



***** 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 '08-' 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 10, 2008
4:30 P.M.**

INVOCATION: Pastor Craig Robertson
Grant Park Christian Church
E. 25th and Capitol

[08-357](#) 1. ROLL CALL: **Present: Cownie, Coleman, Hensley, Kiernan, Mahaffey and Meyer. Council Member Vlassis participated in the meeting by telephone.**

[08-358](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley 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.

[08-359](#) 3. APPROVING CONSENT AGENDA – items 3 through 56: **Moved by Hensley to adopt the balance of the consent agenda. Motion Carried 7-0.**

LICENSES AND PERMITS

[08-360](#)

4. [Approving](#) Alcoholic Beverage License Applications for the following: **Moved by Hensley to adopt. Motion Carried 7-0.**

RENEWAL APPLICATIONS

(A)	BOWLERAMA LANES	1313 E DIEHL AVE	C Liquor
(B)	FRANCIES	2100 WAKONDA VIEW DRIVE	C Liquor
(C)	GIT N GO STORE #5	2700 INDIANOLA AVE	C Beer
(D)	GRANDVIEW GOLF COURSE	2401 E 29TH STREET	B Beer
(E)	INPLAY DES MOINES	615 3RD ST	C Liquor
(F)	IOWA BEEF STEAK HOUSE	1201 E EUCLID AVE	C Liquor
(G)	KELLYS LITTLE NIPPER	1701 E GRAND AVENUE	C Liquor
(H)	LA HACIENDA	900 E ARMY POST RD	C Liquor
(I)	OVATIONS FOOD SERVICES	233 CENTER ST	C Liquor
(J)	PAESANOS PIZZERIA	2804 SW 9TH ST	C Beer/Wine
(K)	QUIKTRIP #544	3941 SE 14TH ST	C Beer
(L)	QUIKTRIP #559	4024 FLEUR DR	C Beer
(M)	RICCELLIS SUPPER CLUB	3803 INDIANOLA AVE	C Liquor
(N)	SUNRISE TAP	4155 EASTON BLVD	C Liquor
(O)	VILLAGE BEAN	400 E LOCUST ST	C Beer/Wine
(P)	WAVELAND GOLF COURSE	4908 UNIVERSITY AVE	C Liquor

TRANSFER TO NEW LOCATION

(Q)	HY VEE FOOD STORE #4	4605 FLEUR DR	E Liquor
	Permanent transfer of license from 4707 Fleur Drive.		

OUTDOOR SERVICE APPLICATIONS

(R)	TIM FLANAGANS RESTAURANT	2120 INGERSOLL AVE	C Liquor
	Temporary in conjunction with St. Patricks Day Celebration March 16-19, 2008.		

SPECIAL EVENT APPLICATIONS

(S)	ALZHEIMERS ASSOCIATION	519 PARK ST	C Liquor
	Five day license for special event March 15, 2008. Pending approval of Building, Electrical, Fire, Zoning and Vice Departments.		
(T)	RUSSELL GILMAN	519 PARK ST	C Liquor
	Five day license for special event March 29, 2008. Pending approval of Building and Fire Departments.		

[08-361](#)

5. [Consideration](#) of Class C Liquor License for Southport Sports Bar at 1101 Army Post Road. **Moved by Hensley to adopt; City Manager to report back to Council in May with an update on progress. Motion Carried 7-0.**

- [08-362](#) 6. [City](#) Clerk to issue Cigarette Licenses. **Moved by Hensley to adopt. Motion Carried 6-1. Nays: Cownie.**
- [08-363](#) 7. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Hensley to adopt. Motion Carried 7-0.**

