

**SUMMARY OF DES MOINES CITY COUNCIL MEETING**

**July 24, 2000 4:30 P.M.**

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

National Night Out

**SPECIAL PRESENTATIONS - 4:00 P.M.:**

Spirit of Des Moines Award--Anderson Erickson Dairy

**INVOCATION:** Tom Vlassis, Ward 1 Council Member

00-3103 1. ROLL CALL: **Present: Brooks, Coleman, Flagg, Hensley, McPherson, and Vlassis. Absent: Daniels**

00-3104 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3105 3. APPROVING CONSENT AGENDA - items 3 through 98: **Moved by McPherson to adopt the balance of the consent agenda. Motion Carried 6-1.**

**LICENSES AND PERMITS:**

Approving

00-3106 4. Communication from Legal Department regarding July 24, 2000 License and Permit Agenda. **Moved by McPherson to receive and file. Motion Carried 6-1.**

Class "B" Beer Licenses

00-3107 5. Amana Colonies State Fair Co. (L.C.), Carl Oehl, Partner dba Amana's on the Hill, 3000 East Grand - Iowa State Fairgrounds; Renewal - Expires 7-31-00 (With Sunday Sales and Outdoor Service) - Application submitted 6-29-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3108 6. Chuck's Restaurant, Inc., Linda Bisignano dba Chuck's Restaurant, 3610 6th Avenue; New application for 5 day license (With Outdoor Service) for special event (Car Show) on 8-5-00. Application submitted 7-13-00. Subject to submission of acceptable building and zoning inspections. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3109 7. Benoit Enterprises, Jack L. Benoit, President dba Master Jacks, 3000 East Grand - Iowa State Fairgrounds; Renewal - Expires 8-5-00 (With Sunday Sales and Outdoor Service) -

Application submitted 7-12-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3110 8. Shie Concession Co., Inc., Shie W. Foudree, President dba Shie Concession, 3000 East Grand - Iowa State Fairgrounds; New Application for 14 day license (With Sunday Sales and Outdoor Service) for Iowa State Fair - Application submitted 7-12-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3111 9. Diversified Management Associates, LTD., Lyle Kreps, President dba Stockman's Inn, 3000 East Grand - Iowa State Fairgrounds; Renewal - Expires 8-7-00 (With Sunday Sales and Outdoor Service) - Application submitted 7-5-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

**WITHDRAWN**00-3112 10. Michael C. Young dba Tsing Tsao Chinese Fast Food, 2231B East University; Renewal - Expires 8-4-00 (With Sunday Sales) - Application submitted 7-5-00.

#### Class "C" Beer Licenses

00-3113 11. Dell Oil LTD, William D. Sawdey, Director dba Dell Oil, 5800 Southwest 9th Street; Renewal - Expires 7-26-00 (With Sunday Sales) - Application submitted 6-19-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3114 12. Kwik Shop, Inc., Henry R. Waguespack, President dba Kwik Shop #554, 2919 East 14th Street; Renewal - Expires 7-28-00 (With Sunday Sales) - Application submitted 6-19-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

#### Class "C" Liquor Licenses

00-3115 13. Reconsideration to rescind approval of application for Class "C" Liquor License to Toad Holler, 1820 East Army Post Road. Applicant will be considered by Zoning Board of Adjustment for a Conditional Use Permit. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3116 14. Apple Corps, L.P., Darrel L. Rolph, President dba Applebee's, 3900 Merle Hay Road; Renewal - Expires 8-4-00 (With Sunday Sales) - Application submitted 7-5-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3117 15. Apple Corps, L.P., Darrel L. Rolph, President dba Applebee's, 6301 Southeast 14th Street; Renewal - Expires 8-4-00 (With Sunday Sales) - Application submitted 7-5-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3118 16. Creative Host Services, Inc., Sayed Ali, President dba Creative Croissants, 5800 Fleur Drive, Room 216; Renewal - Expired 6-30-00 (With Sunday Sales) - Application submitted 5-22-00. **Moved by McPherson to adopt. Motion Carried 5-1-1. Pass: Flagg. Absent: Daniels.**

00-3119 17. D.C. Holding, Inc., Dave Crimmins, President dba Crimmins Cattle Co., 4901 Fleur

Drive; Renewal - Expires 7-27-00 (With Sunday Sales) - Application submitted 6-29-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3120 18. Brook Smith dba El Patio, 611 - 37th Street; Renewal - Expires 8-6-00 (With Sunday Sales and Outdoor Service) - Application submitted 7-18-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3121 19. LaFonda, Inc., Gerardo R. Berber, President dba La Fonda, Inc., 111 Southwest Army Post Road; Renewal - Expires 7-22-00 (With Sunday Sales) - Application submitted 7-12-00. **Moved by McPherson to adopt. Motion Carried 5-1-1. Pass: Flagg. Absent: Daniels.**

**WITHDRAWN**00-3122 20. Hernandez, Inc., Joe Hernandez, V-President dba Los Primos Cafe, 1541 East Grand; New Application submitted 7-14-00.

**WITHDRAWN**00-3123 21. Five "T" Inc., Robert J. Tursi, President dba Latin King Restaurant, 2200 Hubbell; Renewal - Expires 8-1-00 (With Outdoor Service) - Application submitted 7-7-00.

