

**SUMMARY OF DES MOINES CITY COUNCIL MEETING**

**July 7, 1997 4:30 P.M.**

**PROCLAMATIONS - 4:00 P.M.:**

(a) Jackie Nicholas Day

(b) Joe Thompson Day

**INVOCATION:** Father Bob Harris

St. Anthony's Catholic Church

97-2263 1. ROLL CALL: **Present: Ray, Daniels, Flagg, Hensley, McPherson, Phillips and Vlassis.**

97-2264 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2265 3. APPROVING CONSENT AGENDA - items 3 through 93: **Moved by Vlassis to adopt the balance of the consent agenda. Motion Carried 7-0.**

**LICENSES AND PERMITS:**

Approving

97-2266 4. Communication from Legal Department regarding July 7, 1997 License and Permit Agenda. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

Class "B" Beer Licenses

97-2267 5. M & E Cunningham Corp., Edward H. Cunningham, President dba Concession Spot 23, Iowa State Fairgrounds, 3000 East Grand Avenue; New Application for 14 days (With Sunday Sales and Beer Garden) - Application submitted 8-6-97. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: McPherson.**

97-2268 6. Diversified Management Assoc., Lyle Kreps, President dba Stockman's Inn, Iowa State Fairgrounds, 3000 East Grand Avenue; Renewal - Expires 8-7-97 (With Sunday Sales and Beer Garden) - Application submitted 6-20-97. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: McPherson.**

97-2269 7. Des Moines Park and Recreation Foundation, Gayle Collins, President dba Des Moines, Park and Recreation Foundation, Blank Park, 7301 Southwest 9th Street; New Application for (1) one day event on July 22, 1997 (With Beer Garden) - Application submitted

6-20-97. Subject to submission of acceptable building and fire inspections. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: McPherson.**

97-2270 8. Thanh Nguyen Ta dba Saigon Restaurant, 1254 East 14th Street; Renewal - Expires 7-12-1997 (With Sunday Sales) - Application submitted 6-6-97. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: McPherson.**

Class "C" Beer Licenses

97-2271 9. Toui Lo dba Des Moines Asian Foods, 1623 - 6th Avenue; Renewal - Expired 6-24-97 (With Sunday Sales) - Application submitted 6-16-97. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: McPherson.**

97-2272 10. Dick Pharmacy, Inc., Jay M. Wangerin, President dba Dick Pharmacy, 3024 Forest Avenue; Renewal - Expires 8-6-97 - Application submitted 6-6-97. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: McPherson.**

97-2273 11. Fareway Stores, Inc., Robert L. Cramer, President dba Fareway Stores, 3000 Southeast 22nd Street; New Application submitted 6-11-97. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: McPherson.**

97-2274 12. Kevin Cavan dba Jung's Oriental Food Store, 1140 East 9th Street; New Application (With Sunday Sales) - Application submitted 5-2-97. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: McPherson.**

Class "C" Beer Licenses (continued):

97-2275 13. Kwik Shop, Inc., Steve Mostrom, Dist. Advisor dba Kwik Shop #554, 2919 East 14th Street; Renewal - Expires 7-28-97 (With Sunday Sales) - Application submitted 6-18-97. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: McPherson.**

97-2276 14. Tegeler's Amoco, Inc., Robert Tegeler, President dba Tegeler's Amoco, 1760 Beaver Avenue; Renewal - Expires 7-21-97 (With Sunday Sales) - Application submitted 6-2-97. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: McPherson.**

Class "E" Beer Licenses

97-2277 15. Hy Vee, Inc., Ronald D. Pearson, President dba Hy Vee Food Store #5, 1111 Southeast Army Post Road; Renewal - Expires 7-10-97 (With Sunday Sales) - Application submitted 6-6-97. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: McPherson.**

97-2278 16. Hy Vee, Inc., Ronald D. Pearson, President dba Hy Vee Food Store #4, 4707 Fleur Drive; Renewal - Expires 7-10-97 (With Sunday Sales) - Application submitted 6-6-97. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: McPherson.**

Class "B" Wine Licenses

97-2279 17. Embassy Club, Mike McCoy, President dba Embassy Club, 801 Grand Avenue; Renewal - Expires 7-19-97 - Application submitted 6-20-97. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: McPherson.**

Class "A" Liquor Licenses

97-2280 18. Beaverdale VFW Club, Inc., Gale H. Holmes, Chairman dba Beaverdale VFW Club, 4029 Urbandale; Renewal - Expires 7-17-97 - Application submitted 6-12-97. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: McPherson.**

97-2281 19. Des Moines Club, Donald Kemp, President dba Des Moines Club, 666 Grand Avenue; Renewal - Expires 7-9-97 - Application submitted 6-13-97. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: McPherson.**

97-2282 20. Embassy Club, Mike McCoy, President dba Embassy Club, 801 Grand Avenue; Renewal - Expires 7-19-97 (With Sunday Sales) - Application submitted 6-20-97. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: McPherson.**

Class "A" Liquor Licenses (continued):

97-2283 21. Wakonda Club, J. Douglas Reichardt, President dba Wakonda Club, 3915 Fleur Drive; Renewal - Expires 7-15-97 (With Sunday Sales and Beer Garden) - Application submitted 6-12-97. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: McPherson.**

Class "B" Liquor Licenses

97-2284 22. Sixth Avenue Hotel Partnership, Gene Caleb, General Manager dba Holiday Inn Downtown, 1050 6th Avenue; Renewal - Expires 7-14-97 (With Sunday Sales) - Application submitted 6-16-97. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: McPherson.**

