) request from Dr. Greg Peterson to rezone 16 Indianola Rd. from “R1-60” (One Family Low Density Residential) and “R-3” (Multiple-Family Residential) to Ltd. “C-1” (Neighborhood Retail Commercial) to allow construction of a mixed-use structure with medical and retail uses on the first floor and residential uses on the second floor. **Moved by Meyer to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 7-0.**
- [09-416](#) (A) [First](#) consideration of ordinance above. **Moved by Meyer that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**
- [09-417](#) (B) Final consideration of ordinance above, (waiver requested by Council Member Meyer), requires 6 votes. **Moved by Meyer that the rule requiring that an ordinance 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, [#14,842](#). Motion Carried 7-0.**
- [09-418](#) 43. [On](#) adoption of the proposed Resolution of Necessity for Street Improvements on Bell Avenue, from Druid Hill Drive to the Dead End East. ([Council Communication No. 09-147](#)) **Moved by Hensley to adopt; use Portland Cement Concrete and be sensitive to the design to minimize removal of trees, shrubs and flowers. Motion Carried 6-1. Absent: Cownie.**
- [09-419](#) (A) [Petition](#) in favor of the paving. **Moved by Hensley to receive and file. Motion Carried 6-1. Absent: Cownie.**
- [09-420](#) (B) [Authorization](#) for acquisition of necessary right-of-way and easements. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Cownie.**
- [09-421](#) 44. [On](#) Southeast Connector Paving – SE 4<sup>th</sup> Street to SE 9<sup>th</sup> Street: Resolution approving plans, specifications, form of contract documents, Engineer’s Estimate and designating lowest responsible bidder as Elder Corporation, (Jared Elder, President), \$3,356,000. ([Council Communication No. 09-156](#)) **Moved by Meyer to adopt. Motion Carried 6-1. Absent: Cownie.**

- [09-422](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Meyer to adopt. Motion Carried 7-0.**
- [09-423](#) (B) [Approving](#) Supplemental Agreement No. 4 to the Southeast Connector Professional Services Agreement with Kirkham Michael & Associates to provide construction phase services, not to exceed \$215,920. ([Council Communication No. 09-138](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [09-424](#) 45. [On](#) 2008 Storm Sewer Repair Contract 2: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designating lowest responsible bidder as The Underground Company, Ltd. (Duane Burkhardt, President), \$211,686.30. ([Council Communication No. 09-150](#)) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [09-425](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [09-426](#) 46. [On](#) Ashworth Pool Filter Replacement: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designating lowest responsible bidder as Bergstrom Construction, Inc. (Tom Gorgas, President), \$263,700. ([Council Communication No. 09-151](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [09-427](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [09-428](#) 47. [On](#) Blank Park Zoo 2009 Walkway & Storm Sewer Replacement: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designating lowest responsible bidder as Sheets Excavating, Ltd., (Charles Sheets, President) \$116,162.50. ([Council Communication No. 09-152](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [09-429](#) (A) [Approving](#) contract and bond. **Moved by Meyer to adopt. Motion Carried 7-0.**

\*\*\* END HEARINGS AT 9:15 PM \*\*\*

## APPROVING

- [09-430](#) 48. [Extending](#) the temporary moratorium on the creation or expansion of vehicle display lots through June 9, 2009, pending comprehensive review of the applicable regulations and guidelines. ([Council Communication No. 09-134](#)) **Moved by Vlassis to adopt and continue the moratorium through June 9, 2009. Motion Carried 7-0.**
- [09-431](#) 49. [Exception](#) to the procurement ordinance RFP process for good cause and approving maintenance agreement with C Corporation to maintain Grandview and Waveland Golf Courses. ([Council Communication No. 09-155](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**

## EXTRA ITEMS

- [09-432](#) 1. [Recommendation](#) to appoint John F. TeKippe as Fire Chief for the City of Des Moines effective April 6, 2009. Sponsor: Mayor Cownie. ([Council Communication No. 09-161](#)) **Moved by Kiernan to adopt the recommendation of the City Manager and appointing John F. Tekippe as Fire Chief for the City of Des Moines, as more specifically outlined in the attached council communication. Motion Carried 7-0.**

## BOARD OF HEALTH

- [09-433](#) MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene as a Board of Health. Motion Carried 7-0.**

### APPROVING:

1. The Legal Department to proceed with court action seeking authority to abate the public Nuisance at the following locations:
  - [09-434](#) (A) [4260](#) SE 17<sup>th</sup> Street, main structure and garage structure, Titleholders: Clyde E. Burks and Betty J. Burks. **Moved by Vlassis to adopt. Motion Carried 7-0.**
  - [09-435](#) (B) [1705](#) 21<sup>st</sup> Street, main structure and garage structure, Titleholders: Inie Clement and Augustine Akpan; Mortgage Holder: Wynn Sighting. **Moved by Vlassis to adopt. Motion Carried 7-0.**
  - [09-436](#) (C) [2100](#) E 23<sup>rd</sup> Street, main structure and garage structure, Titleholder: Tony L. Johnson; Mortgage Holders: DLJ Mortgage Capital, Inc and Lime Financial Svcs. Ltd. **Moved by Vlassis to adopt. Motion Carried 7-0.**
  - [09-437](#) (D) [1034](#) 27<sup>th</sup> Street, main structure, Titleholder: Stephen A. Lipovac d/b/a Las 2004 Rev Trust and Stephen A. Lipovac d/b/a LRR 2004 Rev Trust; Contract Buyer: Daveyne M. Cooley. **Moved by Vlassis to adopt. Motion Carried 7-0.**
  - [09-438](#) (E) [321](#) Creighton, main structure and accessory structure, Titleholder: Hamdo Jasarevic. **Moved by Vlassis to adopt. Motion Carried 7-0.**
  - [09-439](#) (F) [2905](#) Logan Avenue, main structure and garage structure, Titleholder: James F. Disney; Mortgage Holders: Fieldstone Mortgage Company and Merscorp, Inc; Contract Buyer: Joseph E. Disney. **Moved by Vlassis to adopt. Motion Carried 7-0.**
  - [09-440](#) (G) [2321](#) Saylor Road, fire-damaged main structure, Titleholders: Maria D. Gomez and Jose Luis Jacobo-Cisneros. **Moved by Vlassis to adopt. Motion Carried 7-0.**
- [09-441](#) MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 9:29 PM. Motion Carried 7-0.**