PUBLIC IMPROVEMENTS

8. Ordering construction of the following:
- [08-364](#) (A) [Ingersoll](#) Avenue Streetscape Improvements - 29th to 31st Streets – Receiving of bids, (3-18-08), and Setting date of hearing, (4-7-08). (Construction Estimate - \$1,061,823). ([Council Communication No. 08-118](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-365](#) (B) [Southeast](#) Connector – Des Moines River Bridge with levee, sanitary sewer, and water main relocation – Receiving of bids, (3-18-08), and Setting date of hearing, (4-7-08). (Construction Estimate - \$9,975,000). ([Council Communication No. 08-119](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-366](#) (C) [Pennsylvania](#) Avenue Widening – Buchanan Street to Filmore Street – Receiving of bids (3-25-08), and Setting date of hearing, (4-7-08). (Construction Estimate - \$435,760). ([Council Communication No. 08-120](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-367](#) 9. [Approving](#) execution of Iowa Department of Transportation (IDOT) Agreement for Fleur Drive planters at Gray’s Lake Park. ([Council Communication No. 08-114](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-368](#) 10. [Approving](#) Iowa Interstate Railroad, Ltd. Grade Crossing Surface Repair Program Agreements for SE 1st Street, SE 3rd Street, SE 4th Street, and SE 7th Street. ([Council Communication No. 08-113](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-369](#) 11. [Approving](#) Change Order No. 2 with The Underground Company, Ltd. for additional work on the 12th Street Storm Sewer – Cherry to High Street, not to exceed \$256,929. ([Council Communication No. 08-128](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

12. Accepting completed construction and approving final payment for the following

[08-370](#) (A) [5th](#) and Keo Parking Garage Lighting Replacement, Biermann's University Electric Company, Inc. **Moved by Hensley to adopt. Motion Carried 7-0.**

[08-371](#) (B) [M.L.](#) King, Jr. Parkway – Combined Grand Avenue Bridge and Raccoon River-Ingersoll Grading & Sewer, Reilly Construction Co., Inc. & Affiliates and Corell Contractor, Inc., - a Joint Venture. **Moved by Hensley to adopt. Motion Carried 7-0.**

SPECIAL ASSESSMENTS

[08-372](#) 13. [Levying](#) deficiency assessments Schedule No. 2008-36. **Moved by Hensley to adopt. Motion Carried 7-0.**

[08-373](#) 14. [Levying](#) assessments for cost of Nuisance Abatement-NAC Emergency Orders (Community Development) Schedule No. 2008-04. **Moved by Hensley to adopt. Motion Carried 7-0.**

[08-374](#) 15. [Approving](#) deletion of NAC-Emergency Assessments at various locations. **Moved by Hensley to adopt. Motion Carried 7-0.**

LAND/PROPERTY TRANSACTIONS

[08-375](#) 16. [Approving](#) acceptance of real estate documents for public pedestrian way for property at 3004 E. 38th Street from Grandview Child Development Center, Inc. **Moved by Hensley to adopt. Motion Carried 7-0.**

[08-376](#) 17. [Approving](#) acceptance of real estate documents for shared private sanitary sewer line maintenance covenant and permanent easement agreement for properties at 1450 and 1500 Delaware Avenue from Hooper Family, L.L.C. **Moved by Hensley to adopt. Motion Carried 7-0.**

[08-377](#) 18. [Establishing](#) fair market value and authorizing acquisition of multiple properties for the Southeast Connector Project – SE 6th Street to SE 14th Street Phase. ([Council Communication No. 08-116](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**

[08-378](#) 19. [Approving](#) right-of-way Acquisition Settlement Agreement and accepting easements from MidAmerica Development Company and MidAmerican Energy Company for the Southeast Connector Project – SW 2nd to SE 6th Street Phase. ([Council Communication No. 08-117](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [08-379](#) 20. [Recommendation](#) to appoint Kandi Reindl as a representative to the Regional Workforce Investment Board. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-380](#) 21. [Recommendation](#) to appoint Merrill Stanley, Chris Johansen, and Matt Anderson as representatives and Tom Turner and Allen McKinley as alternate representatives to the Regional Workforce Investment Alliance. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-381](#) 22. [Recommendation](#) to appoint Chris Coleman as representative to the Riverwalk Development Authority. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-382](#) 23. [Recommendation](#) to appoint Tom Vlassis, Merrill Stanley, and Larry Hulse as representatives and Mike Matthes, Kandi Reindl and Rick Clark as alternate representatives to the Wastewater Reclamation Authority Management Agency. **Moved by Hensley to adopt. Motion Carried 7-0.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [08-383](#) 24. [Regarding](#) request from Iowa State Fair Board for vacation and conveyance of various segments of right-of-way in the vicinity of 3001 Logan for incorporation in to the Iowa State Fairgrounds, subject to conditions. **Moved by Hensley to receive and file, and refer to the City Manager for implementation in accordance with the City's standard property disposition procedures. Motion Carried 7-0.**