Class "C" Liquor Licenses

97-2285 23. Chuck's Restaurant, Inc., Linda Bisignano, President dba Chuck's Restaurant, 3610 6th Avenue; Renewal - Expires 7-21-97 - Application submitted 6-20-97. **Moved by Vlassis to adopt. Motion Carried 5-2. Nays: McPherson and Daniels.**

97-2286 24. Des Moines Amvets Post #2, Home Inc., Richard L. Link, Commander dba Des Moines Amvets Post #2, 2818 - 5th Avenue; Renewal - Expires 7-22-97 (With Sunday Sales) - Application submitted 6-18-97. **Moved by Vlassis to adopt. Motion Carried 5-2. Nays: McPherson and Daniels.**

97-2287 25. Gen Corp., Larry Smithson, President dba Generations, 319 Court Avenue; New Application (With Sunday Sales and Beer Garden) - Application submitted 6-5-97. **Moved by Vlassis to adopt. Motion Carried 5-2. Nays: McPherson and Daniels.**

97-2288 26. Jessie Belle Rivera dba Jessie's Bar & Restaurant, 2102 Indianola Road; Renewal - Expires 7-17-97 - Application submitted 6-18-97. **Moved by Vlassis to adopt. Motion Carried 5-2. Nays: McPherson and Daniels.**

97-2289 27. Hall of Fame, Inc., John Ulrich, President dba Johnny's Hall of Fame, 300 Court; Renewal - Expires 7-22-97 (With Sunday Sales and Beer Garden) - Application submitted 6-4-97. **Moved by Vlassis to adopt. Motion Carried 5-2. Nays: McPherson and Daniels.**

97-2290 28. P & M Enterprises, Inc., Paul J. Seghi, President dba Locust Tap, 434 East Locust; Renewal - Expires 7-19-97 (With Sunday Sales) - Application submitted 6-10-97. **Moved by Vlassis to adopt. Motion Carried 5-2. Nays: McPherson and Daniels.**

Class "C" Liquor Licenses (continued):

97-2291 29. Lucille M. Mason dba Mason's Lounge, 5114 Southwest 9th Street; Renewal - Expires 7-9-97 - Application submitted 6-11-97. **Moved by Vlassis to adopt. Motion Carried 5-2. Nays: McPherson and Daniels.**

97-2292 30. R. M. Baier Investments, Inc., R. Michael Baier, President dba Michael's Restaurant & Lounge, 4041 Urbandale Avenue; Renewal - Expires 7-31-97 (With Sunday Sales) Application submitted 6-6-97. **Moved by Vlassis to adopt. Motion Carried 5-2. Nays: McPherson and Daniels.**

97-2293 31. Neomie Bakerink dba Neomie's, 2600 Dean Avenue; New Application (With Sunday Sales and Beer Garden) - Application submitted 6-9-97. **Moved by Vlassis to adopt. Motion Carried 5-2. Nays: McPherson and Daniels.**

97-2294 32. Jim-Kim, Inc., Richard R. Albizo, President dba Richard's Extra Innings Lounge, 1500 Southeast 1st Street; Renewal - Expires 7-18-97 (With Sunday Sales and Beer Garden) - Application submitted 6-18-97. **Moved by Vlassis to adopt. Motion Carried 5-2. Nays: McPherson and Daniels.**

97-2295 33. Super Toad, Inc., Louis McCormick, President dba Super Toad, 1424 East Euclid; Renewal - Expires 7-12-97 (With Sunday Sales) - Application submitted 6-4-97. **Moved by Vlassis to adopt. Motion Carried 5-2. Nays: McPherson and Daniels.**

Authorizing

97-2296 34. City Clerk to issue Cigarette Licenses. **Moved by Vlassis to adopt. Motion Carried 5-2. Nays: McPherson and Daniels.**

97-2297 35. City Clerk to issue Coin-Operated Amusement Machine Licenses. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: McPherson.**

Beer Gardens

97-2298 36. Approving temporary extension of current beer garden for Raccoon River Brewing Company, John Zehr, President dba Raccoon River Brewing Company, 200 - 10th Street - for event to be held on July 22 and 23, 1997 - Application submitted 6-26-97. Subject to submission of acceptable building and fire inspections. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: McPherson.**

97-2299 37. Approving temporary beer garden for Gorvano's Inc., Dennis Van Gorden, President dba Gorvano's Pizza & Pub, 6305 Southwest 9th Street - for event to be held on July 22 and 23, 1997 - Application submitted 6-12-97. Subject to submission of acceptable building inspections. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: McPherson.**

Gamerrooms

97-2300 38. Harry Breaux dba Caffè 'A' Roma, 7th and Locust, Skywalk Level - Application submitted 5-19-97. **Moved by Vlassis to adopt. Motion Carried 6-1. Nays: McPherson.**

## **PUBLIC IMPROVEMENTS**

39. Resolution Ordering Construction of the following:

97-2301 (A) 1997 ACC Pavement Milling and Resurfacing, Receiving of Bids, (7-22-97), and Setting Date of Hearing, (7-28-97), (Construction Estimate - \$374,250). **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2302 (B) Boiler Replacement at Fire Station No. 1, Receiving of Bids, (7-22-97), and Setting Date of Hearing, (7-28-97), (Construction Estimate - \$65,230). **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2303 (C) SW 30th Street Sanitary Relief Sewer, Receiving of Bids, (7-29-97), and Setting Date of Hearing, (8-4-97), (Construction Estimate - \$988,460). **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2304 (D) Sherman Hill Historic Lighting-Phase I, (IDOT Project), Setting Date of Hearing, (7-21-97), (Construction Estimate - \$155,000). **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2305 (E) E. University Avenue Beautification-Fairground Edge, (IDOT Project), Setting Date of Hearing, (7-21-97), (Construction Estimate - \$401,616). **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2306 (F) Beavertdale Recreational Trail, (IDOT Project), Setting Date of Hearing, (7-21-97), (Construction Estimate - \$285,004). **Moved by Vlassis to adopt. Motion Carried 7-0.**

