



***** 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 '07-' 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

December 17, 2007 4:30 P.M.

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

[07-2352](#) 1. ROLL CALL: **Present: Kiernan, Hensley, Mahaffey, Meyer and Vlassis. Absent: Cownie and Coleman. Council Member Coleman entered the meeting after Item 2.**

[07-2353](#) 2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED: **Moved by Hensley 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.

[07-2354](#) 3. APPROVING CONSENT AGENDA – items 3 through 37: **Moved by Hensley to adopt the balance of the consent agenda. Motion Carried 6-1.**

LICENSES AND PERMITS

[07-2355](#) 4. Approving Alcoholic Beverage License applications for the following: **Moved by Hensley to adopt. Motion Carried 6-1.**

NEW APPLICATIONS

(A) ~~BELLA NOCHE~~ ~~4808 SW 9TH ST~~ ~~C Liquor~~

RENEWAL APPLICATIONS

(B)	801 STEAK AND CHOP HOUSE	801 GRAND AVE	C Liquor
(C)	B & B SUPER MARKET	2001 SE 6TH ST	C Beer
(D)	CASEYS GENERAL STORE #2322	4331 PARK AVE	C Beer
(E)	CASEYS GENERAL STORE #2641	2849 E EUCLID AVE	C Beer
(F)	CHRISTOPHERS DINING ROOM	2816 BEAVER AVE	C Liquor
(G)	CIVIC CENTER	1011 LOCUST ST	C Liquor
(H)	CLUB STATIK	215 E 2ND ST	C Liquor
(I)	DAHLS FOODS	1320 E EUCLID AVE	E Liquor
(J)	DERRYS LOUNGE	4845 MERLE HAY RD	C Liquor
(K)	EL RANCHO ALEGRE	3308 INDIANOLA AVE	B Beer
(L)	ETC.	555 WALNUT ST	B Native Wine
(M)	GIT N GO STORE #24	1142 42ND ST	C Beer
(N)	JOHNNY MACS BAR & GRILL	2279 HUBBELL AVE	C Liquor
(O)	LA HACIENDA	900 E ARMY POST RD	C Liquor
(P)	MEZZODIS	4519 FLEUR DR	C Liquor
(Q)	NADRY INC	2701 INGERSOLL AVE	C Beer
(R)	NOW OR LATER RESTAURANT	3750 E UNIVERSITY AVE	C Liquor
(S)	REGAL LIQUORS #1	3424 M L KING PKWY	E Liquor
(T)	SHOP N SAVE #2	1372 E 14TH ST	E Liquor
(U)	TARGET T2041	5901 DOUGLAS AVE	E Liquor
(V)	TAVERN SOUTH PIZZA & PASTA	1106 ARMY POST RD	C Beer/Wine
(W)	TEQUILA MEXICAN RESTAURANT	2824 EASTON BLVD	C Liquor

[07-2356](#) 5. **On** consideration of Class C Liquor License for 101 Lounge, 102 3rd Street. **Moved by Hensley to approve. Motion Carried 6-1.**

[07-2357](#) 6. **City** Clerk to issue Coin Operated Machine Licenses. **Moved by Hensley to adopt. Motion Carried 6-1.**

PUBLIC IMPROVEMENTS

[07-2358](#) 7. **Approving** and authorizing execution of Iowa Department of Transportation (IDOT) Preconstruction Agreement for the Ingersoll Run Phase 2 Storm Sewer Outlet. (**Council Communication No. 07-741**) **Moved by Hensley to adopt. Motion Carried 6-1.**

[07-2359](#) 8. **Approving** Private Construction Contract between Gator Excavating, Inc. and Koester Construction Co., Inc. for sanitary sewer improvements at 1815 High Street, \$4,500. **Moved by Hensley to adopt. Motion Carried 6-1.**

9. Accepting completed construction and approving final payment for the following:

[07-2360](#) (A) **Corell** Contractor, Inc. – Sargent Park Improvements – Phase 1. **Moved by Hensley to adopt. Motion Carried 6-1.**

