



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

The City Council took the following action on items listed in the attached meeting agenda summary. Copies of ordinances, resolutions and other Council action may be obtained from the City Clerk's Office (515) 283-4209. The six-digit number beginning with '08-' preceding each item on the agenda is a roll call number assigned by the City Clerk. Please refer to this number when requesting information or copies.

SUMMARY OF DES MOINES CITY COUNCIL MEETING

November 10, 2008 4:30 P.M.

INVOCATION: Pastor Candice Brown
Capitol Hill Christian Church
3322 E 25th Street

[08-1935](#) 1. ROLL CALL: **Present: Coleman, Hensley, Kiernan, Mahaffey and Meyer. Absent: Cownie and Vlassis. Council Member Vlassis participated by telephone for items 22, 35 and 49 through the end of the agenda.**

[08-1936](#) I. Presentation by the Youth Advisory Board of their 2008-2009 Action Plan. **Moved by Kiernan to receive and file report; work with DMTV to promote the Board. Motion Carried 5-2.**

[08-1937](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Mahaffey to adopt. Motion Carried 5-2.**

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***Note: These are routine items and will be enacted by one roll call vote without separate discussion unless someone, Council or public, requests an item be removed to be considered separately.**

[08-1938](#) 3. APPROVING CONSENT AGENDA – items 3 through 41: **Moved by Mahaffey to adopt the balance of the Consent Agenda. Motion Carried 5-2.**

LICENSES AND PERMITS

- [08-1939](#) 4. [Approving](#) Alcoholic Beverage License applications for the following: **Moved by Mahaffey to adopt. Motion Carried 5-2.**

NEW APPLICATIONS

(A)	ESTRADA'S	3029 MERLE HAY RD	C Liquor
(B)	FLEUR WINE & ALE	4521 FLEUR DR	C Beer
(C)	HY VEE WINE SHOP	730 3RD ST	C Beer
(D)	PALMERS PUB	1030 E 9TH ST	C Liquor

RENEWAL APPLICATIONS

(E)	ALDI INC #03	3940 E 14TH STREET	C Beer
(F)	ALDI INC #29	500 E ARMY POST	C Beer
(G)	ALDI INC #38	2543 E UNIVERSITY	C Beer
(H)	AMICI ESPRESSO	206 6TH AVE	C Liquor
(I)	CORIGLIANOS PIZZA	2619 SW 9TH	B Beer
(J)	DAHLS FOODS	3400 E 33RD ST	E Liquor
(K)	FLAVORS OF INDIA	520 ARMY POST RD	C Liquor
(L)	GIT N GO STORE #6	5736 FRANKLIN AVE	C Beer
(M)	HY VEE GAS #4	4701 FLEUR DR	C Beer
(N)	HY VEE GAS DES MOINES #5	1113 E ARMY POST	C Beer
(O)	JEANNIES BOTTLE	3839 MERLE HAY RD	C Liquor
(P)	MIYABI 9	512 E GRAND AVE	C Beer/Wine
(Q)	QUIKTRIP #541	2428 HUBBELL AVE	C Beer
(R)	RUSTYS	2565 WEDGEWOOD	C Liquor
(S)	SUPER QUICK	303 SE 30TH ST	C Beer

- [08-1940](#) 5. [City](#) Clerk to issue Coin Operated Machine Licenses. **Moved by Mahaffey to adopt. Motion Carried 5-2.**

PUBLIC IMPROVEMENTS

- [08-1941](#) 6. [Approving](#) Professional Services Agreement with Snyder and Associates, Inc. for design and construction phase services for the Riverpoint Trunk Sewer Separation and Pump Station, not to exceed \$408,550. ([Council Communication No. 08-668](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2.**

- [08-1942](#) 7. [Approving](#) Request from Neumann Brothers, Inc. for Extension of Time on Skywalk Bridges 11D-12D & 11C-12B at Nationwide, to February 9, 2009. ([Council Communication No. 08-670](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2.**

