

DES MOINES CITY COUNCIL MEETING

June 8, 2009 4:30 PM

I. CLOSED SESSION – 3:00 PM

- (A) Roll Call.
- (B) Recess and reconvene in closed session pursuant to Section 21.5(c) of the Code of Iowa to discuss matters of pending litigation.
- (C) Closed Session.
- (D) Terminate closed session and reconvene in open session.

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SPECIAL PRESENTATIONS – 4:15 PM

- Greater Des Moines Sister Cities Commission – Provincia di Catanzaro
- Grays Lake Neighborhood Association

INVOCATION: Council Member Thomas Vlassis

1. ROLL CALL:

- I Request from Youth Advisory Board to speak regarding their event, DMPalooza, on June 12, 2009.

2. APPROVING AGENDA, AS PRESENTED AND/OR, AS AMENDED:

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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.**

3. APPROVING CONSENT AGENDA – items 3 through 54:

LICENSES AND PERMITS

4. [Approving](#) Alcoholic Beverage License Applications for the following:

NEW APPLICATIONS

(A)	CHOCOLATERIE STAM	2814 INGERSOLL	C Beer/Wine C Native Wine
(B)	FOREST MARKET	2105 FOREST AVE	E Liquor
(C)	LE JARDIN	841 42ND ST	C Beer/Wine
(D)	SAKI 21 LOUNGE	2314 UNIVERSITY	C Liquor
(E)	WALGREENS #3252	606 WALNUT ST	C Beer
(F)	WALGREENS #359	2545 E EUCLID AVE	C Beer
(G)	WALGREENS #4714	4555 FLEUR DR	C Beer
(H)	WALGREENS #5362	1330 E UNIVERSITY	C Beer
(I)	WALGREENS #5721	3140 SE 14TH ST	C Beer
(J)	WALGREENS #5777	2930 E UNIVERSITY	C Beer
(K)	WALGREENS #5852	3030 UNIVERSITY	C Beer
(L)	WALGREENS #7452	4415 DOUGLAS AVE	C Beer
(M)	WALGREENS #7453	104 E EUCLID AVE	C Beer
(N)	WALGREENS #7833	3501 INGERSOLL	C Beer
(O)	WALGREENS #7968	6200 SE 14TH ST	C Beer

RENEWAL APPLICATIONS

(P)	ASIA CITY RESTAURANT	3409 SE 14TH ST	B Beer
(Q)	CJS II	316 E 30TH STREET	C Liquor
(R)	DEN	4369 MERLE HAY RD	C Liquor
(S)	DRUGTOWN WINE AND SPIRITS	4100 UNIVERSITY	E Liquor
(T)	GIT N GO STORE #11	3940 E 29TH ST	C Beer
(U)	HY VEE FOOD STORE #4	4605 FLEUR DR	E Liquor
(V)	HY VEE FOOD STORE #5	1107 E ARMY POST	E Liquor
(W)	PLAZA PUB	6202 DOUGLAS AVE	C Liquor
(X)	POLK COUNTY CONVENTION	501 GRAND AVE	C Liquor
(Y)	QUIKTRIP #554	901 SW 63RD	C Beer
(Z)	SBROCCO	208 COURT AVE	C Liquor
(AA)	SOUTHSIDE TOBACCO	2424 SW 9TH ST	E Liquor
(BB)	TAQUERIA JALISCO	1704 E GRAND AVE	B Beer
(CC)	VETERANS MEMORIAL	833 5TH AVENUE	C Liquor

OUTDOOR SERVICE APPLICATIONS

(DD)	BUDDYS CORRAL	418 E 5TH ST	C Liquor
	Temporary in conjunction with Capital City Pride Festival on June 12 – 16, 2009. Pending approval of Building, Electrical, Fire and Zoning Departments.		