00-3124 22. Mercy Medical Center, David H. Vellinga, President dba Mercy Medical Center, 1111 6th Avenue; Renewal - Expired 5-31-00 - Application submitted 6-30-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3125 23. R. M. Baier Investments, Inc., Richard M. Baier, President dba Michael's Restaurant & Lounge, 4041 Urbandale Avenue; Renewal - Expires 7-31-00 (With Sunday Sales) - Application submitted 6-13-00. **Moved by McPherson to adopt. Motion Carried 6-1.**

#### Transfers

00-3126 24. Super Toad, Inc., Steve Greenfield, President dba Super Toad, 1424 East Euclid, requesting transfer of Class "C" Liquor License to Water Works Park, 2201 Valley Drive for special event (Concert) on July 27, 2000. Application submitted 7-18-00. Subject to submission of acceptable building, electrical, zoning, and fire inspections. **Moved by McPherson to adopt. Motion Carried 5-1-1. Nays: Coleman. Absent: Daniels**

#### Change of Name

00-3127 25. Communication fro KLJUC-Sana, Inc., Ferid Ikeljic, Owner dba KLJUC Sana Restoran, 4121 Southeast 14th Street, advising of dba name change to Fountain Restoran & Bar. **Moved by McPherson to adopt. Motion Carried 5-1-1. Pass: Flagg. Absent: Daniels.**

#### Authorizing

00-3128 26. City Clerk to issue Cigarette Licenses. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3129 27. City Clerk to issue Coin-Operated Amusement Machine Licenses. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3130 28. City Treasurer to issue refunds. **Moved by McPherson to adopt. Motion Carried 6-1.**

## **PUBLIC IMPROVEMENTS**

29. Authorization to proceed on 2000-01 Capital Improvements Program as follows:

00-3131 (A) Arlington East Watershed Phase I Storm Sewer Improvements. ([Council Communication No. 00-332](#)). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3132 (B) Citywide storm water utility projects - Repair or reconstruct Thomas Beck Road at SW Ninth, and storm sewer and repair or reconstruct S.E. 25th Street at Scott Avenue. ([Council Communication No. 00-333](#)). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3133 30. Resolution ordering construction of Court Avenue Entertainment Parking Lot; Receiving of Bids, (8-15-00) and Setting Date of Hearing, (8-21-00), (Construction Estimate - \$1,154,550). **Moved by McPherson to adopt. Motion Carried 5-1-1. Nays: Flagg. Absent: Daniels**

00-3134 (A) Agreement for relocation of Electrical Overhead Distribution Facilities, \$29,940.50. **Moved by McPherson to adopt. Motion Carried 5-1-1. Nays: Flagg. Absent: Flagg.**

00-3135 31. Resolution ordering construction of the Blank Park Zoo Wallaby Fencing, Receiving of Bids, (8-15-00), and Setting Date of Hearing, (8-21-00), (Construction Estimate - \$20,000). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3136 32. Final design of the Alternative Concept for Douglas Avenue (US 6) Widening at Beaver Avenue with the Iowa Department of Transportation. ([Council Communication No. 00-335](#)). **Moved by McPherson to adopt. Necessary parcels will be purchased at the earliest possible date, with construction starting at the earliest time in 2001, with completion in the fall of 2001. Motion Carried 6-1.**

00-3137 33. Authorizing City Engineer to proceed with curb replacement program/request to repair driveway, waivers signed by three property owners. (Call the City Clerk's Office for list). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3138 34. Private Construction Contract between The Underground Company, Ltd., (Duane J. Burkhardt, President) and UPT Inc. DBA. Baratta's Restaurant (Curt Kruger, Owner) for construction of alley improvements in vicinity of Davis Avenue on South Union Street - \$4,460. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3139 35. Private Construction Contract between Eco-Tech Construction, L.L.C., (Jim Mackey, Manager) and Concrete Supply of Iowa, L.L.C., (Fred Larson, Manager) for construction of sanitary sewer improvements in vicinity of SE 28th Street and Railroad Avenue -

\$46,000. **Moved by McPherson to adopt. Motion Carried 6-1.**

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

00-3140 (A) 1999 Sidewalk Replacement Program, Johnson Concrete & Petroleum Construction, Inc., \$4,866.83 is now due and \$7,918.25 remaining balance payable at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3141 (B) Fleur Drive Traffic Signal System Upgrading, Brown Bros., Inc., \$1,205.04 is now due and \$20,985.52 remaining balance payable at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3142 (C) 42nd Street Emergency Sanitary Sewer Repair, VanHauen & Associates, Inc., \$9,026.42 is now due and \$1,778.18 remaining balance payable at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3143 (D) North and South Side Libraries Exterior Repairs, Brocon Services, \$4,586.60 is now due and \$804.50 remaining balance payable at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3144 (E) Stone Park Playground Improvements, \$7,930.21 is now due and \$4,023.39 remaining balance payable at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3145 (F) E. Seneca Avenue Emergency Sanitary Sewer Repair (700 Block), The Underground Company, Ltd., \$437.00 is now due and \$1,350.00 remaining balance payable at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3146 (G) Blank Park Zoo Cats Exhibit Rock Work Enhancements, Rock & Waterscape Systems, Inc., \$5,653.75 remaining balance payable at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3147 (H) Des Moines Metropolitan Wastewater Reclamation Facility Structural Modifications, Iowa Industrial Erectors Corporation, \$2,235.75 remaining balance payable at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3148 (I) City Hall-Lighting of Great Hall, DML Electric, Inc., \$55,844.80 is now due and \$5,244.15 remaining balance payable at the end of 30 days. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3149 37. Communication from McAninch Corporation to sublet certain items on the M. L. King Jr. Parkway/Southwest Outfall Sewers project. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3150 38. Approving request from The Weitz Company, Inc., James P. Simmons, President,