40. Approving Authorization to proceed with Police Station Administration Building Remodelling projects included in 1997-98 Capital Improvement Program, (Council Communication No. 97-363):

97-2307 (A) Police Chief's Office - \$17,000. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2308 (B) Vice and Narcotics Section Remodeling - \$20,000. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2309 41. Approving Supplemental Agreement No. 1 for Professional Services with RDG Crose Gardner Shukert, Inc., John F. Crose, Partner, for design development and construction documents in conjunction with Contract No. 1, site work, on Softball Complex - \$42,279. (Council Communication No. 97-364). **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2310 42. Approving Private Construction Contract for construction of one (1) Type M-A Intake in existing curb-line of Ingersoll Avenue for 3940 Ingersoll Avenue to serve as overflow/retention structure, Street Patch Remove/Replace, Sidewalk Remove/Replace and grass surfacing between The Underground Company, Ltd., Duane Burkhardt, President, Contractors, and Brick, Gentry Law Firm, P.C., Nolden Gentry, President, Owners - \$3,897. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2311 43. Authorizing City Engineer to proceed with Paving or Curb Replacement Program, waivers signed by three property owners (Roll Call for list). **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2312 44. Communication from Air-Con Mechanical, James M. Shaffer, Sr., President, 3121 SE 14th St., Contractors for the Police Station Cooling Tower, requesting to extend contract 10 days from July 12, to July 20, 1997. **Moved by Vlassis to receive, file and grant the extension of time of 10 days to extend the contract from July 12, 1997, to July 20, 1997. Motion Carried 7-0.**

97-2313 45. Communication from Iowa Department of Transportation (IDOT), giving notice of bridge repair project on Iowa 28 over the Raccoon River on August 19, 1997. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

97-2314 46. Agreement with Rust Environment & Infrastructure Inc., Thomas C. Leonhart, Corporate Chief Executive Officer to perform professional services in connection with planning, design, right-of-way and construction-review services in conjunction with Southeast Airport Trunk Sanitary Sewer - \$82,800. (Council Communication No. 97-375). **Moved by Vlassis to adopt. Motion Carried 7-0.**

47. Professional Services Agreements for the following:

97-2315 (A) Special Assessment Appraisal Services for period of July 7, 1997 to July 6, 1998 with Rebecca K. Orr, Joseph J. Bell, Jeff Rowat and L.E. Calvert. (Council Communication No. 97-368). **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2316 (B) Appointment of L.E. Calvert, Jeff Rowat, and Rebecca K. Orr as Appraisers for the Valuation Committee. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2317 48. Agreement with RUST/Metcalf & Eddy - a Joint Venture, Thomas Leonhardt, President and CEO, Rust Environment and Infrastructure, and Jekabs Vittando, President, Metcalf & Eddy, to perform engineering construction services for WRA Personnel and Laboratory Facilities project - \$486,124.72. (Council Communication No. 97-376). **Moved by Vlassis to adopt. Motion Carried 7-0.**

49. Approving Private Contract for Airport Commerce Park West - Plat 1, 63rd Street/Hwy #28 and Thornton Avenue between McAninch Corporation, Dwayne McAninch, President, Contractors and Knapp Properties, Gerard D. Neugent, President, Owners for the following:

97-2318 (A) Sanitary Sewer. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2319 (B) Storm Sewer. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2320 50. Approving Private Contract for Sanitary Sewer Main Extension in Dean Avenue from E. 36th Street to East 213 feet to serve the Iowa State Fairgrounds Campgrounds between Corell Contractor, Inc., Steve Corell, President, Contractors and Iowa State Fairground, Marion Lucas, Manager, Owners. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2321 51. Authorizing City Manager to acquire the necessary right-of-way and easements for Davisson Road Storm Sewer project (1997-98 Capital Improvement Program) - \$76,000.(Council Communication No. 97-369). **Moved by Vlassis to adopt. Motion Carried 7-0.**

**\*\*Council considered item 94 and 110 - Board of Health next\*\***

97-2322 52. Approving partial payments on five public improvement projects. (See Roll Call for list). **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2323 53. Communications from various contractors requesting permission to sublet certain items on three public improvement projects. (See Roll Call for lists). **Moved by Vlassis to adopt. Motion Carried 7-0.**

#### **SPECIAL ASSESSMENTS**

97-2324 54. Approving Delinquent Sewer Rental and/or Solid Waste/ Stormwater Utility Fees for the month of June, 1997, Schedule No. 1997-26, for certification to Polk County Treasurer (see roll call for various amounts). **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2325 55. Authorizing Assessment Clerk to correct Delinquent Solid Waste/Stormwater Utility and/or Sewer Rental Credit Schedule for June, 1997. **Moved by Vlassis to adopt. Motion Carried 7-0.**