- [08-1943](#) 8. [Approving](#) Request from Reilly Construction Company, Inc. for Extension of Time on 21st Street and Carpenter Avenue storm sewer improvements, to June 30, 2009. ([Council Communication No. 08-669](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [08-1944](#) 9. [Approving](#) Private Construction Contract between Kenyon Construction, Inc. and Casey's Marketing Company for Sanitary Sewer Improvements at 2106 EchoValley Drive. **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [08-1945](#) 10. [Communication](#) from Sternquist Construction, Inc. requesting permission to sublet certain items on the Scott Avenue Bridge over Leetown Creekway. **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [08-1946](#) 11. [Accepting](#) completed construction and approving final payment for 2007 Sidewalk Replacement Program – Contract 2, Rocky Hurst Construction, Inc. **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [08-1947](#) 12. [Accepting](#) completed construction and approving final payment for 2008 Sanitary Sewer Repair Program, The Underground Company, Ltd. **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [08-1948](#) 13. [Accepting](#) completed construction and approving final payment for 2007 Expanded Street Resurfacing Program – Contract 4, Des Moines Asphalt & Paving Co. **Moved by Mahaffey to adopt. Motion Carried 5-2.**

SPECIAL ASSESSMENTS

- [08-1949](#) 14. [Levying](#) assessments for cost of Nuisance Abatement-NAC Emergency Orders (Community Development) Schedule No. 2008-15. **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [08-1950](#) 15. [Approving](#) Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility Fees for October 2008. **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [08-1951](#) 16. [Approving](#) Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility Credits for October 2008. **Moved by Mahaffey to adopt. Motion Carried 5-2.**

LAND/PROPERTY TRANSACTIONS

- [08-1952](#) 17. [Approving](#) 146 Tax Abatement applications for the additional value added by improvements made during 2008. ([Council Communication No. 08-667](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

18. Recommendations from Council Member Brian Meyer for the following:

[08-1953](#) (A) [Reappoint](#) Wade Bassford to the Des Moines Music Commission, Seat 7 for a three-year term commencing July 1, 2008 to expire July 1, 2011. **Moved by Mahaffey to adopt. Motion Carried 5-2.**

[08-1954](#) (B) [Reappoint](#) JoAnne Corigliano to the Plan and Zoning Commission, Seat 15 for a five-year term commencing July 1, 2008 to expire July 1, 2013. **Moved by Mahaffey to adopt. Motion Carried 5-2.**

19. Recommendations for the Citizen Odor Board as follows:

[08-1955](#) (A) [Council](#) Member Christine Hensley to appoint Marilyn Fisher to Seat 12 for a three-year term to expire April 1, 2009 and to an additional three-year term expiring April 1, 2012. **Moved by Mahaffey to adopt. Motion Carried 5-2.**

[08-1956](#) (B) [Council](#) Member Hensley to reappoint Marjorie Burgess to Seat 2 for a three-year term commencing April 1, 2007 to expire April 1, 2010. **Moved by Mahaffey to adopt. Motion Carried 5-2.**

[08-1957](#) (C) [Council](#) Member Bob Mahaffey to reappoint Carolyn Mehl to Seat 5 for a three-year term commencing April 1, 2007 to expire April 1, 2010. **Moved by Mahaffey to adopt. Motion Carried 5-2.**

[08-1958](#) (D) [Council](#) Member Brian Meyer to reappoint Keith Mehl to Seat 6 for a three-year term commencing April 1, 2007 to expire April 1, 2010. **Moved by Mahaffey to adopt. Motion Carried 5-2.**

[08-1959](#) (E) [Council](#) Member Chris Coleman to reappoint Scott Sargent to Seat 7 for a three-year term commencing April 1, 2007 to expire April 1, 2010. **Moved by Mahaffey to adopt. Motion Carried 5-2.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [08-1960](#) 20. **Regarding** request from Jason Vandermark for vacation and conveyance of segments of right-of-way: ([Council Communication No. 08-688](#)) **(PLAN AND ZONING COMMISSION RECOMMENDS DENIAL)**. **Moved by Meyer to DENY the request. Motion Carried 5-2.**
- SE 23rd Street from Maury to Shaw Street.
 - The north/south alley between SE 23rd Street and SE 23rd Court from Maury to Shaw Street