800 Second Avenue, Des Moines, for an extension of time until November 9, 1999 for The Des Moines Metropolitan Wastewater Reclamation Facility-Laboratory and Personnel Facilities Expansion. **Moved by McPherson to receive, file and grant the extension of time to extend the contract time 96 calendar days with the revised completion date at November 9, 1999, and authorize the City Manager to sign said Change Order granting the extension of time.**

00-3151 39. Approving request from Active Thermal Concepts, Inc., Terry R. Beard, Owner, 797 Blairs Ferry Road, NE., Cedar Rapids, for an extension of time until July 28, 2000. **Moved by McPherson to receive, file and grant the extension of time to July 28, 2000. Motion Carried 6-1.**

00-3152 40. Approving partial payments on twelve (12) public improvement projects. (Call City Clerk's Office for listing). **Moved by McPherson to adopt. Motion Carried 6-1.**

### **LAND/PROPERTY TRANSACTIONS**

00-3153 41. Establishing Fair Market Value for acquisition of 12 properties in conjunction with the Indianola Avenue Connector Project, from various property owners (Call City Clerk's Office for List). **Moved by McPherson to adopt. Motion Carried 5-1-1. Nays: Flagg. Absent: Daniels.**

00-3154 42. Establishing Fair Market Value for acquisition of property in conjunction with the Martin Luther King, Jr. Parkway Project, Wells Fargo Financial, Inc.-SW 9th to SW 11th, between Vine and Market. **Moved by McPherson to adopt. Motion Carried 5-1-1. Nays: Flagg. Absent: Daniels.**

00-3155 43. Revised Offer to Purchase Real Estate and Acceptance, and Form of Warranty Deed in conjunction with the Martin Luther King, Jr. Parkway Project, from Double J and Double R, Inc., 222 SW 11 Street - \$300,000. **Moved by McPherson to adopt. Motion Carried 5-1-1. Nays: Flagg. Absent: Daniels.**

00-3156 44. Approving purchase of and authorizing closing of property at 1124 Locust Street for Allied Gateway Campus Project in the Metro Center Urban Renewal Area. **Moved by McPherson to adopt. Motion Carried 5-1-1. Nays: Flagg. Absent: Daniels.**

00-3157 45. Approving and accepting permanent easements for two properties in conjunction with the 60th Street and Waterbury Road Storm Water Project, (Paula W. Clemow and Michael J. and Elizabeth A. Carroll). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3158 46. Approving and accepting Temporary Easement from one property owner in conjunction with Lower Beaver and Valdez Storm Sewer Improvements Project, (Samuel L Hobson d/b/a Hobson Investments). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3159 47. Release of easement in the North/South alley right-of-way between E. 14th and York Streets, extending between University and Garfield Avenue. **Moved by McPherson to adopt. Motion Carried 6-1.**

## **BOARDS/COMMISSIONS/NEIGHBORHOODS**

00-3160 48. Approving formal recognition of the Lower Beaver Neighborhood Association in conjunction with the Neighborhood Recognition Policy. ([Council Communication No. 00-340](#)). **Moved by Vlassis to approve. Motion Carried 6-1.**

00-3161 (A) Communication from Chair of Neighborhood Revitalization Board regarding NRB's recommendation. **Moved by Vlassis to receive and file. Motion Carried 6-1.**

00-3162 49. Recommendation of Mayor Preston Daniels for reappointment of Kevin Techau to the Library Board of Trustees for a six-year term to expire July 1, 2006. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3163 50. Recommendation of Mayor Preston Daniels for appointment of Carol S. Brown and Helen Judith Dagley to the Sister City Commission for a five-year term to expire April 28, 2005. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3164 51. Recommendation of Council Member Mike McPherson for appointment of Cynthia L. Steidl to the Public Housing Board for a three-year term to expire July 1, 2003. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3165 52. Recommendation of Council Member Tom Vlassis for appointment of Kent Sovern to the City Plan Commission for a five-year term to expire July 4, 2005. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3166 53. Recommendation of Council Member Tom Vlassis for reappointment of Dr. Bruce Heilman to the City Plan Commission for a five-year term to expire July 4, 2005. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3167 54. Communication from Mary Brown submitting her resignation from the Public Housing Board effective July 1, 2000. **Moved by McPherson to receive, file and accept the resignation with appreciation for service. Motion Carried 6-1.**

## **STREET CLOSINGS/STREET USE**

00-3168 55. Approving closure of the following City Streets. **Moved by McPherson to approve the street closures listed, and approve any street closures continued to a future date, necessitated by inclement weather, upon approval of the City Clerk; and to approve a waiver of the \$250 street use permit fee for Item 9 (Linda Bisignano). Motion Carried 6-1.**

(1) Deanna Fisher, 1349 Harrison, requesting permission to close 14th Street from Forest Avenue to Harrison Avenue on Friday, August 4, 2000, from 5:00 to 7:00 P.M. for a family reunion performance.

(2) Beth Schulte, 2916 46th Street, requesting permission to close 46th Street from Urbandale

Avenue to New York on Saturday, August 5, 2000, from 3:00 to 9:00 P.M. for a neighborhood block party.

(3) Debbie Hines, 1121 37th Street, requesting permission to close 37th Street from University Avenue to Cottage Grove on Saturday, August 5, 2000, from 4:00 to 10:00 P.M. for a neighborhood block party.

(4) Leisha Barcus, 4930 Country Club Boulevard, requesting permission to close Country Club Boulevard at the intersection of 49th and Country Club Boulevard, at the intersection of Country Club Boulevard and Waterbury Road and at 5200 Waterbury Road on Saturday, August 12, 2000, from 4:00 to 9:00 P.M. for a neighborhood block party.