- [07-2361](#) 9. (B) [Larson](#) & Larson Construction, LLC – Principal Park Seating Expansion and Outfield Improvements. **Moved by Hensley to adopt. Motion Carried 6-1.**
- [07-2362](#) (C) [J. Pettiecord](#) Inc. - Agrimergent Technology Park – Clearing & Grubbing Contract No. 2. **Moved by Hensley to adopt. Motion Carried 6-1.**
- [07-2363](#) (D) [Ryan](#) Companies US, Inc. – Skywalk 11C-11D, Allied Phase 2 to Allied Garage. **Moved by Hensley to adopt. Motion Carried 6-1.**
- [07-2364](#) (E) [Ti-Zack](#) Concrete, Inc. – 2007 Designated Neighborhood Sidewalk Replacement – Contract 1. **Moved by Hensley to adopt. Motion Carried 6-1.**

SPECIAL ASSESSMENTS

- [07-2365](#) 10. [Levying](#) assessments for cost of Nuisance Abatement-NAC Emergency Orders (Community Development) Schedule No. 2007-19. **Moved by Hensley to adopt. Motion Carried 6-1.**
- [07-2366](#) 11. [Approving](#) Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility Credits for December 2007. **Moved by Hensley to adopt. Motion Carried 6-1.**

LAND/PROPERTY TRANSACTIONS

- [07-2367](#) 12. [Acceptance](#) of real estate documents and acquisition settlement of \$1,395,000 for undeveloped land located at the northwest corner of SW 42nd Street and Army Post Road from Dodge Investment Company, Inc. for the Airport Runway 13R/31L Project. ([Council Communication No. 07-742](#)) **Moved by Hensley to adopt. Motion Carried 6-1.**
- [07-2368](#) 13. [Approving](#) final subdivision plat for Carman Estates Plat 6, located at 5800 SE 24th Street. ([Council Communication No. 07-729](#)) **Moved by Hensley to adopt. Motion Carried 6-1.**
- [07-2369](#) 14. [Approving](#) tax abatement applications (44) for additional value added by improvements made during 2007. ([Council Communication No. 07-732](#)) **Moved by Hensley to adopt. Motion Carried 6-1.**

BOARDS/COMMISSIONS/NEIGHBORHOODS

- [07-2370](#) 15. [Receipt](#) of 2007-08 Goals and Action Plan for City of Des Moines Youth Advisory Board. **Moved by Vlassis to receive and file plan. Motion Carried 6-1.**

COMMUNICATIONS FROM PLANNING AND ZONING

- [07-2371](#) 16. Regarding request from Triad Development for approval of preliminary subdivision plat for Grandview Meadows, located at 4301 Grandview Avenue, subject to conditions. **Moved by Hensley to receive and file. Motion Carried 6-1.**
- [07-2372](#) 17. Regarding request from Midtown Heights, LLC for approval of preliminary subdivision plat for Midtown Heights, located at 2110 High Street, subject to conditions. **Moved by Hensley to receive and file. Motion Carried 6-1.**
- [07-2373](#) 18. Regarding 180-day moratorium on the approval of any site plans for vehicle display lots. **Moved by Hensley to receive and file. Motion Carried 6-1.**

SETTING DATE OF HEARINGS

- [07-2374](#) 19. On request from Tim Hildebrandt to rezone property in the vicinity of 2680 E. Payton Avenue from “R1-80” (One Family Residential) to “R-3” (Multiple-Family Residential) to allow a 50 unit assisted living residential apartment complex, (1-7-08). **Moved by Hensley to adopt. Motion Carried 6-1.**
20. On appeals of the denial of a Certificate of Appropriateness for demolition of the following, (3-24-08):
- [07-2375](#) (A) Kingsway Cathedral, 901 19th Street. **Moved by Hensley to defer to the March 24, 2008 Council Meeting. Refer to the City Manager to work with the Sherman Hill Neighborhood Association and others to develop a plan for the area. Motion Carried 6-1.**
- [07-2376](#) (B) Two-story brick building, 900 18th Street. **Moved by Hensley to defer to the March 24, 2008 Council Meeting. Refer to the City Manager to work with the Sherman Hill Neighborhood Association and others to develop a plan for the area. Motion Carried 6-1.**