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

97-2326 56. Backslope and Property Adjustment Easement and Release, Warranty Deed and Partial Release of Mortgage, in conjunction with 1995 Paving Program No. 1 - East/ Southeast 34th Street, Dean Avenue to Railroad Tracks, from Louis Michael and Kimberly Kay Kelleher, 3403 E. Court - \$1,006. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2327 56-I Amended and Substituted Backslope and Property, Adjustment Easement and Release, in conjunction with Iowa 28 (63rd Street)/University Avenue Intersection Improvement, from Lloyd F. and Marilyn Peterson, and Barbara McAndrews, 1201 64th Street - \$2,250. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2328 57. Permanent Easement for Storm Sewer Right-of-Way and Warranty Deed, in conjunction with 1995 Paving Program No. 1-East/Southeast 34th Street, Dean Avenue to Railroad Tracks, from Jim L. and Kathleen J. Kern, vacant ground-3300 block of Scott Avenue - \$2,559.60. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2329 58. Warranty Deed and Backslope and Property Adjustment Easement and Release, in conjunction with Fleur Drive Paving, from Charles R. and Marcia D. Hickman, 6815/6821 Fleur Drive - \$13,023.20. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2330 59. Warranty Deed and Partial Release of Mortgage, Leasehold Mortgage, Security Agreement, Financing Statement and Assignment of Rents and Leases, in conjunction with Johnson Court (E. 15th Street) at E. Court Avenue Intersection Improvement-Turn Lane, from Simmonds Properties, Johnson Court (E. 15th Street) at E. Court Avenue - \$2,353.20. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2331 60. Amending Offer to Buy 2010 and 2020 Dixon Street, Guthrie Avenue Business Park, increase purchase price from \$11,000 to \$11,500. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2332 61. Replacement Quit Claim Deed for north/south alley in vicinity of SE 5th and E. Elm Street, to VW, Inc., (previous documents were not recorded). **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2333 62. Establishing Fair Market Value and authorizing acquisition of 105-107 Astor, Capitol East Urban Renewal Area, \$7,500. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2334 63. Approving Noise and Avigation Easements for one property, in conjunction with the Airport Noise Compatibility Program, Phase II-Resale Assurance Program. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2335 64. Approving Noise and Avigation Easements for six properties, in conjunction with the Airport Noise Compatibility Program, Phase II-Easement Purchase Program. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2336 65. Approving Release of City Liens against Polk County Tax Sale Property at 5923



SW 4th Street, to clear title objection, (see roll call for amounts). **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2337 66. Extension of Voluntary Land Acquisition Program for Iowa

Air National Guard (IANG) Leasehold Expansion, for one year until June 30, 1998. (Council Communication No. 97-357). **Moved by Vlassis to adopt. Motion Carried 7-0.**

## **BOARDS/COMMISSIONS/NEIGHBORHOODS**

67. Approving recommendation of At Large Council Member George E. Flagg for the following:

97-2338 (A) Appointment of Mrs. Eileen Liddell, 1018 Euclid Avenue to the Des Moines Human Rights Commission for three-year term to expire April 4, 2000. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2339 (B) Reappointment of Brian Johnson, 240 42nd Street to the Housing Appeals Board for three-year term to expire March 16, 2000. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2340 (C) Reappointment of Carlyle Peterson, 4201 Beaver Crest Drive to the Building Code Board of Appeals for four-year term to expire April 2, 2001. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2341 68. Approving appointment of Tony Gales, Executive director of Mid-City Vision, to the Enterprise Community Steering Committee, with Evelyn Davis, Chairperson of Mid-City Vision, serving as alternate. **Moved by Vlassis to adopt. Motion Carried 7-0.**

69. Approving recommendation of the Mayor and City Council, and appropriate agencies for the following:

97-2342 (A) Various appointments to the Strategic Planning Commission (See list). **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2343 (B) Various appointments to the new "Citizen Board" (See list). **Moved by Vlassis to adopt. Motion Carried 7-0.**

## **STREET CLOSINGS**

97-2344 70. Approving closure of the following city streets: **Moved by Vlassis to adopt. Motion Carried 7-0.**

(1) Jenny Schiltz, 2318 45th Street, requesting permission to close 45th Street from Hickman Road to Holcomb Avenue on Saturday, July 12, 1997 from 4:00 until 10:00 P.M.--neighborhood block party.

(2) Cheryl Sloniger, 4542 51st Street, requesting permission to close 51st Street from 4542 51st Street to the end of the Street (dead end) on Saturday, July 12, 1997 from 5:00 until 11:00 P.M. for a neighborhood block party.

(3) Judy Sebern-Beachy, representing the Allison Avenue Neighbors, 4127 Allison Avenue, requesting permission to close Allison Avenue from 4205 Allison Avenue to 4311 Allison Avenue on Sunday, September 14, 1997 from 2:00 until 7:00 P.M. for a neighborhood block party.

(4) Thomas Mohr, 3616 Kingman Boulevard, requesting permission to close 36th Street from Kingman Boulevard to Iola Street on Saturday, July 12, 1997 from 3:00 until 11:00 P.M. for a neighborhood block party.