SETTING DATE OF HEARINGS

- [08-1961](#) 21. **On** vacation and conveyance of Birch Lane from Thornton Drive to SW 24th Street and SW 24th Street from Thornton Drive to Watrous Avenue to abutting property owners, (11-24-08). **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [08-1962](#) 22. **On** Proposed 9th Amendment to the Metro Center Urban Renewal Plan to identify improvements to the Civic Center of Greater Des Moines as eligible for economic development grant assistance and designate a parcel of property generally located at 201 E. Locust for potential acquisition funded with tax increment revenues, (12-22-08). ([Council Communication No. 08-675](#)) **Moved by Vlassis to adopt. Motion Carried 6-1.**
- [08-1963](#) 23. **On** request from Savannah Homes, Inc. to amend the Silver Leaf PUD Conceptual Plan for 5100 NE 38th Avenue to allow reconfiguration of the street, alley and lot layout, including an increase in number of lots from 131 to 158, (11-24-08). **Moved by Mahaffey to adopt. Motion Carried 5-2.**
24. Items regarding the Downtown Self-Supported Municipal Improvement District (SSMID):
- [08-1964](#) (A) **Receive** and file an evaluative report from the Plan and Zoning Commission. **Moved by Mahaffey to receive and file. Motion Carried 5-2.**
- [08-1965](#) (B) **Setting** date of Hearing on petition to continue the SSMID, (12-8-08). ([Council Communication No. 08-689](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [08-1966](#) 25. **Approving** payment of \$40,539.90 to Rickey Figgins for a workers' compensation claim. **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [08-1967](#) 26. **Approving** payment of \$65,773.56 to Tim Vasquez for a workers' compensation claim. **Moved by Mahaffey to adopt. Motion Carried 5-2.**

CITY MANAGER COMMUNICATIONS

- [08-1968](#) 27. [Submitting](#) training requests for T.M. Franklin Cownie and Rudolph Simms. ([Council Communication No. 08-687](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2.**

APPROVING

- [08-1969](#) 28. [Comprehensive](#) Strategy Environmental Review Record, Finding of No Significant Impact on the Environment and publishing Notice of Intent to Request Release of Funds. ([Council Communication No. 08-685](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [08-1970](#) 29. [Amendment](#) One to the 2008 CDBG Hansen House Project. ([Council Communication No. 08-686](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [08-1971](#) 30. [Iowa](#) Department of Transportation Grant Agreement for Air Service Sustainment Grant Program at the Des Moines International Airport, \$20,000 for fiscal year July 1, 2008 to June 30, 2009. ([Council Communication No. 08-678](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [08-1972](#) 31. [Construction](#) of a reader board sign adjacent to Principal Park. ([Council Communication No. 08-677](#)) **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [08-1973](#) 32. [Communication](#) from Downtown Community Alliance on behalf of Meredith Corporation to approve banner design to be displayed on Locust Street in winter 2008. **Moved by Mahaffey to receive, file and approve banner design. Motion Carried 5-2.**
33. Bids from the following:
- [08-1974](#) (A) [Hewlett](#) Packard Co. per the Western States Contracting Alliance (WSCA) price agreement #A63309 for replacement of employee desktop personal computers to be used by the IT Department, \$450,000. ([Council Communication No. 08-665](#)) **Moved by Coleman to adopt. Motion Carried 5-2.**
- [08-1975](#) (B) [Grimes](#) Asphalt & Paving Corporation for asphalt cold mix products to be used by the Public Works Department, \$135,400. (Four bids mailed, two received). **Moved by Mahaffey to adopt. Motion Carried 5-2.**
- [08-1976](#) 34. [Authorizing Finance](#) Director to draw checks on registers for the weeks of [November 10](#) and [November 17](#), 2008; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of [November 10](#) and [November 17](#), 2008; and to draw checks for bi-weekly payroll due November 20, 2008. **Moved by Mahaffey to adopt. Motion Carried 5-2.**