- (EE) LOCUST TAP 434 E LOCUST ST C Liquor
Temporary in conjunction with Capital City Pride Festival on June 13 – 14, 2009.
Pending approval of Building, Electrical, Fire and Zoning Departments.
- (FF) UNDERGROUND 500 E LOCUST ST C Liquor
Temporary in conjunction with Capital City Pride Festival on June 13 – 14, 2009.
Pending approval of Building, Electrical, Fire and Zoning Departments.

SPECIAL EVENTS APPLICATIONS

- (GG) BEAVERDALE LIVE! 2638 BEAVER AVE Five (5) Day License
Class B Beer (Beer/Wine) License for event on June 13, 2009. Pending approval
of Building, Electrical, Fire and Zoning Departments.
- (HH) DES MOINES ARTS FESTIVAL 1302 LOCUST AVE Five (5) Day License
Special Class C Liquor License (Beer/Wine) for an event on June 25 – 28, 2009.
Pending approval of Building, Electrical, Fire and Zoning Departments.
- (II) DES MOINES ARTS FESTIVAL 1310 GRAND AVE Five (5) Day License
Special Class C Liquor License (Beer/Wine) for an event on June 25 – 28, 2009.
Pending approval of Building, Electrical, Fire and Zoning Departments.
- (JJ) DES MOINES ARTS FESTIVAL 1418 LOCUST AVE Five (5) Day License
Special Class C Liquor License (Beer/Wine) for an event on June 25 – 28, 2009.
Pending approval of Building, Electrical, Fire and Zoning Departments.
- (KK) DES MOINES ARTS FESTIVAL 1203 LOCUST Five (5) Day License
Special Class C Liquor License (Beer/Wine) for an event on June 25 – 28, 2009.
Pending approval of Building, Electrical, Fire and Zoning Departments.
- (LL) DES MOINES ARTS FESTIVAL 1501 LOCUST AVE Five (5) Day License
Special Class C Liquor License (Beer/Wine) for an event on June 25 – 28, 2009.
Pending approval of Building, Electrical, Fire and Zoning Departments.
- (MM) GARDEN 431 E LOCUST AVE Five (5) Day License
Class B Beer (Beer/Wine) License for Capital City Pride Festival on June 13 - 14,
2009. Pending approval of Building, Electrical, Fire and Zoning Departments.
- (NN) JOHNNYS HALL OF FAME 302 COURT AVE Five (5) Day License
Class C Liquor License for an event on June 20, 2009. Pending approval of
Building, Electrical, Fire and Zoning Departments.
- (OO) PARKS AREA FOUNDATION 710 CORNING AVE Five (5) Day License
Class B Beer (Beer/Wine) License for Rendezvous on Riverview event on June 26,
2009. Pending approval of Building, Electrical, Fire and Zoning Departments.
- (PP) PARKS AREA FOUNDATION 710 CORNING AVE Five (5) Day License
Class B Beer (Beer/Wine) License for Rendezvous on Riverview event on June 12,
2009. Pending approval of Building, Electrical, Fire and Zoning Departments.

- (QQ) PARKS AREA FOUNDATION 710 CORNING AVE Five (5) Day License
Class B Beer (Beer/Wine) License for Rendezvous on Riverview event on June 19,
2009. Pending approval of Building, Electrical, Fire and Zoning Departments.
- (RR) PARKS AREA FOUNDATION 710 CORNING AVE Five (5) Day License
Class B Beer (Beer/Wine) License for Rendezvous on Riverview event on July 3,
2009. Pending approval of Building, Electrical, Fire and Zoning Departments.
- (SS) SURF SHACK 319 COURT AVE Five (5) Day License
Class B Beer (Beer/Wine) License for a Street Use event on June 13, 2009.
Pending approval of Building, Electrical, Fire and Zoning Departments.
- (TT) WATLAO BUDDHAVATH 1804 E PARK AVE Five (5) Day License
Class B Beer (Beer/Wine) License for a festival on June 26 - 28, 2009. Pending
approval of Building, Electrical, Fire and Zoning Departments.
- (UU) WINSTONS PUB & GRILLE 800 WALNUT ST Five (5) Day License
Special Class C Liquor License (Beer/Wine) in conjunction with Dig Downtown
event on June 18, 2009. Pending approval of Building, Electrical, Fire and Zoning
Departments.