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

- [07-2377](#) 21. Approving payment of \$7,860.28 to Ahlers & Cooney, P.C. for services concerning financing in the River Point West Project. **Moved by Hensley to adopt. Motion Carried 6-1.**
- [07-2378](#) 22. Approving payment of \$266 to Ahlers & Cooney Law Firm for environmental legal services for the SE Connector Project. **Moved by Hensley to adopt. Motion Carried 6-1.**
- [07-2379](#) 23. Approving payment of \$1,309.14 to Hall & Associates for services related to the Combined Sewer System and Combined Sewer Outflows related to the NPDES permit. **Moved by Hensley to adopt. Motion Carried 6-1.**

- [07-2380](#) 24. [Approving](#) payment of settlements by City Attorney, not exceeding \$5,000. **Moved by Hensley to receive, file and affirm settlements made by City Attorney. Motion Carried 6-1.**
- [07-2381](#) 25. [Approving](#) payment of \$855.81 to Enterprise Rent-A-Car as the result of motor vehicle accident. **Moved by Hensley to adopt. Motion Carried 6-1.**
- [07-2382](#) 26. [Approving](#) payment of \$1,013 to Keyanna Williams for property damage as the result of a sewer backup. **Moved by Hensley to adopt. Motion Carried 6-1.**
- [07-2383](#) 27. [Approving](#) payment of \$5,000 to Allied Insurance, \$2,085 to Browns Dirt Works, L.L.C. and \$23,920.55 to Marjorie Stilley as the result of sewer backup at 1400 Cummins Parkway. **Moved by Hensley to adopt. Motion Carried 6-1.**

CITY MANAGER COMMUNICATIONS

- [07-2384](#) 28. [Submitting](#) travel request for Jonathan Lund, Eric Nevins, Gerald Pettegrew and Venkata Yarlagadda. ([Council Communication No. 07-743](#)) **Moved by Hensley to adopt. Motion Carried 6-1.**

APPROVING

- [07-2385](#) 29. [Fiscal](#) Year 2005 Continuum of Care (COC) Closeout Certification Documents. **Moved by Hensley to adopt. Motion Carried 6-1.**
- [07-2386](#) 30. [Economic](#) Development Loan Agreement with Excell Marketing, LC for expansion of the existing building at 5501 Park Avenue and the addition of 25 new full-time positions. ([Council Communication No. 07-733](#)) **Moved by Hensley to adopt. Motion Carried 6-1.**
- [07-2387](#) (A) [Approving](#) settlement in the amount of \$100,000 of storm water utility funds, to Excell Marketing, L.C., 5501 Park Avenue. **Moved by Hensley to adopt. Motion Carried 6-1.**
- [07-2388](#) 31. [Adoption](#) of “Goals To Make Des Moines A Bicycle Friendly Community”. ([Council Communication No. 07-735](#)) **Moved by Hensley to approve. Motion Carried 6-1.**
- [07-2389](#) 32. [Receipt](#) of Project Safe Neighborhoods 2007 Anti-Gang Initiative grant award for \$106,984. ([Council Communication No. 07-728](#)) **Moved by Vlassis to adopt. Motion Carried 6-1.**
- [07-2390](#) 33. [Civil](#) Service Entrance List for Wastewater Operator Specialist. **Moved by Hensley to receive and file. Motion Carried 6-1.**

[07-2391](#)

34. [Authorizing](#) Finance Director to draw checks on [registers](#) for the weeks of December 17 and December 24, 2007; to draw checks for the bills of the [Des Moines Municipal Housing Agency](#) for the week of December 17, 2007; and to draw checks for bi-weekly payroll due December 21, 2007. **Moved by Hensley to adopt. Motion Carried 6-1.**

35. Bids from the following:

[07-2392](#)

(A) [Karl](#) Chevrolet for six (6) Tactical Team Equipment Sport Utility Vehicles to be used by the Weapons of Mass Destruction (WMD) Tactical Officers Task Force Leadership Committee, \$265,398. (Eleven bids mailed, three received). **(Deferred from the 12-03-07 Council meeting) ([Council Communication No. 07-727](#)) Moved by Hensley to adopt. Motion Carried 6-1.**