(5) Deborah Snitkey, 3843 8th Street Place, requesting permission to close 8th Street Place from Douglas Avenue to Seneca Avenue on Saturday, August 12, 2000, from 2:30 to 8:30 P.M. for a neighborhood block party.

(6) Rabbi Martin Applebaum, representing Beth El Jacob Synagogue, 954 Cummins Parkway, requesting permission to close Fannie Pruce Drive from 63rd Street to Cummins Parkway on Sunday, August 13, 2000, from 8:00 A.M. to 2:00 P.M. for their annual Community Festival.

(7) Bob Cochran, 4034 Ardmore Road, requesting permission to close Ardmore Road from Aurora Avenue to Shawnee Place on Saturday, August 19, 2000 (Raindate of August 26, 2000), from 4:00 to 10:00 P.M. for a neighborhood block party.

(8) Linda Bisignano, representing Chuck's Restaurant, 3610 6th Avenue, requesting permission to close 6th Avenue from Euclid Avenue to Douglas Avenue on Saturday, August 5, 2000 from 4:00 to 9:00 P.M. for a street party.

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

00-3169 56. Regarding request from Reed Ramsay, 515 Waterbury Circle, to vacate and convey a 30' x 130' portion of undeveloped 59th Street right-of-way adjoining the east side of the applicant's property; additionally the right-of-way adjoining the property directly to the north of the property, and that all vacated right-of-way adjoining 59th Street to the north and extending east on Ingersoll Avenue be offered for conveyance to the adjoining property owners. **Moved by McPherson to adopt and to refer to the City Manager and Legal Department to implement. Motion Carried 6-1.**

00-3170 57. Regarding request from James Cooper (owner) represented by Mike Broderick of Bishop Engineering, for a Preliminary Subdivision Plat known as "Stanton Acres", property in vicinity of SW 34th Street and Stanton Avenue, subject to conditions. **Moved by McPherson to receive and file. Motion Carried 6-1.**

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

00-3171 58. On authorization and issuance of not to exceed \$5,000,000 Subordinate Airport



Commercial Paper Revenue Notes, Series C, (8-21-00). ([Council Communication No. 00-344](#)).  
**Moved by McPherson to adopt. Motion Carried 6-1.**

00-3172 59. On proposed 2020 Community Character Land Use Plan amendments, to replace the Des Moines 2000 Land Use Plan, (8-7-00). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3173 60. On amendment to the Zoning Ordinance to remove limitation on the Maximum Floor Area Ratio on buildings, (8-7-00). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3174 61. ON conveyance of vacated North/South alley right-of-way between 28th and 29th Street and north of Clark Street, to Christopher D. and Phyllis Pryor, \$50 plus costs, (8-7-00).  
**Moved by McPherson to adopt. Motion Carried 6-1.**

00-3175 62. On conveyance of property in vicinity of 904-910 SW 62nd Street, to JSV Community Properties, Inc., (Dr. Eugene Cherny, President), \$16,000, (8-7-00). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3176 63. On vacation and conveyance of a portion of the North/South alley right-of-way located between 2nd Avenue and 2nd Place between Clark Street and College Avenue, to Commonwealth Investments, LLC and MidAmerican Energy Company, (8-7-00). **Moved by Hensley to adopt and direct staff to discontinue practice of placing items on Council agenda prior to consideration by City Plan and Zoning Commission, also staff is to study and report on the scheduling of Council and Commission meetings for 2001 as soon as possible. Motion Carried 5-2. Absent: Daniels and McPherson.**

00-3177 64. On vacation of the portion of Market Street between SW 4th and SW 5th Street, the portion of SW 4th Street between market and Elm, and the remaining alleys in the vicinity, for the Court Avenue Entertainment Parking Lot, (8-7-00). **Moved by McPherson to adopt. Motion Carried 5-1-1. Nays: Flagg. Absent: Daniels.**

00-3178 (A) Recommendation from City Plan Commission. **Moved by McPherson to receive and file. Motion Carried 5-1-1. Nays: Flagg. Absent: Daniels.**

00-3179 65. On vacation and conveyance of SW 5th Street right-of-way extending south from Indianola Avenue, to Git-N-Go Convenience Stores Inc., (8-7-00) **Moved by McPherson to adopt. Motion Carried 6-1.**

**WITHDRAWN**00-3180 66. On lease of property at 1614 6th Avenue, to Crest Construction LC, ten-year term ending August 31, 2010, \$300 monthly rental, (rehabilitation of the structure on the property may apply as a credit towards payment of rent), (8-7-00).

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

00-3181 67. Approving settlements made by Corporation Counsel, not exceeding \$5,000. **Moved by Flagg to receive, file and affirm settlements made by City Attorney. Legal will provide**

**information requested be first meeting in August. Motion Carried 6-1.**

00-3182 68. Approving payment of \$877.67 to Jane McAllister of Ahlers, Cooney, Dorweiler, Haynie, Smith & Allbee, P.C. in conjunction with resolution of environmental matters with development of Kiwanis Nature Island at Riverview Park. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3183 69. Approving payment of \$33,746.85 to Ahlers, Cooney, Dorweiler, Haynie, Smith & Allbee, P.C. with respect to Series 2000A and 2000B public parking system revenue bonds. **Moved by McPherson to adopt. Motion Carried 5-1-1. Pass: Flagg. Absent: Daniels.**

00-3184 70. Approving payment of \$1,562.50 to Larry McLellan of Sullivan & Ward, P.C. to review the National Pollution Discharge Elimination System Permit (NPDES) for Des Moines International Airport and participate in negotiation with Iowa Department of Natural Resources. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3185 71. Approving payment of \$3,714.62 to Randy Duncan of Duncan, Green, Brown, Langeness & Eckley for representation of the City in matters involving the airport parking garages. **Moved by McPherson to adopt. Motion Carried 5-1-1. Pass: Flagg. Absent: Daniels.**