5. [City](#) Clerk to issue Cigarette Licenses.

6. [City](#) Clerk to issue Coin Operated Machine Licenses.

PUBLIC IMPROVEMENTS

7. Ordering construction of the following:

- (A) [Bates](#) & Evergreen Parks Playground Improvements: Receiving of bids, (6-30-09),
and Setting date of hearing, (7-13-09). (Construction Estimate - \$269,100).

[\(Council Communication No. 09-362\)](#)

- (B) [E. University Avenue/E. 30th Street Traffic Signal Interconnect Improvements](#):
Receiving of bids, (6-16-09), and Setting date of hearing, (7-13-09). (Construction
Estimate - \$469,000).

[\(Council Communication No. 09-383\)](#)

- (C) [SE 14th Street Widening at E. Indianola Avenue](#): Receiving of bids, (6-30-09), and
Setting date of hearing, (7-13-09). (Construction Estimate - \$291,825).

[\(Council Communication No. 09-361\)](#)

(D) [Southeast](#) Connector Paving – SW 2nd Street to SE 6th Street: Receiving of bids, (6-16-09), and Setting date of hearing, (7-13-09). (Construction Estimate - \$7,191,200).

[\(Council Communication No. 09-384\)](#)

8. [Approving](#) 3 Traffic Safety Fund Applications to the Iowa Department of Transportation.

[\(Council Communication No. 09-376\)](#)

9. [Approving](#) Addendum to Iowa Department of Transportation Predesign Agreement for the Reconstruction of I-235.

[\(Council Communication No. 09-381\)](#)

10. [Approving](#) Professional Services Agreement with Calhoun-Burns & Associates, Inc. for City-Wide Bridge Evaluation – 2009, not to exceed \$75,500.

[\(Council Communication No. 09-360\)](#)

11. [Approving](#) Change Order No. 6 with Pinnacle Construction Group, LLC for additional work on the John & Mary Pappajohn Sculpture Park, not to exceed \$66,680.

[\(Council Communication No. 09-379\)](#)

(A) [Communication](#) from Pinnacle Construction Group, LLC requesting permission to sublet certain items on John & Mary Pappajohn Sculpture Park.

12. [Accepting](#) completed construction and approving final payment for Woodland Cemetery ornamental fence, American Fence Co. of Iowa, Inc.

SPECIAL ASSESSMENTS

13. [Levying](#) assessments for costs of Nuisance Abatement-NAC Emergency Orders (Community Development) Schedule No. 2009-11.

14. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2009-01.

15. [Approving](#) Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility Credits for May 2009.
16. [Approving](#) Delinquent Sewer Rental and/or Solid Waste/Stormwater Utility Fees for May 2009.

LAND/PROPERTY TRANSACTIONS

17. [Approving](#) and accepting PUD Restoration Bond for the issuance of a grading permit to P.A.T. Brokerage Commercial Development at 4529 and 4539 Douglas Avenue.

[\(Council Communication No. 09-353\)](#)

18. [Accepting](#) proposal from Terrus Real Estate Group for commercial real estate listing services for the lease or sale of 801 University Avenue and authorizing the Office of Economic Development to negotiate and the City Manager to execute a contract.

[\(Council Communication No. 09-357\)](#)

19. [Approving](#) Settlement Agreement and accepting real estate documents for property lying south of and adjoining 826 SE 21st Street from Seidenfeld Incorporated.

[\(Council Communication No. 09-358\)](#)

20. [Acceptance](#) of Community Disaster Grant Award from the Iowa Homeland Security and Emergency Management Division and authorizing voluntary acquisition of flood prone properties.

[\(Council Communication No. 09-369\)](#)

21. [Authorization](#) to proceed with acquisition of necessary right-of-way and easements for the SE 5th Street sidewalk from E. Miller Avenue to E. Watrous Avenue.