[07-2393](#)

(B) [New](#) Image Technologies for non-competitive procurement for a replacement document management system (Keyfile) to be used by the Police Department, \$45,617. ([Council Communication No. 07-726](#)) **Moved by Hensley to adopt. Motion Carried 6-1.**

[07-2394](#)

(C) [RAE](#) Systems for non-competitive procurement for environmental monitoring equipment to be used by the Homeland Security Bureau, \$38,150. ([Council Communication No. 07-752](#)) **Moved by Hensley to adopt. Motion Carried 6-1.**

ORDINANCES - FINAL CONSIDERATION

[07-2395](#)

36. [Zoning](#) Ordinance text amendment to allow the Board of Adjustment to grant exception to the residency requirement regarding commercial uses in “R-HD” Residential Historic District. **Moved by Hensley that this ordinance do now pass, [#14,731](#). Motion Carried 6-1.**

ORDINANCES - SECOND CONSIDERATION

[07-2396](#)

37. [Amending](#) Chapter 114 of the Municipal Code regarding modification of Traffic Calming Proposals on 41st and 42nd Streets between University Avenue and Forest Avenue. **Moved by Hensley that this ordinance be considered and given second vote for passage. Motion Carried 6-1.**

[07-2397](#)

(A) Final consideration of ordinance above, (waiver requested by Council Member Vlassis and Hensley), requires 6 votes. **Moved by Hensley 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, [#14,732](#). Motion Carried 6-1.**

Council considered Hearing Items 43 thru 51 next

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

ORDINANCES - FIRST CONSIDERATION

- [07-2398](#) 38. **Amending** Chapter 74 of the Municipal Code regarding fees for golf courses, lodges, park shelters and other park rentals, pool rental, Brenton Skating Plaza, Simon Estes Riverfront Amphitheater and vendors. (**Council Communication No. 07-753**) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**
- [07-2399](#) 39. **Amending** Chapter 98 of the Municipal Code regarding charges for collection service, disposal of yard debris and sale and issuance of bags and stickers for yard debris. (**Council Communication No. 07-749**) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**
- [07-2400](#) (A) Final consideration of ordinance above, (waiver requested by Council Member Hensley), requires 6 votes. **Moved by Hensley 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, [#14,733](#). Motion Carried 6-1.**

COMMUNICATIONS/REPORTS

- [07-2401](#) 40. **From** Michael Thompson, to speak regarding a donation from the City of Des Moines to the Moosaic Wine and Wicker Event at Prairie Meadows on February 15. **Moved by Coleman to receive and file comments; refer to City Manager to work with Mr. Thompson. Motion Carried 6-1.**
- [07-2402](#) 41. **Letter** and petition in opposition to the construction of the Waveland Bicycle/Pedestrian Trail north from behind 6059 N. Waterbury Road to 56th Street. **Moved by Hensley to receive and file. Motion Carried 6-1.**
- [07-2403](#) 42. **Receipt** of quarterly reports from twenty-nine Neighborhood Based Service Delivery (NBSD) neighborhoods. **Moved by Hensley to receive and file the reports. Motion Carried 6-1.**

Council considered Items 52 thru Board of Health next

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 43 THRU 51)

- [07-2404](#) 43. **On** appeal from Cody Fleming, 6509 SW 16th Street, of the Administrative Hearing Officer's decision regarding his dog. **Moved by Coleman to uphold the hearing officer and declare the animal as dangerous. Motion Carried 6-1.**
- [07-2405](#) 44. **On** appeal of Permit and Development Administrator's decision to deny Plat of Survey for land in the vicinity of 3630 120th Avenue (located within the two mile jurisdiction area). (**Council Communication No. 07-730**) **Moved by Mahaffey to refer back to the Plan and Zoning Commission for further review. Motion Carried 6-1.**