97-2345 71. Approving exception regarding length of time request from Tina DePhillips, representing KDSM Fox 17, 4023 Fleur Drive, request to close 3rd Street from south of parking garage entrance to railroad tracks south of Court Avenue and on Court Avenue from 4th Street to 2nd Avenue from 9:00 A.M. on Saturday, July 26, 1997 to 6:00 P.M. on Sunday, July 27, 1997 for 3-on-3 two day basketball tournament. **Moved by Vlassis to adopt; subject to completion of a Timed Event application, payment of fees and approval by appropriate departments. Motion Carried 7-0.**

#### **CITY PLAN COMMISSION RECOMMENDATIONS**

72. Regarding requests from Mercy Hospital, for vacation and conveyance of the following:

97-2346 (A) North/South alley between 6th and 7th, south of University, and a portion of an east/west alley south of University between 6th and 7th. **Moved by Vlassis to adopt and to refer to the City Manager and Legal Department for implementation. Motion Carried 7-0.**

97-2347 (B) North/South alley east of 4th Street in the vicinity of 400 University Ave. **Moved by Vlassis to adopt and refer to the City Manager and Legal Department for implementation. Motion Carried 7-0.**

97-2348 73. Regarding request from City Community Development Department for vacation and conveyance of a north/south alley between SE 9th and SE 10th south of Railroad, and east/west alley south of Railroad between SE 9th and SE 10th. **Moved by Vlassis to adopt and to refer to the City Manager and Legal Department for implementation. Motion Carried 7-0.**

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

97-2349 74. On Two-year Lease Agreement with Crescent Chevrolet for a 1997 Blazer to be used by the Police Department, \$10,680, (High Intensity Drug Trafficking Area Grant funds), (7-21-97). (Council Communication No. 97-365). **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2350 75. On application from David D. Nelson, Attorney for Des Moines Obedience Training Club, Inc., to rezone property at 1423 Army Post, from "R1-60" (One Family Low Density Residential) to a "C-2" (General Retail and Highway Oriented Commercial), (7-21-97). City Plan Commission recommends denial. **Moved by Vlassis to adopt. Motion Carried 7-0.**

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

97-2351 76. Approving payment of \$19 to Becky S. Knutson of Davis, Brown, Koehn, Shors & Roberts, P.C. for representation of Officer Camden Moran in case of Price, et al. v. Moran, et al. **Moved by Vlassis to approve payment. Motion Carried 7-0.**

## **CITY MANAGER COMMUNICATIONS**

97-2352 77. Submitting out-of-state travel requests for Floyd A. Jones, Reginald Jackson and Bruce Elrod. (Council Communication No. 97-352). **Moved by Vlassis to adopt. Motion Carried 7-0.**

## **APPROVING**

97-2353 78. Request from Downtown Partnership, Inc. submitting banner design on behalf of Mercy Hospital Medical Center and Mercy Cancer Center, to be displayed during October, 1997 to promote October as Breast Cancer Awareness Month. **Moved by Vlassis to receive, file and approve. Motion Carried 7-0.**

97-2354 79. Communication from Polk County Election Office requesting permission to use City Facilities for School Board Election on Tuesday, September 9, 1997. **Moved by Vlassis to receive, file and approve. Motion Carried 6-0. Council Member McPherson declares a conflict of interest, and abstains from voting.**

97-2355 80. First Amendment to Intergovernmental 28E Agreement with Iowa Department of Public Defense (IDPD) for removal of existing Aircraft Arresting System and Installation of New Aircraft Arresting Systems on Runway 13L/31R to obligate State of Iowa for additional amount over low bid. (Council Communication No. 97-358). **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2356 81. Authorization to sign Certification of Title for inclusion with submission of Grant Application for Partial Funding of Runway 5-23 extension and road relocation to Federal Aviation Administration (FAA). (Council Communication No. 97-359). **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2357 82. Fourth Addendum to John R. Grubb YMCA (Model City Community Center) Lease Agreement with YMCA of Greater Des Moines to allow YMCA to maintain improvements of handball and basketball half-courts, finance, build and maintain new playground equipment and teen center - \$60,000. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2358 83. Contract with Polk County Child Net to administer child-care subsidy funds for fifty-five (55) families in the EC Employment Consortium Program - \$20,000. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2359 84. Weatherization Contract with Iowa Department of Human Rights/Division of Community Action Agencies for weatherization assistance for low-income persons for time period of April 1, 1997 to December 31, 1997 - \$122,500. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2360 85. Community Services Block Grant Program (CSBG) Quarterly Activity Report for January 1, to March 31, 1997. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2361 86. Community Grant Application to Iowa Department of Public Health, Division of Substance Abuse and Health Promotion for grant to be used to provide ten (10) \$50 scholarships to Enterprise Community Middle School Students to pay for summer school fees. **Moved by Vlassis to adopt. Motion Carried 6-0. Council Member McPherson declares a conflict of interest, and abstains from voting.**

97-2362 87. Pipeline Crossing Agreement with Union Pacific Railroad Company for SE 34th Street Paving project. (Council Communication No. 97-367). **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2363 88. Grant Agreement with Iowa Department of Economic Development for \$501,040 of Emergency Shelter Grant (ESG) Funds to carry out the following emergency shelter assistance activities, July 1, 1997 thru June 30, 1998:(Council Communication No. 97-353). **Moved by Vlassis to adopt. Motion Carried 6-0. Council Member Hensley declares a conflict of interest, and abstains from voting.**