ORDINANCES - FINAL CONSIDERATION

- [08-1977](#) 35. Amending Chapter 78 of the Municipal Code regarding Transient Merchants. **Moved by Meyer that this ordinance do now pass; refer to the City Manager to review how this ordinance would affect businesses like Burger Barge at 2nd and Franklin and report back to Council before mid-January, [#14,807](#). Motion Carried 6-1.**
- [08-1978](#) 36. Adding Section 114-364 to the Municipal Code regarding sound system operation in vehicles. **Moved by Mahaffey that this ordinance do now pass, [#14,808](#). Motion Carried 5-2.**
- [08-1979](#) 37. Amending Chapter 74 of the Municipal Code regarding Brenton Skating Plaza fees. **Moved by Mahaffey that this ordinance do now pass, [#14,809](#). Motion Carried 5-2.**
- [08-1980](#) 38. Amending Chapter 60 of the Municipal Code regarding Neighborhood Inspection Rental Code and collection of fees, fines, penalties, costs and interest to allow collection or assessments against the property. **Moved by Mahaffey that this ordinance do now pass, refer to the City Manager to review the City’s fines and fees for rental certificates, [#14,810](#). Motion Carried 5-2.**

ORDINANCES - SECOND CONSIDERATION

- [08-1981](#) 39. Amending Chapter 118 of the Municipal Code regarding Stormwater Utility Fee rate increase for residential and non-residential properties. ([Council Communication No. 08-683](#)) **Moved by Mahaffey that this ordinance be considered and given second vote for passage. Motion Carried 5-2.**
- [08-1982](#) 40. Amending Chapter 118 of the Municipal Code regarding establishment of Personal Property Protection Program and Subsidy Credit for qualifying plumbing work. ([Council Communication No. 08-691](#)) **Moved by Mahaffey that this ordinance be considered and given second vote for passage. Motion Carried 5-2.**
- [08-1983](#) 41. Amending Chapter 114 of the Municipal Code submitting traffic regulation changes to remove the truck route designation on SE 28th Street from Market to Scott, and to create a four-way stop at the intersection of SE 28th and Scott. **Moved by Mahaffey that this ordinance be considered and given second vote for passage. Motion Carried 5-2.**

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

ORDINANCES - FINAL CONSIDERATION

[08-1984](#)

42. [Amending](#) Chapter 114 of the Municipal Code regarding traffic regulation changes as follows; (continued from July 28, 2008). **Moved by Kiernan that this ordinance do now pass, refer to the City Manager to work with Drake Area businesses to provide some temporary parking relief during the holidays and to bring back suggestions at the November 24th Council Meeting, #14,811. Motion Carried 5-2.**
- (A) Code revisions regarding Resident Permit Parking and Special Parking Permits for Special Events and Emergency Restrictions.
 - (B) Request from Drake Area Businesses for removal of parking restrictions near 23rd Street and University Avenue.

ORDINANCES - FIRST CONSIDERATION

[08-1985](#)

43. [Amending](#) Chapter 114 of the Municipal Code submitting traffic regulation changes as follows: ([Council Communication No. 08-671](#)) **Moved by Kiernan that this ordinance be considered and given first vote for passage. Council Member Mahaffey declares a conflict of interest and abstains from voting on item (F) only (Morton Avenue-Bowdoin to E. 41st Street, Section 114-3500). Motion Carried 6-1. Absent: Cownie.**
- (A) Parking Restriction on 10th Street adjacent to Davis-Brown Tower.
 - (B) Parking Restriction to increase pedestrian visibility on 10th Street at Woodland.
 - (C) Conversion of some meters on Court Avenue Bridge to parking for Municipal Employees.
 - (D) Extending Residential Parking Permit area on Grand Avenue and Locust Street, between 13th and 14th Streets.
 - (E) Adjustments to parking meters on the south side of Des Moines Street west of the State of Iowa parking garage.
 - (F) Parking Restriction on the north side of Morton Avenue between E. 14th and Idaho Street. **Council Member Mahaffey declares a conflict of interest and abstains from voting on item (F) only. Motion Carried 5-1.**
 - (G) One-sided parking Restrictions – Sterling Trace Plats I and II. (SE 36th Street and E. Payton Drive).