- [07-2406](#) 45. On vacation and conveyance of an easement for subsurface and air space adjoining 707 8th Street to Principal Life Insurance Company, \$2,917. ([Council Communication No. 07-746](#)) **Moved by Hensley to adopt. Motion Carried 6-1.**
- [07-2407](#) (A) First consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**
- [07-2408](#) (B) Final consideration of ordinance above, (waiver requested from applicant), requires 6 votes. **Moved by Hensley 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, [#14,734](#). Motion Carried 6-1.**
- [07-2409](#) 46. On vacation and conveyance of air space easement above Park Street, between 7th and vacated 8th Street, to Principal Life Insurance Company, \$594. ([Council Communication No. 07-745](#)) **Moved by Hensley to adopt. Motion Carried 6-1.**
- [07-2410](#) (A) First consideration of ordinance above. **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**
- [07-2411](#) (B) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. **Moved by Hensley 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, [#14,735](#). Motion Carried 6-1.**
- [07-2412](#) 47. On vacation and conveyance of north/south alley right-of-way from Thornton Avenue to Rose Avenue, between SW 3rd Street and SW 4th Street, to adjoining property owners, \$725. ([Council Communication No. 07-744](#)) **Moved by Meyer to adopt. Motion Carried 6-1.**
- [07-2413](#) (A) First consideration of ordinance above. **Moved by Meyer that this ordinance be considered and given first vote for passage. Motion Carried 6-1.**
- [07-2414](#) (B) Final consideration of ordinance above, (waiver requested by Polk County Health Services, Inc.), requires 6 votes. **Moved by Meyer that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#14,736](#). Motion Carried 6-1.**

WITHDRAWN

- [07-2415](#) 48. ~~On intent to acquire property and authorize acquisition of private property interests thereof from Mabel B. Nicolino for the SE Connector Project—SW 2nd to SE 6th Phase.~~

49. Items regarding the E. Indianola Avenue Widening Project:

[07-2416](#)

- (A) [Authorization](#) to proceed with acquisition of necessary right-of-way and easements for the E. Indianola Avenue Widening. ([Council Communication No. 07-748](#)) **Moved by Meyer to adopt; refer to the City Manager to: 1) Hold a public meeting at Jackson Elementary, 2) Determine possible alternatives for the bike trail, 3) Coordinate construction schedule with Jackson Elementary renovations, 4) Expand public notices to include all residents who received the Environmental Impact Statements. Motion Carried 6-1.**

[07-2417](#)

- (B) [Hearing](#) on intent to acquire agricultural property and authorize acquisition of the necessary property interests thereof from Lemar Koethe for property at the northeast corner of Army Post Road and E. Indianola Avenue. **Moved by Meyer to adopt; refer to the City Manager to: 1) Hold a public meeting at Jackson Elementary, 2) Determine possible alternatives for the bike trail, 3) Coordinate construction schedule with Jackson Elementary renovations, 4) Expand public notices to include all residents who received the Environmental Impact Statements. Motion Carried 6-1.**

[07-2418](#)

- (C) [Hearing](#) on intent to acquire property for recreational trail purposes and authorize acquisition of the necessary property interests thereof from various property owners. **Moved by Meyer to adopt; refer to the City Manager to: 1) Hold a public meeting at Jackson Elementary, 2) Determine possible alternatives for the bike trail, 3) Coordinate construction schedule with Jackson Elementary renovations, 4) Expand public notices to include all residents who received the Environmental Impact Statements. Motion Carried 6-1.**

[07-2419](#)

50. [On](#) development agreement with Mesaba Airlines, Inc. for property at the Des Moines International Airport. **Moved by Hensley to continue the public hearing on the Agreement until January 7, 2008, at 5:00 P.M., in the Council Chambers. Motion Carried 5-2. Absent: Cownie and Meyer.**

[07-2420](#)

51. [On](#) Police Station Emergency Generator: Resolution approving plans, specifications, form of contract documents, Engineer's Estimate and designating lowest responsible bidder as Stroh Corporation, (Patrick J. Miller, President/CEO), \$441,000. ([Council Communication No. 07-747](#)) **Moved by Coleman to adopt. Motion Carried 5-2. Absent: Cownie and Meyer.**