00-3186 72. Approving payment of \$161.83 to Gaudineer & Comito, L.L.P. for representation of Brian Danner in case entitled Elmer Pace and Linda Pace v. City of Des Moines and Brian Danner. **Moved by McPherson to adopt. Motion Carried 6-1.**

#### **CITY MANAGER COMMUNICATIONS**

00-3187 73. Submitting out-of-state travel requests for Polly Fortune, Mark Durham, Ron Wakeham, Lawrence McDowell, Jim Meyer, Scott Shannon, Bill Miller, Richard Towers, William Stowe and Patrick Kozitza. ([Council Communication No. 00-329](#)) **Moved by McPherson to adopt. Motion Carried 6-1.**

#### **APPROVING**

00-3188 74. Quarterly Treasurer's Report for twelve months ended June 30, 2000. **Moved by McPherson to receive and file. Motion Carried 6-1.**

00-3189 75. Receipt of Notice from the Airport Board regarding proposed amendment to regulations, setting telephone charges at the Airport, effective October 1, 2000. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3190 76. Execution of Federal Aviation Administration Grant 27 Amendment No. 1 for Runway 5-23 Extension, FAA Phase 4. ([Council Communication No. 00-330](#)). **Moved by Vlassis to adopt. Motion Carried 6-1.**

00-3191 77. Execution of Federal Aviation Administration Amendment No. 1 for Noise

Compatibility Program, Phase 2. ([Council Communication No. 00-331](#)). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3192 78. Receipt of Des Moines Water Works 1999 Audit Reports. **Moved by Flagg to receive and file. Legal to report by first meeting in August on issues raised regarding bonding, charge for use of land and sewer and solid waste rental fees. Motion Carried 6-1.**

00-3193 79. Polk County use of various City facilities as poll sites for precincts 31, 36, 60, 64, 82, and 83 for School Election to be held on Tuesday, September 12, 2000. **Moved by McPherson to approve. Motion Carried 6-1.**

00-3194 80. Supplemental Application to Weed and Seed for Federal Asset Forfeiture Grant for Des Moines Police Department enforcement action for methamphetamine activities in Enterprise Community Area. ([Council Communication No. 00-327](#)). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3195 81. Agreement with United Way of Central Iowa for Community Development Department's Outreach Program through Community Development Neighborhood Site Offices from July 1, 2000 to June 30, 2001 in amount of \$16,635.45. **Moved by McPherson to adopt. Motion Carried 5-1. Council Member Coleman declares a conflict of interest, and abstains from voting.**

00-3196 82. Weatherization Assistance Contract between Iowa Department of Human Rights/Division of Community Action Agencies and City for weatherization assistance for low income persons from August 1, 2000 to March 31, 2001 in amount of \$29,629. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3197 83. CSBG COMMUNITY ACTION PLAN Application for 2000-2001 CSBG to Iowa Department of Human Rights/Division of Community Action Agencies and City Community Services Program for low-income from October 1, 2000 - September 30, 2001 in amount of \$427,764. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3198 84. Contract with Coventry Health Care, (Louis B. Garcia, President and CEO, West Des Moines, for Health Maintenance Organization (HMO) medical coverage for Police and Fire bargaining unit personnel. ([Council Communication No. 00-337](#)). **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3199 85. Amendment to Subordination Agreement with Diamond Animal Health in conjunction with Economic Development Loan. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3200 86. Phase II Environmental Assessment Agreement with Lenz Environmental, Inc. for redevelopment of Riverpoint West Area and authorization to obtain access to Riverpoint West Area. ([Council Communication No. 00-336](#)). **Moved by McPherson to approve. Motion Carried 5-1-1. Nays: Brooks. Absent: Daniels.**

00-3201 87. Receipt of recommendation from Urban Renewal Board on Conceptual Plan to revise parking lot layout for East Grand Office Park located at 200 East Grand Avenue. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3202 88. License Agreement with The Graham Group, Inc., for parking spaces on 807 and 809 Walnut. ([Council Communication No. 00-345](#)). **Moved by McPherson to adopt. Motion Carried 5-1-1. Nays: Flagg. Absent: Daniels.**

00-3203 89. Purchase and implementation of customer service response management software (HEAT) from Goldmine Corporation - \$188,714. ([Council Communication No. 00-328](#)). **Moved by Vlassis to adopt. Motion Carried 6-1.**

90. Bids for the following:

00-3204 (A) Pomeroy Computer Resources, (1408 Locust Street, Dave Pomeroy, President) for Compaq computer equipment to be used by the Public Works Department, (Wastewater Reclamation Facility), State of Iowa Contract No. CT254, (Municipal Code section 2-725(c)), \$41,127. **Moved by McPherson to adopt. Motion Carried 6-1.**

(B) NUMBER NOT USED

00-3205 (C) Bob Vollbrecht & Associates, Inc., (New Brighton, MN., Bob Vollbrecht, President) for electronic parking meter mechanisms to be compatible with existing parking meter housing and vaults manufactured by POM, Inc. (Municipal Code section 2-725(a)(7) provides for a non-competitive purchase, \$554,380. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3206 (D) Sutphen Corporation, (Amlin, Ohio, Drew Sutphen, President) for a 100' mid-mount aerial ladder truck to be used by the Fire Department, \$701, 590. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3207 91. Submitting Civil Service Promotional List for Sewer Cleaning Equipment Operator. **Moved by McPherson to receive and file. Motion Carried 6-1.**

00-3208 92. Authorizing Finance Director to draw checks on registers of July 21, 2000 and July 28, 2000, and for bills of the Des Moines Municipal Housing Agency for the weeks beginning July 17, 2000 and July 24, 2000, and to draw checks for the biweekly payroll due on July 28, 2000. **Moved by McPherson to adopt. Motion Carried 6-1.**

#### **ORDINANCES - FINAL CONSIDERATION**

00-3209 93. On rezoning of property located from 30th Street east to the alley right-of-way west of 25th Street and from University Avenue to Brattleboro Avenue, from R-3 (Multiple Family Residential), to Limited NPC (Neighborhood Pedestrian Commercial), subject to conditions.