[08-1986](#)

- (H) Final consideration of ordinance above. **Moved by Kiernan that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#14,812](#). This Ordinance does not include section (F) as shown in item 43. Item (F) (Morton Avenue-Bowdoin to E. 41st Street, Section 114-3500 will be placed on the November 24, 2008 agenda for second consideration. Motion Carried 6-1.**

COUNCIL REQUESTS

[08-1987](#)

44. **[From](#) Council Members Brian Meyer and Christine Hensley to speak regarding the Hansen Development Project. Moved by Meyer to refer to the City Manager to come back at the December 22nd Council meeting with a recommendation for the Bud Mulcahy property. Motion Carried 6-1.**

COMMUNICATIONS/REPORTS

[08-1988](#)

45. **[From](#) John Morrissey, 2913 Oxford Street, regarding traffic on Euclid Avenue. Moved by Mahaffey to receive and file petition and refer to the City Manager for review and recommendation. Council will issue a letter of support to IDOT encouraging their consideration of these changes. Motion Carried 6-1.**

[08-1989](#)

46. **[Petitions](#) from property owners requesting paving on Bell Avenue from Druid Hill Drive to dead end east. Moved by Kiernan to receive and file; refer to Engineering Department for review and recommendation. Motion Carried 5-2.**

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 47 THRU 53)

[08-1990](#)

47. **[On](#) Proposed Fifth (2009) Year [Action Plan](#) of 2005-2009 U.S. Department of Housing and Urban Development (HUD) Consolidated Plan. ([Council Communication No. 08-684](#)) Moved by Meyer to continue the public hearing until November 24, 2008 at 5:00 PM in the Council Chambers. Motion Carried 5-2.**

[08-1991](#)

- (A) **[Communication](#) from Neighborhood Revitalization Board. Moved by Meyer to receive and file. Motion Carried 5-2.**

[08-1992](#)

- (B) **[Request](#) from Deborah Brewer, YWCA of Greater Des Moines, to speak regarding funding recommendation. Moved by Meyer to continue the public hearing until November 24, 2008 at 5:00 PM in the Council Chambers. Motion Carried 5-2.**

- [08-1993](#) 48. **On** authorization of a Loan Agreement and issuance of not to exceed \$12,000,000 Aviation System Revenue Capital Loan Notes. ([Council Communication No. 08-690](#)) **Moved by Coleman to adopt. Motion Carried 5-2.**
- [08-1994](#) (A) **Authorization** for additional action. **Moved by Coleman to adopt. Motion Carried 5-2.**
- [08-1995](#) 49. **On** vacation and conveyance of east/west alley between Woodland Avenue and High Street from a point 60 feet east of 14th Street to 15th Street and 14th Street from Woodland Avenue to High Street to Central Iowa Health Properties Corporation , \$414,750. ([Council Communication No. 08-674](#)) **Moved by Coleman to adopt; receive and file the appraisal submitted by Mr. Lillis and strongly encourage the parties to work together. City Manager to issue a status report to Council prior to second consideration of the ordinance on November 24, 2008. Motion Carried 6-1.**
- [08-1996](#) (A) **First** consideration of ordinance above. **Moved by Coleman that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**
- WITHDRAWN
[08-1997](#) (B) ~~**Final** consideration of ordinance above, (waiver requested by applicant), requires 6 votes.~~
- [08-1998](#) 50. **On** vacation and conveyance of easement for building encroachment within a segment of Cottage Grove Avenue right-of-way adjoining 1912 Cottage Grove Avenue to Monte and Krista Bennett, \$50. ([Council Communication No. 08-673](#)) **Moved by Kiernan to adopt. Motion Carried 6-1.**
- [08-1999](#) (A) **First** consideration of ordinance above. **Moved by Kiernan that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**
- [08-2000](#) (B) **Final** consideration of ordinance above, (waiver requested by applicant), require 6 votes. **Moved by Kiernan that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #14,813. Motion Carried 6-1.**
- [08-2001](#) 51. **On** vacation of E. Granger Avenue right-of-way between Vandalia Road and the Burlington Northern Sante Fe Railroad from SE 35th to SE 36th Street. **Moved by Meyer to adopt. Motion Carried 6-1.**
- [08-2002](#) (A) **First** consideration of ordinance above. **Moved by Meyer that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**

[08-2003](#)

52. [On](#) vacation and conveyance of east/west alley between Ingersoll Avenue and High Street from 17th Street to a point approximately 175 feet east of 19th Street to 1717 Ingersoll, LLC, PW Waterbury, LC, and OPOMODO, LLC, \$1 and also to James Marcovis, \$1 and to continue to November 24, 2008. **Moved by Kiernan to continue the public hearing to November 24, 2008 at 5:00 PM. Motion Carried 6-1.**