[07-2421](#)

- (A) [Approving](#) contract and bond and permission to sublet. **Moved by Coleman to adopt. Motion Carried 5-2. Absent: Cownie and Meyer.**

****END HEARINGS AT 6:04 P.M.****

****Council considered Items 38 thru 42 next****

APPROVING

- [07-2422](#) 52. [Intergovernmental](#) 28E Agreement with Neighborhood Development Corporation extending the period from December 1, 2007 to November 30, 2012. ([Council Communication No. 07-734](#)) **Moved by Vlassis to adopt. Motion Carried 6-1.**
- [07-2423](#) 53. [Metropolitan](#) Coalition Agreement with the Cities of West Des Moines, Dubuque, Cedar Rapids, Iowa City, Sioux City, Ames, Council Bluffs and Davenport to work collaboratively with the Iowa League of Cities in legislative matters. **Moved by Hensley to adopt. Motion Carried 6-1.**
- [07-2424](#) 54. [Thrivent](#) Builds Neighborhoods Coalition Implementation Phase Memorandum of Understanding regarding King Irving and Mondamin Presidential Neighborhood Action Plan. ([Council Communication No. 07-731](#)) **Moved by Vlassis to adopt. Motion Carried 6-1.**
- [07-2425](#) 55. [Proposal](#) for provision of IT Strategic Planning Services and authorizing City Manager to negotiate and execute contract with Plante Moran, PLLC, \$135,000. ([Council Communication No. 07-750](#)) **Moved by Coleman to adopt. Motion Carried 6-1.**
- [07-2426](#) 56. [Acceptance](#) of donation of “Mother’s Pearl” sculpture from Barbara and Michael Gartner to be displayed at Principal Park. ([Council Communication No. 07-751](#)) **Moved by Coleman to approve. Motion Carried 6-1.**
- [07-2427](#) 57. [License](#) Agreement with Edmundson Art Foundation, Inc. d/b/a The Des Moines Art Center for installation and maintenance of a sculpture entitled Nomade at “Western Gateway Park”. ([Council Communication No. 07-736](#)) **Moved by Hensley to adopt. Motion Carried 6-1.**
58. Items regarding Central Iowa Employment and Training Consortium, (CIETC):
- [07-2428](#) (A) [Approving](#) settlement agreement. **Moved by Coleman to adopt. Motion Carried 6-1.**
- [07-2429](#) (B) [Approving](#) payment of Attorney fees. **Moved by Coleman to adopt; authorize City Attorney to pay additional attorney fee billings upon audit of billing statement. Motion Carried 4-2-1. Nays: Hensley and Meyer. Absent: Cownie.**

BOARD OF HEALTH

- [07-2430](#) 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:

[07-2431](#)

- (A) [1548](#) 23rd Street, Titleholder: Adair Holdings, LLC. **Moved by Vlassis to adopt. Motion Carried 6-1.**

[07-2432](#)

- (B) [2239](#) Logan Avenue, Titleholder: Myers, McFadden & Connelly; Contract Buyer: Mark A. Swatta. **Moved by Vlassis to adopt. Motion Carried 6-1.**

[07-2433](#)

- (C) [401](#) Forest Avenue, Titleholder: Steven J. Addy; Contract Buyers: William E. Clark and Daelene L. Clark (Deferred from 10/22/07). **Moved by Vlassis to adopt. Motion Carried 6-1.**

[07-2434](#)

- 1-I. [Release](#) of Fire escrow account held for the structure located at 3008 E. 12th Street. **Moved by Vlassis to adopt. Motion Carried 6-1.**

COMMUNICATIONS

2. Regarding demolition cost reserve held for fire-damaged structures at the following locations:

~~(A) Auto Owners Insurance Company for 3008 E. 12th Street.~~

[07-2435](#)

- (B) [Shelter](#) Insurance Company for 913 Army Post Road. **Moved by Vlassis 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.**

[07-2436](#)

MOTION TO ADJOURN. **Moved by Vlassis to adjourn at 6:55 P.M. Motion Carried 6-1.**

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