SETTING DATE OF HEARINGS

- [08-384](#) 25. [On](#) vacation of parkland at the former Science Center Site and lease of the building to The Academy, (3-24-08). ([Council Communication No. 08-129](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-385](#) 26. [On](#) conveyance of gas pipeline easement across city-owned property south of Easton Boulevard and west of E. 38th Street to MidAmerican Energy Company, \$500, (3-24-08). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-386](#) 27. [On](#) conveyance of electric line easement across city-owned property in vicinity of Mattern Avenue and Dixon Street in Guthrie Avenue Business Park to MidAmerican Energy Company, \$1, (3-24-08). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-387](#) 27-I [On](#) amendments to Des Moines Municipal Code Chapter 82 (Site Plan Ordinance) regarding site plan design guidelines for gas stations and convenience stores and Chapter 134 (Zoning Ordinance) regarding zoning and site plan review regulations for gas stations and convenience stores, (3-24-08). **Moved by Hensley to adopt. Motion Carried 7-0.**

[08-388](#) 28. [On](#) conveyance of underground electric line easement across a portion of Martin Luther King Jr. Park to MidAmerican Energy Company, \$1, (3-24-08). **Moved by Hensley to adopt. Motion Carried 7-0.**

[08-389](#) 29. [On](#) request from Cornerstone Family Church to approve a PBP (Planned Business Park) Concept Plan for “Cornerstone Family Church” in the vicinity of 4375 SW 63rd St. to allow development of 16.3 acres as an office/business park use and a four (4) acre outlot, subject to conditions, (3-24-08). **Moved by Hensley to adopt. Motion Carried 7-0.**

[08-390](#) (A) [Communication](#) from Plan and Zoning Commission. **Moved by Hensley to receive and file. Motion Carried 7-0.**

LEGAL DEPARTMENT – CLAIM SETTLEMENTS & BILLINGS

[08-391](#) 30. [Approving](#) payment of \$20,578.58 to Troy Cordes for a workers’ compensation claim. **Moved by Hensley to adopt. Motion Carried 7-0.**

[08-392](#) 31. [Approving](#) payment of \$41,632.80 to Richard Terry for a workers’ compensation claim. **Moved by Hensley to adopt. Motion Carried 7-0.**

[08-393](#) 32. [Approving](#) payment of \$798.93 to Mark Penkert for property damage and car rental expense as the result of an auto accident. **Moved by Hensley to adopt. Motion Carried 7-0.**

[08-394](#) 33. [Approving](#) payment of \$37,648.80 to Conlin Properties, Inc. for property damage as the result of a sewer backup. **Moved by Hensley to adopt. Motion Carried 7-0.**

CITY MANAGER COMMUNICATIONS

[08-395](#) 34. [Submitting](#) travel requests for Michelle Bailey, Sone Cam, Carl W. Elshire, Andrea Hauer, Sara Henry, Theodore Jefferson, Peggy Jensen, Jessica Kolnes, Sarah Lynch, Michael R. Moody, Doug Philip, Rudolph Simms, Jr., Sukanya Soda, Margie Williams, Carl Wycoff and Richard Zimmerman. ([Council Communication No. 08-132](#)) **Moved by Coleman to adopt. Motion Carried 7-0.**