WITHDRAWN

[08-2004](#)

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

WITHDRAWN

[08-2005](#)

- (B) ~~[Final](#) consideration of ordinance above, (waiver requested by applicants), requires 6 votes. ([Council Communication No. 08-672](#))~~

[08-2006](#)

53. [On](#) request from R Way's, Inc. to rezone property at 1930 Indianola Avenue from "C-1" (Neighborhood Retail Commercial) to Ltd. "C-2" (General Retail and Highway Oriented Commercial) to allow for reuse of property for garage for general motor vehicle repair, subject to conditions, **and to continue to 11-24-08 at 5:00 P.M.** (Acceptance of Rezoning document has not been signed). **Moved by Meyer to adopt. Motion Carried 6-1.**

END HEARINGS AT 5:56 P.M.

APPROVING

54. Submission of \$175,000 Grant Applications to the Polk County Housing Trust Fund for the following:

[08-2007](#)

- (A) [Lead](#)-Based Paint Control Program offered jointly with the Polk County Health Department. **Moved by Kiernan to adopt. Motion Carried 5-2.**

[08-2008](#)

- (B) [City](#) of Des Moines Minor Repair Loan Program. ([Council Communication No. 08-682](#)) **Moved by Kiernan to adopt. Motion Carried 5-2.**

[08-2009](#)

55. [Authorization](#) to submit a Hazard Mitigation Grant Project Application to the Federal Emergency Management Agency in order to fund a Voluntary Acquisition Program for eligible flood damaged properties in the Four Mile Area. ([Council Communication No. 08-676](#)) **Moved by Mahaffey to adopt. Motion Carried 6-1.**

[08-2010](#)

56. [Extending](#) the temporary moratorium on creation and expansion of Vehicle Display lots to Tuesday, March 10, 2009 pending a comprehensive review of the applicable regulations and guidelines. ([Council Communication No. 08-692](#)) **Moved by Kiernan to adopt and continue the moratorium through March 10, 2009. Motion Carried 6-1.**

BOARD OF HEALTH

[08-2011](#) MOTION TO CONVENE. **Moved by Vlassis that the City Council adjourn and convene as a Board of Health. Motion Carried 6-1.**

AUTHORIZING:

1. The Legal Department to proceed with court action seeking authority to abate the public nuisance at the following locations:

[08-2012](#) (A) [1734](#) Lyon Street, main structure, Titleholders: Patricia A. Head, James T. Head, Allen Butts, Bridgette Butts, Marion L. Butts, Tywana S. Butts, and Nathan K. Butts, Jr. **Moved by Kiernan to adopt. Motion Carried 6-1.**

[08-2013](#) (B) [2817](#) 1st Street, main structure and garage structure, Titleholder: First Class Credit Union. **Moved by Kiernan to adopt. Motion Carried 6-1.**

[08-2014](#) (C) [1905](#) E. 25th Street, main structure, Titleholders: Marvin Roseberry and Barbara Roseberry. **Moved by Kiernan to adopt. Motion Carried 6-1.**

[08-2015](#) (D) [4124](#) 52nd Street, garage structure, Titleholder: Nancy J. Borghi. **Moved by Kiernan to adopt. Motion Carried 6-1.**

COMMUNICATION:

[08-2016](#) 2. **Regarding** demolition cost reserve being held by Depositors Insurance Company for the fire-damaged structure located at 2321 Saylor Road. **Moved by Kiernan to receive and file and to direct that the City Attorney bring legal action within one hundred eighty days of receipt of notice if owners have not demolished or renovated the structure. Motion Carried 6-1.**

[08-2017](#) 3. **Regarding** demolition cost reserve being held by Shelter Insurance Companies for the fire-damaged structure located at 1100 Buchanan Street. **Moved by Kiernan to receive and file and to direct that the City Attorney bring legal action within one hundred eighty days of receipt of notice if owners have not demolished or renovated the structure. Motion Carried 6-1.**

[08-2018](#) MOTION TO ADJOURN. **Moved by Mahaffey to adjourn at 6:46 PM. Motion Carried 6-1.**

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