[\(Council Communication No. 09-355\)](#)

22. [Authorizing](#) issuance of a Replacement Quit Claim Deed to Polk County for vacated north/south alley between Martin Luther King Jr. Pkwy. and 21st Street, extending south from Forest Avenue.

BOARDS/COMMISSIONS/NEIGHBORHOODS

23. [Approving](#) recommendation from Neighborhood Revitalization Board (NRB) regarding removal of the Gray's Woods and Kirkwood Glen Neighborhood Associations from the list of recognized neighborhood associations.

[\(Council Communication No. 09-363\)](#)

24. [Recommendation](#) from Council Member Brian Meyer to appoint Donald Puck to the Building and Fire Code Board of Appeals, Seat 14, for a three-year term commencing April 1, 2008 to expire April 1, 2011.
- 24I [Recommendation](#) from Council Member Tom Vlassis to reappoint Edgar Hansell to the Des Moines International Airport Board, Seat 4, for a four-year term commencing June 30, 2009 to expire June 30, 2013.

COMMUNICATIONS FROM PLANNING AND ZONING

25. [Regarding](#) request from Charles Ruperto for vacation and conveyance of a portion of SE 15th Street right-of-way, adjoining property at 1437 Maury Street, subject to conditions.

SETTING DATE OF HEARINGS

26. [On](#) vacation and conveyance of a small segment of E. 33rd Street, south of E. Thompson Avenue and of Thompson Avenue between E. 33rd and E. 34th Streets to St. Joseph's Church of Des Moines, \$600, (6-22-09).
27. [On](#) request from Ryan Galloway to rezone property in the vicinity of 1032 and 1036 18th Street from "R-3" (Multiple-Family Residential) to Ltd. "NPC" (Neighborhood Pedestrian) to allow future pedestrian oriented multiple-family residential development, subject to conditions, (6-22-09).
28. [On](#) request from Menard, Inc., to rezone property at 1201 E. Diehl Avenue from "R1-60" (One-Family Low-Density Residential) and "C-2" (General Retail and Highway Oriented Commercial) to Ltd. "C-2", (to correct legal description submitted with Roll Call 09-765), (6-22-09).
29. [Supplement](#) No. D-1 to the Governmental Lease-Purchase Master Agreement with De Lage Landen Public Finance LLC, \$778,854 to acquire five heavy-duty trucks with plows and ice control equipment, (necessary to correct previous publication error), (6-22-09).

[\(Council Communication No. 09-370\)](#)

30. [On](#) Supplement No. D-2 to the Governmental Lease-Purchase Master Agreement with De Lage Landen Public Finance LLC, \$1,116,017 to acquire up to seven street sweepers, (necessary to correct previous publication error) (6-22-09).

[\(Council Communication No. 09-373\)](#)

31. [On](#) request from Andy Holt for the Baker PUD Conceptual Plan 4th Amendment, 4500 Hubbell Avenue, to reconfigure the layout of an approved Light Industrial Business Park, with additional land reserved for future amendment, (6-22-09).

LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS

32. [Approving](#) payment of \$27,060.95 to Ahlers & Cooney, P.C. for services regarding General Obligation Refunding Bonds.
33. [Approving](#) payment of \$35,192.84 to Robbie Lydic for a workers' compensation claim.
34. [Approving](#) payment of \$12,000 to Michael Campos for a claim.
35. [Authorizing](#) Compromise of Judgment with Donna Barnes.

[\(Council Communication No. 09-397\)](#)

36. [Approving](#) payments of settlements made by City Attorney, not exceeding \$5,000.

CITY MANAGER COMMUNICATIONS

37. [Submitting](#) travel and training requests for T.M. Franklin Cownie, Tonia L. Fairbanks, Joseph Frentress and Michael A. Hofmann.