APPROVING

[08-396](#) 35. [Execution](#) of HOME contract documents with Home Opportunities Made Easy, Inc. for renovation of housing to be sold for Affordable Home Ownership as condominium units. ([Council Communication No. 08-108](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [08-397](#) 36. [Execution](#) of HOME Documents with Community Homes, L.P. for renovation of low income rental housing. ([Council Communication No. 08-124](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-398](#) 37. [Fiscal](#) year 2005 Continuum of Care (COC) Closeout Certification Documents. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-399](#) 38. [Neighborhood](#) Finance Corporation (NFC) Program changes in the Phase XII Private Placement Offering. ([Council Communication No. 08-107](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
39. Applications for Enterprise Zone Benefits for housing projects in the Des Moines Gateway Enterprise Zone from the following:
- [08-400](#) (A) [The](#) Art House, LLC, 328 SW 5th Street. ([Council Communication No. 08-130](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-401](#) (B) [Rumley](#) Housing, LLC, 104 SW 4th Street. ([Council Communication No. 08-131](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-402](#) 40. [Payment](#) to The Greater Des Moines Community Foundation for improvements to James W. Cownie Baseball Park, \$136,500. ([Council Communication No. 08-136](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-403](#) 41. [Authorization](#) to submit Grant Application to Vision Iowa Board for development of a sculpture garden in “Western Gateway” Park, \$1,950,000. ([Council Communication No. 08-133](#)) **Moved by Hensley to approve. Motion Carried 7-0.**
- [08-404](#) 42. [2009](#) Governor’s Traffic Safety Bureau Section 402 Grant Application Proposal, \$94,961. ([Council Communication No. 08-125](#)) **Moved by Hensley to approve. Motion Carried 7-0.**
- [08-405](#) 43. [2009](#) Governor’s Traffic Safety Bureau Section 163/410 Grant Application, \$92,220. ([Council Communication No. 08-126](#)) **Moved by Hensley to approve. Motion Carried 7-0.**
- [08-406](#) 44. [Intergovernmental](#) 28E Agreement with Iowa Department of Transportation (IDOT) for maintenance and repair of primary roads in municipalities and supplemental agreement for July 1, 2007 to June 30, 2008. **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-407](#) 45. [Amendment](#) to Schedule of Fees applicable to the Noise Control Ordinance. ([Council Communication No. 08-048](#) of February 11, 2008) **Moved by Hensley to adopt. Motion Carried 7-0.**

- [08-408](#) 46. [Use](#) of various City Facilities as poll sites for precincts 31, 36, 60, 64, 82, and 83 for the Special Bond Issue election to be held on Tuesday, April 29, 2008. **Moved by Hensley to approve. City Clerk will notify the Parks Department, and the Municipal Housing Department to arrange access to the buildings. Motion Carried 7-0.**
- [08-409](#) 47. [Request](#) from Downtown Community Alliance for approval of banner designs for the Iowa State Fair for 90 banners in downtown Des Moines to be displayed on East Locust Street, Locust Street and Grand Avenue. **Moved by Hensley to receive, file and approve banner design. Motion Carried 7-0.**
- [08-410](#) (A) [Request](#) from Downtown Community Alliance for approval of banner design for Prairie Meadows for 90 banners in downtown Des Moines to be displayed on E. Locust Street, Locust Street, Grand Avenue and 5th Avenue. **Moved by Hensley to receive, file and approve banner design. Motion Carried 7-0.**
- [08-411](#) 48. [Request](#) from Downtown Community Alliance for approval of banner design for the Greater Des Moines Convention and Visitor's Bureau for 30 banners in downtown Des Moines to be displayed on East Locust Street and Grand Avenue. **Moved by Hensley to receive, file and approve banner design. Motion Carried 7-0.**
- [08-412](#) 49. [Bid](#) from The Waldinger Corporation for gutter replacement at Principal Park, \$39,900. (Ten bids mailed, two received). **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-413](#) 50. [Procurement](#) of three replacement Automated Side-Loading Refuse Trucks from Peterbilt of Des Moines for good cause shown, \$599,577. ([Council Communication No. 08-138](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**
- [08-414](#) (A) [Communication](#) from City Manager regarding the rental of three refuse collection trucks as the result of an operating emergency. ([Council Communication No. 08-137](#)) **Moved by Hensley to receive and file. Motion Carried 7-0.**
- [08-415](#) 51. [Receipt](#) of the Legislative Update for the 82nd Iowa General Assembly. **Moved by Hensley to receive and file the report. Motion Carried 7-0.**
- [08-416](#) 52. [Civil](#) Service Entrance Lists for Family Self-Sufficiency Coordinator, Wastewater Operator Specialist, Assistant Operator and Vehicle Impound Coordinator and Promotional List for Civil Engineer II. **Moved by Hensley to receive and file. Motion Carried 7-0.**
- [08-417](#) 53. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of March 10 and March 17, 2008; to draw checks for the bills of the [Des Moines Municipal Housing Agency](#) for the weeks of March 10 and March 17, 2008; and to draw checks for biweekly payroll due March 14, 2008. **Moved by Hensley to adopt. Motion Carried 7-0.**