**Moved by McPherson that this ordinance do now pass, [#13,840](#). Motion Carried 6-1.**

00-3210 94. Amending Chapter 114 of the Municipal Code regarding the following traffic regulation changes. **Moved by McPherson that this ordinance do now pass, [#13,841](#). Motion Carried 6-1.**

(1) Two-Sided Parking Restriction--East 9th Street between Osceola and Jefferson Avenues.

(2) One-Sided Parking Restriction--East 43rd Street and East 43rd Court South of Douglas Avenue.

(3) Corner Clearance Parking Restriction--North Side of Lyon Street East of East 23rd Street.

(4) Corner Clearance Parking Restriction--South Side of Lincoln Avenue East of 18th Street.

(5) Corner Clearance Parking Restriction--West Side of SE 8th Street South of Lacona Avenue.

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

00-3211 95. Amending Chapter 2 of the Municipal Code regarding purchasing requirements. **Moved by McPherson that this ordinance be considered and given second vote for passage. Motion Carried 5-1-1. Pass: Flagg. Absent: Daniels.**

**WITHDRAWN**00-3212 (A) Final consideration of ordinance above, (waiver requested by Council Member Coleman), requires 6 votes.

00-3213 96. On rezoning of City-owned property at 3090 Army Post Road, from "R1-80 (One Family Residential) to "M-3" (Limited Industrial District). **Moved by McPherson that this ordinance be considered and given second vote for passage. Motion Carried 6-1.**

00-3214 (A) Final consideration of ordinance above, (waiver requested by City Manager), requires 6 votes. **Moved by McPherson that the rule requiring that ordinances must be considered, and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#13,842](#). Motion Carried 6-1.**

00-3215 97. On rezoning of property at 1910 E. Army Post Road, from "R1-80" (One Family Residential) to "C-2" (General Retail and Highway Oriented Commercial), subject to conditions. **Moved by McPherson that this ordinance be considered and given second vote for passage. Motion Carried 6-1.**

00-3216 (A) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by McPherson that the rule requiring that ordinances must be considered, and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that**

**the ordinance do now pass, [#13,843](#). Motion Carried 6-1.**

00-3217 98. On rezoning of property at 2720 SE 5th Street, from "R1-70" (One Family Low Density Residential), to "C-1" (Neighborhood Retail Commercial), subject to conditions. **Moved by McPherson that this ordinance be considered and given second vote for passage. Motion Carried 6-1.**

00-3218 (A) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by McPherson that the rule requiring that ordinances must be considered, and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#13,844](#). Motion Carried 6-1.**

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

**ORDINANCES - FIRST CONSIDERATION**

00-3219 99. Changing the name of the portion of Keosauqua Way extending east from 7th Street to Grand Avenue, as Watson Powell, Jr. Way. **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**

00-3220 (A) Final consideration of ordinance above, (waiver requested by City Manager), requires 6 votes. **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, [#13,845](#). Motion Carried 6-1.**

00-3221 100. Amending Chapter 118 of the Municipal Code regarding connection fee to major sanitary sewer facilities and connection to Four Mile East Trunk Sewer. **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 5-1-1. Nays: Flagg. Absent: Daniels.**

**WITHDRAWN** (1) Final consideration of ordinance above, (waiver requested by Council Member McPherson), requires 6 votes.

**WITHDRAWN** (A) Intergovernmental 28E Agreement with Pleasant Hill for joint development and use of sanitary sewers.

**\*\*Council considered Hearing Items 108 through 120 next\*\***

00-3222 101. Amending Chapter 78 of the Municipal Code regarding prohibited acts for peddlers. **Moved by Brooks that this ordinance be considered and given first vote passage. Motion Carried 6-1.**

00-3223 (A) Final consideration of ordinance above, (waiver sponsored by Council Member Brooks), requires 6 votes. **Moved by Brooks that the rule requiring that ordinances must be**

considered, and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #13,846. Motion Carried 6-1.

## COMMUNICATIONS/REPORTS

00-3224 102. Request from Council Member Archie Brooks and Fairground Neighbors to speak regarding El Paso Lounge, 2600 Dean Avenue. **Moved by Brooks to receive, file and grant the request to speak; refer to staff for follow-up inspections regarding tenants and fire damage; refer to City Manager and Legal to set up a term to consider life of a "grandfather" clause for non-conforming uses. Motion Carried 6-1.**

00-3225 103. From Bernie Van Til, Preservation Properties, 400 Locust Street, Suite 245, requesting permission to speak regarding Letter of Support for a Hawthorn Hills Project. **Moved by Hensley to receive, file and grant the request to speak; refer to City Manager for review and recommendation as appropriate, including a listing of other projects under consideration, by August 7. Motion Carried 6-1.**

00-3226 104. From Neighborhood Revitalization Board Chair, regarding size of the Board. **Moved by Coleman to receive and file. Motion Carried 6-1.**