97-2364 (A) Beacon of Life - \$15,000 of City ESG funds and \$18,000 of State ESG funds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2365 (B) Broadlawns Medical Center-The Outreach Project - \$8,000 of City ESG funds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2366 (C) Catholic Charities of Des Moines-St. Joseph's Emergency Family Shelter - \$20,000 of City ESG funds and \$13,000 of State ESG funds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2367 (D) Central City Drug/Alcohol Information Office - \$10,000 of State ESG funds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2368 (E) Churches United Shelter - \$46,300 of State ESG funds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2369 (F) Community Voice Mail - \$29,000 of State ESG funds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2370 (G) Des Moines Coalition for the Homeless-Transitional Housing Program - \$50,540 of State ESG funds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2371 (H) United Methodist Church- La Embajada Project - \$19,850 of State ESG funds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2372 (I) Family Futures Day Shelter for Children - \$15,500 of City ESG Funds and \$18,500 of State ESG funds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2373 (J) Family Violence Center - \$28,750 of State ESG funds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2374 (K) Hansen House - \$7,580 of State ESG funds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2375 (L) Harbor of Hope Mission - \$17,000 of State ESG funds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2376 88. (M) Hawthorn Hill-New Directions Shelter - \$12,000 of City ESG funds and \$25,000 of State ESG funds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2377 (N) Homeless Prevention Counseling - \$29,000 of State ESG funds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2378 (O) House of Mercy - \$23,000 of State ESG funds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2379 (P) Iowa Homeless Youth Center - \$12,000 of City ESG funds and \$21,310 of State ESG funds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2380 (Q) Knight's Hospitality House - \$8,900 of State ESG funds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2381 (R) Oakridge Neighborhood Services - \$11,000 of City ESG funds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2382 (S) Our Community Kitchen - \$6,100 of City ESG funds and \$3,500 of State ESG funds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2383 (T) Port of Entry, Inc. - \$6,000 of City ESG funds and \$25,800 of State ESG funds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2384 (U) Proteus Emergency Shelter - \$29,600 of State ESG funds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2385 (V) St. Ambrose Cathedral Housing Task Force-Miss Lillian's Lodge - \$3,000 of State ESG funds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2386 (W) YMCA of Greater Des Moines-Residence Program - \$12,550 of City ESG funds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2387 (X) Youth Emergency Services and Shelter-Emergency Intake and Assessment for Homeless Youth - \$20,000 of State ESG funds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2388 (Y) YWCA of Greater Des Moines-Residence Program - \$36,500 of City ESG funds. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2389 (Z) Communication from Skip Moore, Des Moines Action Board Chair regarding 1997-98 ESG recommendations. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

97-2390 88. (AA) Communication from Nadine Hogate, Neighborhood Advisory Board Chair regarding 1997-98 ESG recommendations. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

89. Bids for the following:

97-2391 (A) Cooper Energy Services (Mount Vernon, Ohio) for additional overhaul services to restore engine/generator No. 3 and No. 1 to be used by Wastewater Reclamation Facility, \$50,000. Municipal Code Section 2-86 provision for single source-non-competitive procurement. ([Council Communication No. 97-373](#)). **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2392 (B) Control Installations of Iowa, Inc., (1111 SW Jackson Avenue, Wayne C. Hanson, President) for annual time and material service agreement for Supervisory Control and Data Acquisition (SCADA) pump station surveillance system to be used by Wastewater Reclamation Facility, \$17,000. Municipal Code Section 2-86 provision for single source-non-competitive procurement. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2393 (C) Environmental Control Systems, Inc., (2911 Hubbell, Mike Miller, President) for Barber Coleman Network 8000 HVAC building controls to be used by Engineering Department (Botanical Center), \$29,325. Municipal Code Section 2-86 provision for single source-non-competitive procurement. (Council Communication No. 97-374). **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2394 (D) Motorola Communications and Electronics, Inc., (Schaumburg, IL) for portable radio equipment to be used by Police Department, \$10,389.12. State of Iowa Contract 1199F. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2395 (E) Adams Door Co., (6550 NE 14th Street, Larry Bain, President) for overhead door replacement at three (3) fire stations to be used by Fire Department, \$27,225.55. (Six bids mailed-five received). **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2396 (F) Great American Outdoor Co. (Urbandale, Don VanHouweling, President) for utility vehicle for use on recreation trail system to be used by Park and Recreation Department, \$11,573. (Nine bids mailed-three received). **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2397 89. (G) Wick, "A Better Building", (Adel, R. Joanne Lienamann, President) for four (4) storage buildings to be used by Park and Recreation Department at Laurel Hill Cemetery, Union Park, Ewing Park and Greenwood Park, \$47,240. (Eleven bids mailed-three received). **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2398 (H) Economy Data Products, Inc., (Urbandale, Harrington K. Mason, President) for computer paper to be used by Finance Department (Data Processing Division), \$37,750.57. (Nine bids mailed-five received). **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2399 (I) Contractors Machinery, Inc., (Ankeny, Dennis Massier, President) for flex-wing rotary cutter to be used by Engineering Department (Wastewater Reclamation Facility), \$12,128. (Twelve bid mailed-four received). **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2400 90. City Manager's Monthly Financial Report for the Month of April, 1997. **Moved by Vlassis to receive and file. Motion Carried 7-0.**

97-2401 91. Authorizing Finance Director to draw warrants on registers of July 11, 1997 and July 18, 1997; and the bills of the Des Moines Municipal Housing Agency for the weeks beginning July 7, 1997 and July 14, 1997, and the biweekly payroll due employees on July 18, 1997. **Moved by Vlassis to adopt. Motion Carried 7-0.**

#### **ORDINANCES - SECOND CONSIDERATION**

97-2402 92. Establishing the grade for E. 34th/SE 34th Street - Dean Avenue south to Railroad Tracks. **Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

97-2403 93. Amending Section 27-2680 of the Municipal Code regarding "No Parking Any Time" on E. Virginia Avenue between SE 20th and SE 22nd Street. **Moved by Vlassis that this ordinance be considered and given second vote for passage. Motion Carried 7-0.**