ORDINANCES – FINAL CONSIDERATION

[08-418](#)

54. [Amending](#) Chapter 114 of the Municipal Code regarding traffic regulation changes as follows: **Moved by Hensley that this ordinance do now pass, [#14,748](#). Motion Carried 7-0.**

- (A) Parking Revision – Public Library Lots.
- (B) Parking Revisions – West side of 24th Street between Carpenter and University.
- (C) Parking Restriction – Both Sides of Pleasant View Drive at Dead-End, east of SW 5th Street.
- (D) Parking Restriction – North Side of E. Watrous Avenue, west of Indianola Avenue.
- (E) Request for Loading Zone – 1500 block of E. Grand Avenue.

ORDINANCES – SECOND CONSIDERATION

55. NUMBER NOT USED.

[08-419](#)

56. [Amending](#) Section 118-149 of the Municipal Code regarding sewer service charges. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

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

ORDINANCES – SECOND CONSIDERATION

[08-420](#)

57. [Amending](#) the definition of Transient Merchant and removing the exemption for merchants with a one-year lease. **Moved by Meyer that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

ORDINANCES – FIRST CONSIDERATION

58. NUMBER NOT USED.

COMMUNICATIONS/REPORTS

- [08-421](#) 59. [From](#) James Andrew, 1407 Linden Lane, to speak regarding the City's plan regarding energy costs and pollution. **Moved by Hensley to receive and file comments. Motion Carried 7-0.**
- [08-422](#) 60. [From](#) Kyle Miller, 910 E Bell Avenue, to speak regarding proposed amendments to Section 18-4 of the City Code regarding pygmy goats. **Moved by Hensley to receive, file and refer to the City Manager for review and recommendation. Motion Carried 7-0.**

Council considered Item 70 next

HEARINGS (OPEN AT 5:20 P.M.) (ITEMS 61 THRU 65)

- [08-423](#) 61. [On](#) appeal from Ricky Mart, 5404 SE 14th Street, regarding recommended denial of a Limousine and Taxicab License. **Moved by Hensley to receive and file. Motion Carried 6-1. Absent: Vlassis**
- [08-424](#) 62. [On](#) ownership transfer of city-owned property at 11015 Beardsley to Des Moines Metropolitan Wastewater Reclamation Authority (WRA) for the Southern Tier Pump Station Project. **Moved by Hensley to adopt. Motion Carried 6-1. Absent: Vlassis.**
- [08-425](#) 63. [On](#) SE 5th Street over Yeader Creek Bridge Rehabilitation: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designating lowest responsible bidder as Herberger Construction Co., Inc., (Dean Herberger, President), \$327,279.90. [Council Communication No. 08-123](#) **Moved by Meyer to adopt. Motion Carried 7-0.**
- [08-426](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Meyer to adopt. Motion Carried 7-0.**
- [08-427](#) 64. [On](#) 1624 Pennsylvania Avenue Storm Sewer Repair: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designating lowest responsible bidder as Reilly Construction Company, Inc., (Chris R. Reilly, President), \$79,827.50. [Council Communication No. 08-121](#) **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [08-428](#) (A) [Approving](#) contract and bond and permission to sublet. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [08-429](#) 65. [On](#) Sayers Park Water Service: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designating lowest responsible bidder as Halbrook Excavating, Inc., (Larry A. Halbrook, President), \$18,320. [Council Communication No. 08-122](#) **Moved by Hensley to adopt. Motion Carried 7-0.**