[\(Council Communication No. 09-388\)](#)

APPROVING

38. Fiscal Year 2006 Continuum of Care (COC) Closeout Certification Documents for the following:
 - (A) [Buchanan](#) Transitional Living Center.
 - (B) [House](#) of Mercy at Capitol Park.
 - (C) [West](#) Des Moines Transitional Housing Program.
39. Number not used.
40. [Notice](#) of Finding of No Significant Impact on the Environment and a Request for Release of Funds from the U.S. Department of Housing and Urban Development under the Consolidated Appropriations Act of 2008 for the Lead-Based Paint Hazard Control Grant Program.

[\(Council Communication No. 09-371\)](#)

41. [Notice](#) of Intent to Request Release of Funds from the U.S. Department of Housing and Urban Development (HUD) for a Self-help Homeownership Opportunity Program (SHOP) Grant to the Greater Des Moines Habitat for Humanity.

[\(Council Communication No. 09-396\)](#)

42. [Neighborhood](#) Stabilization Program Contract with the Iowa Department of Economic Development (IDED).

- (A) [Memoranda](#) of Understanding with designated local housing agencies to implement the Neighborhood Stabilization Program.

[\(Council Communication No. 09-386\)](#)

43. [Assignment](#) of Tax Sale Certificates to Greater Des Moines Habitat for Humanity Inc., for the development of low to moderate income owner-occupied housing.

[\(Council Communication No. 09-387\)](#)

44. [Acceptance](#) of Grant Agreements from Iowa Homeland Security and Emergency Management Division for 2008 Buffer Zone Protection Program and Vulnerability Reduction Purchasing Plan.

[\(Council Communication No. 09-382\)](#)

45. [Execution](#) of Federal Aviation Administration AIP Grant Agreement, Project Number 3-19-0027-51 Airport Runway 13R-31L Land Acquisition, Phase 8.

[\(Council Communication No. 09-374\)](#)

46. [Extension](#) to June 30, 2011 on Letter of Credit regarding the outstanding Subordinate Airport Commercial Paper Revenue Notes, Series C, and authorizing execution and delivery of a Second Amendment to Reimbursement Agreement with Bank of America, N.A.

[\(Council Communication No. 09-375\)](#)

47. Issuance of the following General Obligation bonds:

- (A) [\\$19,605,000](#), Series 2009E (Taxable Build America Bonds) and levying a tax to pay.
 - (B) [\\$3,055,000](#), Series 2009F (Urban Renewal) and levying a tax to pay.
 - (C) [\\$3,115,000](#), 2009G, and levying a tax to pay.

48. [Authorizing](#) the execution of the United States Department of Agriculture (USDA) Natural Resources Conservation Services (NRCS) Project Agreement for the Emergency Watershed Protection Program and Operation and Maintenance Agreement for 1235 Davis Avenue (Trelen J. Wilson and Linda L. Bender, owners) Wall Construction.

[\(Council Communication No. 09-359\)](#)

49. [Extension](#) of Municipal Parking Facilities Management Services Agreement with Ampco System Parking.

[\(Council Communication No. 09-377\)](#)

50. [Additional](#) work by RCC Consultants Incorporated and compensation for extra work performed above and beyond contract for Radio Interoperability Consulting Services for the City and Polk County.

[\(Council Communication No. 09-378\)](#)

51. [Communication](#) from Downtown Community Alliance on behalf of Meredith Corporation to approve banner design for 14 banners to be displayed in Downtown Des Moines on Locust Street in summer of 2009.

52. Bids from the following:

- (A) [Home](#) Depot Stores for a blanket purchase order for miscellaneous building materials and supplies during FY10 per State of Iowa Contract for use by the Public Works Department, \$60,000.

[\(Council Communication No. 09-393\)](#)

- (B) [Jerico](#) Services and Smith Fertilizer and Grain for joint purchase along with the cities of West Des Moines, Waukee and Johnston, and Polk and Dallas Counties for deicing chemicals for use by the Public Works Department, estimated cost \$56,130. (Thirteen bids mailed, three received).