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

#### **ORDINANCES - FIRST CONSIDERATION**

97-2404 94. Amending Chapters 2 and 8 of the Municipal Code regarding disposal of demolition debris. (Council Communication No. 97-377). **Moved by Vlassis that this ordinance be considered and given first vote for passage. Community Development Department to consider additional amendments regarding licensing private lots and special permits. Motion Carried 7-0.**

97-2405 (A) Final consideration of ordinance above. **Moved by Vlassis 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, [#13,503](#). Motion Carried 7-0.**

#### **HEARINGS (Opened at 5:36 P.M.) (Items 95 thru 109)**

97-2406 95. On Martin Luther King Jr., Parkway Demolition Contract No. 1 East/West: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Metro Wrecking & Excavating Inc., (Kurt Pagliai, Owner, 5782 NW 2nd Avenue DM), \$159,950. **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2407 (A) Approving contract and bond. **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2408 96. On Asbestos Removal - Martin Luther King Jr., Parkway Contract 1 East/West: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Controlled Asbestos, Inc., (Robert E. Fligg, Pres, 107 3rd Street, DM), \$12,970. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2409 (A) Approving contract and bond. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2410 97. On 1997 Sanitary Sewer Repair Contract No. 2: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Municipal Pipe Tool Co., Inc., (Steve Gearhart, Pres, Hudson, IA), \$32,515. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2411 98. On Johnson Court at E. Court Avenue Turn Lane: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Nuckolls Concrete Services, Inc., (Scott Temple, Pres, Johnston), \$170,397.90. **Moved by Phillips to adopt. Motion Carried 7-0.**

97-2412 99. On Open Air Park Shelters: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Johnson Concrete & Petroleum Construction, Inc., (Robert L. Johnson Pres, 107 Arthur, DM), \$136,155. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2413 (A) Approving contract and bond. (Council Communication No. 97-371). **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2414 100. On Des Moines Metropolitan Wastewater Reclamation Facility--Laboratory and Personnel Facilities Expansion: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Weitz Company, Inc, (James P. Simmons, Pres, 800 2nd Ave., DM), \$6,552,000. **Moved by Hensley to adopt. Motion Carried 7-0.**



**\*\*Item 107 was considered prior to item 101\*\***

97-2415 101. On City's intent to enter into an agreement to Purchase land for Private Redevelopment with Fred Nesbit Distributing Company, and Fitz-Gold LLC., Disposition Parcel No. 30A, (Mattern Avenue east of DeWolf Street), Guthrie Avenue Business Park. (Council Communication No. 97-372). **Moved by McPherson to approve. Motion Carried 7-0.**

97-2416 102. On 19th Amendment to the Des Moines Urban Renewal Project No. 1-River Hills Urban Renewal Plan, provides for revision of current setback standards of 75 feet for River Hills properties located east of Second Avenue on University, to a 25 foot setback standard. **Moved by Vlassis to approve. Motion Carried 7-0.**

97-2417 (A) Communication from City Plan Commission recommending approval. (Council Communication No. 97-360). **Moved by Vlassis to receive and file. Motion Carried 7-0.**

97-2418 103. On proposed 31st Amendment to the Capitol Center Development Area Urban Renewal Project--provides for clarification of Plan language regarding public improvements to reflect the City can maintain, repair and undertake capital improvements to public improvements including public parking facilities, as part of the urban renewal plan activities. (Council Communication No. 97-362). **Moved by Hensley to approve. Motion Carried 7-0.**

97-2419 (A) Communication from City Plan Commission recommending approval. **Moved by Hensley to receive and file. Motion Carried 7-0.**

97-2420 104. On application from Kevin Smith, Turkey Time Concessions, for vacation and conveyance of East/West alley right-of-way in the vicinity of 303 SE 34th Street, \$588 plus costs. **Moved by Phillips to adopt. Motion Carried 7-0.**

97-2421 (A) First consideration of ordinance above. **Moved by Phillips that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

97-2422 105. On application from Jay R. Roy, to rezone property at 4401 Hickman Road, from "C-1" (Neighborhood Retail Commercial) to a Limited "C-1A" (Neighborhood Commercial Reuse District). **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2423 (A) First consideration of ordinance above. **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

97-2424 (B) Final consideration of ordinance above. **Moved by Vlassis 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, [#13,504](#). Motion Carried 7-0.**

97-2425 106. On application from Ivan Faux, to rezone property at 4139 Mattern Avenue, from "U-1" (Flood Plain District) to a "R1-60" (One Family Low Density Residential), City Plan Commission recommends DENIAL. **Moved by McPherson to approve rezoning and have**

**first consideration of rezoning ordinance on 7-21-97 meeting. Council recommends applicant maintain flood insurance for this property. Motion Carried 7-0.**

97-2426 107. On application from Community Development Department to vacate a portion of street right-of-way in the vicinity of E. 19th Street and Mattern Avenue. **Moved by McPherson to adopt. Motion Carried 7-0.**

97-2427 (A) First consideration of ordinance above. **Moved by McPherson that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

97-2428 108. On amendment to the Zoning Ordinance regulations regarding allowed signage in Neighborhood Pedestrian Commercial (NPC) Districts. **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2429 (A) First consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

97-2430 (B) Final consideration of ordinance above. **Moved by Hensley that the rule requiring that ordinances must be considered, and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#13,505](#). Motion Carried 7-0.**

27-2431 109. On appeal from Kamala D. Murphy, regarding denial of application for taxicab license. **Moved by Flag to deny license. Motion Carried 7-0.**