**\*\*Council Member McPherson left the meeting at 6:55 P.M.\*\***

00-3227 105. From Becky Morelock, President, Bloomfield-Allen Neighborhood Association, requesting to speak regarding development in the 3100 block of E. Payton Avenue. **Moved by Brooks to receive, file and grant the request to speak; refer to City Manager for review and recommendation, keeping neighbors informed. Motion Carried 6-1.**

00-3228 106. Communication and petitions from Sheryl Eckhardt, 3529 27th Place, in favor of repaving of 27th Place. **Moved by Vlassis to receive, file and refer to City Manager and City Engineer for review and recommendation. Motion Carried 5-2. Absent:**

00-3229 107. Communication and petitions from James Jones, 2300 Watrous Avenue, regarding replacement of Watrous from Fleur Drive to SW 26th Street. **Moved by Flagg to receive, file and refer to City Manager and City Engineer for review and recommendation. Motion Carried 5-2. Absent: Daniels and McPherson.**

**\*\*Council considered Items 121 through end of agenda next\*\***

## INFORMAL HEARINGS (Opened at 5:40 P.M.) (Item 108)

00-3230 108. On proposed rate change for taxi service. **Moved by Coleman to receive, file and refer to Legal for preparation of proper legislation for the August 7 Council Meeting. Motion Carried 6-1.**



**HEARINGS (Opened at 5:49 P.M.) (Items 109 thru 120)**

00-3231 109. On adoption of the proposed Resolution of Necessity for street improvements-intermediate paving of the following: **Moved by Brooks to adopt; continue SE 9th Street--E. Hillside to E. Hartford to August 7, 2000. Motion Carried 6-1.**

(1) Garfield Avenue from E. 32nd Street to E. 33rd Street

(2) SW 26th from Stanton Avenue to McKinley Avenue

(3) E. 36th from Arthur to E. Sheridan

**CONTINUE** (4) SE 9th from E. Hillside Avenue to E. Hartford

(5) SW 12th Place from Army Post Road to the dead end 300' north.

00-3232 (A) Authorization for right-of-way. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3233 110. On request from Commonwealth Electric, to rezone property at 1527-2nd Place, from "R1-60" (One Family, Low Density Residential) to Limited "M-1" (Light Industrial). **Moved by Vlassis to adopt and approve rezoning. Motion Carried 6-1.**

00-3234 (A) First consideration of ordinance above. **Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**

00-3235 (B) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **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, [#13,847](#). Motion Carried 6-1.**

00-3236 (C) Amendment to the River Bend Action Plan element of the Des Moines 2000 Land Use Plan, changing the future land use classification from Low Density Residential to Industrial. **Moved by Vlassis to adopt. Motion Carried 6-1.**

00-3237 111. On proposed annexation moratorium agreement with the City of Pleasant Hill. **Moved by McPherson to adopt. Motion Carried 5-1-1. Nays: Flagg. Absent: Daniels.**

00-3238 112. On Building Official's determination that the structure at 1731 Lyon Street, constitutes a public nuisance. ([Council Communication No. 00-348](#)). **Moved by Brooks to adopt. Motion Carried 6-1.**

00-3239 113. On appeal of Denial of Taxicab License Application for Durand McGowen. **Moved by Flagg to grant the license and place him on probation for one year. Motion**



**Carried 6-1.**

00-3240 114. On appeal of Denial of Taxicab License Application for Lindon Vain Stalkup, III. **Moved by Vlassis to grant the license and place him on probation for one year. Council requests a report on successes of previous probations granted. Motion Carried 6-1.**

00-3241 115. Resolution to approve Plans, Specifications, Form of Contract Documents and Engineer's Estimate of Construction Costs for the Martin Luther King Jr. Parkway Paving - SW Second Street to SW Seventh Street: **Moved by Coleman to adopt. Motion Carried 6-1.**

00-3242 (A) Submission of Bids and Designation of Lowest Responsible Bidder as M. Peterson Construction Co. (Merlin Preston, President, 4000 Delaware Avenue), \$5,586,729.32. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-3243 (B) Approving Contract and Bond, and Permission to Sublet. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-3244 (C) Approving Supplemental Agreement No. 3 with Earth Tech, Inc. (Diane Creel, CEO, Long Beach, CA) for construction Phase services; not to exceed \$151,700. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-3245 (D) Approving Supplemental Agreement No. 2 with Louis Berger & Associates (Thomas Leck, President, East Orange, New Jersey) for Phase III Archeological Investigation and Recovery Services; not to exceed \$195,200. ([Council Communication No. 00-338 for Items C & D above](#)). **Moved by Coleman to adopt. Motion Carried 6-1.**

00-3246 (E) Approving conveyance of Electric Transmission Line Easement to MidAmerican Energy Company for East/West Segment of the Parkway Project. **Moved by Coleman to adopt. Motion Carried 6-1.**

00-3247 116. On Parks Playground Improvements: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Johnson Concrete & Petroleum (Robert L. Johnson, President), \$95,662.75. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3248 (A) Approving contract and bond, and permission to sublet. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3249 117. On Grandview Park Shelter Improvements: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Hart Meyer, Inc., (Neal K. Meyer, President, Urbandale, IA), \$99,717. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3250 (A) Approving contract and bond. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3251 118. On Police Academy Roof Replacement: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Central States Roofing Co. (Mark H. Hanson, President, Ames, IA), \$58,350. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3252 (A) Approving contract and bond. **Moved by McPherson to adopt. Motion Carried 6-1.**