[08-430](#)

65. (A) [Approving](#) contract and bond and permission to sublet. **Moved by Hensley to adopt. Motion Carried 7-0.**

****END HEARINGS AT 5:25 PM****

****Council considered 66 thru Board of Health next****

CITY MANAGER RECOMMENDATIONS

[08-431](#)

66. [Regarding](#) preliminary terms of agreement with Merle Hay Mall for proposed redevelopment for use of proposed tax increment revenues. ([Council Communication No. 08-135](#)) **Moved by Vlassis to receive and file the communication and to authorize the City Manager to negotiate a final development agreement with the owners of the Merle Hay Mall in general accordance with the communication. Motion Carried 7-0.**

APPROVING

[08-432](#)

67. [Receive](#) and adopt the downtown plan titled “What’s Next Downtown”. ([Council Communication No. 08-110](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

[08-433](#)

68. [Receive](#) and file the proposed “Complete Streets” policy regarding bicycle and pedestrian facilities on street projects. ([Council Communication No. 08-111](#)) **Moved by Coleman to receive and file the proposed “Complete Streets” policy and refer to the City Manager for review and recommendation. Upon completion of review and recommendation, the policy will be submitted to the City Council for adoption. Motion Carried 7-0.**

[08-434](#)

69. [Receive](#) and file “Super Block” Master Plan for area bounded by Army Post Road, County Line Road, SW 9th Street and SE 5th Street (“Super Block”). ([Council Communication No. 08-112](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**

[08-435](#)

70. [E. Indianola Avenue Widening](#) – SE 14th Street to Army Post Road Design Concept from public input meeting. ([Council Communication No. 08-115](#)) **Moved by Meyer to adopt. Motion Carried 7-0.**

****Council considered Hearing Items 61 thru 65 next****

[08-436](#)

71. [Agreement](#) with The Des Moines Area Regional Transit Authority (DART) for regional funding of mass transit operations and use of City Park and Ride revenues. ([Council Communication No. 08-134](#)) **Moved by Hensley to adopt. Motion Carried 7-0.**

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.

- [08-437](#) 1. **Approving** execution of the second amended Cooperative Agreement with the United States Department of Housing and Urban Development (HUD) to provide an additional \$8,500 in training funds. SPONSOR: Vlassis. **Moved by Vlassis to adopt. Motion Carried 7-0.**

BOARD OF HEALTH

- [08-438](#) MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene as a Board of Health. Motion Carried 7-0.**

AUTHORIZING

1. The Legal Department to proceed with court action seeking authority to abate the public nuisance at the following locations:
- [08-439](#) (A) **3018** York, Titleholder: Beverly J. Adamson, Mortgage Holder: US Bank National Association. **Moved by Mahaffey to adopt. Motion Carried 7-0.**
- [08-440](#) (B) **2288** Saylor Road, Titleholder: Kasee Investments Strategies, LLC. **Moved by Mahaffey to adopt. Motion Carried 7-0.**

COMMUNICATION

- [08-441](#) 2. **Regarding** demolition cost reserve being held by State Farm Fire and Casualty Company for fire-damaged structure located at 909 E. Diehl Avenue. **Moved by Meyer to receive and file and to direct that the City Attorney bring legal action within one hundred eighty days of receipt of notice if owners have not demolished or renovated the structure. Motion Carried 7-0.**
- [08-442](#) MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 6:08 P.M. Motion Carried 7-0.**

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