\* \* END HEARINGS at 6:10 P.M. \* \*

## **APPROVING**

97-2432 110. Communication from Southeast Des Moines Agribusiness Enterprise Zone Association requesting Economic Enterprise Zone designation for an agribusiness zone. **Moved by Phillips to receive, file, and refer to the City Manager for response. Motion Carried 7-0.**

97-2433 111. Recommendation of Neighborhood Advisory Board (NAB) for designation of North of Grand Neighborhood Association in Neighborhood Revitalization Program. (Council Communication No. 97-354). **Moved by Hensley to approve both North of Grand Neighborhood Association and Gray's Woods Neighborhood Association as designated neighborhoods. Motion Carried 7-0.**

97-2434 112. Approving Intergovernmental 28E Agreement with Des Moines Independent Community School District and Clark Company, Ltd., for donation of land and paving of E. Virginia Avenue east of SE 22nd Street for site of new elementary school - \$55,000. (Council Communication No. 97-355). **Moved by Phillips to adopt. Motion Carried 6-0. Council Member McPherson declares a conflict of interest, and abstains from voting.**

113. NUMBER NOT USED.

97-2435 114. Loan documents relating to Des Moines Action Loan to Scott Street Enterprises, (500 East Scott) an Iowa Partnership, Don Davis and Mark Bockenstedt, Partners - \$102,000. (Council Communication No. 97-361). **Moved by Phillips to approve. Motion Carried 7-0.**

97-2436 115. Local Contribution to Alexander Service Center Inc., David

**WITHDRAWN** Alexander, President, for demolition and site work for redevelopment project located at 60 Indiana St./Central Place Industrial Park Urban Renewal Area - \$50,000. (Council Communication No. 97-356).

97-2437 116. Request from Skywalk Commission to name Skywalk Bridge 2C-2D which spans Walnut from Federal Building to Civic Center the James A. Thompson Skywalk Bridge. (Council Communication No. 97-370). **Moved by Vlassis to adopt. Motion Carried 7-0.**

117. Items regarding Skywalk Bridges 6C-7C, 7B-7C, and 7C-7D, (7th to 8th, Walnut to Mulberry):

97-2438 (A) Accepting replacement bridges and opening portion of the Skywalk System including Bridges and Corridor through Employers Mutual Casualty Company. **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2439 (B) Authorization for Final Payment to Employers Mutual Casualty Company. (Council Communication No. 97-366). **Moved by Hensley to adopt. Motion Carried 7-0.**

97-2440 118. Intergovernmental 28E Agreement with Polk County Conservation Board for funding of design and construction, and for operation and maintenance of improvements recommended in the South East Annex Area Comprehensive Storm Water Study and Master Plan. **Moved by Phillips to adopt. Motion Carried 7-0.**

97-2441 (A) Approving plans, specifications, form of contract documents and Engineer's estimate, submission of bids and designating lowest responsible bidder as McAninch Corporation, (Dwayne McAninch, Pres, WDM), \$1,149,989.97. **Moved by Phillips to adopt. Motion Carried 7-0.**

97-2442 (B) Approving contract and bond. **Moved by Phillips to adopt. Motion Carried 7-0.**

97-2443 119. Modified job specifications for Animal Control Field Supervisor job classification, (continued from 6-23-97). **Moved by Vlassis to adopt. Motion Carried 7-0.**

## **COMMUNICATIONS/REPORTS**

97-2444 120. Request from Gerald LaBlanc to speak regarding City to purchase lot adjacent to gate of St. Ambrose Cemetery. **Moved by Phillips to receive and file. Motion Carried 7-0.**

97-2445 (A) Request from Loretta Greiner. **Moved by Phillips to receive and file. Motion Carried 7-0.**

97-2446 (B) Request from John T. Donahoe. **Moved by Phillips to receive, file and grant the request to speak; refer to Park Board for review and recommendation back to the Council. Motion Carried 7-0.**

97-2447 (C) Request from Father Jim Kiernan, Pastor St. Ambrose Cathedral. **Moved by Phillips to receive and file. Motion Carried 7-0.**

\* \* \* \* \*

**\*\*Extra Items were considered with consent agenda\*\***

### **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.**

97-2448 1. Approving application for Gameroom License for Preston Muhammad, President dba Torchlight Arcade, 2001 Forest Avenue - Application submitted 5-15-97. SPONSOR: Council Member Vlassis. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2449 2. Approving final plat of Easter Lake Estates Plat 2 located in vicinity of SE 32nd Street south of Easter Lake Drive. SPONSOR: Council Member Phillips. **Moved by Vlassis to adopt. Motion Carried 7-0.**

## **A G E N D A**

### **BOARD OF HEALTH**

**July 7, 1997**

97-2450 MOTION TO CONVENE. **Moved by Vlassis that the City Council Adjourn and Convene as a Board of Health. Motion Carried 7-0.**

### **AUTHORIZING**

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

97-2451 (A) 303 Hackley, vacant, Titleholder: Marjorie C. Davis. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2452 (B) 1309 E. 26th Ct., vacant, Titleholder: Warren H. Floyd; Legal Interest Holder: Viola E. Kearby. **Moved by Vlassis to adopt. Motion Carried 7-0.**

97-2453 Motion to adjourn as Board of Health and reconvene as a City Council. **Moved by Vlassis to adopt. Motion Carried 7-0.**

**\*\*Council took a ten minute recess and reconvened at 5:36 to consider Hearing Items 95 through 109\*\***

97-2454 MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 6:10 P.M.**