00-3253 119. On SE 22nd Street and E. Park Avenue Sidewalks: Resolution approving plans, specifications, form of contract documents, Engineer's estimate, and designating lowest responsible bidder as Gyrp Concrete Construction, Inc., (Jan M. Gryp, Vice President, Altoona, IA), \$62,897.09. **Moved by Brooks to adopt. Motion Carried 6-1.**

00-3254 (A) Approving contract and bond. **Moved by Brooks to adopt. Motion Carried 6-1.**

00-3255 120. Resolution to REJECT all bids and close the hearing on the E. 20th Street Trunk Sanitary Sewer Televising - E. Hull Avenue to Dean Avenue, (no bids received). **Moved by McPherson to adopt. Motion Carried 6-1.**

\* \* END HEARINGS at 6:23 P.M. \* \*

**\*\*Council considered Items 101 through 107 next\*\***

#### **CITY MANAGER RECOMMENDATIONS**

00-3256 121. Regarding reprogramming of unspent PY 1999 CDBG funds and allocation of additional PY 2000 funds, (continued from 7-20-00) ([Council Communication No. 00-339](#)). **Moved by Coleman to adopt City Manager's allocation recommendations, adding \$22,000 more to neighborhood cleanup and reserving \$200,000 recommended for Agribusiness Park until further discussions on debt limit. Motion Carried 4-1-2. Nays: Flagg. Absent: Daniels.**

00-3257 (A) Communications from Neighborhood Revitalization Board Chair. **Moved by Vlassis to receive and file. Motion Carried 5-2. Absent: Daniels and McPherson.**

#### **APPROVING**

00-3258 122. Amendment No. 1 with Carl Walker, Inc. in conjunction with the Downtown Parking System study to provide additional professional services - \$80,000 - continued from July 10, 2000. ([Council Communication No. 00-315 of 7-10-00](#)). **Moved by Brooks to adopt. Motion Carried 4-1-2. Nays: Flagg. Absent: Daniels and McPherson.**

00-3259 123. Chapter 28E Agreement "Grounds Maintenance Alliance" between City and the Board of Water Works Trustees; for Grays Lake, Fleur Drive, Carney Park, Bill Riley Trail, and

other asphalt trails through Water Works Park. ([Council Communication No. 00-346](#)). **Moved by Vlassis to adopt. Motion Carried 5-2. Absent: Daniels and McPherson.**

**\*\*Council Member Flagg left the meeting at 7:45 P.M.\*\***

124. NUMBER NOT USED

**WITHDRAWN** 125. Receipt of Council Progress Report on Solid Waste/Recycling Program Review. (Council Communication No. 00-347).

00-3260 126. Neighborhood Evaluation Recommendation from the Neighborhood Revitalization Board for certain Designated and Charter Neighborhoods and for referral to City Manager for certain status recommendations. ([Council Communication No. 00-334](#)). **Moved by Vlassis to receive and refer to the Office of the City Manager to seek input from a joint City/County Committee on the continued status of the evaluated neighborhoods. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

00-3261 127. Authorization to submit Municipal Housing Agency Improvement Plan Progress Report to U.S. Department of Housing and Urban Development. ([Council Communication No. 00-341](#)) Moved by Brooks to adopt. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson. **Moved by Coleman to receive and file. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

00-3262 128. Authorization to proceed with Request For Qualification for architectural and engineering design services for proposed Des Moines Municipal Housing Agency Office Facility. ([Council Communication No. 00-342](#)). **Moved by Brooks to adopt. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

#### **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.**

00-3263 1. Setting Date of Hearing on request from Beckley Automotive Services, to rezone property north of Crocker Street from 7th to 8th, from "R-4" (Multiple Family Residential) to "C-3A" (Central Business District Support Commercial District), and amendment to the 2000 Land Use Plan to change future land use designation from High Density Residential to Support Commercial, (8-7-00). **Moved by Coleman to adopt. Motion Carried 4-3. Absent: Daniels, Flagg, McPherson.**

## **A G E N D A** **BOARD OF HEALTH**

**July 24, 2000**

00-3264 MOTION TO CONVENE. **Moved by Vlassis that the City Council Adjourn and Convene as a Board of Health. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

COMMUNICATIONS

00-3265 1. Regarding demolition cost reserve escrowed for 2928 E. Walnut. **Moved by Vlassis to receive and file and to direct that Corporation Counsel bring legal action within one hundred eighty days of receipt of notice if owners have not demolished or renovated the structure. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

AUTHORIZING

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

00-3266 (a) 915 Fremont, vacant, Titleholder: William J. Lancial; Legal Interest Holders: Sharon R. Otte and Cliff Newman. **Moved by Vlassis to adopt. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

00-3267 (b) 2134 Lyon, vacant, Titleholder: Robert D. Kimmel, Jr. **Moved by Vlassis to adopt. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

00-3268 (c) 1904 E. Walnut, vacant, Titleholder: 1904 E. Walnut Street Trust; Legal Interest Holders: Terry M. Plummer, Virginia Plummer. **Moved by Vlassis to adopt. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

(d) NUMBER NOT USED

00-3269 (e) 674 - 25th, vacant, Titleholder: Roberta Terrell; Legal Interest Holders: Tax 137, Neighborhood Housing Service of Des Moines, Inc. **Moved by Vlassis to adopt. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

00-3270 3. Release of demolition cost reserve escrowed under claim number 00-271-316564-814 regarding property known as 3717 E. 8th St. (GARAGE) owned by Marcia E. and Donald M. Wood. **Moved by Vlassis to adopt. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

00-3271 MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 8:00 P.M. Motion Carried 4-3. Absent: Daniels, Flagg and McPherson.**

***DES MOINES-CITY OF SKYWALKS***