[\(Council Communication No. 09-394\)](#)

- (C) [Michaels](#) Construction Inc. for levee clearing and grubbing services for use by the Public Works Department, \$72,003. (Ten bids mailed, three received).

- (D) [Insight](#) Public Sector to upgrade 1,320 Microsoft Enterprise Agreement Standard Core Client Access Licenses (CALs) to Microsoft Enterprise (CALs) per State of Iowa Contract for use by the Information Technology Department, \$108,525.10.

[\(Council Communication No. 09-372\)](#)

- (E) [Acme](#) Tools for an annual contract with two (2) additional one-year renewal options to furnish concrete saw blades for use by the Public Works Department, \$39,242.30. (Fourteen bids mailed, seven received).

- (F) [Exception](#) to the Procurement Ordinance competitive bidding requirements for good cause and approving payment to Proctor Mechanical for emergency repair of sanitary sewer main in the 800 block of 33rd Street, \$28,627.50.

[\(Council Communication No. 09-385\)](#)

53. Civil Service Lists for the following:

- (A) [Entrance](#) lists for Senior Construction Inspector, License Clerk and Sidewalk Compliance Coordinator and Promotional lists for Airport Crew Chief, Street Maintenance Worker, Laborer and Housing Services Maintenance Team Leader.
- (B) [Entrance](#) list for Park Planner II and Promotional Lists for Medium Equipment Operator and Park Planner III.

- 54. [Authorizing](#) Finance Director to draw checks on registers for weeks of June 8 and June 15, 2009; to draw checks for bills of the Des Moines Municipal Housing Agency for weeks of June 8 and June 15, 2009; and to draw checks for biweekly payroll due June 19, 2009.

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

ORDINANCES - FIRST CONSIDERATION

- 55. [Amending](#) Chapter 74 of the Municipal Code regarding use of glass containers in City parks.

[\(Council Communication No. 09-389\)](#)

56. [Amending](#) Chapter 114 of the Municipal Code submitting traffic regulation changes as follows:
- (A) Prohibiting left turns from private driveway onto E. Diehl Avenue.
 - (B) Parking Restrictions to facilitate Solid Waste collection – west side of SE 4th Street from E. Philip to E. McKinley Avenues.
 - (C) Various Code revisions for field adjustments to parking signs and meters.

[\(Council Communication No. 09-354\)](#)

COMMUNICATIONS/REPORTS

57. [From](#) Bob Wessel, 2719 E. Leach, to speak regarding finances.
58. [From](#) Jerad Cherniss, 1367 Porter Avenue, to discuss having a comedy festival in Des Moines.
59. [From](#) Donna Cosner, 827 SE Jackson, to speak regarding Sevastopol area (SE 5th, Edison, Pioneer Rd., SE 6th) and Brooks family.
60. [From](#) Paul and Wendy Rains, 1915 York Street, to speak regarding enforcement of vicious/dangerous dog ordinance.
61. [From](#) Terry Town and Joe Madonia, to speak regarding ordinance change for food vending units.

***Note: If the City Council completes all items above before 5:00 PM, they will skip the Hearing Items, and continue the agenda starting with the next item following the Hearings. At 5:00 PM, they will return to this point in the agenda to consider the Hearing Items and then continue with all the remaining items on the agenda.**

HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 62 THRU 69)

62. [On](#) conveyance of 1161 Enos Avenue to Lars Vinz, \$500.

[\(Council Communication No. 09-356\)](#)

63. Items regarding temporary moratorium on the creation of new and expansion of existing vehicle display lots:

(A) [Resolution](#) directing City Manager to schedule a Council work session regarding vehicle display lots and extending temporary moratorium on vehicle display lots to 8-11-09.

(1) [Alternate](#) resolution scheduling public hearing on regulations and rezoning to create a Vehicle Display Lot Overlay District and extending the temporary moratorium on vehicle display lots to 8-11-09, (hearing 8-10-09).

[\(Council Communication No. 09-391\)](#)

(B) [Resolution](#) closing hearing and [denying](#) application from Imperial Properties, Inc., (Bill Moyer, Agent) for relief from the temporary moratorium to allow the expansion of a vehicle display lot at 4131 E. 14th Street.

[\(Council Communication No. 09-392\)](#)

(1) [Alternate](#) resolution closing hearing and [approving](#) application.

64. [On](#) proposed renaming of streets recently annexed or to be annexed in the City of Des Moines.

[\(Council Communication No. 09-395\)](#)

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

(B) [Final](#) consideration of ordinance above, (waiver requested by Community Development Director), requires 6 votes.

65. [On](#) 2009 City-Wide PCC Pavement Restoration Program: Resolution approving plans, specifications, form of contract documents, engineer's estimate and designating lowest responsible bidder as Absolute Concrete Construction, Inc., (Sonny E. Hall, President), \$194,601.20.

[\(Council Communication No. 09-368\)](#)

(A) [Approving](#) contract and bond.

66. On 2009 Sidewalk Replacement Program: Resolution approving plans, specifications, form of contract documents, engineer's estimate and designating lowest responsible bidder as Absolute Concrete Construction, Inc., (Sonny E. Hall, President), \$283,371.65.

[\(Council Communication No. 09-367\)](#)

(A) Approving contract and bond and permission to sublet.

67. On 2nd Avenue Resurfacing - Grand Avenue to University Avenue: Resolution approving plans, specifications, form of contract documents, engineer's estimate and designating lowest responsible bidder as Grimes Asphalt & Paving Corp., (J.M. Yonker, President), \$637,488.90.

[\(Council Communication No. 09-365\)](#)

(A) Approving contract and bond and permission to sublet.

68. On Cownie Soccer Fields Improvements – Phase 3: Resolution approving plans, specifications, form of contract documents, engineer's estimate and designating lowest responsible bidder as Elder Corporation, (Jared R. Elder II, President), \$709,999.99.

[\(Council Communication No. 09-366\)](#)

(A) Approving contract and bond and permission to sublet.

69. On Waveland Trail Phase 1 from the Walnut Creek Trail to 56th Street: Resolution approving plans, specifications, form of contract documents, engineer's estimate and designating lowest responsible bidder as Elder Corporation, (Jared R. Elder II, President), \$273,999.99.

[\(Council Communication No. 09-364\)](#)

(A) Approving contract and bond and permission to sublet.

***** END HEARINGS AT _____ PM *****

APPROVING

70. Memorandum of Understanding with Polk County and Warren County for Metro S.T.A.R. Team adding agencies of Indianola, Norwalk, Windsor Heights, and Warren County.

[\(Council Communication No. 09-380\)](#)

71. Denying request for a waiver of the requirement to maintain a six-foot wide pedestrian pathway upon the public sidewalk adjoining the Pelican Bar at 208 3rd Street.

72. [Diminution](#) of one Housing Services Housing Inspector position.

([Council Communication No. 09-390](#))

BOARD OF HEALTH

MOTION TO CONVENE.

1. Approving the Legal Department to proceed with court action seeking authority to abate the public nuisance at the following locations:
 - (A) [2049](#) Des Moines Street, fire-damaged main structure, Titleholder: Filberto Trinidad; Mortgage Holder: New Century Mortgage Corp. a/k/a New Century Realty & Mortgage.
 - (B) [224](#) Guthrie Avenue, flood-damaged main structure and garage, Titleholder: Terrence O'Connor.
 - (C) [1515](#) 47th Street, main structure, Titleholder: Darlyne D. Longnecker; Contract Buyer: David G. Karaidos; Mortgage Holder: Federal Home Loan Mortgage Corporation.
2. [The](#) Legal Department to proceed with administrative abatement of the public nuisance garage structure located at 1332 Hull Avenue under signed agreement with Titleholder, Beverly J. Adamson.

MOTION TO ADJOURN AT _____ P.M.



All-America City
1949 1976 1981 2003